

The Good Law of a Vassal: Fidelity, Obedience and Obligation in Habsburg Spain

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Pertsonen arteko harremanetan fidelitasuna eta obediencia ezinbestekoak ziren Erregimen Zaharreko gizarteetan, printzipio handiagoetatik zetozelakoan (hala nola, maitasunetik, karitatetik eta ongintzatik) eta hierarkiaren eta elkarrekikotasunaren adierazle ziren neurrian. Beste monarkia konposatu batzuek bezala, Habsburgotarren Espainiakoak errege komun batekiko leialtasuna ziurtatzeari egin behar izan zion aurre, heterogeneitate politikoari eusten zion bitartean. Presio fiskalak eta militarrek handitu egiten zirenean, fidelitasunak argumentu sinesgarriak ematen zituen matxinadarako, bere limite propioak zituelakoan.

Giltza-Hitzak: Leialtasuna. Obedientzia. Eginbidea. Gobernu aitatiarra. Artzain erregetza. Matxinada. Habsburgotarren Espainia.

Las relaciones interpersonales como la fidelidad y la obediencia eran básicas en las sociedades del Antiguo Régimen, ya que derivaban de principios superiores (amor, caridad, beneficencia), que implicaban jerarquía y reciprocidad. Como otras monarquías compuestas, la España de los Austrias se enfrentaba a la tarea de asegurar la lealtad a un rey común mientras mantenía su heterogeneidad política. Cuando aumentaban las presiones fiscales y militares, paradójicamente la fidelidad podía aportar argumentos convincentes para una revuelta, ya que se entendía que aquella tenía sus propios límites.

Palabras clave: Fidelidad. Obediencia. Obligación. Gobierno paternal. Realeza pastoral. Revuelta. La España de los Austrias.

Issues de principes supérieurs (amour, charité, bienfaisance) impliquant à la fois une hiérarchie et une réciprocité, la fidélité et l'obéissance étaient des valeurs interpersonnelles essentielles dans les sociétés de l'Ancien Régime. Comme les autres monarchies composites, les Habsbourg d'Espagne se sont vus confrontés à la question de la loyauté envers un souverain commun dans un contexte d'hétérogénéité juridique. À une époque de pression fiscale et militaire croissante, la fidélité pouvait paradoxalement fournir des arguments pour la révolte tant qu'elle était conçue comme contenant ses propres limites.

Mots Clé : Fidélité. Obéissance. Obligation. Gouvernement paternel. Royauté pastorale. Révolte. Espagne des Habsbourg.

Among the many virtues adorning the Spanish kings and their way of conducting politics, friar Juan de Salazar singled out fidelity, coupled with Christian religiosity. As an instance, he praised the *infante* Fernando of Castile because, however much the nobility, in dire political and dynastic circumstances, urged him to take over the throne of his dead brother Henry III, overriding the claims of the latter's infant son, John II (1406), he agreed to act only as regent, "valuing fidelity more than the kingdom he was offered", as Salazar emphasized. Salazar did not fail to note that Fernando's faithful behaviour was later on rewarded when he became king of the territories of the Crown of Aragon in 1412. Similarly, Spanish folk lore and literature developed a heroic portrait of Hernán Cortés, the conqueror of Mexico (1521), not only because of his military deeds but above all –as a poem said– because of his decision not to establish a kingdom for himself:

He did not become a king
because he was loyal to his king,
and, while able to give and abolish laws,
he honoured the law of a good vassal¹.

Fame, consequently, accompanied both the *infante* and the conqueror because they complied with higher principles, either in respecting succession procedures or due acknowledgment of superiors.

Allegiance, loyalty, fidelity and related terms were key elements in Spanish vocabulary and practice, just as in any other Christian polity of the time. Placed right in the midst of a thick web of interpersonal relations, these terms had a very broad social and political usage. Covarrubias' dictionary, always offering convenient insights, says under the entry "Loyal":

He who honours fidelity and shows acknowledgment and love to his lord, friend and to whoever trusts him (...) It is said of a lower person towards a higher one, as loyal vassal, and also between equals, as loyal friend. Its opposite is traitor².

Trust and faithfulness were further related terms. They all formed the very fabric of society. So, the economic reformer Martín González de Cellorigo warned that social conventions, obligations and contracts should be respected for, otherwise, "fidelity and firmness of negotiations would be scarce, and without them neither justice, nor human company could last". On similar grounds, Juan de Mariana blamed the rather usual policy of tampering with currency not only because of its evil economic consequences but also

1. SALAZAR, Juan de. *Política española* (1619), ed. M. Herrero García, Madrid: Centro de Estudios Políticos y Constitucionales, 1997; pp. 65-66; the poem, quoted by REYNOLDS, Winston A., *Hernán Cortés en la literatura del Siglo de Oro*, 1st ed. Madrid: Editora Nacional, 1978; pp. 152-153.

2. COVARRUBIAS, Sebastián de. *Tesoro de la lengua castellana o española* (1611), ed. M. de Riquer, Barcelona: Altafulla, 1987; p. 755.

because it was a “deceit” by rulers with regard to the ruled³. In a more political meaning, faithfulness was so much esteemed that accusations of unfaithfulness could be used to discredit rivals. Thus, a Navarrese jurist, licenciado Martínez de Olano, writing in the mid 1570’s on the well known feuds and factions which lingered on in his society, warned Philip II that “some people, in order to emphasize that they are faithful, that they serve Your Majesty and that they are needed for the royal service in this kingdom (...), say that others are unfaithful, even though the latter are as loyal as them”. Occasionally, though, faithfulness could lose some of its importance before other passions: so the bishop of Cefalù, in Sicily, noted in 1675 that the hatred felt by local people against those from Messina was so violent that “they just do not care whether they are faithful or rebels, but seek to kill them all with no differences”⁴. Indeed, fidelity was right at the center of contemporary concerns and all sides of the religious divisions shared this appraisal. Thus, Hugo Grotius ended his great treatise on war and peace with a moving praise of fidelity:

It is fidelity that sustains not only any commonwealth, as Cicero says, but also that larger society of peoples; if fidelity is missing, so relationship among men disappears, as Aristotle truly says (...) Wherever fidelity is suppressed, men become beasts⁵.

In spite of such contemporary insistence, fidelity is a rather neglected topic among early modern historians. For quite a long time, conflict and revolt have attracted most of their attention. This is particularly true in Spain: over the last decades, sustained political decentralization and strong nationalism and regionalism have gone hand in hand with a historiographical inclination to overstate conflict. If emphasis was previously placed on class revolt, now it is placed on nationalistic resistance, which now seems to provide an explanation for most historical issues. Indeed, finding an episode of resistance in one’s local or regional past against the state (the latter however loosely conceived) is still at a premium in the publishing market.

Things, though, have started to change. A new appreciation of Roland Mousnier’s studies on relations of fidelity as the backbone of Old Regime societies has been followed by studies of its role in more precise political

3. GONZÁLEZ DE CELLORIGO, Martín. *Memorial de la política necesaria y útil restauración a la república de España* (1600), ed. J.L. Pérez de Ayala, Madrid: Instituto de Estudios Fiscales, 1991; p. 165; MARIANA, Juan de. *Tratado y discurso sobre la moneda de vellón* (Latin or. ed., 1609), ed. L. Beltrán, Madrid: Instituto de Estudios Fiscales, 1987; p. 65.

4. Olano, quoted by FLORISTÁN, Alfredo. “Las ‘altercaciones’ de Pamplona de 1592”. En: *Studia Historica. Historia Moderna*, n. 22, Salamanca, 2000; p. 34; the bishop, by RIBOT GARCÍA, Luis A. *La Monarquía de España y la guerra de Mesina (1674-1678)*, 1st ed. Madrid: Actas, 2002; p. 583.

5. GROCIUS, Hugo. *Del derecho de la guerra y de la paz*, cap. 25 (Latin. or. ed., 1625). En: Clemente Fernández, *Los filósofos del Renacimiento. Selección de textos*, 1st ed. Madrid: Biblioteca de Autores Cristianos, n. 506, 1990; p. 593.

arenas and, specifically, in composite monarchies⁶. On the other hand, a clearer understanding of the Early Modern moral and juridical background has placed plain politics on a lower level vis-a-vis the higher principles of *charitas*, *beneficentia*, *gratitudo*, *liberalitas* and other such values, which established a superior *ordo amoris* and a peculiar theory of interpersonal obligations⁷. The purpose of this essay is to take up and develop some of these insights.

The study of allegiance and fidelity confronts historians with several problems. Firstly, despite its being a ubiquitous term, to be found in all sorts of statements and proclamations, its meaning was hardly made clear or developed. It seemed to be rather taken for granted, unlike resistance, which needed and was given a good deal of justification. This leads to a second issue, its particularly wide application in a diversity of contexts, which, for example, was rightly grasped by the Count Duke of Olivares when he noted in the "Great Memorial" (1624) that the Portuguese were essentially faithful, so that "the discontent they show springs from sheer love to their kings"⁸. Next comes how to measure fidelity, that is, how distinguishing between sincere and conventional or formulaic protests of fidelity, and then how pondering the extent to which they influenced actual behaviour, an issue that, mostly related to patron-client relationships, has been addressed by practitioners of the linguistic turn⁹. And finally, in composite monarchies and multiple kingdoms, these problems are coupled with the fact that there were simultaneously several loyalties, which could interact or come into conflict among themselves through changing political conjunctures¹⁰.

6. ELLIOTT, J.H. "A Europe of composite monarchies". In: *Past and Present*, n. 137, nov. 1992, Oxford; pp. 57-58; KOENIGSBERGER, H.G. "Republic, monarchy and liberty". In: R. Oresko, ed., *Royal and republican sovereignty*, 1^a ed. Cambridge: Cambridge University Press, 1997; p. 49; DEDIEU, Jean-Pierre. "Fidélité et politique". In: *Mélanges de la Casa de Velázquez*, n. 34-2, Madrid, 2004; pp. 207-218.

7. CLAVERO, Bartolomé. *Antidora. Antropología católica de la economía moderna*, 1^a ed. Milan: Giuffrè, 1991; HESPANHA, António M. "Qu'est-ce que la 'constitution' dans les monarchies ibériques de l'époque moderne?". In *Themis*, n. 1, 2000; pp. 5-18, esp. 13; by the same, *Cultura jurídica europea. Síntesis de un milenio*, 1st ed. Madrid: Tecnos, 2002; pp. 20, 28. For later periods, see DUNN, John. *Political obligation in its historical context. Essays in political theory*, 1st ed. Cambridge: Cambridge University Press, 1980.

8. *Memoriales y cartas del Conde Duque de Olivares*, ed. J.H. Elliott and J.F. de la Peña, 1^a ed, Madrid: Alfaguara, 1978, vol. I; p. 92.

9. HERMAN, Arthur L. "Language of fidelity in early modern France". In: *Journal of Modern History*, n. 67, 1995, Chicago; pp. 1-24; SMITH, Jay M. "No more language games: Words, beliefs, and the political culture of early modern France". In: *American Historical Review*, n. 102, Washington DC, 1997; pp. 1413-1440, esp. 1424-1426.

10. VILLARI, Rosario. *Per il re o per la patria. La fedeltà nel Seicento*, 1st ed. Roma-Bari: Laterza, 1994; IÑURRITIGUI, José M. "1707: la fidelidad y los derechos". In: P. Fernández Albaladejo, ed., *Los Borbones. Dinastía y memoria de nación en la España del siglo XVIII*, 1^a ed.. Madrid: Marcial Pons, 2001; pp. 245-302; BENIGNO, Francesco. "Il dilemma della fedeltà. L'Almirante di Castiglia e il governo della Sicilia". In: *Trimestre*, n. 35/1, 2002, Teramo; pp. 81-102; ELLIOTT, J.H. "Rey y patria en el mundo hispánico". In: V. Mínguez and M. Chust, eds., *El imperio sublevado*, Madrid: CSIC, 2004; pp. 17-35; CORTEGUERA, Luis R. "Loyalty and revolt in the Spanish monarchy".

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Loyalty rested on reciprocity, which, in its turn, had many features: Christian love, feudal *mutua obligatio*, contractual duties, all of them binding ruler and ruled together in the pursuit of the common good. Given the strongly hierarchical mentality of the age, the part to be played by subjects and those socially inferior was, first of all, obedience. Thus, Jerónimo Zurita, the great Aragonese historian, quite frequently coupled “fidelity” with “homage” or “obedience” and, among other instances, quoted queen Joanna (John II’s wife) as reminding the officials of the Generalitat (standing committee of the Catalan Parliament) of “the debt (*deudo*) of vassalage, fidelity and birth” to which they were bound, during the hard negotiations leading to the crucial Concorde of Vilafranca (1461)¹¹. Jean Bodin was to emphasize this meaning in his well known notion of citizenship as consisting above all in the free subject’s obedience to his prince¹².

Bodin did not rule out the surviving feudal elements in the relationship between ruler and ruled, but in fact placed them within a more openly authoritarian understanding of obedience to the sovereign prince. In any case, genuine notions of a compact establishing the reciprocal duties between king and kingdom were very much alive, and certainly so in the Spanish Monarchy. The famous legendary *fueros* of Sobrarbe, in Aragon, reaching their doctrinal peak in the 1580’s, encapsulated the conditional nature of kingship in the sharpest of words. The Catalan Francisco de Copons, in his turn, stated the contractual notion in a more standard and yet no less clear way, in 1622:

Between Your Majesty and his vassals there is a reciprocal obligation, whereby as they must obey and serve Your Majesty as their King and lord, so Your Majesty must observe their laws and privileges¹³.

This contractual or *pactista* principle has been much favoured by scholars, so much so that it appears as if it virtually were the sole prin-

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In: Ph. Benedict and M.P. Gutman, eds., *Early Modern Europe: from Crisis to Stability*. Newark: University of Delaware Press, 2005; pp. 80-99; RIBOT, Luis. “Conflicto y lealtad en la Monarquía hispánica durante el siglo XVII”. In his *El arte de gobernar. Estudios sobre la España de los Austrias*. 1st ed. Madrid: Alianza, 2006, ch. 4; THOMPSON, I.A.A. “¿Fiel a qué? El lenguaje político en los ayuntamientos en la Castilla del siglo XVII”. In: *Mélanges de l’École Française de Rome. Italie et Méditerranée*, n. 118, 2006, Rome; pp. 281-288; ELLIOTT, J.H. “Naples in context. The historical contribution of Rosario Villari”, and MUTO, Giovanni. “Fedeltà e patria nel lessico politico napoletano ella prima età moderna”. Both in A. Merola, G. Muto, E. Valeri, M.A. Visceglia, eds., *Storia sociale e politica. Omaggio a Rosario Villari*, Milan: Franco Angeli, 2007; pp. 33-45 (esp. 43-44) and 495-522, respectively.

11. ZURITA, Jerónimo. *Anales de la Corona de Aragón (1562-1580)*, ed. A. Canellas, Zaragoza: Institución Fernando el Católico, 1988, book 17, ch. 18 (vol. 7; p. 336).

12. BODIN, Jean. *Les six livres de la république* (1576), book 1, ch. 6, eds. C. Frémont, M.-D. Couzinet and H. Rochais, Paris: Fayard, 1986, vol. 1; pp. 113-114, 129.

13. GIESEY, Ralph. *If not, not. The oath of the Aragonese and the legendary laws of Sobrarbe*, 1st ed. Princeton: Princeton University Press, 1968; Copons, quoted by ELLIOTT, J.H. *The revolt of the Catalans, 1598-1640*, 1st ed. Cambridge: Cambridge University Press, 1963; p. 45.

ciple at work in early modern political life. And yet, the idea of a compact coexisted with other strongly felt notions. Due obedience to parents and, consequently, to the king's fatherly rule, as stemming from the Fifth Commandment, was crucial. It found its paramount model of behaviour in Jesus Christ, who, as He himself repeatedly taught his disciples, came to this world to fulfill his Father's will (John, 4:34, 6:38; 14:31; Mathew, 26:39). Francisco de Quevedo was to give a poignant expression to this uppermost principle:

There was published an edict by Caesar Augustus that a census of the world had to be formed. Jesus was born in obedience thereof, and was obedient until his death, from the bosom of his mother before being born and also by being born (...) He who alone should be obeyed was born obeying¹⁴.

While fatherly authority was given extended development by that time by Robert Filmer in his *Patriarca*, its basic ideas were very much rooted in the thought of the time. Philip IV honoured this basic principle in what is known as his autobiography, when he evoked the uneasy beginning of his reign, at the death of his father, Philip III (1621): "I lost a father, whom I loved tenderly, and a lord, whom I served with all love, fidelity and submission"¹⁵.

Obedience, therefore, was a founding principle in the political culture of the age. More precisely, a chain of obedience bound all members of the commonwealth, from top to bottom, while acknowledging a diversity of particular status groups. Jean Bodin expounded the idea neatly:

We ought to consider a republic as happy when the king obeys divine and natural law; magistrates, to the king; particulars, to magistrates; children, to fathers; servants, to masters; and subjects are united among them and with their prince by ties of reciprocal friendship, so as to enjoy the sweetness of peace and true tranquility of spirit.

Cellorigo, who knew Bodin, shared the same basic assumption:

Subjects are bound by a natural obligation to obey, serve, honour and please their prince in all things as their natural lord (...); the king, by following natural laws, governs his subjects in a soft and mild way (...) A well balanced republic is to be achieved if subjects duly repay the king with the love and respect they owe him, are obedient and humble to him in peace, firm in war, constant in adversity, favourable in necessity, caring of his authority, zealous of his honour, and loyal at any time, so that they obey the king's laws and the king obeys natural law¹⁶.

14. QUEVEDO, Francisco de. *Política de Dios, gobierno de Cristo*, 2nd part (1655, posthumous ed.), ed. J.O. Crosby, Madrid: Castalia, 1966; p. 199.

15. "Autosemblanza de Felipe IV", in *Cartas de Sor María de Jesús de Ágreda y de Felipe IV*, ed. C. Seco, Madrid: Biblioteca de Autores Españoles, 1958; p. 232.

16. BODIN, *Six livres*, book 5, ch. 5, vol. 5; p. 130; CELLORIGO, *Memorial*; p. 129.

If these were vertical ties, there was also a variety of horizontal ones. Bishop Juan de Palafox Mendoza, for example, listed them in a handbook he wrote in the 1640's for the proper behaviour of classes and professions: husbands, wives, lords, servants, businessmen, mothers, sons and daughters, rich and poor people, all of them were exhorted to honour fidelity, obedience, modesty, caring, reverence, patience and other virtues, by which both reciprocity and hierarchy were to be achieved for the benefit of them all. Across the confessional divide, hierarchy, fidelity and obedience were likewise emphasized, as the 1648 English Presbyterian catechism openly put it in the answer given to the question "What is the honour inferiors owe to superiors?"¹⁷.

Consequently, obedience came prior to constitutional or juridical arrangements of one sort or another and, thus, could not be questioned by particular constitutions. This explains that the cosmographers Ignazio Danti and Stephano Buonsignori, authors of the noted maps hanging in the wardrobe chamber of the Palazzo Vecchio in Florence (1563-1589), underlined, in the historical note accompanying the map of Spain, that the Peninsula had been under Moorish dominion, until the time when Ferdinand the Catholic "put it under his obedience, except for Portugal". And later on they listed the number of kingdoms of Spain. A common obedience to the same king, then, was a defining feature of a composite monarchy¹⁸. This was more clearly stated in peace treatises: that between Spain and the United Provinces in 1648, for example, mentioned "the peoples, subjects, kingdoms and countries under the obedience of the king of Spain or the Estates General", while the Peace of the Pyrenees (1659) used identical expressions concerning Philip IV and Louis XIV, thus identifying all those who were concerned by their respective dispositions¹⁹.

Another major principle was obligation, which clearly should figure large in our analysis. As the quote by Copons shows, obligation, like fidelity, could often convey an explicit idea of reciprocity. To be sure, there was a contractual, synallagmatic notion of obligation. But there was also a one-way notion, implying an idea of duty towards others or the community, which sprang unilaterally from individuals. Civic humanism, with its revival of the Ciceronian, personal sense of duty towards the city, was well known in Castile and the Crown of Aragon, even if in later stages it lost some of its political edge, just

17. Palafox, quoted by BRAVO ARRIAGA, M. Dolores. "Juan de Palafox y la perfecta integración de la república cristiana". In M. Galí Boadella, ed., *La pluma y el báculo. Juan de Palafox y el mundo hispano del Seiscientos*, 1st ed. Puebla: Benemérita Universidad Autónoma de Puebla, 2004; p. 199. The catechism, quoted by SHARP, Andrew in his introduction to *The English Levellers*, 1st ed. Cambridge: Cambridge University Press, 1998; p. xx.

18. DANTI, Egnazio; BUONSIGNORI, Stephano. *Le tavole geografiche della guardaroba medicea di Palazzo Vecchio in Firenze*, ed. G. Levi-Donati, 1st ed. Perugia: Benucci, 1995; pp. 90-91.

19. USUNÁRIZ, Jesús M. *España y sus tratados internacionales: 1516-1700*, 1st ed. Pamplona: Ediciones Universidad de Navarra, 2006; pp. 310, 313, 318, 320, 323, 349, 385.

as in other Counter-Reformation countries²⁰. But it survived, together with the noble ethos, in the education and comportment of gentlemen and men of quality. This sense of inner duty was unrelated, at least formally, to any expectations of reciprocity from others. Thus, the Aragonese scholar and historian Pedro Porter Casanate tended to end his letters to fellow bibliophiles with the courteous expression “Your most obliged friend”. By way of contrast, an official would despise a rebellious populace as “people with few obligations”, and, likewise, the great writer Baltasar Gracián spoke of “men of obligations” as opposite to “villainous men”²¹. This is why Agustín de Castro argued, in one of the lessons he delivered at the Imperial College in Madrid by 1638, that persons of high stock should be appointed to the main offices, since they partook of “that innate sense of obligation which is felt by those who are much indebted to their blood”²². Little wonder, then, that the Count Duke of Olivares, while sharing the assumption that the people were “of lesser obligations”, confidently confessed in the early stages of his career that bad news would not weaken his determination, “for the extent of my obligation is such as to make me resolve to die clinging to my oar till not a splinter is left”²³.

Invisible ties of obligation, originating from blood, kin or rank, were powerful forces shaping that society²⁴. There developed a long jockeying among notables to establish themselves as major poles of obligation and fidelity among the lower nobility and commoners, but, after the turmoil of the mid-fifteenth century, the Catholic Kings succeeded at this strategy, as they did also in becoming supreme sources of justice and grace. This precisely provided the conditions for just government, as Cellorigo, eagerly seeking a harmonious relationship between king and kingdom, stated: “The royal monarchy of our Spain is composed in all perfection with what is needed to avoid oppression and rebellion: much virtue in he who rules and much fidelity in those who are ruled”²⁵.

20. GIL, Xavier. “Republican politics in Early Modern Spain: the Castilian and Catalano-Aragonese traditions”. In M. Van Gelderen and Q. Skinner, eds., *Republicanism. A shared European heritage*, 1st ed. Cambridge: Cambridge University Press, 2002, vol. I, ch. 13. Enlarged Spanish translation in *Estudis*, n. 34, 2008, Valencia; pp. 111-148.

21. Porter, quoted by ARCO, Ricardo del. *La erudición española en el siglo XVII y el cronista de Aragón Andrés de Uztároz*, 1st ed. Madrid: CSIC, 1950; pp. 235, 243-248, 305; the official, quoted by GELABERT, Juan E. *Castilla convulsa (1631-1652)*, 1st ed. Madrid: Marcial Pons, 2001; p. 336; GRACIÁN, Baltasar. *Oráculo manual y arte de prudencia* (1647), ed. E. Blanco, Madrid: Cátedra, 2000; p. 231, aphorism 236.

22. CASTRO, Agustín de. *Conclusiones políticas del príncipe y sus virtudes*, Madrid: Colegio Imperial, 1638; p. 150 (Biblioteca Nacional, Madrid, VE/1336-14).

23. “Gran Memorial”, *Memoriales y cartas*, vol. I; p. 61 (on the people); and quoted by ELLIOTT, J.H. *The Count-Duke of Olivares. The statesman in an age of decline*, 1st ed. New Haven-London, Yale University Press, 1986; p. 231, letter to the count of Gondomar, 2 June 1625 (on himself).

24. CASEY, James. *Family and community in early modern Spain. The citizens of Granada, 1570-1739*, 1st ed. Cambridge: Cambridge University Press, 2007; pp. 153, 168.

25. CELLORIGO, *Memorial*; p. 161.

Like Bodin, Palafox or the Presbyterian catechism, Cellorigo also pointed to how human behavior ought to be. Theirs was a rather idealized vision of the body politic, a vision which found further support in the notion of natural lord and natural vassal. The strength of the bond born from the fact of having a common homeland (*naturaleza*) was emphasized by the *Siete Partidas*, the great Castilian legal code from the 1260's, published in 1555. Since a common homeland was understood mostly as a relationship with and duty towards others (*debdo de naturaleza*), the code established a variety of natural ties and proclaimed that the first and best was the one men had towards their natural lord²⁶. The condition of natural vassal was deeply rooted indeed, and meant the highest degree of political obligation towards one's lord. This is why a major pamphlet of the Dutch revolt struggled in 1582 to argue that despite the fact that Philip II was "our natural lord", it was lawful to resist him on the grounds of his allegedly tyrannical ways. Similarly, Diego Saavedra Fajardo, the great Spanish writer and diplomat, showed his concern, in a memorandum on the County of Burgundy he wrote in 1638, that if the land was to lose its vassals because of the hardships of war, they would be replaced by "foreigners with neither love nor obligations" who were to settle there²⁷.

Still, the notion of natural vassal was qualified by standard assumptions on national characters and differences among them. Those differences could have an effect on fidelity: as Baltasar Álamos de Barrientos, a leading Tacitist writer, noted, nations and provinces could be

choleric or phlegmatic, firm or fickle, with an inclination to this or that, a particular complexion or the like; used to one style of government or to another; easier to make vassals of and keep loyal, or changeable and dangerous and hence, more prone to rebellions.

And just as, he went on, "the main foundation for a prince is to be faithful to his word and then give it due fulfillment" (a statement by which he rejected Machiavellian notions on deceit), on the other hand "nations of scarce fidelity leave the door open to be conquered by neighboring rulers"²⁸.

Castilians and Spaniards in general enjoyed a reputation of being loyal people, just as their soldiers were praised for their readiness to endure hardship and fight in all sorts of climates. Neapolitans, on the other hand, were said to be unstable and even liable to play with the prospect of foreign interventions, in spite of the prevailing stability of the kingdom since it became a

26. *Las Siete Partidas, glosadas por el licenciado Gregorio López*, Salamanca, 1555, 3 vols. (facsimile ed., Madrid, 1985), 4, 24, 1 (vol. 2; f. 60).

27. HEYNDRIX, Jacob. "Political education containing various and very important arguments and proofs" (Malines, 1582). In *The Dutch revolt*, ed. M. Van Gelderen, Cambridge: Cambridge University Press, 1993; p. 182; SAAVEDRA FAJARDO, Diego. "Relación (...) de la jornada al Condado de Borgoña" (1638). In his *Obras completas*, ed. A. González Palencia, Madrid: Aguilar, 1946; p. 1340.

28. ÁLAMOS DE BARRIENTOS, Baltasar. *Aforismos al Tácito español* (1614), ed. J.A. Fernández-Santamaría, Madrid: Centro de Estudios Constitucionales, 1987, vol. I; pp. 19, 464, 488 (aphorisms 25, 174).

permanent member of the Spanish monarchy in 1503. As for the Navarrese, speculations came and went during the sixteenth century on their supposed inclination for Northern Navarre or France²⁹. While commonplaces like these proved well entrenched in this sort of comments, governments became increasingly aware of the need to promote and secure fidelity. “It is appropriate for kings to foster fidelity scrupulously –Grotius wrote–, because of both conscience and fame, therewith the authority of the kingdom is sustained”. On his part, Gracián deemed the capacity to create timely obligations to be “a skill of great statesmen”³⁰.

One could say that, in principle, the compact or composite nature of a monarchy made not that much difference in the pursuit of fostering allegiance. As long as religious homogeneity was established, fostering allegiance in a composite monarchy consisted, first of all, in fostering it in each of its territorial parts: a just, virtuous rule, honouring local laws and privileges and aiming at the common good, was the way to elicit allegiance and obedience from loyal, loving subjects in each of its territories. This is what was openly declared by some local communities in Biscay, by early 1633, in their reply to a royal letter demanding them to back royal officials in order to put down the local growing revolt against the new tax on salt.

Your Majesty can take our old and best loyalty for granted, because it is the firm and perpetual foundation with which we always try to uphold Your Majesty’s royal grace, without deviating even an atom from the path we have been keeping until now (...), compelled by our very citizenship (*naturaleza*) and our desire to become a model for the other provinces of these kingdoms (...) [The salt tax] made people fear that our noble, old laws and privileges (*fueros*) –the arena and nourishment of reciprocal obligation– would be broken³¹.

The Portuguese Agostinho Manuel e Vasconcelos addressed the same issue in 1638, but specifically relating it to the composite nature of the Spanish monarchy. He drew an acutely observed picture thereof, as based on both common fidelity of all subjects and juridical particularity of each dominion:

If one considers rightly the government of this monarchy, as it is formed by the gathering (*agregación*) of its kingdoms, states and provinces, it never intended to unite them with a closer link other than the obedience and fidelity commonly owed by subjects to their prince, who, on his part, conserves them within the *fueros*, laws and exemptions they had by the time they became aggregated to this empire³².

29. VILLARI, Rosario. *Elogio della dissimulazione. La lotta politica nel Seicento*, 1st ed. Roma: Laterza, 1987; p. 37; FLORISTÁN, “Altercaciones”; pp. 30, 33.

30. GROCIO. *Del derecho de la guerra y de la paz*, ch. 25; p. 593; GRACIÁN. *Oráculo manual*; pp. 230-231, aphorism 236.

31. Quoted by GELABERT. *Castilla convulsa*; pp. 114-115, n. 27.

32. Quoted by Fernando BOUZA. “Memória e juízo do Portugal dos Felipes ante a Restauração”. In his *Portugal no tempo dos Felipes. Política, cultura, representações (1580-1668)*, 1st ed. Lisbon: Cosmos, 2000; p. 193.

Maintaining subjects with their privileges was a hopelessly controversial matter. In one way or another, the making of the early modern state implied tensions in respect of territorial privileges dating from medieval times. Revolts broke out in such a way as to place fidelity as a central issue. The Aragonese foral rising of 1591 is an excellent example, mostly because it enables us to observe how ties of fidelity could be rebuilt in the aftermath.

“Badly counseled, yes; traitor, no!” was the sad complaint uttered by the *Justicia* Juan de Lanuza as he was led to the scaffold in December of that year. His earlier declaration, by which he recruited a ramshackle force to face the royal army entering Aragon to put down the revolt in Zaragoza, insisted that he was acting according to the mandate of the Aragonese laws which both he and the king himself had sworn, as the declaration took care to point out. In Lanuza’s mind, there was no question of resisting royal authority, but for Philip II his action was nothing less than raising a standard against his prince, a classic case of revolt. His subsequent execution and the intervention of the army, however bloodless, were considered by many observers, both inside and outside Spain, as the rightful punishment applied unto a rebellious kingdom. So widespread was this opinion that the Aragonese *Diputación* and several municipal councils commissioned treatises to restore the good name of the kingdom. Leading authors, such as the historian and poet Lupercio Leonardo de Argensola, and other writers did their best to show that the riots had been the action of the mob, that the kingdom as such had not been rebellious and that Philip’s punishment did not really damage the Aragonese laws. *De innata fidelitate Aragonensium*, by the jurist Miguel Martínez del Villar, summed up the goal of this campaign. It achieved considerable success in the world of print, but no less important to this end was the actual behavior of the ruling class during the following years³³.

Another telling case was that of Flanders and the Low Countries once the Twelve Years Truce had been signed in 1609. The government of the duke of Lerma asked Philippe de Croy, count Solre, a leading Flemish nobleman and member of the court of the Archdukes in Brussels, to submit a memorandum on the situation and the new opportunities opening up for the pacification of the region. Solre first invoked the standard idea that religion and obedience, “the columns which hold up a state”, had to be kept untouched (just as, in another piece of writing, he mentioned love and force as a second pair of governing tools); then listed a number of policies, among which the need to take the native born into the royal service, so that they would see how much the king trusted them; and finally summed up his proposals in two: “winning the hearts and minds of the natives and obliging their neighbors”³⁴.

33. GIL, Xavier. “Lupercio Leonardo de Argensola, historiador, en la historiografía de su época” and “Ecos de una revuelta. El levantamiento foral aragonés de 1591 en el pensamiento político e histórico europeo de la Edad Moderna”. Both in his *Reino, corona, monarquía. Estudios sobre Aragón, la Corona de Aragón y la Monarquía española de los Austrias*, Zaragoza: Institución Fernando el Católico, forthcoming, chs. 5 and 6.

34. GARCÍA, Bernardo J. “‘Ganar los corazones y obligar los vecinos’. Estrategias de pacificación de los Países Bajos (1604-1610)”. In A. Crespo and M. Herrero, eds., *España y las 17*
...

The attention paid to neighboring countries was very much to the point. Contemporary opinion was aware of the importance of the inclinations of neighbors and allies in international politics and Giovanni Botero and Tomasso Campanella, among others, talked about that³⁵. Winning and keeping the support of others was essential and yet uncertain, as a distant case, brought by Bartolomé Leonardo de Argensola in his book on Spanish and Western presence in the Malucca islands, in Indonesia, made clear. He warned that local chieftains, of Muslim religion, tended to be rather unreliable in their commitments:

One should not trust them much, because they honour no more fidelity, friendship and loyalty than what they see can bring them some kind of profit, and because they would abandon us if they saw a stronger power than ours³⁶.

If reputation helped in keeping friendly neighbors, contractual reciprocity was key for the proper relation between king and kingdom, as has been seen. But reciprocity went beyond legislative contractualism, for it had to be observed in another field as well: reward for service. As Joao Pinto Ribeiro, a major Portuguese author, argued, “with no prospect of a benefit, nobody will devote himself to the common good”, so that –he went on– Portuguese princes used to seek “to oblige subjects by means of this favour and expectation”. A powerful, underlying assumption of an economy of allegiance and royal grace, by which offices and appointments were traded for love and support, was very much at work³⁷.

This was a widely accepted idea, which went hand in hand with the orthodox commonplace that it was love, not fear, as Machiavelli had it, that constituted the true foundation of authority and state. Among other writers, Diego Saavedra Fajardo noted that reward was not only as important a part of justice as punishment but also a key way to encourage proper behavior and, quoting Tacitus, stated that rewards were a major factor of rulership. More particularly, he advised the prince to make sure that his favours reached far away dominions³⁸. Olivares could not but fully agree: in a meeting of the Council of State in 1630, he voted to grant the count of Estaires, a mem-

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Provincias de los Países Bajos, 1st ed. Córdoba: Universidad de Córdoba-Ministerio de Asuntos Exteriores-Fundación Carlos de Amberes, 2002; pp. 141-165 (quotes, 158).

35. BOTERO, Giovanni. *La ragion di stato* (1589), ed. Ch. Continisio, Rome: Donzelli, 1997; pp. 17, 164; CAMPANELLA, Tomás. *La monarquía hispánica* (c. 1600), ed. P. Mariño, Madrid: Centro de Estudios Constitucionales, 1982; pp. 143, 160-162, 169-170.

36. LEONARDO DE ARGENSOLA, Bartolomé. *Conquista de las Islas Malucas* (1609), Madrid: Miraguano, 1992; p. 343.

37. SCHAUB, Jean-Frédéric Schaub. *Le Portugal au temps du Comte-Duc d'Olivares (1621-1640). Le conflit de juridictions comme exercice de la politique*, 1st ed. Madrid: Casa de Velázquez, 2001; pp. 58, 62, 82 (quote).

38. SAAVEDRA FAJARDO, Diego. *Empresas políticas* (1640), ed. F.J. Díez de Revenga, Barcelona: Planeta, 1988, *empresa* 23; p. 161.

ber of the Flemish aristocracy, several, but not all, of the many benefits he was demanding, so that, he noted, “while he might not be altogether satisfied in his claims, he will obtain some of them, lest he feel as though freed from obligation (*desobligado*)”. Due return from subjects, though, could not be taken for granted: the marquis of Bedmar, ambassador of Philip IV to Brussels, noted in 1629 that “the Flemings are not really scrupulous in matters of religion and fidelity, and those who are the most perfect among them plead them in exchange for service and claim rewards”³⁹.

The goal to foster fidelity was set within a larger, twofold trend: the shaping of a new service nobility and the awareness among writers of the uneasy relationship between liberty and obedience. Firstly, stemming from both society and state, a new service nobility, mindful of the needs of the crown, was taking shape in many European countries. As court culture won increasing acceptance in the upper echelons of society, and not least among provincial ruling classes, values such as deference, order, service, together with new professional skills, were prized and promoted by educators and rulers alike⁴⁰. But this was to be a long, slow development, punctuated here and there by setbacks. And in the event of great political crisis, rulers had resource to faster and more compulsory means: an explicit oath of allegiance to be taken not by estates or representative assemblies at the accession of the king, but by individuals. This was the case of the oath requested by the Dutch Estates General after William the Silent’s Abjuration in 1581, by which all male persons had to swear to be “loyal, obedient and generous” to the Netherlands and their new rulers; and that of James VI and I, who in 1606, after the Gunpowder Plot, established a universal oath of allegiance by which Catholics and recusants were compelled to deny the Pope any right to depose kings, in such a way that loyalty was made dependent on it⁴¹.

On the other hand, a number of writers influenced by neo-Tacitist reflections and Baroque sensibility became acutely aware of the uneasy relation between liberty and obedience. If by 1600 the *arbitrista* Cellorigo wrote that

39. Olivares, quoted by ESTEBAN, Alicia. “El consenso como fundamento de la cohesión monárquica. La operatividad política del binomio protección-defensa en los Países Bajos del siglo XVII”. In F.J. Guillamón and J.J. Ruiz Ibáñez, eds., *Lo conflictivo y lo consensual en Castilla. Sociedad y poder político, 1521-1715. Homenaje a Francisco Tomás y Valiente*, 1st ed. Murcia: Universidad de Murcia, 2001; p. 347, n. 39; Bedmar, by herself, “Las provincias de Flandes y la monarquía de España. Instrumentos y fines de la política regia en el contexto de la restitución de la soberanía de 1621”. In A. Álvarez-Ossorio and B.J. García, eds., *La monarquía de las naciones. Patria, nación y naturaleza en la Monarquía de España*, 1st ed. Madrid: Fundación Carlos de Amberes, 2004; p. 223.

40. BRUNNER, Otto, *Vita nobiliaria e cultura europea*, Bologna: Il Mulino, 1972; ELLIOTT, *Count-Duke of Olivares*; p. 187.

41. The Dutch oath, included in HEYNDRIX. “Political education”; p. 170. On the impact of James’ Oath on the Catholic community, see QUESTIER, Michael. “Catholic loyalism in Early Stuart England”. In *English Historical Review*, n. 123, 2008, Oxford; pp. 1132-1165. The famous reply by the Jesuit Francisco Suarez to this Oath (*Defensio fidei catholicae et apostolicae*, 1613) is highly important for Spanish discussions on obedience as rooted in religion, but I do not deal with it here.

in well ordered communities obedience to laws had to start with those who were obeyed⁴², this awareness seems to have grown more poignant in the next generation. In one of his first writings, Saavedra Fajardo noted that while “a sweet servitude of vassals” was the result of princely benign rule, reality also taught that when “loyalty is not accompanied by obligation” (*desobligada la lealtad*), it refuses obedience. And in his masterful *Empresas políticas* he pointed to the crux of the matter:

Liberty is natural in men; obedience, compulsory. The former follows free will (*albedrío*), the latter allows itself to be reduced by reason. Both are opposite and quarrel between themselves at all times, giving birth to rebellions and treasons against the natural lord (...) Therefore, appetite for liberty and human ambition should be subdued by both the force of reason and the obligation of lordship (...) Our inclination to liberty is so strong and our ambition so blind that we let ourselves be deceived by any pretext concerning either of them⁴³.

Likewise, Juan Vitrián, a keen observer of European politics, warned against human desires to turn gratitude into hatred:

Arrogance and the wish for liberty in our hearts are such that they abhor not only the burden of obligation and submissiveness but even the shadow thereof and anything smacking of acknowledgement of superiority⁴⁴.

Strongly influenced by Lipsian ideals of constancy, service and effort, the government of the Count-Duke of Olivares found itself in the middle of these assumptions and concerns. In his “Great Memorial” (1624) Olivares openly recommended the king not to mistrust any longer the subjects of the Crown of Aragon, while at the same time he made clear his wish to achieve, by means of the Council of Castile, “a most rapid obedience from subjects and the best execution of laws”. Obedience and execution became banners of his government, so much so that a couple of *juntas* were established in the 1630’s for the promotion of each of them⁴⁵. Moreover he grew increasingly concerned with the education of Spanish youth, particularly that of sons of noble houses. “No proper upbringing”, “lack of obedience”, “tepidness of love”, “dissimulation in obedience” were the serious shortcomings he pointed to in a letter on this matter in 1632. “We Spaniards –he wrote in a well known statement– are very good when we are subjected to rigorous obedience, but left to ourselves we are the worst people of the world”. Education and obedience, therefore, were to go hand in hand. The king had to be feared and obeyed by his vassals and, if a

42. CELLORIGO. *Memorial*; p. 100.

43. SAAVEDRA FAJARDO, Diego. *Razón de estado del Rey Católico don Fernando*, published together with *Introducciones a la política*, ed. A. Bleuca, Barcelona: Asociación de Bibliófilos de Barcelona, 1984; pp. 160, 163; *Empresas políticas, empresas* 54 and 78; pp. 365-366 and 539, respectively.

44. VITRIÁN, Juan. *Las memorias de Felipe de Comines ... con escolios*, Antwerp: Juan Meursio, 1643, vol. I; p. 473-H.

45. “Gran Memorial”; pp. 78, 92; ELLIOTT, *Count-Duke of Olivares*; pp. 454-455, 479, 512.

due educational program were carried through, then he “would be loved much more than just because of the extravagance of benefits”⁴⁶.

The program was to help to achieve the goal of a closer collaboration among Philip IV’s subjects, as famously drawn up a few years earlier in his “Great Memorial” and the project of Union of Arms. Basically conceived as a union of souls, the collaboration was to be eased by common attendance at the network of academies Olivares had in mind: “I believe that no nation of vassals of his Majesty should be excluded from these academies, because it is of great importance to maintain, unite and favour all of them”⁴⁷. By that time, the expression “union and obligation each to the other” was, as it happens, used by the government of Charles I Stuart concerning his three British kingdoms⁴⁸.

As war caused increased fiscal demands on society, the issue of obedience became ever more central and was now increasingly understood through the image of the king as a provident, trustworthy father and shepherd. In the Cortes of Valencia of 1626, the king sent a letter to the noble estate demanding “blind obedience” to his demands, as though to “a father and tutor”, and the nobles complied by voting unanimously the subsidy, given that –as they reasoned– the king had ordered them “to lay aside their own judgement and opinion in the matter and serve him with blind obedience”. The same expression was later used by the ruling class of Biscay, this time spontaneously, as they expressed “submissiveness and blind obedience” to the king in order to help to put down the turmoils of 1632⁴⁹. In the same vein, the noted jurist Juan Francisco Larrea wrote in one of his *allegaciones fiscales* (1642) that subjects should always believe their prince, particularly when he demands taxes, since nobody knows their needs better than him. The role of the representatives in the Castilian Cortes, he argued, was not discussing royal demands but assessing the forces of the kingdom and establishing the amount to be paid by cities and towns. Doubting the prince’s word, he concluded, would ruin love and trust between him and his people⁵⁰.

46. “Copia de carta ... para el señor Infante don Fernando”, 27 september 1632. In *Memoriales y cartas*, II; pp. 75-76; ELLIOTT, *Count-Duke of Olivares*; p. 454.

47. “Memorial ... sobre la crianza de la juventud española” (1634). In *Memoriales y cartas*, II; p. 94. On the union as a union of souls, see FERNÁNDEZ ALBALADEJO, Pablo “Common souls, autonomous bodies”, in this volume.

48. ELLIOTT, J.H. *Richelieu and Olivares*, 1st ed. Cambridge: Cambridge University Press, 1984; p. 81.

49. CASEY, James. *The kingdom of Valencia in the seventeenth century*, 1st ed. Cambridge: Cambridge University Press, 1979; p. 241; GELABERT, *Castilla convulsa*; p. 117.

50. VOLPINI, Paola. *Lo spazio político del ‘letrado’. Juan Bautista Larrea, magistrato e giurista nella monarchia di Filippo IV*, 1st ed. Bologna: Il Mulino, 2004; p. 117; FORTEA, José Ignacio. “Négocier la nécessité: roi, royaume et fisc en Castille au temps des Habsbourg”. In A. Dubet, ed., *Les finances royales dans la Monarchie espagnole (XVIe-XIXe siècle)*, 1st ed. Rennes: Presses Universitaires de Rennes, 2008; pp. 260-261. On the idea of the king as a shepherd, see FERNÁNDEZ ALBALADEJO, Pablo. “El pensamiento político. Perfil de una ‘política propia’”. In his *Materia de España. Cultura política e identidad en la España moderna*, 1st ed. Madrid: Marcial Pons, 2007, ch. 4.

The notion of pastoral kingship was visibly eroding basic contractual assumptions. In his already mentioned lecture at the Imperial College in 1634, Agustín de Castro addressed the question of who, king or people, was more indebted toward the other by reciprocal love. And he reached the answer that it was the people who had to love more intensely the king and, therefore, it was more indebted to him. The happiness of a republic, he additionally argued, lay both in having a good king and in the love professed by vassals to their king⁵¹. By that time Juan de Palafox Mendoza, a *criatura* of Olivares, wrote: "It is our part to obey with loyalty; that of superiors, to dispose with prudence and gentleness. A happy polity is that in which diligence and valour in he who governs are coupled with obedience and happiness in he who obeys". Saavedra Fajardo, who mostly advocated sound limits on kingship, took up this idea when discussing to what degree science was helpful to rulers and ruled: "Commanding requires science; obeying only needs a natural discretion and sometimes ignorance alone". So he warned against "vassals who are know-alls (*muy discursistas*) and scientific", for they tended to like novelties, question provisions and stir up the people to protest. He even related it to the dangers of freedom of conscience with its concomitant variety of opinions and sects: "Once the true religion is well known, better for the world would be a sincere and credulous ignorance rather than arrogance and presumption of knowledge, which are prone to great mistakes"⁵².

Those very fiscal and political demands, on the other hand, caused standard assumptions about the complementary roles of king and kingdom within the body politic to be seen in increasingly conflictive terms. While the government resorted to the seemingly non-negotiable argument of 'necessity', municipal authorities in Castile retorted by asking whether the wellbeing of the kingdom was not prior to the defence of religion in Central Europe, frequently trumpeted in royal declarations as an inescapable duty. Moreover, the old notion of *auxilium* as a reciprocal service between lord and vassal was now more luridly presented as one of protection. Friar Alonso Vázquez, a former royal preacher who had served in Flanders by the early 1640's, proclaimed: "Fidelity consists in not forsaking the prince when he finds himself in necessity". On the other hand, Saavedra, while otherwise accepting the necessity argument, expounded the goal of the common good in exacting terms for the king:

Subjects were not born for the king, but the king for subjects. Having surrendered their liberty to him would have proved costly to them if they had not found in him justice and defense, which moved them into vassalage (...) Kingship is a command from fathers to sons. If subjects do not feel fatherly care and love from the prince, they will not obey him as sons⁵³.

51. CASTRO. *Conclusiones políticas*; ff. 153v, 154r, 159v.

52. PALAFOX, Juan de. "Diálogo político del estado de Alemania y comparación de España con las demás naciones" (1631). In Quintín Aldea, *España y Europa en el siglo XVII. Correspondencia de Saavedra Fajardo*, 1st ed. Madrid: CSIC, 1986, vol. I; p. 517; SAAVEDRA. *Empresas políticas, empresas* 4 and 66; pp. 38, 458-459.

53. Vázquez, quoted by ESTEBAN. "Consenso"; p. 374; SAAVEDRA. *Empresas políticas, empresa* 20; p. 136.

That the state was a means for providing shelter and justice and that taxes were needed for both, were well accepted ideas⁵⁴. Thus, the capacity of the crown to provide military protection and ensure territorial integrity in Flanders, Aragon and Valencia in the 1630's and 1640's was a key factor for the stability of those provinces, in spite of the much increased fiscal burden⁵⁵. Taxes, though, were supposed not to go beyond certain limits and not to encroach too much on corporate and provincial privileges. Therefore, just as taxes had some limits, so obedience and fidelity had: Saavedra, writing on the Valteline, and the *corregidor* of Pamplona, in his own constituency, showed their preoccupation that government efforts to raise more and more soldiers and money could put the fidelity of local people at risk. As the aldermen of some Castilian cities were to argue several times, fidelity or "the good law of a vassal" (*buena ley de vasallo*) –just the same principle used to praise Hernán Cortés– enabled or forced them to object to royal commands⁵⁶.

Contemporaries were aware of the potentially paradoxical character of fidelity. By the early seventeenth century, Baltasar Álamos de Barrientos, such a shrewd commentator on human affairs, past and present, had warned that rebels tend to use magnificent words of liberty and equality and other rightful terms as a means to conceal their evil spirits; now Saavedra Fajardo, quite experienced as well, noted that "some refusals of obedience are born out of fine sentiment and unhesitating loyalty" and, when this happened, recommended the ruler to act with benignity, while, in contrast, he deemed much more serious those occasions when "the people dare challenge the authority of their prince under pretext of liberty and conservation of privileges"; and Juan Vitrián, referring implicitly to the Aragonese rising of 1591, judged that "it clearly was zeal towards service of both the king and the laws of the kingdom that dazzled some indiscreet individuals, but not lack of good will, rebelliousness or any other mean intention"⁵⁷.

Current political developments provided further occasions for this gamut of meanings. The case of Juan Alfonso Enríquez de Cabrera, Almirante of Castile, sheds light on a rather hidden episode of conflict over fidelity: opposed to Olivares, he attempted to build a faction against him and loyal to the king, both while at court and when the Count Duke sent him to Sicily

54. Andrea Alciato, quoted by TUCK, Richard. *Natural rights theories. Their origin and development*, 1st ed. Cambridge: Cambridge University Press, 1979; p. 38; BODIN. *Six livres*, book 1, ch. 6, vol. I; p. 131; BOTERO. *Ragione di stato*; p. 164; ÁLAMOS DE BARRIENTOS. *Aforismos*; pp. 882-883, nn. 378, 379; Tomasso Costo (1613), quoted by MUTO. "Fedeltà e patria"; p. 509.

55. ESTEBAN. "Consenso", *passim*; GIL, Xavier. "Conservación y defensa como factores de estabilidad en tiempos de crisis: Aragón y Valencia en la década de 1640". In *Reino, corona, monarquía*, ch. 12.

56. SAAVEDRA. "Discurso sobre el estado presente de Europa" (1637). In his *Obras completas*; p. 1325; STRADLING, Robert. *Philip IV and the government of Spain, 1621-1665*, 1st ed. Cambridge: Cambridge University Press, 1988; p. 188; THOMPSON. "¿Fiel a qué?"; pp. 285-286.

57. ÁLAMOS. *Aforismos al Tácito español*; pp. 685, 876, 882, aphorisms 312, 336, 377; SAAVEDRA. *Empresas políticas, empresa 73*; pp. 513-514; VITRIÁN. *Memorias de Comines*, vol. II; pp. 119-120.

as viceroy in 1641. He met with little success, but his intrigues embodied the muted discontent of a larger part of the *grandees* with the favourite⁵⁸. More visible were the territorial conflicts. When in 1638, after the turmoils in Évora, Philip IV summoned the members of the Portuguese ruling class to Madrid in order to provide him with counsel, he appealed to “their own obligation and my service”⁵⁹. And at the outbreak of the Catalan revolt on Corpus Christi Day of 1640, the main argument of its leaders and intellectual supporters was that of their faultless fidelity, while they discharged all the blame on Olivares and his unlawful policies.

A distancing step, however, was taken rather early. The *Junta de Braços*, a meeting of the three Catalan estates with no prior summons by the king, which gathered in Barcelona in September 1640 and became the governing body of the Principality, decided in one of their first meetings that the individual members of each estate had to take an oath, by 27 september 1640, of “union and conformity” with all the persons and townships of the Principality in view of the measures to be taken in its defense. The oath proved unproblematic for those attending, but it did cause serious doubts in a nobleman, who, as a member of a military order, had taken a previous, individual oath of service to the king, and agonized at whether this new oath was compatible at all with the latter. His doubts were rapidly solved by resolute answers and pressure from the rest of the people. A few months later, under the leadership of Pau Claris, the *Junta* proclaimed Louis XIII of France as the new head of the Principality. The arguments aired in the crucial session of 23 january 1641 were emphatically those of fidelity:

Catalonia was a vassal to the Catholic king, Philp III (IV), whom she adored, loved, and revered. In the innermost part of her heart she had him as a great lord, as a great monarch and, in sum, as a father, whom she loved with natural love and innate loyalty which she always has to her lords, whom she serves, just as his ancestors and he himself have clearly experienced for eight hundred years. But a wicked companion, an evil favourite, who is openly an enemy of our fatherland, sowed discord and set a malignant fire between the said king and this free, privileged and loyal province.

The king, the argument went on, failed to honour his oath to keep the Catalan constitutions, so that Catalonia became freed from her oath of allegiance, turned her back on Philip and sought and found Luis XIII’s love and protection. “It is obvious –the declaration concluded– that this action cannot be qualified as a rebellion”⁶⁰.

58. BENIGNO. “Il dilemma della fedeltà” (cit. fn. 10).

59. Quoted by PÉREZ SAMPER, M. Àngels. *Catalunya i Portugal el 1640*, 1st ed. Barcelona: Curial, 1992; p. 206.

60. *Les Corts Generals de Pau Claris*, ed. B. de Rubí, Barcelona: Fundació Vives Casajuana, 1976; pp. 161-164, 435-436, 441.

Just as happened with Aragonese chroniclers after 1591, Catalan writers were now piling up protests of fidelity, with the express purpose of refuting any possible charge of rebellion that was likely to surface in different quarters. Vassalage of love, countless services born out of an innate fidelity, “excesses of fidelity and loyalty” were claimed by Francisco Martí Viladamor as defining characteristics of the Catalan people who, in the current, dire circumstances, found incompatible the love of God with friendship towards the favourite. A duty of charity, along with constitutional reasons, forced them to resist the latter’s demands. The subsequent attempt to subdue militarily the Principality, the lawyer Josep Sarroca argued, was what actually caused the denaturalization (*desnaturalitzar*) of the Principality from its king. Religious arguments were put also to work. And friar Antonio Marqués argued that service to the Heavenly King took preference over that to the earthly one and denied that not even the unruly mob who committed killings had the intention to act against the king⁶¹.

The key issue was whether political protest eventually led to an alternative source of allegiance, as actually happened in both Catalonia and Portugal. The duchess of Cardona, the Catalan highest noble title, refused to take this step but remained loyal to Philip in a kind of interior exile in Barcelona and when she parted company with her two sons, by early 1641, she enjoined them to follow her same choice: “My sons, one God and one king”. A couple of years later, the Catalan nobleman Luis Descallar wrote to Philip IV to let him know about the outrages from French officials that he was enduring because he kept “the good law of vassals of Your Majesty”, that is, the same principle which elsewhere was enabling Castilian aldermen to oppose royal commands. In Portugal, the enthronement of the duke of Bragança as a new king had an added meaning, which was pointed out by the chronicler Francisco Manuel de Melo; “As seen by the eyes of the Catholic king and of all the monarchs in the world, the crime of sedition did not look as great as that of competence”⁶².

Still, Philip IV combined as much military action as he could with a fatherly disposition to bring the erring son back home. When in the springtime of 1641 he decided to travel to Zaragoza, the official announcement said that in his attempts to do his best to reduce “the provinces [Catalonia and Portugal] and vassals who have so blindly gone stray from my obedience”, he sought “to open up the eyes of the Catalans, considering them as sons, not

61. MARTÍ VILADAMOR, Francisco. “Noticia universal de Cataluña” (1640). In *Escrits polítics del segle XVII*, vol. I, ed. X. Torres, 1st ed. Vic: Eumo, 1995; pp. 45, 53, 109-110, 115, 134, 142; SARROCA, Josep. “Política del comte d’Olivares, contrapolítica de Catalunya i Barcelona” (1641). In *Escrits polítics del segle XVII*, vol. II, ed. E. Serra, 1st ed. Vic: Eumo, 1995; p. 130; MARQUÉS, Antonio. *Cataluña defendida de sus émulos. Ilustrada en sus hechos, fidelidad y servicios a sus reyes*, Lérida: Enrique Castañ, 1641; ff. 58v-59r, 67r.

62. The duchess, quoted by MOLAS, Pere. “La duquesa de Cardona en 1640”. In *Cuadernos de Historia Moderna*, n. 29, 2004, Madrid; p. 140; Descallar, by SANABRE, José. *La acción de Francia en Cataluña en la pugna por la hegemonía de Europa (1640-1659)*, 1st ed., Barcelona: Librería Sala Badal; p. 283; Melo, by PÉREZ SAMPER. *Catalunya i Portugal el 1640*; p. 264.

only those who remain faithful to me, who are many, as I know for sure, but also those who find themselves most obstinately in their error". Paternalism involved the assumption that rebels might not be fully aware of what they were doing, and some Portuguese took advantage of this by attributing the real reason of their shifting loyalties to ignorance, not to treason⁶³.

As for Louis XIII, he seemed not fully convinced of the binding force of his proclamation as count of Barcelona by the *Junta de Braços* in January 1641, for he ordered, in June 1642, all the inhabitants of Catalonia, Rousillon and Cerdanya to take a personal oath of allegiance to him, a further instance of such telling practice in conjunctures of political crisis. De La Mothe-Houdancourt, one of the most resourceful viceroys of Bourbon Catalonia, issued the summons for Barcelona in January of 1643. But a Catalan official complained that the king was not present, few attended the ceremony and some fled the country so as not to take the oath⁶⁴. Fidelity lay, of course, right in the middle of political choices and it proved flexible enough to provide legitimation to all of them: while Martí Viladamor, now turned a militant of the Bourbon cause, wrote in increasing regalist terms on Catalan fidelity to Louis XIII and Louis XIV and eventually settled in French Perpignan as a royal official, along with other Francophile Catalans, a group of gentlemen from Roussillon addressed a moving call to Philip in 1658 informing him of the hardships they were suffering because of the "innate fidelity inherited from our parents" and their "sense of obligation", and asking to receive pensions and the same shelter that loyal Catalans and Portuguese were receiving⁶⁵.

The twin constitutional and paternal features of fidelity were dramatically emphasized in two decisive moments. After having recovered the city of Lérida in 1644, Philip IV swore to uphold the Catalan laws and privileges again, so that no one could be in any doubt about his constitutional intentions. This step, however, raised a vexing juridical issue, for –as some jurists argued– a second royal oath could imply a tacit confession that he had not fully honoured his first one, the one he took at the beginning of his reign. In the event, however, these doubts were set aside⁶⁶. And in 1652, when Barcelona capitulated before Don John of Austria, bringing the Catalan revolt to an end, love and trust were most frequently invoked, along with the no less important negotiation on the municipal privileges of the city. If Don John, on the one hand, reminded the Barcelona councilors of the "courtesy (*obsequio*) and reverence" they owed the king, on the other, he stressed in the presence of the

63. PÉREZ SAMPER. *Catalunya i Portugal el 1640*; pp. 374-375; VALLADARES, Rafael. "De ignorancia y lealtad. Portugueses en Madrid, 1640-1670". In *Torre de los Lujanes*, n. 37, 1998. Madrid; p. 144.

64. SANABRE. *Acción de Francia*; pp. 273-274.

65. CAPDEFERRO, Josep. "Francesc Martí Viladamor (1616-1689). Un catalan (trop?) fidèle au roi de France". In Y-M. Bercé, ed., *Les procès politiques (XIV-XVII siècle)*, Rome: École Française de Rome, 2007; pp. 425-449; SANABRE. *Acción de Francia*; p. 601.

66. MANZANO, Laura. "Conflicting words. Political thought and culture in the Dutch republic and in the Spanish monarchy around the Peace of Munster", unpublished Ph.D., European University Institute, Florence, 2007; pp. 144-146.

latter the need to finish with the “distrust” in which the former used to live. Don John succeeded in convincing the municipal officials to rely on the king’s goodwill and, hence, as a chronicler was to write, the city “placed itself, with such confidence, under the benign dominion of his king and lord, as she faithfully wished”. Thus, as Philip himself wrote in an important letter to the city in January 1653, Barcelona came back “into my obedience and grace”⁶⁷.

Rhetorical conventions, spontaneous or studied exaggerations, dissimulation, all were at work in shaping official correspondence and apologetical writings of this sort, not to mention the underlying impact of the changing fortunes of war and politics. Moreover, popular risings started by the standard rallying cry “long live the king, down with bad government” could easily become a movement of political insubordination against the crown. The term fidelity, coupled with that of fatherland (*patria*), could undergo multiple transformations. In the first stages of the Neapolitan revolt of 1647-48, portraits of Philip IV were put on display and revered in key spots in the streets of the city, but later on, as the movement became more oppositional and France tried to support it, they were removed. And once the revolt was subdued and Naples grew more stable, the two terms became less pressing than they had been for the previous generation⁶⁸.

Sicily, on its part, knew some popular risings which did not develop a stance of political resistance to the vicerealty. In the circumstances of French military menaces, defensive weaknesses and domestic social tensions, Palermo and other towns experienced what has been aptly called revolts of fidelity. In a number of disturbances during the springtime of 1676, which peaked on Corpus Christi day –a second such riotous date–, the mob took out to the streets in triumph a portrait of Charles II and directed its anger against lesser officials, people from Messina and French enemies. Still, the bishop of Cefalù and a nobleman expressed their serious concern at the “excessive” and “disordered zeal” of popular groups for royal service, since, as the former warned, “people’s revolutions tend to start with the deceitful title of a better service to the king”. This time, though, the rioters did remain loyal to the crown⁶⁹.

The bishop’s skepticism concerning this sort of revolts clearly endorsed the reservations shown by Álamos and Saavedra earlier in the century. Boasting of fidelity, in any case, was the staple of the day, always keeping its potentially contradictory meanings. Since the ruling classes of the kingdoms and territories of the Spanish Monarchy looked obliquely at each other, lest one of them appear more privileged or obtain more benefices and

67. SÁNCHEZ MARCOS, Fernando. *Cataluña y el gobierno central tras la Guerra de los Segadores (1652-1679)*, 1st ed. Barcelona: Publicacions de la Universitat de Barcelona, 1983; pp. 52-54; FELIU DE LA PEÑA, Narcís. *Anales de Cataluña (1709)*, facsímile ed., Barcelona, 1999, vol. III; pp. 323-327.

68. VILLARI. *Per il re o per la patria*, introduction; MUTO. “Fedeltà e patria”; pp. 514-520.

69. RIBOT. *Monarquía de España y la guerra de Mesina*; pp. 581-602, where he uses the said expression.

appointments for their naturals⁷⁰, fidelity was seen, also in these regards, as the supreme virtue, deserving rewards from the king. In one of the many memorandums asking that only natives should be appointed to local offices, a policy that, in turn, would arguably guarantee respect for local laws, the officials of the kingdom of Sardinia put special emphasis in 1668 on the pristine fidelity of Sardinians:

The yoke of taxes has been so burdensome and caused the travails of the monarchy, so that sentiments have erupted everywhere, either treasons, as in Catalonia and Portugal, or risings and commotions in the other provinces. Only Sardinia has been constant and has served with notorious quantities (...) without negotiating (*pactar*) or imposing conditions with the benefices to be obtained, as the other provinces have done, but rendering its subsidies unconditionally (*absolutamente*)⁷¹.

The emphasis on such a disinterested fidelity, though, was but another way to try to attract royal favour.

Fidelity implied obedience, which produced protection and reward, which fed fidelity. These were basic assumptions of the age, not least after the deep crisis of the mid-seventeenth century, as European countries entered a period of relative domestic stability. The Spanish composite monarchy, in a position of relative military weakness faced with Louis XIV's aggressive foreign policy, found in those interlinking assumptions a characteristic, efficient pattern to deal with its many territories. A tacit agreement, an informal pact between crown and provincial ruling classes provided the basic consensus which was instrumental for the *conservación* of those dominions. Such was the case also of the viceroyalties of the Indies, where a peculiar culture of loyalty developed⁷². Consensus rested on trust. It was supposed to be mutual trust, of course, but the one which was most tellingly invoked was that from the crown with respect to the ruling classes: in different times, from different places and with different political sensibilities, the count of Solre, Olivares, Don John of Austria and the viceroy of Sicily, to name but a few, advocated trust in the natives of Flanders, the Crown of Aragon, Catalonia and Sicily, respectively⁷³. And reward proved always a quite useful tool for the government: so Saavedra said and the Council of Italy confirmed in 1677, when, resorting to the commonplace image of the king as a sun spreading its beneficial rays everywhere, it affirmed:

70. ARRIETA, Jon. "Forms of Union: Britain and Spain", in this volume.

71. Quoted by GIL, Xavier. "Una cultura cortesana provincial. Patria, comunicación y lenguaje en la Monarquía Hispánica de los Austrias". In *Reino, corona, monarquía*, ch. 15.

72. ELLIOTT. "Rey y patria"; pp. 24-26, 33-34; "Naples in context"; pp. 37-43; and *Empires of the Atlantic world. Britain and Spain in America, 1492-1830*, 1st ed. New Haven: Yale University Press, 2006; pp. 130-133; RIBOT. "Conflicto y lealtad"; pp. 142-143; CORTEGUERA. "Loyalty and revolt"; p. 94.

73. On the first three of them, see above, notes 34, 45, 67; on the viceroy of Sicily, in 1679, see RIBOT. *Monarquía de España*; p. 608.

Just as the sun sheds light everywhere, so Your Majesty's munificence ought to shine with the worthy persons in all your dominions, thus showing yourself to be lord and father of all of your vassals; and since honours and rewards are the most efficient means by which loyal individuals become even finer (...), it would now be most convenient to distribute favours throughout the Italian dominions⁷⁴.

Reciprocity between king and each of his kingdoms, then, was a many-sided relationship. It was hierarchical, of course, and certainly included political contractualism, but it was wider than that. Complying with the part of reward in reciprocity was no less important and, in the event of declining summons of the Cortes in Castile, Catalonia and other dominions during the second half of the seventeenth century, it could somehow be a substitute for them, however imperfect. And it clearly facilitated an outward compliance to the orders of the crown.

At Charles II's death in 1700, the advent of a king from a new dynasty, Philip V, meant no real change in the terms of the debate. But the outbreak of the War of the Spanish Succession and, even more, the new choice by Catalonia, Aragon and Valencia for Archduke Charles as Charles III Habsburg (1705) caused deep divisions and an unprecedented dynastic crisis in Spain. The interactions between fidelity, love and privileges were dramatically put to a test and old, well known issues opened up again: obligatory or conditional obedience, the extent and limits of royal prerogative, the ultimate source of privileges. As it is well known, Philip V eventually issued the decrees of *Nueva Planta* of 1707 and 1714 by which the constitutions of Aragon, Valencia, Catalonia and the other territories of the Crown of Aragon were abolished. But, not surprisingly, Charles III shared the basic, royal principles of his rival. In a *Manifiesto* he addressed to "the continent of Spain" in 1706, he demanded that all individuals declare themselves for his cause, within a given deadline, and warned of the consequences for those who would fail to do so:

All individuals, towns and cities who will obey this last call will be admitted to our benevolence and continue enjoying their *fueros* and privileges; on the contrary, those who will let the deadline expire without duly resorting to our benignity and comply with what our convenience demands (...), will be declared as rebels and traitors to king and *patria* and their properties confiscated, communities will be deprived of all their privileges and prerogatives and everybody will feel the effects of our royal indignation.

If Charles understood obedience as an obligation, by another ordinance, also in 1706, he reminded everyone that territorial laws and privileges were ultimately dependent on the alternating principles of royal grace or justice, clemency or indignation⁷⁵.

74. For Saavedra, see above, note 38; the Council of Italy, quoted by RIBOT. *Monarquía de España*; pp. 612-613.

75. IÑURRITIGUI. "1707: la fidelidad y los derechos"; pp. 284-287.

The fact that Charles was elected Emperor in 1711 as Charles VI and subsequently abandoned his real, effective compromise with Spanish *austracistas* meant that his severe warnings remained just words. But they are evidence that, all over Europe, whatever the constitutional arrangements of polities or the expectations of subjects, court culture taught princes that obedience was owed to them.