

## 9th Local History Sessions: from local laws to bylaws in Euskal Herria

# 36

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# Analytic Summary

**Montagut Estragués, Tomás** (Univ. Pompeu Fabra. Fac. de Dret. Ramon Trias Fargas, 25-27. 08005 Barcelona): **Comunidades locales en Cataluña y su derecho medieval** (Local communities in Catalonia and their medieval law) (Orig. es)

In: *Vasconia*. 36, 5-18

Abstract: If juridical norms are a synthesis of norms and organisation, the local Catalan communities are to have one by means of a historical process of formation of a community, of the assertion of its juridical and public personality (the 'universitas') and of the development of public power by means of a special right and its own municipal jurisdiction.

Key Words: Town. Village. Place. Catalonia. Barcelona. Universitas. Jurisdictio. Ordinances.

**Porras Arboledas, Pedro A.** (Univ. Complutense de Madrid. Fac. de Derecho. Avda. Paraninfo, s/n. 28040 Madrid): **Las Ordenanzas Municipales: sus orígenes, contenidos y posibilidades de investigación** (Bylaws: their origins, contents and research opportunities) (Orig. es)

In: *Vasconia*. 36, 19-35

Abstract: The Municipal Ordinances are the last link in the process of creation of local law during the Lower Middle Ages; in this conference a study is made of both this process and the subject matters dealt with in the ordinances, apart from carrying out a prospection on their future possibilities.

Key Words: Bylaws. Medieval statutes. Local law. Rural police. Urban police.

**García Aracón, M. Raquel** (Univ. de Navarra. Dpto. de Historia. 31080 Pamplona-Iruña): **Una posible reforma de las magistraturas de Estella (Navarra) en el siglo XIII** (A possible magistracy reform in Estella (Navarra) in the 13<sup>th</sup> century) (Orig. es)

In: *Vasconia*. 36, 37-44

Abstract: In the 12<sup>th</sup> and 13<sup>th</sup> centuries, Estella has three nuclei, all under the same statute (fuero), jurisdictions and government organs: the Prevost, or executor of justice, the mayor and the juries. Towards 1250 the municipal posts split, following the model set by Pamplona, with the support of the governors from Champagne. The reordination by Teobald II in 1266 brought about reunification, which, after hesitations in the 1274 succession crisis, definitely consolidated the 1280 Ordinances.

Key Words: Estella. Population nuclei. Administrative autonomy. Mayors. Prevosts.

**Lema Pueyo, José A.** (UPV/EHU. Letren Fak. Erdi Aroaren, Aro Berriaren eta Amerikaren Historia Saila. Unibertsitatearen Pasealekua, 5. 01006 Gasteiz); **Curriel Yarza, Iosu** (Eusko Ikaskuntza. General Álava, 5. 01005 Gasteiz): **Zumaiaren sorrera eta 1347ko fundazio-foruaren aurrikinak** (Zumaia foundation and background to the foundational law of 1347) (Orig. eu)

In: *Vasconia*. 36, 45-61

Abstract: This conference is intended to illustrate the precedents of the Fuero of Zumaya, awarded in 1347. At the same time, there is also the objective of debating new problems and questions, by means of the analysis of new documentation. Lastly, it is proved that this was a process that was much more complex than previously thought.

Key Words: Fueros. Villages. Zumaya. Roncesvalles. Lope Ibáñez de Arriaga. Noblemen. Elderly relatives. Church foundations.

**Prieto Sierra, Óscar** (IESO Joaquín Romero. Miguel Pérez, 7. 31587 Mendavia): **Arería y Zumarraga: dos ejemplos de ordenamiento local** (Arería and Zumarraga: two examples of local regulation) (Orig. es)

In: *Vasconia*. 36, 63-83

Abstract: The conservation and transmission of the ordinances of the Major Town Council of Arería and of one of the districts or universities that belonged thereto, concretely that of Zumarraga, has allowed us to briefly approach the realm of local ordinances. We have carried out a comparative analysis of both and we have determined their degree of mutual influence.

Key Words: Administration. Major Town Council. Arería. Economy. Taxation. Church. Ordinances. Zumarraga.

**Palacios Martínez, Roberto; Pérez Calvo, Jorge** (UPV/EHU. Fac. de Filología y Geografía e Hª. Dpto. de Historia Medieval. Pº de la Universidad, 5. 01006 Vitoria-Gasteiz): **Morir en Bilbao (siglos XV-XVI). Un estudio de las actitudes ante la muerte a través de las Ordenanzas** (Dying in Bilbao (15<sup>th</sup> - 16<sup>th</sup> centuries). A study of attitudes towards death through the bylaws) (Orig. es)

In: *Vasconia*. 36, 85-100

Abstract: Throughout the pages of this work an approach is made to death-related matters by means of the municipal ordinances of the town of Bilbao during the medieval period. Special attention is paid to the whole of the funerary ritual that followed death, and concretely to matters such as how a death was announced, the funeral cortege to the church, the place of burial as well as masses and *post-mortem* offerings.

Key Words: Middle ages. Mentality. Death. Religiousness. Bilbao.

**Truchuelo García, Susana** (Univ. de Cantabria. Dpto. de Hª Moderna y Contemporánea. Edificio Interfacultativo. Avda. de los Castros s/n. 39005 Santander): **El poder político en Tolosa a través de sus Ordenanzas (siglos XV-XVIII)** (The political power in Tolosa through its bylaws (15<sup>th</sup> to 18<sup>th</sup> centuries)) (Orig. es)

In: *Vasconia*. 36, 101-120

Abstract: In this work on the Gipuzkoan village of Tolosa we introduce the various areas of internal government that were regulated by means of the Council ordinances since the early Middle Ages and throughout the late Middle Ages. Special attention is paid to the 1532 ordinances, and on the chapters added later, on their adaptability with the passing of time and in the changes in government introduced throughout council decrees and every day practice.

Key Words: Early Middle Ages. Modern Age. Council. Tolosa. Gipuzkoa. Ordinances. Governance.

**Salazar Arechalde, José I.** (Eusko Ikaskuntza. Paseo de Uribitarte, 10 planta baja. 48009 Bilbao): **Ordenanzas de Orduña: de la Edad Media a la Ilustración** (Orduña bylaws: from the Middle Ages to the Enlightenment) (Orig. es)

In: *Vasconia*. 36, 121-134

Abstract: Since medieval times (1373) the town of Orduña equipped itself with an ample set of norms and regulations that covered aspects pertaining both to the urban and rural worlds. The organization and functioning of the local government crystallised in the form of various ordinances, although in concrete aspects the formula of Decrees of Good Governance were used. These were passed by the Town Council itself at the beginning of the year. Already in the late 18<sup>th</sup> century, as a result of the ideas from the Illustration, in 1789 the most complete set of ordinances of the whole of its history was passed.

Key Words: Bylaws. Town. Town Council. Orduña.

**Urcelay Gaona, Hegoi** (UPV/EHU. Fac. de Letras. Dpto. de Hª Medieval, Moderna y de América. Pº de la Universidad, 5. 01006 Vitoria-Gasteiz): **Las ordenanzas de la sal de Añana de 1527. Una respuesta señorial a la evasión fiscal** (The Añana salt bylaws from 1527. A feudal response to tax evasion) (Orig. es)

In: *Vasconia*. 36, 135-154

Abstract: At the beginning of the 16<sup>th</sup> century, the Council of Salinas de Añana drafted some ordinances on salt supply and trade. The objective thereof was to ensure the Count of Salinas, Diego Gómez Sarmiento, was paid the levies derived from its commercialisation. In this sense, the context in which they were drafted will be analysed as well as the various strategies the Count used to exercise more control over his sources of income.

Key Words: 16<sup>th</sup> century. Seignory. Salinas de Añana. Feudal levies. Conde de Salinas. Salt.

**Aragón Ruano, Álvaro** (UPV/EHU. Fac. de Letras. Dpto. de Hª Medieval, Moderna y de América. Pº de la Universidad, 5. 01006 Vitoria-Gasteiz): **Una historia forestal inédita. Las ordenanzas de Zumarraga de 1547: un ejemplo de desarrollo sostenible en el siglo XVI guipuzcoano** (Unusual forestry history. Zumarraga bylaws from 1547: an example of sustainable development in 16<sup>th</sup> century Gipuzkoa) (Orig. es)

In: *Vasconia*. 36, 155-198

Abstract: The ordinances transcribed hereunder take us back to the social and economic reality of 16<sup>th</sup> century Gipuzkoa and allows us to analyse how the inhabitants of Zumarraga attempted to manage the use, administration and exploitation of forests in a sustainable manner, trying to look for a balance between the various activities interested in forestry exploitation.

Key Words: Countryside. Zumarraga. Ordinances. Economy. Society.

**Salazar Arechalde, José I.** (Eusko Ikaskuntza. Paseo de Uribitarte, 10 planta baja. 48009 Bilbao): **Ordenanzas de las anteiglesias de Bizkaia. En especial las ordenanzas de la anteiglesia de Begoña de 1590** (Anti-church bylaws in Bizkaia. Particularly the Begoña anti-church bylaws from 1590) (Orig. es)

In: *Vasconia*. 36, 199-210

Abstract: Few districts in Bizkaia elaborated written ordinances to regulate local life. However, the most populated of them situated near Bilbao did indeed do so due to the higher complexity of their organisation. In the case of the district of Begoña, in 1590 it approved a 29-chapter set of ordinances in which it basically regulates its governance regime (open Council, parishioners) and a strict economic control on local life.

Key Words: Bylaws. Anti-church. Begoña. Bilbao.

**Trutxuelo García, Marta** (Eusko Ikaskuntza. Miramar Jauregia. Miraconcha, 48. 20007 Donostia-San Sebastián): **Análisis de la regulación de la vida local a través de las Ordenanzas municipales de la villa de Orio** (Analysis of the regulation of local life by bylaws in the town of Orio) (Orig. es)

In: *Vasconia*. 36, 211-230

Abstract: The 1607 ordinances regulated the municipal life of Orio, consolidating customs that had been abandoned in other Gipuzkoan villages, such as the permanence of the elective system by co-optation for the designation of the offices of governance by the General Council, and facilitating the internal government and administration of this coastal village.

Key Words: Ordinances. Government. Municipal administration. Council. Election. Orio. Gipuzkoa.

**Intrausti Rekondo, Joseba** (Euskaltzaindia. Portuetxe, 16 – 3. 20018 Donostia): **Segurako Ordenantza Orokorrak (1723)** (Segura general bylaws (1723)) (Orig. eu)

In: *Vasconia*. 36, 231-253

Abstract: The purpose of this conference is to present the General Ordinances of Segura, drafted in 1722 and approved by Phillip V in 1723. The documentation known in that village offered only sector ordinances, both in the Middle Ages and in the following centuries. In this case, the document offers us a general vision of the municipal regulations and will allow for a comparative study with other municipal ordinances from Gipuzkoa, of the same character.

Key Words: Ordinance. Village. Local history. Local Council. Gipuzkoa. Segura. Modern Age.

**Ocio Vallejo, Montserrat** (Eusko Ikaskuntza. General Álava, 5 – 1. 01005 Vitoria-Gasteiz): **La villa de Berganzo a través de sus ordenanzas municipales (siglo XIX)** (The town of Berganzo through its bylaws (19<sup>th</sup> century)) (Orig. es)

In: *Vasconia*. 36, 255-282

Abstract: A brief study on the society of the Alava village of Berganzo in the late 19<sup>th</sup> century, titled *La villa de Berganzo a través de sus ordenanzas municipales (siglo XIX)*, is presented hereunder. In order to carry out the study, both published and unpublished sources have been used. Among the latter are three municipal ordinances approved by the Statutory Diputation of Alava in 1888, 1890 and 1899.

Key Words: Berganzo. Town. Bylaws. Urban police. Rural police. 19<sup>th</sup> century. Town Council.

**Ezeizabarrena Sáenz, Xabier** (Pza. Nafarroa Beherea, 3. 20001 Donostia-San Sebastián): **Las Ordenanzas del Valle de Baztán. Breve nota jurídica e histórica** (Bylaws from the Baztan Valley. Short legal and historical note) (Orig. es)

In: *Vasconia*. 36, 283-290

Abstract: The ordinances of Baztan constitute a rich example of local ordinances in the Basque Country, the objective of which is the ordering of the lives of its peoples and the exploitation of natural resources. This article is intended to underline three aspects: their singularity, their capacity of adaptation under the Historical Rights and the anticipation of a juridical model in terms of sustainability.

Key Words: Local ordinances. Municipal autonomy. Historical Rights. Adaptation.

**Alli Aranguren, Juan C.** (Univ. Pública de Navarra. Fac. de CC. Jurídicas. Dpto. Derecho Público. Campus de Arrosadia s/n. 31006 Pamplona-Iruña): **Las Ordenanzas del Plan General de Alineaciones de Pamplona de 1957** (The 1957 Pamplona General Alignment Plan Bylaws) (Orig. es)

In: *Vasconia*. 36, 291-307

Abstract: The 1957 Ordinances of the General Plan of Alignments of Pamplona were the regulating instrument of its determinations on zoning, building regime, industrial activities, and volumetric and aesthetic conditions. They constitute a document that constituted a bridge between the 19<sup>th</sup> century Amplification Plans and the General Plans under the 1956 Land Law.

Key Words: Ordinances. Alignments. Land use and building regime.