

A Society Organized for War



THE IBERIAN MUNICIPAL MILITIAS
IN THE CENTRAL MIDDLE AGES, 1000–1284



James F. Powers

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PREFACE

[xi] The primary and secondary research for this volume has been undertaken at a number of libraries and archives. In Madrid, I have used the Biblioteca Nacional, the libraries of the Casa Velázquez of the Ciudad Universitaria and of the Real Academia de la Historia. I have also sifted the records of the Archivo Histórico Nacional in Madrid, the Archivo de la Corona de Aragón in Barcelona, and assorted municipal archives in Spain. I have also used the British Library in London and the Bibliothèque Nationale in Paris, the Harvard University Libraries, the Library of Congress, the University of Virginia Alderman Library and the Yale University Sterling Library. I owe a great debt of gratitude to the staffs of all of these libraries and archives, as well as to the Interlibrary Loan staff of the Dinand Library of the College of the Holy Cross. Moreover, I received considerable support from the Committee on Professional Standards at Holy Cross, which awarded me three Batchelor (Ford) Summer Fellowships and one Faculty Semester Fellowship to advance the research and writing of the final product. The Council for the International Exchange of Scholars, in coordination with the Comité Conjunto Hispano Norteamericano para Asuntos Educativos y Culturales (a Fulbright-related committee of American and Spanish scholars based in Madrid), granted me an indispensable fellowship for six months of study in Spain, and the College of the Holy Cross supported me with two sabbatical leaves. The Holy Cross Committee on Research and Publication gave me numerous small research and travel grants. The present study would have been delayed interminably without this assistance, and I am most grateful.

[xii] There are also persons to whom I am especially indebted. My former teacher, Charles Julian Bishko, Professor Emeritus of History at the University of Virginia, has read the entire typescript of this book with his customary diligence and has offered many helpful suggestions. To him I dedicate the work. I have also benefited from the stylistic and scholarly advice of my colleague in Interdisciplinary Studies courses at Holy Cross, Professor Ellen Kosmer of Worcester State College, who brings her editing skills and the perspective of a very perceptive art historian to this effort. Also, Father Joseph Pomeroy, S. J. and the staff of the Holy Cross Data Processing Center, gave frequent assistance while permitting me to compose this book on their Digital Vax computer and store its several drafts in the computer memory. There is also the special debt to my wife Trudy who stayed up many nights trying to dissolve my unintended barriers of communication, and who endured my absences for research and writing at inconvenient times. None of these considerate persons is responsible for any errors which lie herein. They are my own property.

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[1]

INTRODUCTION

In 1132, a small army of Christian soldiers advanced northwest along the road to Córdoba, offering periodic shouts and chants in the manner of armies attempting to keep up their spirits as they proceeded through enemy territory. Outside of the Iberian Peninsula in the twelfth century, this force would have to be regarded as remarkable in every respect. Their column consisted of both mounted and foot troops, they were situated over four hundred kilometers from their home base, and they consisted largely of the municipal militias of two towns, Segovia and Ávila, operating on a campaign they had chosen to initiate. They had passed three mountain ranges and three river valleys to arrive at their present location, and they moved far from home on a daring raid into the heart of Almoravid Spain. As they ranged over the countryside seeking targets of opportunity, a scouting party dispatched earlier to search for sources of booty rejoined the main body. It brought sobering intelligence information: a Muslim force commanded by the Almoravid prince Tâshfin of Córdoba had been spotted encamped in the vicinity, probably dispatched in pursuit of their own squadrons. A more timorous force of skirmishers and raiders might well have sought the nearest ford in the Guadalquivir River and made its way back to the Trans-Duero region whence it had mustered. However, these troops were no panicky amateurs, prone to flight without consideration of the risk of being overtaken and routed. Like trained professionals, they instead sought out the enemy army.

The leaders demonstrated initiative and combativeness in the face of this threat. Frontier warfare in Iberia included taking risks, and sound strategy dictated a direct [2] assault on the opponent's force, especially if any kind of surprise could be achieved. Altering plans and direction and invoking "the God of Heaven and Earth, Holy Mary and Saint James" for their protection, the two militias undertook to search out the enemy army with whom they now shared the Campo de Lucena. In time, estimating that they were close by the Almoravid position, the militias encamped and divided into two detachments. The entire cavalry force and approximately one half of its infantry moved out on reconnaissance to locate the Muslims, while the other half of the footsoldiers remained at the campsite to guard the baggage and supplies.

The breadth of the *campo* proved sufficient to hide the Muslims and Christians from each other for a time. They traveled a half day's journey from their camp and found nothing; afternoon faded into evening and brought no contact. As the darkness of night intensified, the Christians stumbled upon the Almoravid encampment, catching the settled force completely off guard. The Muslims sounded the alarm, raced for their weapons, and a confused and fierce *melée* ensued. The Christians pressed the advantage of their surprise attack and cut down many opponents before they could arm themselves. In the darkness and disorder Christian and Almoravid could barely distinguish one another. Suddenly, Prince Tâshfin burst from his field tent hastily shouting commands in an attempt to rally his men. He was greeted by a Christian lance which pierced his thigh, transforming his determination to sudden panic. Ignoring his wound, Tâshfin hobbled to the nearest horse, mounted it bareback, spurred it into action, and galloped from the scene of the struggle, disappearing into the gloom in the direction of

Córdoba. The surviving Almoravids soon followed their leader's example, retreating in confused disarray. Tâshfin's troops never recovered from the initial surprise to put up a good fight.

Once the dust had settled, the Christian militiamen looked about them at the campsite, and the booty left there for the taking. They gathered all that they could carry and marched back to their own camp. The raid had been extremely successful: mules, camels, gold, silver, weapons, and even Tâshfin's own battle standard were included in the spoils. The warriors of Ávila and Segovia divided the booty on the spot, then began the trek back to their own towns while the men praised God for their good fortune. They would discover that Tâshfin had planned a raid against Toledo with the force they had encountered, a raid the militias had terminated. The Muslim soldiers instead straggled back to Córdoba empty-handed. Prince Tâshfin stayed under the care of his doctors [3] in a prolonged convalescence of several weeks. Soon the prince resumed his normal activity and commanded new armies. Although the pain of his wound subsided, but he walked with a limp for the remainder of his days, and it is doubtful whether his pride ever fully recovered.⁽¹⁾

While the episode just recounted is one of the more colorful in the chronicle of deeds of the municipal militias of medieval Iberia, it is in no way unique. The town armies of the medieval Spanish frontier rendered similar service throughout the critical period of Christian expansion against Muslim Spain, and pursued various other activities as well. The monarchs of the peninsular kingdoms consistently utilized these municipal forces for their varying military needs, causing the standards of the town militias to appear regularly in the great battles and sieges of the Reconquest. Certainly the most emphatic endorsement of towns and their military prowess was offered in November of 1264 at the Cortes of Aragon in Zaragoza, when King Jaime I threatened his recalcitrant nobles with the use of the municipal militias of the realm, noting "I have all the towns of Aragon and Catalonia that would be against you, and concerning warfare they are as skilled as yourselves."⁽²⁾ No contemporary thirteenth-century monarch outside of the Peninsula could have made such a threat credible to the most powerful nobles of his kingdom.

The Lucena incident, especially, reveals some important characteristics of these frontier militias. By the middle of the twelfth century these forces gave clear evidence of a well-organized command and operations system, demonstrated a knowledge of tactics and a capacity for the intricacies of spoils division, and possessed the vital features of a well planned and smoothly functioning military entity. Offensively, they could supplement royal armies on campaign, rendering service at some distance from their homes, or they could operate independently on their own initiative. Defensively, their greatest contribution to the realm lay in their provision of a standing defense in depth along the Islamic frontier, a belt of populated fortresses with striking power capable of hammering and harassing an invading force. Their mission consisted in holding land and defending it, and the steady advance of the Christian frontier owed much to their skill in performing this task.

The present study seeks to gain for these municipalities and their armies the recognition and the thorough analysis that their contribution merits. In the survey of three centuries which follows, the emergence of these towns and their armies will be explored with an eye to the causative factors of frontier life that gave them their genesis. The work investigates the rapid growth of their record of service in the twelfth century, [4] their role in the disasters and triumphs of the great Reconquest battles and sieges, and the changes wrought by the stabilization of the forces of Iberian expansion toward the end of the thirteenth century. Following this, a close examination of the municipal military system in its legal and institutional forms is presented reflecting the extent to which municipal military activity shaped their way of thinking and became ingrained in their daily lives. Further, this study examines medieval municipal developments in all of the peninsular Christian kingdoms (Leon, Castile, the Crown of Aragon, Navarre and Portugal), since the expansive southern conquests of the Central Middle Ages constituted an experience that all of these states shared, while reacting to the common heritage in

ways shaped by their varying traditions. Few studies of Spanish and Portuguese history have chosen to do this, causing internal political frontiers to delimit detrimentally a proper understanding of historical influences which have had a peninsula-wide impact. Certainly the history of town armies in medieval Iberia merits a full study across the several states in which they served so importantly.

However, this municipal contribution, along with every other aspect of the military establishment in Iberia, went largely unnoticed by some of the military historians of the twentieth century purporting to survey the Medieval West, such as Delbrück, Oman and even in the more recent work of Verbruggen.⁽³⁾ By mid-century, possibly due to the consciousness-arousing Spanish Civil War, this insouciance to Iberian military history changed with the work of Ferdinand Lot, who did include a chapter on the Peninsula in his two-volume study. More recently John Beeler and Philippe Contamine have followed Lot's example. Although none of these three go beyond secondary sources in making their rather general analyses and have little to say regarding the municipal militias, Contamine has a particularly rich bibliography of both articles and books in which Spain and Portugal do receive careful attention.⁽⁴⁾

A number of the more recent general histories, such as Valdeavellano, Suárez Fernández and Soldevila, offer important background information on Spain and Portugal in the Central Middle Ages. These include several significant surveys in English, including Oliveira Marques, O'Callaghan, Hillgarth, MacKay and Glick, that considerably enrich the American student's knowledge of the medieval history of the Peninsula.⁽⁵⁾ Among them one can find an excellent variety of viewpoints, regional emphases, and social, economic and cultural approaches to understanding the complex historical forces at work both inside and outside of Iberia.

[5]

The best general studies dealing with Iberian military institutions have been written by scholars devoted to peninsular history, starting at the end of the nineteenth century with the multi-volume history of the Portuguese army by Ayres de Magalhães Sepúlveda, three volumes of which are devoted to the Early and Central Middle Ages, although mostly drawn from secondary sources. In 1925, González Simancas wrote his study on medieval Spanish military history which does draw upon primary sources and even includes material from illustrated manuscripts, a comparatively progressive method for his time. Botelho da Costa Veiga wrote his studies in Portuguese military history in 1936, including a detailed analysis of the military content of regional sources in northern Portugal and a partial examination of the northern town charters. But in all of these general works, the municipal militias receive only small consideration.⁽⁶⁾

Palomeque Torres opened a new era in military studies based on primary source materials in his extended article, which has been for many the basic starting place for the investigation of the medieval Iberian military establishment during the Central Middle Ages. His work also initiates a common limitation for much that followed among Spanish military scholars, in that the study covers only Leon-Castile at the expense of the other peninsular kingdoms. Nonetheless, this is the first work to study the municipal militias in any detail. For some of the legal aspects of warfare, including the militias, there is the helpful article by Salvador de Moxó on military law. There are useful references to the militias in Huici Miranda's survey of the most important battles of the Reconquest. In English, general and detailed overviews of the Reconquest and its military implications have multiplied in the last twenty years. Julian Bishko and Claudio Sánchez-Albornoz outlined the importance of the militias in their respective papers given at the University of Texas frontier conference in 1959. Elena Lourie sums up a good deal of then recent Spanish research in her article of 1966, part of the title of which I have used for this book. Two comprehensive overviews of the Reconquest, which include the entire peninsula, have appeared in English since then by Bishko and Lomax, both stressing the military systems which achieved the expansion and place the municipal militias in that context. Most recently Salvador de

Moxó has rendered a fine synthesis of the Reconquest and its attendant resettlement with its related military considerations. A useful general military history of Spain has also appeared recently by Redondo Díaz, covering the medieval period and profiting from its author's ability to read sources in English.⁽⁷⁾

Iberian urban studies have been produced at an increasing rate during [6] the last several decades, and some of these raise tangentially the question of military service.⁽⁸⁾ Indeed, it can be argued that Hispanic municipal historians, especially those of Leon-Castile, have evinced more concern in general regarding municipal military service than has been the case outside of the peninsula. One ought to note especially the work of Carmela Pescador del Hoyo, whose lengthy study concentrates on the primary fighting class in the Leonese-Castilian municipalities, the *caballería villana* or the urban knightly class and their military obligations. The histories of particular periods, reigns and regions offer occasional coverage of the town armies, which taken together produce a sketch of their development over the Central Middle Ages.⁽⁹⁾ Reilly, González and Burns have been particularly careful in their extensive archival research to examine military institutions and to consider the place of municipal militia service.

Works which focus on the municipal militias are comparatively few. The earliest is a short book by Juan Martínez de la Vega y Zegrí, *Derecho militar en la Edad Media* (Madrid, 1912), which despite its general title is essentially an examination of the military laws in the charter of Teruel. Given the extent of the material in this seminal member of the Cuenca-Teruel family of charters, Martínez has much to draw upon, but the work is basically a plea for further research on this interesting material, not a fully developed monograph in its own right. A more recent and more detailed study is by Luis Querol Roso, *Las milicias valencianas desde el siglo XIII al XV: Contribución al estudio de la organización militar del antiguo Reino de Valencia* (Castellón de la Plana, 1935), which examines one of the defense and police force militias of later medieval Aragon and includes a useful documentary appendix. Little of Querol Roso book covers the same time period as the present study, and for Valencia in the thirteenth century the studies of Robert Burns are far more valuable for military material. It was this paucity of studies on a compelling topic that drew my interests to this area. My unpublished doctoral dissertation at the University of Virginia in 1966 dealt with the militias but terminated with the reign of Fernando III in 1252 and was restricted to Leon-Castile. Since that time I have pressed my examination of the sources into all of the peninsular kingdoms, publishing my initial findings in a series of articles.⁽¹⁰⁾ Even there, the approach was partial, dealing with particular aspects of the problem in Leon-Castile, Navarre and the Crown of Aragon, with no integration of any Portuguese material.

Iberia provided by no means the only milieu in which municipal military service developed from 1000 to 1300. The Italian Peninsula, [7] particularly in Tuscany and Lombardy, generated some of the best developed municipalities in medieval Europe whose citizens rendered both horse and foot service to the commune.⁽¹¹⁾ Medieval France and England similarly experienced the emergence of municipal militiamen and from the twelfth century onward kings customarily sought military service from a number of their boroughs and towns.⁽¹²⁾ No comprehensive study of the municipal militias of any of these states exists, for which a number of explanations might be offered. In Northern Europe the urban contribution is usually conceived of as a mere component of a larger royal military establishment, while in Italy the towns' extensive political and economic development tends to reduce the military component to a lower priority for study. Also, the Pirenne merchant school of municipal theory has tended to view townsmen as active participants in trade at the expense of any other roles they might have played. The impact of this force can be exemplified in the ravages laid upon the early municipal military theories of Arthur Giry by Pirenne's American disciple Carl Stephenson.⁽¹³⁾ Indeed, the roles of merchant and soldier sit uncomfortably side by side in medieval society as well as our own, leading those towns with better developed economies to hire mercenaries or move to small professional

standing armies to ease pressures on the popular military service that would disrupt the individual's commercial activity.

The towns of the Iberian Peninsula present a notable set of variables which contrast them with the municipalities in the rest of Western Europe in the Central Middle Ages. The most important single factor here is the ongoing expansion of the Christian kingdoms against the Islamic principalities, customarily referred to as the Reconquest. I use the term in this study simply to refer to that process of expansion, without any reference to the theoretical implications that some Spanish historians have attached to it regarding the continuity of Visigothic or imperial authority in the Peninsula. This expansion and the open frontier which it generated against Islam produced a multi-faceted conflict with the Muslim world. At times the frontier spawned a curiously variant set of circumstances which influenced the towns. At the level of settlement and livestock-raising the environment suggests aspects of the American West, and the future would indeed see elements from this world transplanted to the frontier across the seas. In other places the advanced culture, technology and economic network of Al-Andalus created yet another kind of frontier and another set of influences on the Iberian municipalities. This is not to suggest that the Christian frontier towns borrowed their model of the municipal militia from the Islamic world. Little evidence exists to indicate [8] that the towns of the Caliphate or the Almoravid and Almohad empires with their complete administrative submergence in princely administration ever functioned in so independent a fashion as to field their own armies. Certainly Muslim influence was active on the Christian military in borrowing administrative organization and the copying of riding styles and tactics. Nonetheless, the primary impact of this frontier against Islam lay in the institutions and style of life which the municipalities adopted to counter their physical exposure to daily insecurity. To settle and hold land the townsmen had to gird themselves for potential combat in a way not called for in the remainder of Western Europe. Only the Crusader Near East provides any kind of model, but the settlement pattern there was so at variance with the West that no similar pattern of municipal militias developed in that front against Islam.

This study does not limit itself to urban history, legal and institutional history, or to military history. Rather, it develops out of the interaction of all three areas. In spirit, the closest paradigms for this book have been provided by the Reconquest surveys of C. J. Bishko and Derek Lomax. But I have also borne in mind the work of John Keegan, whose book *The Face of Battle* (New York, 1976) stresses the interaction of the institutions and attitudes of men and their warmaking, and underlines the impact of warfare on its participants and their communities. While military history has sometimes been left to pedants and amateurs who write battalion histories and concern themselves overmuch with the details of combat divorced from the individuals who gave their lives to engage in it, the three historians noted above pursue full investigations of warfare in its societal context. War simply represents another arena in which humans bring their ambitions, skills and weaknesses to bear upon the pursuit of particular goals. It is also one of the greatest catalysts for provoking historic change of any of the forces available to the historian's inquiry. It compels our attention to its impact, and it ought to do so.

I have endeavored to examine the entire Iberian Peninsula because all of the Christian states which it contained experienced the forces of expansion and the threat of Islamic counter-expansion during the period. There was also significant interplay in the municipal law and institutions both among the Christian states and across the Muslim frontier. On the other hand, Iberia possesses a complex mix of geographies and climates, cultures, and exposures to outside influences. Strong regional variations, themselves the partial products of the medieval experience, make Iberia a sum of many histories as well as a peninsula playing host for [9] one summation. The Reconquest, while potentially a unifying experience felt by all of the Christian peninsular states, touched these regions in a variety of ways, affected them differently, and ultimately contributed both to the consolidation of the Peninsula and to the internal dissimilarity of its parts. The towns and their militia experience thus become an important

way of understanding how these forces helped shape the profiles of the Spanish kingdoms of the Middle Ages. They also suggest an illuminating basis for comparison and contrast with the rest of Western Europe.

The following study is divided into two basic sections: historical survey and institutional development. Part One, the first three chapters, begins with a chronological narrative of the emergence and development of municipal military service in the peninsular kingdoms, and examines its evolution and its role in Reconquest warfare from the early eleventh through the later thirteenth centuries. In Part Two, the last five chapters discuss the impact of the frontier and its warfare on town life as seen in particular aspects of the municipal military experience: the organizational structures; the protective traditions of limitation, exemption and compensation which insulated the towns from war's most devastating effects; the defensive and offensive methods of operation in the field; the economics of warfare as seen in the collection and the division of booty; and the sanctions against violators of municipal precepts. Finally, the results of this interweaving of frontier municipal tradition and militarization of life are considered over the last two centuries of the Reconquest in the Epilogue.

I have used basically two kinds of primary sources: first, municipal charters and royal documents both published and unpublished pertaining to the towns; and second, the narrative chronicles both Christian and Muslim of the Iberian Middle Ages. I explain the difficulties of utilizing these materials in the early chapters and in the appendices of the book. In citing the published documentary materials, I have tried to list editions which are the most recent or at least the most accessible. These I customarily cite by page numbers of their printed text, with the exception of some of the more extended charters which can be grouped into "families", such as those of the Cuenca-Teruel and Coria Cima-Coa groups. Here I employ the internal section numbers in the published editions, both because it will often take the reader to the cited material more quickly and because the sections numbers often reveal connections among the various charters that would not be otherwise discernible. With regard to Arabic materials, I have used the transliteration system [10] established in the *History of the Crusades* series edited by Kenneth M. Setton and Harry W. Hazard, at least where possible.

I have attempted to use Spanish, Portuguese and Catalan versions of the place names where appropriate, except where an English form has become exceptionally common (e.g. Seville for Sevilla). The only exceptions are the names of kingdoms which are commonly Anglicized. Hence, no accent appears on Leon and Aragon as kingdoms in the text and similarly none appears on the town of León.

Notes for the Introduction

1. This entire narrative is contained in the *CAI*, 91-92. The date of 1132 is not certain, as the chronicler offers none for the encounter. However, the context of this episode in the chronicle belongs with events which can be dated to that year. See Recuero Astray, *Alfonso VII*, 156-65, who does not, however, recount the Lucena episode. Fletcher, *Saint James's Catapult*, 270, offers the date I am accepting for this raid. Its significance has also been underlined by Sánchez Belda, "La Mancha," 14-15.
2. "Llibre dels feits del Rei En Jaume," 397. "...que havem totes les ciutats d'Aragó e de Catalunya que seran contro vós, e de guerra saben tant com vosaltres."
3. Oman, *Art of War*. Delbrück, *Geschichte der Kriegskunst*, Vol. 3. Verbruggen, *Art of Warfare*.
4. Lot, *L'art militaire*, 2:261. Beeler, *Warfare in Feudal Europe*, 158-84. Contamine, *La guerre au Moyen Age*, 11-68, 144-49.
5. Suárez Fernández, *Historia de España*. Valdeavellano, *Historia de España a la baja Edad Media*. Valdeavellano, *Historia de las instituciones*. Soldevila, *Història de Catalunya*, Vol. 1. Oliveira Marques, *History of Portugal*. O'Callaghan, *A History of Medieval Spain*. Hillgarth, *The Spanish*

Kingdoms, 1250-1516, Vol. 1. MacKay, *Spain in the Middle Ages*. Thomas F. Glick, *Islamic and Christian Spain*.

6. Ayres de Magalhães, *Historia do exercito portuguez*, Vols. 2-4. González Simancas, *España militar*. Botelho da Costa Veiga, *Estudos de história militar portuguesa*.
7. Palomeque Torres, "Contribución al estudio del ejército," 15:205-351. Moxó, "Derecho militar," 12:9-59. Huici Miranda, *Grandes batallas*. Bishko, "The Castilian as Plainsman," 47-69. Sánchez-Albornoz, "The Frontier and Castilian Liberties," 27-46. Lourie, "A Society Organized for War," 35:54-76. Bishko, "Spanish and Portuguese Reconquest," 3:396-456. Lomax, *The Reconquest of Spain*. Moxó, *Repoblación y sociedad*. Although its primary coverage precedes the Central Middle Ages and the emergence of the municipal militias, a useful background study is Sánchez-Albornoz, "El ejército y la guerra en el Reino Asturleonés, 718-1037," 1:293-428. Redondo Díaz, *Ejércitos de la reconquista*.
8. Sacristán y Martínez, *Municipalidades de Castilla y León*, 105, 122. Valdeavellano, *Orígenes de la burguesía*. Font Ríus, "Orígenes del régimen municipal de Cataluña," 16:389-529, 17:229-585. Torres Balbás, "La Edad Media," 97-104, 136-41. Carlé, *Del concejo medieval castellano-leonés*. Lacarra, "Les villes-frontières," 69:218-19. Pescador, "La caballería popular en León y Castilla," 33-34:101-238, 35-36:56-201, 37-38:88-198, 39-40:169-260. García Ulecia, *Los factores de diferenciación*, 355-448. Gautier-Dalché, *Historia urbana de León y Castilla*, 7-95. While not new, the vast work on the history of governmental institutions in Portugal, Gama Barros, *História da administração pública*, vols. 3-4, discusses in brief the military role of the Portuguese towns.
9. Reilly, *Queen Urraca*. González, *Regesta de Fernando II*. González, *Alfonso IX*, 2 vols. González, *Castilla en la época de Alfonso VIII*, 3 vols. González, *Reinado y diplomas de Fernando III*, 2 vols. to date. Ballesteros y Beretta, *Alfonso X el Sabio*. Burns, *Islam Under the Crusaders*. Burns, *Medieval Colonialism*. González, *Repoblación de Castilla la Nueva*, 2:212-37.
10. Powers, "Origins and Development of Municipal Military Service," 26:106-08. Powers, "Townsmen and Soldiers," 46:641-43. Powers, "Frontier Competition and Legal Creativity," 52:475-87. Powers, "Frontier Military Service and Exemption," 45:75-78.
11. Hyde, *Society and Politics in Medieval Italy*. 80-81, 116, 183-84. Waley, "Army of the Florentine Republic," 70-108. Waley, "Papal Armies of the Thirteenth Century," 72:1-30. Waley, "Condotte and Condottiere," 337-71. Schevill, *Siena*, 131-32, 166-68. Bowsky, *A Medieval Italian Commune*, 117-58. Schevill, *Medieval and Renaissance Florence*, 1:105.
12. Petit Dutailis, *Feudal Monarchy in France and England*, 175-76, 314. Petit-Dutailis, *French Communes*, 63-74. Mundy, *Liberty and Political Power in Toulouse*, 14-15, 46-47, 71, 153, 261, 333. Mundy, *Europe in the High Middle Ages*, 249, 430. Powicke, *Military Obligation in Medieval England*, 24-25, 36-59. Hollister, *Military Organization of Norman England*, 231, 246.
13. Petit-Dutailis, *French Communes*, 63-74.

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[11]

PART I

THE EVOLUTION OF PENINSULAR MUNICIPAL MILITARY SERVICE

1 - THE ORIGINS AND DEVELOPMENT OF THE MILITIA CONCEPT, 1000-1157

I - Origins

[13]The tenth and eleventh centuries constituted an important seminal age of foundation building for European civilization. The sub-continent pursued the quest for institutional stability, striving to rebuild after the devastation wrought by the triple shock waves of Scandinavian, Magyar and Muslim invaders. This quest often took the form of institutionalized personal relationships known as feudalism, which offered primitive but pragmatic solutions to the problems of government and military defense on which the future could build. The Iberian kingdoms endured many of these same difficulties and drew upon similar experiences.⁽¹⁾ Nonetheless, while influenced by their neighbors to the north and east, Iberia constituted in many other respects a unique case. Its transitional Germanic monarchy, the Visigothic kingdom, had been virtually obliterated by the Muslim invasion of the eighth century, and the nuclei of the Christian principalities which withstood this assault in the northern Cantabrian and Pyrenean mountains were sufficiently isolated from European and Muslim influence to pursue individualized programs of state-building born of local needs and traditions.

Iberian urban settlements, while lacking the strong commercial base and merchant classes that Pirenne would have required for status as towns, were sufficiently diversified agglomerations of peoples with assorted agrarian, pastoral and ecclesiastical functions to have been rather more than rural villages. Certainly Oviedo (the Asturian royal [14] city), Catalan Barcelona and Santiago de Compostela in Galicia all merit consideration as towns, per se. As the Asturian monarchy encroached upon the central plateau to the south in the tenth century after consolidating its grip on Galicia to the west and Castile to the east, additional opportunities opened to both political and urban expansion. In this regard, the settlements which grew up to service the great pilgrimage route feeding travelers to Saint James's shrine at Compostela developed more rapidly than the other Leonese-Castilian towns as limited commercial enterprises.⁽²⁾ But to achieve this expansion against the great Muslim caliphate based at Córdoba and its successor Taifa Kingdoms of the eleventh century required special policies dictated by a frontier situation. The lightly populated zone north of the Duero made walled settlements crucial to the populating and holding of lands still well within Muslim raiding and conquering capabilities. It was in this context that municipal militia service was formed.

The origins of this municipal military service in the kingdoms of the Iberian Peninsula are at best obscure. Not only are many of the documents alluded to in the introduction of uncertain validity, but also there is a comparative scarcity of municipal documents of any kind prior to the eleventh century. Even to the latter part of the eleventh century, the *fueros* and *cartas pueblas* (the population charters given to new settlers) which provide us with the institutional record of military service as it applied to

the towns of these kingdoms rely on brief labels for the service being sought rather than extended descriptions of the requirements and the nature by which they were to be fulfilled. Richer sources exist for the twelfth century and beyond, but inferences drawn from that later material can be used to illuminate the eleventh century only at great risk to the creation of an authentic picture.

The annals and chronicles of the early Reconquest present analogous problems. Pre-eleventh century chronicles are rare. The narrative material for this period survives primarily in later chronicles, which drew on earlier sources that we now lack, or possibly upon oral tradition written down centuries after the events. The chronicles we possess which do date from this era are usually devoted to the lives and exploits of the kings of Asturias and Leon, or matters directly connected to their activities. The significant narratives, such as the Chronicle of Alfonso III, the Chronicle of Sampiro, the *Chronicon Albeldense*, and others, afford disappointingly scant attention to the emerging towns, save a brief discussion of a critical siege here and there.⁽³⁾ The chronicles of the ninth and tenth centuries [15] make occasional reference to regional musters of military forces and the use of towns as assembly points, but convey no sense of towns contributing organized units.⁽⁴⁾ Again, the situation improves markedly by the twelfth and thirteenth centuries, but too late to assist in dealing with the question of origins.

Historians have taken no consistent line with regard to the beginnings of municipal military service, their views largely depending on their willingness to consider the dubious charters of the ninth and tenth centuries as evidence. The surmise made almost a century ago by Sacristán y Martínez that the eleventh century marks the beginnings of town militias seems not far from the mark even today.⁽⁵⁾ Other important sources, the municipal charters or *fueros*, are scarce prior to the eleventh century or exist in late copies. For instance, the laws of the towns of Valpuesta in 804 and Brañosera in 854 required the residents to perform wall-tending and guard duties, and the citizens of Oviedo were exempted from paying the fee for missing military service in 857 (suggesting that at some point the monarchy at least considered having Oviedo's residents render military service). However, the very appearance of such military requirements and service terms cause some scholars to insist that these are interpolations in the later copies from the eleventh and twelfth centuries.⁽⁶⁾ While it does not seem inconceivable that towns and settlements would have had such requirements in the ninth and tenth centuries, we cannot argue that the existing municipal documents prove it to be so. This absence of evidence combined with the silence of the ninth and tenth-century chronicles suggest that the eleventh century offers the earliest possibility for the origins on any sizable scale of such activity.

Modern historical concern for the definition of the eleventh-century terminology raises the question of the terms themselves which denote military service of one kind or another. Offensive service, that is service initiated by the king or his representative to go forth on campaign, was customarily designated by the terms *exercitus*, *expeditio* or most frequently *fossatum* (in later romance *fonsado*). In the late eleventh century the term *hostis* (in later romance *hueste*), derived from Carolingian origins but utilized in the same context as *fossatum*, appeared in Aragon and became more widespread in its usage, migrating to Castile in the later twelfth century. If a town or an individual had an offensive campaigning obligation and failed to fulfill it in a particular year, a tax called the *fossatera* (in later romance *fonsadera*) was levied in its stead. On the other hand, a call for a rapid emergency defensive force to deal with an unexpected raid or full scale invasion was designated by the term *apellitum* (*apellido* in Romance) [16]. *Anubda* indicated a form of guard duty often associated with *fossatum*, while castle service and wall construction was indicated by the term *castellaria*.⁽⁷⁾ Some form of all of these terms was commonplace in municipal charters during the eleventh century, one more indication that this was the era which saw the initiation of municipal military service on a slowly broadening scale.

The military service requirement for villagers and townsmen was forged from the policies of southern expansion undertaken by the Asturian monarchs in the late ninth and early tenth centuries. Ordoño I (850-66) and Alfonso III (866-911) advanced upon the upper Meseta, pressing into the lightly-populated lands north of the Duero River. The most important step in this process was the resettling and rebuilding of the town of Leon, which was to become the center of the Asturo-Leonese realm. The monarchy thus abandoned the comparative security of mountainous Asturias for a project of large-scale territorial aggrandizement. By 920 the Navarrese state under Sancho Garcés I advanced into the upper Ebro Basin to seize Nájera, Calahorra and Viguera. Spanish historians occasionally define this as the beginning of the Reconquest. Such activity could take the form of major battles, aiding rebellious segments of Muslim towns, or the individual resettlement of open or lightly-populated lands. In its most precise form, the Reconquest involved the forced seizure of populated territories and towns under Muslim control.⁽⁸⁾ The Umayyad caliphs in Córdoba, especially cAbd ar-Rahmân III (912-61) responded with vigor to this challenge. As a result the lands north and just south of the Duero as well as the Rioja district of the upper Ebro became increasingly a battleground where villages and towns were taken and retaken by either side.

Both Muslim and Christian principalities also contended with separatist forces within their respective realms. The caliphs struggled with the ever troublesome division between nativist Muslims and North African Berbers as well as tribal and clannic consolidations. Meanwhile the Christian kingships competed with each other and could not prevent the development of a new principality, the independent County of Castile, between the Asturo-Leonese and Navarrese states. When the Caliphate of Córdoba slipped into the control of the general al-Mansúr and his son cAbd al-Malik from 976 to 1008, the Christian armies of Leon, Castile, Navarre and Catalonia suffered an unprecedented string of defeats at Córdoba's hands, climaxed by the sacking of Barcelona in 985, the sacking of Leon and the destruction of its walls in 988, the sacking of Santiago [17] and the leveling of its basilica in 997, and the sacking of Pamplona in 999. These were merely the most spectacular assaults.⁽⁹⁾ When even the bells of Santiago's church were brought to Córdoba and upended to provide braziers for the mosque there, the Christian monarchs might well have pondered their future hopes of territorial expansion to the south.

Fortunately for Christian Iberia, these disasters simply indicated a temporary superiority of Muslim armies and generalship which passed with the death of cAbd al-Malik. The Muslims did not possess the resources necessary to resettle Leon, Pamplona or Barcelona even at their crest of power. By 1031, the Caliphate itself ended, to be replaced by a number of petty Taifa states centered on the major cities of Muslim Spain. But this dramatic shift of power in the Muslim south could not have been envisioned by the Christian kings, who doubtless believed that they required new methods to strengthen their grip on the northern Meseta, the Duero and upper Ebro. Placing populations within walled towns was insufficient to the task at hand. These settlers had to take an active part by doubling both as populators and as warriors. In all likelihood the resettling of Leon provided the opportunity to achieve such an end.

In the period 1017-20, Alfonso V of Leon awarded a *fuero* to the town of Leon with the first clear statement of a military obligation. This charter included the obligation for residents to participate in the royal *fossatum* with the king or his representative, and for settlers in the general region of the town to gather in Leon in times of war so as to assist in the defense of its wall. They were, moreover, exempted from paying the *fosataria*, the tax paid when no military service was rendered to the king.⁽¹⁰⁾ This probably indicates that they were free of the military tax in times of peace, but were expected to render *fossatum* and wall defense in war without exception. While doubt has been cast upon the authenticity of some of the contents of the *Fuero de León* because of the possibility of interpolations in the thirteenth-century copy which we possess, the military provisions were not unknown for other eleventh-century towns awarded charters within a few years after Leon, and no question has been raised concerning their

appropriateness for the time.⁽¹¹⁾ Indeed, logic suggests that Leon with its political importance and strategic location would be the very place to lay down a policy containing such precedents. If the policy proved serviceable in Leon, it could be extended steadily as the Duero frontier came back into the control of the Leonese monarchy. In fact, new options for expansion were now on the horizon.

[18]

II - The Eleventh Century

Christian Hispania underwent its own shift in the balance of power in the early eleventh century. The aggressive and able king of Navarre, Sancho III Garcés the Great (1000-35), absorbed the old Carolingian marcher counties of Aragon, Sobrarbe and Ribagorza to the east and then seized Castile from Vermudo III of Leon to the west. His son Fernando I inherited Castile and completed the conquest of the Kingdom of Leon, thereby creating the largest Christian territorial state in Iberia, one which reached from Galicia and northern Portugal across northern Spain to the Rioja. Fernando gave much of his reign over to securing all of this land and attempting the conquest of his brothers' kingdoms of Navarre and Aragon. This Navarrese-Castilian interaction may have led to some blending of legal and municipal traditions. For example, Sancho III Garcés gave the first Navarrese indication of a military interest in the municipalities by assessing a *fonsadera* in the charter of Villanueva de Pampaneto in 1032. Fernando I, while exempting Villafría from *fossato* in 1039 and Santa Cristina from the same in 1062, required that service from Canales de la Sierra in 1054 and imposed *apelido* defensive service on five northern Portuguese towns between 1055 and 1065. Meanwhile, García III Sánchez imposed the first *fosato* requirement on a Navarrese town at Cuevacardiel in 1052.⁽¹²⁾ The Portuguese *forais* (population charters) were contemporary with Fernando's thrust into the Portuguese frontier south of Galicia which secured the towns of Lamego, Viseu and Coimbra. Coimbra was taken in 1064, and marked the beginning of standard siege practice for Christian kings. Residents of a town under siege who surrendered promptly could remain with full freedoms after the conquest. If the Muslims surrendered after having been under siege for some time, they could leave with only those goods they could carry. Waiting for the town to fall by force, they faced death or enslavement.⁽¹³⁾ A large population of Muslims remaining behind after the conquest could create complications in the writing of the *fuero*, but it was not until the conquest of Toledo later in the century that substantial numbers of such minorities had to be confronted by the Leonese-Castilian monarchs.

Fernando's initiatives were substantially expanded by his son Alfonso VI, both in his pressure on the Trans-Duero and in his military exploitation of municipal populations.⁽¹⁴⁾ But the region which witnessed the most vital creative force in Castilian military law lay not south but to the east in the Rioja, where an opportunity of major importance opened [19] the gateway to a new line of municipal development in 1076. In Navarre, King Sancho IV Garcés was thrown from a precipice by his brother Ramón, who was in turn driven out of his country for this murderous act. The vacant throne was soon claimed by Alfonso VI and Sancho I Ramírez of Aragon, both being grandsons of Sancho the Great and cousins of the deceased monarch. Moving more rapidly, Sancho I seized Pamplona and took effective control of the greater part of Navarre. Alfonso VI did manage to occupy a portion of the Rioja in southwestern Navarre, bolstering his claim by giving an important *fuero* there to the town of Nájera in 1076. In the same year he granted a charter with similar military laws to Sepúlveda in southern Castile, while at about the same time Sancho Ramírez issued a highly significant *fuero* to the royal Aragonese town of Jaca. The military law in these three documents is remarkably similar in language and scope, despite the fact that they survive only in later copies, suggesting that these *fueros* were indeed contemporary as well as closely related to each other. Emphasis was placed on personal participation by the king in the required military expedition, which could be called only in anticipation of combat in the field. Nájera and Sepúlveda dealt with the contribution of baggage animals to the *fonsado* and

Sepúlveda added helmet and armor contributions as well. Jacans were required to bring a food supply for three days in the field, and all three towns required service from both mounted and unmounted citizens.⁽¹⁵⁾

These *fueros* indicate a force probably more influential than the wars with Islam in the history of municipal military evolution, namely the territorial competition among the Christian kings of the Peninsula. At this point the Castilian-Navarrese-Aragonese frontier became the intense focus of this competition, which manifested itself in the remarkable development of municipal law during the next century as this frontier became extended through mutual conquest down the Iberian Cordillera in the direction of Valencia and Murcia.⁽¹⁶⁾ Part of this mutual aggressiveness took the form of militarized towns which bristled along the edges of Castilian and Aragonese territorial extensions, towns which were prepared to fight either Christian or Muslim opponents. In this tripartite conflict, the Rioja was the initial bone of contention.

Frustrated in his efforts to secure Navarre, Alfonso VI turned his attention to the Muslim south. He continued the custom begun by his father Fernando of collecting tribute money from the Taifa kingdoms. At the same time he launched a series of campaigns designed to weaken Toledo, where the weight of his tributes had generated political instability. **[20]** Striking down the old Roman Silver Road well to the west of Toledo, the king assaulted the supporting fortresses of the Muslim stronghold at Coria, probably taking the city itself before 1080.⁽¹⁷⁾ Within five years, Toledo with its keystone location on the central Meseta and its crucial bridge across the Tajo River had fallen into Alfonso's hands. A new era in Christian frontier expansion had dawned with the penetration of the Central Sierras and the capture of this major Muslim city. Determined to maintain his momentum, Alfonso turned to another Taifa capital, the city of Zaragoza in the Ebro Valley, placing it under siege in 1086. Success here could have dramatically changed the future history of central Iberia. The Muslim Taifa states, however, resorted to their own desperate action in the crisis by inviting the Almoravids from North Africa to balance the scales against Alfonso VI. As a large force of Almoravids and peninsular Muslims gathered near Badajoz in the summer of 1086, Alfonso was forced to abandon his enterprise at Zaragoza and gather an army to deal with the threat. Alfonso's Leonese-Castilian army was assembled in haste, and while he was in need of all available forces, there is no documentary indication of any municipal militias in his levies. Within a half century town militias would be capable of frequent strikes near Badajoz in the Guadiana Basin, but their late eleventh-century capacity in range and development seems to have ruled out any assistance by them at this point. The resultant conflict took place near Badajoz at Sagrajas (or Zallaca), a battle culminating in a disastrous and costly defeat for the Christian king.⁽¹⁸⁾ Fortunately for Christian Hispania, the Muslims were not able to follow up their decisive victory with conquering assaults into the Tajo and Duero regions. However, any Christian hope of expanding their possessions beyond the Tajo River was crushed, and the Leonese-Castilians shifted to a defensive stance for decades to come.

Alfonso now faced a situation fraught with both opportunities and hazards. He and his father had encouraged settlements in the Trans-Duero and his conquests had assured control of the regions north of the Central Sierras. His salient in the Tajo Valley at Toledo presaged the possible conquest of the entire central Meseta, but the Almoravid entry into Spain threatened all of this work, compelling Alfonso to look to those strategies that would best shore up his defenses. Municipal militarization was to be one of those strategies. The king could be liberal with military exemptions in *fueros* for towns such as Logroño (1095), Miranda de Ebro (1099) and Vallunquera (1102), all far to the northeast near Burgos and the Rioja.⁽¹⁹⁾ The Aragonese-Navarrese kingdom offered no present **[21]** threat and the towns were too distant to be of assistance against the Muslim south. Further to the south a more militant policy was followed. Alfonso VI would be remembered in the *Primera crónica general* two centuries later as a monarch who fortified his towns to strengthen the security of their settlers. More

recent historical thought has noted that he enhanced municipal striking power as well by stressing the development of the light municipal cavalry class (*caballeros villanos*), an indication that he needed a broader military base to defend his extended frontier.⁽²⁰⁾ Fresnillo's *caballeros*, positioned on the road between Burgos and Sepúlveda at the Duero, were required to render *fonsado* service in 1104. In the salient of Toledo itself, the pre-conquest resident Mozarabs were offered the opportunity to render both cavalry and infantry service, thereby entering the open social structure of the Castilians based on military participation. To secure a militarily effective population for fortified Aceca which supported nearby Toledo, Alfonso offered *caballero* status to anyone who brought a horse with him when he settled.⁽²¹⁾

In terms of the future of town militias, however, Alfonso's most important resettlements were established on the northern flanks and uplands of the Central Sierras. Coca, Arévalo, Olmedo, Medina, Iscar and Cuéllar were significant reserve fortifications, while Segovia (repopulated 1088) and Sepúlveda (still being resettled as late as 1085) sat opposite the key Central Sierra passes of Navacerrada and Somosierra, respectively. Ávila (repopulated 1089-92) and Salamanca covered the major gap in the central chains between the Sierra de Gredos and the Sierra de Gato. Alfonso drew largely on a group referred to in contemporary sources as "serranos" for his settlers, which literally means peoples of the mountains but here refers to the residents of the Upper Duero, especially Lara and Covalada.⁽²²⁾ In the next century, the chronicles would recount repeated instances of the military successes achieved by the militias of Ávila, Salamanca, Segovia and Toledo. For the present they served by settling and holding royal lands in their forward positions, while developing their nascent economies around the raising of sheep and the control of cattle trails in their vicinity. Even the most devastating expedition by the Muslims could not make permanent gains in the Trans-Duero.

The operating conditions here were much like those of the Crusader Near East with its similar topography and climate, where Christian territories were maintained by warriors who dwelt within fortified cities and strategic castles. The Muslim armies of Egypt, Syria and Mesopotamia might campaign rigorously in Crusader-held lands, but could secure no [22] territory without expensive and time-consuming sieges of fortified populations.⁽²³⁾ Where the Crusaders occupied well-established older cities, the brunt of battle in Trans-Duero Spain was borne by newly resettled frontier towns of somewhat diversified types. Ávila, for instance, was a combination of episcopal center and military base whose stout-walled site was strategically important but commercially ill suited to little but sheep raising. Segovia, on the other hand, was a collection of rural farming *aldeas* fused into a town by defensive walls in the late eleventh century. The increase in the number of fortified towns, especially during Alfonso VI's reign, produced a growing contrast between the older and commercially-consolidated towns of the pilgrimage route north of the Duero and in Asturias as against the sheep-raising military bases of the Trans-Duero. The southern towns had more political freedoms, a more fluid social structure, and narrower economic bases in which military activities came to play an ever larger role.⁽²⁴⁾ In the give and take of Alfonso VI's later conflicts with the Almoravids his conquests stood firm. The new phalanx of frontier towns would assist in retaining his gains for his successors.

Leon-Castile's remarkable expansion had certainly not gone unnoticed in Aragon-Navarre, nor the methods by which it had been achieved. The triumphant seizure of Navarre from the hands of Alfonso VI by Sancho I Ramírez in 1076 could have been reduced to insignificance within ten years by Alfonso's preparations for his assault on Zaragoza. A conquest there by Castile would have terminated any future for Aragonese-Navarrese expansion to the south, leaving Sancho's realm a compressed micro-state in the Pyrenees. The Almoravids had inadvertently purchased valuable time for Aragon. Sancho Ramírez had been receiving pressure from the expansionist counts of Urgel and Barcelona to the east as well as Castile to the west, generating stress which the alliance of Aragon with the Papacy in

1063 and the abortive French crusade against Barbastro in 1064 had not fully alleviated.⁽²⁵⁾ On the positive side, the acquisition of Navarre had considerably enhanced Sancho's territory and his population reserves. He had access to French colonists and military support through the Somport Pass above Jaca, which the Muslim geographer al-Idrisi called his "gateway", as well as through Roncesvalles into Navarre.⁽²⁶⁾ The time had clearly arrived for a major effort to break the long-standing defensive line against Zaragoza in the south which ran through the frontier towns of Ejea, Huesca, Barbastro and Tudela.

In Aragon-Navarre, Sancho Ramírez established the precedent of placing a military obligation upon his townsmen at Jaca in 1077. Jaca's [23] residents were expected to bring supplies for three days when rendering military service, a requirement destined to become widespread in the large group of Aragonese and Navarrese *fueros* which were derived from or influenced by that of Jaca.⁽²⁷⁾ While a three-day combat range (which was at least implied by the requirement of supplies) might have been sufficient for campaigns in the upper Aragón River valley, it would have been well short of enabling Jaca's militia to serve on even the comparatively close southern frontier at Huesca, over fifty kilometers of mountain road away. When Sancho Ramírez imposed the Jacan requirement on Argüedas in 1092 ten kilometers north of the frontier at Tudela, his expectations of drawing upon municipal light cavalry and infantry for service at the frontier were increased.⁽²⁸⁾ Shortly thereafter, King Sancho Ramírez undertook to crack the Muslim frontier line with a campaign against Huesca, but he did not live to see it through. Pedro I, the first of Sancho's three sons to succeed him to the throne, captured Huesca in 1096 and broke the defensive line with Zaragoza.⁽²⁹⁾

Pedro I's municipal military laws continued along much the same lines as those established by his father. The king awarded *fueros* to the towns along the Aragón River and to Barbastro to the southeast, once it was retaken. The *fueros* of Barbastro (1100), Caparroso (1102) and Santacara (1102) all exempted residents from longer-range *hueste* service, but required the shorter-range duty for local battles and castle defenses within the scope of the three-day supply requirement. In addition to these *hueste* exemptions, there were indications of French influence appearing east of Huesca at Lecina (1083) and Barbastro, and north of Jaca at Santa Cristina (1104), where exemptions were granted from *cavalcata*, a form of mounted service known since the Carolingian era which could presumably be rendered only by *caballeros*. Pedro also gave a *fuero* to the middle rank *infanzón* nobility of the kingdom in 1104 requiring the three-day field service for battles and castle defense, a *fuero* which later served as a basis for the *fuero* of Zaragoza.⁽³⁰⁾ Both native Aragonese and French immigrants populated the Río Aragón towns of Caparroso and Santacara, which were strategically critical since they were poised to strike at the frontier while defending the interior of Aragon from Zaragozaan raids. During this period with encouragement from the monks of San Juan de la Peña, Pedro succumbed to the crusading ideal and offered Pope Paschal II his services as a crusade leader. The pope wisely suggested that Pedro might better direct such energies against his domestic Saracens. Pedro spent his last years preparing for the final siege of Zaragoza, starting in an assault in 1101 which was [24] aborted by his lack of sufficient cavalry.⁽³¹⁾ His premature death three years later placed his brother Alfonso I on the throne, a king destined to play much the same role in twelfth-century Aragon that Alfonso VI fulfilled in eleventh-century Castile. Indeed, Zaragoza was ultimately to be his Toledo. Such victories were destined to earn for Alfonso I the sobriquet "El Batallador."

III - The Early Twelfth Century

El Batallador's opportunities developed in large part as the result of a succession crisis in Leon-Castile. In 1109, Alfonso VI saw the approach of his death with great concern, inasmuch as he lacked a male

heir, his only son having been killed in the battle of Uclés during the preceding year. Moreover, his daughter Urraca had recently lost her husband Count Raymond, and their only son Alfonso Raimúndez was but a child. Alfonso VI sought to remedy the situation by marrying the widowed Urraca to King Alfonso I el Batallador of Aragon. Much has been written concerning the prudence of this marriage, from which at least two major complications grew. First, Alfonso I and Urraca proved totally incompatible. Even a papal annulment of this consanguineous union (both were great-grandchildren of Sancho the Great of Navarre), however, did not prevent the Aragonese king from both laying claim to much of Castile and launching the campaigns required to make good that claim. Second, a major successionist threat at the other extreme of Leon-Castile appeared as Galicia rose up in reaction to the marriage of Alfonso and Urraca, which threatened the youthful Alfonso Raimúndez with the potential loss of his right to the throne. In the face of this unfortunate disunity, there were two remarkable developments. The Almoravids did not or could not take advantage of the situation to capture Toledo or conquer portions of the Trans-Duero. Moreover, Urraca held her kingdom together, passing it intact to her son Alfonso Raimúndez at the close of her reign.⁽³²⁾ Contemporary with all of this, the chronicles begin to give indication that the municipalities were testing their fledgling military capabilities in the Trans-Duero and in Galicia.

In 1109, the year of Urraca's accession to the throne, the Almoravid Emir cAlī ibn-Yūsuf, was applying intense pressure in the Tajo River Valley to follow up his brother Tamīm's victory at Uclés the year before, and to take advantage of the change of rulers in Leon-Castile. cAlī led a major assault into the Toledan frontier region, breaking down the walls and sacking the towns of Talavera, Madrid, Olmos and Canales (among others), while probing but [25] not penetrating the defenses of Toledo and Guadalajara. There is also a record of municipal forces from Madrid and "Estremadura" (here indicating almost certainly the Trans-Duero) campaigning in the vicinity of Muslim-held Alcalá de Henares, some twenty-five kilometers distant.⁽³³⁾ Supporting the likelihood of increasing militia activity, Queen Urraca's renewals and additions to the *fueros* of Leon and Carrión included laws which exempted unmarried women and widows from *fonsadera* along with male children too young to bear arms. Also, a temporary exemption from *fonsado* of one year was granted to *caballeros* who had recently married, an interesting insight into the burdens that warfare placed on personal life in these towns.⁽³⁴⁾ The municipal military capability could also be used against the queen, however. For example, the townsmen of Sahagún along the pilgrimage route assisted Alfonso el Batallador in his capture of their town because of their grievances against the important monastery there, a municipal revolt which could be taken as a demonstration of opposition to Urraca as well.⁽³⁵⁾ The Almoravid frontier may have encountered the sting of the militias at this time. At least, the *señor* of Ávila was credited with a victory over the Muslims near Baeza on 11 November 1115 by Ibn-cIdhârī and it would seem likely that the *señor* had at least some Abulenses under his command at the time.⁽³⁶⁾

A particularly active area during Urraca's reign was Galicia, then in the control of its energetic bishop, soon archbishop, Diego Gelmírez of Santiago. Two requests for military service survive from Urraca's reign, both pertaining to Gelmírez and the territories under his control. One for the year 1111 required that the bishop pursue the taking and manning of the castles of several rebellious Gallegan nobles, while a second in 1113 called for assistance in the siege which Urraca undertook against Burgos, then in Alfonso el Batallador's hands. The length of the second expedition (late May to mid-July) suggests that it was too extensive to have obligated participation by the residents of Santiago or the other towns of Galicia, given the short municipal service terms. Indeed, the 1113 Burgos expedition with its additional foray to assist at Berlanga was sufficiently exceptional to gain for Gelmírez a personal exemption from such service in the future.⁽³⁷⁾ Closer to home, the contemporary *Historia Compostelana* indicates that Santiago's militia did perform military service, including an undated campaign accompanied by forces from Iria and Santa María de la Lanzada against English pirates. In

addition, campaigns against rebel castles are cited for Santiago's forces in 1121, 1126 and 1130, [26] while victorious battles with the Portuguese are noted in 1121 and 1127. On at least three of these occasions the Santiagan recruits served directly under Diego Gelmírez.⁽³⁸⁾ The divisive forces of Urraca's reign and the ambition of the enterprising archbishop thus spurred a brief surge of militia development. With the expansion of Leon-Castile and the emergence of an independent Portugal in the mid-twelfth century, Galicia slips into a rearward position and we hear little of Santiago and the Galician militias after this time.

On the Aragonese frontier, Alfonso el Batallador balanced his involvement regarding his claim to the Leonese-Castilian throne against this continuing program of pressure on Zaragoza. In 1117 Alfonso made an agreement with Urraca to relinquish the bulk of his claims on Castile in exchange for a truce with his former wife, largely to gain freedom of movement against Zaragoza. In 1119, he granted a *fuero* to Tudela, some 75 kilometers up the Ebro from Zaragoza. *Infanzones* and residents were given a year's exemption after settlement, then were expected to render offensive and defensive service.⁽³⁹⁾ However, one suspects that the Tudelan grants along with those made to other towns by his deceased brother Pedro were primarily defensive in purpose. We have no record of militia forces at the siege of Zaragoza in 1118, where extensive French support was required, nor in any of the campaigns which followed the Zaragoza conquest. What does occur simultaneously with the Zaragoza conquest is the extension of Aragon's legal and linguistic influence into eastern Castile, especially with regard to the granting of a *fuero* to Soria in 1120. This charter called for settlers from beyond the Ebro River in upper Aragon to relocate in Soria and clearly indicated that Alfonso retained designs on Castile and sought to make permanent his situation there. The linguistic influence is argued to have penetrated the entire Soria region, as well as Bureba, the Rioja, Berlanga and Almazán. This westward thrust of Aragon was not destined to be permanent, either politically or linguistically. The more natural direction of Aragonese expansion was to the south where the dependencies of Zaragoza lay. Even here, the acquisition of Tarazona, Borja, Magallón, Rueda and Épila continued the pressure on Castile while the conquest of Calatayud and Medinaceli secured control of the key access road from Córdoba which thwarted Muslim efforts to retake Zaragoza.⁽⁴⁰⁾

The next decade saw important foundations being laid in municipal law in Aragon, including the question of military service. In order to tighten his hold on the newly-won lands and to deal with the rising Castilian threat of his former stepson, Alfonso Raimúndez, who came to power as King Alfonso VII of Castile, El Batallador [27] began to concern himself once more with the institutional development of his municipalities, particularly their military potential. He issued *fueros* to Cáseda, Carcastillo and Encisa, three Navarrese towns on or near the River Aragón in 1129, which required militia service in the form of *fonsado*, a Castilian word which indicated fundamentally the same kind of service designated by the term *hueste*. All three charters discussed the matter of booty won in combat and the proper royal fifth share of those military profits for the first time. Possibly no other law could indicate so clearly the fact that militias had already begun to function effectively in the kingdom, and that the booty which resulted from their combats needed to be taxed.

Carcastillo also requires service based upon a ratio of those obligated to serve (one-third of the *caballeros* and the *peones* had the obligation to join a given military expedition, the remainder paying a fee in lieu of service). Moving to the southern frontier in 1131, the *Fuero de Calatayud* called for the one-third service ratio for *caballeros*, the royal rights to a fifth of booty, and added two new areas of concern: prisoner exchange and the right to indemnify personal wounds and the loss of animals from the booty taken in combat. That such considerations are making their appearance in the *fueros* strongly suggests that the Aragonese town militias are becoming active, despite the absence of contemporary chronicles describing their deeds. Moreover, this area of municipal law expands considerably in the Aragonese towns along the flanks of the Iberian Cordillera in the next fifty years.⁽⁴¹⁾ This development

places Alfonso I of Aragon as something of a "founding father" of municipal military evolution in his kingdom, as well as establishing a basis of intense political and legal competition between Aragon and Castile for settlement and municipal development in the Iberian Cordillera. The result was a truly remarkable elaboration of peninsular law during the twelfth century which climaxed in the *fueros* of Teruel and Cuenca by 1195.

The rapid development of the Kingdom of Aragon under Alfonso I and its conquest of Zaragoza dramatically altered its own evolution, as well as that of Castile and Navarre. Castilian expectations for the absorption of the upper Ebro Valley were dashed by El Batallador's triumphs, and a similar process of separatism was underway to the west in Portugal. At the same time, the Almoravid states to the south were in the early stages of political and military decay. This would soon lead to what C. J. Bishko calls "an uncoordinated but simultaneous three-pronged Portuguese, Leonese-Castilian and Aragonese-Catalan offensive," which [28] reaped a harvest of territory for all these budding political entities while removing beyond recall any hope of Christian political unity for the Peninsula.⁽⁴²⁾ It now seems clear that all three states had anticipated this expansion in opportunity by the development of their municipal military law. Castile continued to maintain pressure on the Rioja and the upper Cordillera in Alfonso I's early reign, assuring his control on Lara, Villafranca, and Nájera. In 1128, Alfonso VII pursued Castile's interests against the Agagonese frontier by confirming a *fuero* for Burgos, even though it contained an Aragonese-style military requirement for *fonsado* specifying a field conflict and three days of supplies. When Alfonso I died in the wake of the battle of Fraga in 1134, Alfonso VII moved to establish a feudal overlordship over Zaragoza agreed to by El Batallador's brother and successor, Ramiro II.⁽⁴³⁾ This activity points to one of the major creative forces for municipal law in the age, the cross-borrowing and competition between Aragon and Castile in the towns of the Iberian Cordillera.

From the standpoint of military law, there are at least two other areas which need study in the twelfth century: the central Meseta focused upon Toledo and the Trans-Duero centered on Salamanca and Ávila. García-Gallo has recently detailed the twelfth and thirteenth-century evolution of the *fueros* of Toledo and the towns which drew from the legal traditions of that city, while advancing the argument that the Toledan form of regional law precedes other areas in the chronological evolution of precedents. The militia requirements from this law were concentrated in three charters of Alfonso VII's reign: the charter of Escalona of which some laws date from c. 1130, a *fuero* given to the French residents of Toledo in 1136, and the *fuero* given to the castle town of Oreja after its conquest in 1139.⁽⁴⁴⁾ With regard to the precedent-establishing value of this portion of Toledan law, Oreja had only a reference to the requirement of a fifth of booty for the king, by no means a new precedent. The French residents of Toledo were freed from mounted military service (*cavalguet*), remarkable only in that their exemption probably related to the fact that they were a valued commercial class. Escalona did have important new material regarding residence requirements which required a knight who intended to cross the Central Sierras to leave his wife and children or another knight in his residence in the town to retain his *miles* tax advantage. The knight was also obliged to leave any horse or arms received from the king to his sons or blood relatives at his death. García-Gallo regards the Toledan precedents as at least as important as the traditions evolving in the Cordillera to the east. Within the possibly narrow frame of military law, I am not inclined to accept that position. In truth, both areas [29] developed important law and doubtless influenced each other, but there is no grand summation of the Cuenca-Teruel kind with its rich delineation of the laws awaiting at the end of the Toledan development.⁽⁴⁵⁾

The Trans-Duero provided another creative center of military law not duplicated in either the Cordilleran or the Toledan families which seems to have emerged in this age. One can make a strong case that both Salamanca and Ávila received charters in the early twelfth century which contain important military law. These *fueros* no longer exist, but two distinct families of Portuguese *forais* cite either Salamanca's or Ávila's charter as their basis. The Portuguese charter of Numão (1130) followed

later in the century by that of Trancoso carry on the Salamancon tradition, while the charter of Évora will inaugurate the use of Ávila's charter in the 1166. In addition to this direct connection, Salamanca and Ávila prototypes apparently contained significant laws regarding ratios of knights in the towns' contingent who must serve on any given campaign (Salamanca requires one-third, Ávila two-thirds). Versions of this law appeared across the Peninsula between 1121 and 1135 in Navarre, Aragon, Castile and Portugal, a development suggesting yet another network of legal interrelationships requiring study. ⁽⁴⁶⁾ The surviving pattern of emerging military law, whether Cordilleran, Castilian or Portuguese, strongly indicates that monarchs perceived a major role for these municipal militias in the frontier wars of the mid-twelfth century.

From 1120 to 1150, the creation of law and intensified militia activity went hand in hand. The *Crónica de la población de Ávila*, a thirteenth-century chronicle not always reliable in its earliest sections, does allude to combat against Muslim raiders and disputes over booty before 1107 that relate well to the concern for a municipal reserve and booty fifths likely to have been included in its lost *fuero*. ⁽⁴⁷⁾ Although the seventeenth-century histories of Ávila indicate the presence of that town's militiamen (along with those of Zamora) at Alfonso VI's conquest of Cuenca in 1106 and at the disastrous loss at Uclés in 1108 against the Almoravids, this seems rather unlikely at so early a date given the considerable distance of these areas from Ávila. ⁽⁴⁸⁾ But by the reign of Alfonso VII, the accounts in contemporary chronicles become too frequent to be discounted. Early in the reign of Alfonso VII, cAlī ibn-Yūsuf, now joined by his son Tāshfīn ibn-cAlī, was again increasing his pressure on the region of Toledo. In 1132 the Christian frontier forces made a major counter-thrust which dramatically demonstrated an increased campaigning range for the militias of the Trans-Duero and the Tajo Valley.

[30]

The impact of one of these raids was sufficient to merit recounting by three chronicles, one of them Muslim. Rodrigo González de Lara, Alfonso VII's governor of Toledo, gathered a substantial force for a major raid in the region of Seville, including the militias of Ávila, Segovia and Toledo. When King Umar of Seville mustered an army to curtail the destructive raiding and booty taking of González's invaders, a major battle resulted. The battle seemed of such significance to the author of the *Chronica Adefonsi Imperatoris* that he plagiarized the Bible (I Maccabees 9) for some of the battle details. We do know that Ávila's militia faced an Arab wing, that Segovia confronted a wing made up of Almoravids and Andalusian Muslims, and that Toledo's forces constituted part of González's reserve to the rear. The Christian forces routed the Muslims, beheaded Umar, and continued their forays against the people, trees, crops and cattle of the region, returning with an enormous collection of booty. Probably in the spring of 1132, the Lucena raid of both mounted and unmounted forces described in the *Introduction* took place, taking the militias of Ávila and Segovia south of Córdoba. ⁽⁴⁹⁾

The Lucena and Seville raids are stunning when one considers that both are approximately 400 kilometers from Ávila, and demonstrate a remarkable range for these militias. Victories were not assured, however. The commander of the Muslim fortress of Calatrava crushed the militia of Escalona in the early 1130's, and Salamanca's ambitious militia overextended itself in a raid against Badajoz and was defeated and shorn of its booty by Prince Tāshfīn and his Córdoba forces in 1132. ⁽⁵⁰⁾ The late 1130's and the 1140's indicate continued conflict along the frontier as crumbling Almoravid resistance and increasing municipal capabilities spurred Alfonso VII, his frontier captains and his militias into greater activity. Contemporary accounts suggest that Ávila, Segovia, Salamanca, Zamora, Madrid, Guadalajara and Talavera were the most active towns, but regional levies which summoned a number of unnamed towns were continually alluded to. The highlights of this period were the municipal assistance in the taking of Oreja in 1139 (an important fortress-town for the defense of Toledo) and the

raid against Córdoba which included the militias of Ávila, Segovia and Toledo and climaxed with the battle of Montiel at the end of the 1140's. Having raided Andalusia, Munio Alfonso, the king's renowned governor of Toledo and the commander of the expedition, quickly retreated through the Muradal Pass from Córdoba. The Andalusians pursued the Christians past Calatrava fortress to Montiel on the road to Toledo, where Munio turned [31] and fought, decimating the Muslims. When the returning army marched back into Toledo before an astounded and pleased Alfonso VII, Munio displayed a large quantity of booty both from the raids and the battle, as well as the heads of the Muslim commanders on the spears of his warriors. Neither Munio nor King Alfonso could foresee that Munio's head would one day ride a Muslim spear in a similar triumphal procession into Córdoba. (51)

The lost *fueros* of Salamanca and Ávila and the sections of the *fuero* of Guadalajara which can be accepted as contemporary to the early part of Alfonso VII's reign were the best systematized creations of new law in Leon-Castile which parallel the increase in municipal military activity. The remainder of the charters for the reign of Alfonso VII were less informative and clear. The most widespread statute in the surviving charters was exemption from the *fonsadera* fee, or from offensive *fonsado* or from defensive *apellido* service. Some of these exemptions were conditioned, as in the similar *fueros* granted to Oviedo and Avilés (dated 1145 and 1155 respectively, but both possibly from the thirteenth century) which limited exemption to groups already performing quasi-military service: guards of cattle, grain and vineyards. Villacelema served only when nearby Mansella did, and Sahagún and Oviedo-Avilés only up to a certain fixed frontier. Oviedo, Avilés and Sahagún had service requirements for those not exempted by guard duty which bore a strong resemblance to Aragonese law: service only with the king, involving a field battle (*lidcampal*) or castle duty and with a three-day time limit. (52) On the other hand, several towns assessed a fine for missing military service, and while Astudillo exempted its *caballeros* from *fonsado*, it did require two *peones* of every three to serve, with the third contributing a pack animal in lieu of his personal service. Finally, Ocaña in 1156 had the only reference to the royal booty fifth outside of Guadalajara and Oreja, although Lara and Villavicencio divided the fees paid by those missing combat muster between the city government and those who served. (53)

The lack of a consistent pattern of requirements in these surviving *fueros* thus tends to support likelihood of the potential Salamanca-Ávila charters, especially in the light of the extensively documented military performance of these towns during Alfonso VII's reign. The unevenness of the sources outside of this pattern requires considerable caution in the making of generalizations regarding Alfonso VII's reign. Nonetheless, one acquires a strong sense of the concentration of the recruiting areas of urban military service. Certain towns, especially those near the Tajo frontier, developed exceptional capability for offensive expeditions. Defensive service was more evenly [32] shared among the many towns, *apellido* exemptions being exceedingly rare. Even here, towns such as Salamanca, Ávila, Segovia, Madrid and the central force at Toledo were likely to have rendered extraordinary service, since their developing capacity would have made them more valuable in emergency situations. It is difficult to imagine how that most enduring achievement of Alfonso VII, the securing of the Tajo Valley, could have been accomplished without the municipal contribution. Yet, the military capability of Ávila and Segovia in the Trans-Duero threatened the security of the newer frontier towns to their south on the other side of the Central Sierras in the Tajo Valley. Alfonso VII guaranteed the boundaries of Madrid against Segovia in 1122 in part due to Madrid's own military performance in behalf of the crown, while the same monarch had to certify the frontiers of Talavera against Ávila in 1152. Concern for Ávila's enterprising expansion caused the redactors of the *Fuero de Plasencia* to prohibit the settlement of Abulenses in any part of that town on the western flank of the Gredos Sierra as late as the early thirteenth century. Such towns often threatened the peace agreements between Christian and Muslim rulers by their zest for independent raiding. (54) Thus, we have early indications of both the possibilities and the potential liabilities of these municipal military establishments.

Municipal development within the kingdoms neighboring on Leon-Castile needs also to be considered. The details of Aragonese military law suggest special emphases there which are not present or less developed in Leon-Castile. Portugal similarly evolved its own special concerns, which are more clearly defined for us since the survival rate of Portuguese charters is better than that of Castile or Aragon. Around 1094, Count Henry of Burgundy and Teresa (Alfonso VI's illegitimate daughter) were given the "land of Portugal" with an open southern frontier. This can be taken as the beginning of the Portuguese *foral* tradition. One clear line of interest in Portugal up to the mid-twelfth century was defense. Whereas *fossato*, *expeditio* or *hostis*, all terms indicating offensive operations, tended to be the most frequently cited terms to the east, it was *apellido* service that was more clearly stressed in Portugal. Starting with the *foral* of Guimarães in 1095-96, given by Henry and Teresa, *apellido* was discussed in twelve of the 24 *forais* which contain military materials down to 1157. Much of the concern was given to the length of this service (one to three days), with occasional distinctions between fighting Muslim opponents for which there were fewer limitations in time, and warfare against fellow Christians where stricter time limits were imposed. There was reference to the fees [33] charged for missing the *apellido* call, which varied from charter to charter.⁽⁵⁵⁾

Other *forais* inform us of the fluidity of the social structure on the Portuguese frontier. *Cavaleiros* owed their social and economic position to their maintenance of a horse and its use in combat. To maintain their preferential standing in the face of the non-combat loss of their mount, nine charters allow a time period in which the horse can be replaced without the loss of status (between one year at Viseu in 1123 to five years at Sintra in 1154, with three years the most common interval cited). Leiria and Sintra make it clear that foot soldiers can gain the status of knights by acquiring and using a horse. Early references to the royal booty fifth also occur in the documents from 1111 onward.⁽⁵⁶⁾ These statutes appear in the transitional age of Count Henry and Teresa, continued when the widowed Teresa ruled the County of Portugal alone, and lasted into the reign of their son Afonso I, who changed his title of count to that of king in 1140. The emphasis on defense was not surprising at the outset, given the battle for Portuguese independence against Queen Urraca and Alfonso VII. Moreover, Almoravid pressures were felt here, as well, as the twenty-day siege of Coimbra by cAlì ibn-Yúsusuf in 1117 cited by the *Chronica Gothorum* would indicate.⁽⁵⁷⁾

By the time Afonso I had driven his mother Teresa from power in 1128, the primary tendencies in Portuguese municipal military obligations were established. To a considerable degree Afonso continued these earlier municipal traditions, but there was an unmistakable shift to the offensive for this great conqueror and monarchy-creator. For example, there had been no prior reference to offensive military requirements before his time, but *fossado*, *fossadeira* and *expeditio* appeared in seven charters from his accession down to 1157. The first adaptation of a Salamancan charter took place at Numão in 1130 (a non-royal charter) with its one-third participating and two-thirds reserve regulations for the *cavaleiros*, while a half and half ratio of residents called to service appears to have been assigned to the royal *fossado* at Penela in 1137.⁽⁵⁸⁾ Moreover, a concern for the factor of age appears. Miranda da Beira, Louzã and Sintra allow *cavaleiros* too old to serve in combat to retain their knightly rights, and their widows retain this privilege as well. Miranda and Louzã even give knightly status to archers, a Portuguese tradition with a long history.⁽⁵⁹⁾ The *forais* of Seia (1136), Sintra (1154) and Freixo (1155-57) demonstrate a royal tendency toward longer charters containing more military law. Seia indicates interest in the contribution of animals to the *fossato*, suggests the possibility of a yearly *fossato* in May, [34] and legislates against the stealing of a knight's booty. Sintra assembled a variety of older military laws in its charter, while adding a limitation of one royal *exercitus* per year on which residents would be obligated to serve and for which they would not be required to pay the royal fifth of booty tax. Finally, Freixo contained laws fining a resident who wounded another resident during a defensive *apellido*, permitting an individual who missed an *apellido* to have a witness testify that he had not

heard the emergency call, and restricting any residents who held properties in other places that he owed his *fossado* obligation in Freixo and there only.⁽⁶⁰⁾

Unlike Leon-Castile, however, we have little indication from the contemporary chronicles that the Portuguese municipalities were making a substantial contribution to the rapid advance of the frontier under Afonso. For example, the narratives of the taking of Lisbon in 1147, the most thoroughly recounted event in twelfth-century Portuguese history, make no mention of town militias, as was also the case in Aragonese Zaragoza. There is one reference in the *Chronica Gothorum* to sixty *cavaleiros* of Santarém aiding the badly outmanned royal forces at Alcácer a few months after the taking of Lisbon.⁽⁶¹⁾ The approximately one hundred kilometers between Santarém and Alcácer would have tested the probable outside range of a three-day obligation for *cavaleiros* of that Tejo River town, and suggests that here as well as in Aragon the service requirements tended to restrict the municipal militias to brief, short-distance striking raids and defensive forays. To this point, at least, there were no towns with the striking capacity of an Ávila, Segovia or Toledo along or behind the Portuguese frontier.

The development of municipal militias to mid-century on the eastern flank of Leon-Castilla in Aragon was dramatically affected by the death of Alfonso el Batallador in 1134, brought on by the sharp political (and therefore legal) divisions it created in the Cordilleran zone. Alfonso's death and its attendant succession crisis redirected the future of Aragon and the Peninsula as a whole. Having no children, Alfonso willed his kingdom to the three military orders, the Temple, the Hospital and the Holy Sepulchre, possibly as a device to bypass any claims on his lands which might be exercised by Alfonso VII of Leon-Castile.⁽⁶²⁾ At the outset, the nobility of Navarre seized the opportunity to break free of Aragon and reestablish their native dynastic line with García IV Ramírez (1134-50). Meanwhile, the last surviving son of Sancho Ramírez, Ramiro II, was drawn out of his monastery to assume the Aragonese throne. The betrothal of his infant daughter Petronilla to the Count of [35] Barcelona, Ramon Berenguer IV, assured the succession of the Aragonese throne and created the fateful linkage of Catalonia and Aragon. During the long reign of Petronilla and the minority of her son Alfonso II (Alfons I of Barcelona-Catalonia), Aragon found itself pulled toward the Mediterranean, while at the same time Ramon Berenguer took an active interest in the southern frontier of both Aragon and Catalonia. For Navarre, meanwhile, the separation from the Aragonese monarchy had finally borne its bitter fruit. In the early eleventh century before under Sancho III it had been the dominant and rising monarchy in the Peninsula. Now the events of 1134-37 had sealed off its frontier against the Muslim south, leaving it to atrophy as a reconquest state while Leon-Castile and Aragon-Catalonia expanded to consume its territorial options. Brief *fueros* given to Peralta (1144), Yanguas (1144, 1145) and Olite (1147) offered military law which contains nothing that was new for Navarrese militias.⁽⁶³⁾ However, future territorial competition with its Christian neighbors and the continuing ambition of the Navarrese kings gave promise for the future development of militia law and capability, loss of Muslim contact notwithstanding.

The case of Aragon becomes somewhat more uncertain between 1134 and 1162, the age of Ramiro II's brief reign (1134-37) followed by Count Ramon Berenguer IV's reign as Petronilla's consort. Ramiro issued *fueros* to Huesca (1134), Uncastillo (1136) and Jaca (1134-37) which offered now familiar requirements for *hoste*, castle duty and battlefield service with a three-day food supply, a retention of already established precedents. More interesting in this same period is a charter given by Alfonso VII of Leon-Castile to the *infanzón* nobility of Aragon, renewing a similar grant of Pedro I. Here a sharp distinction was made between lesser nobles who have the typical three-day obligation as against those who hold royal honors and thereby have a three-month requirement for military service in the royal *hoste*, obviously the group which constituted the backbone of Alfonso's expeditionary capability.⁽⁶⁴⁾ The reign of Ramon Berenguer IV introduced a brief era of a Catalan ruler applying Aragonese law to his newly acquired realm. The Count of Barcelona was not likely to attempt dramatic changes in the

municipal legislation, coming as he did from a rather different legal and cultural background. The three charters containing military law which he granted went to Daroca (1142), San Estebán de Luesia (1154) and Cetina (1151-57). San Estebán gave a seven-year exemption from *hoste* service to new settlers, while Cetina simply specified that the townsmen were required to send mounted and unmounted warriors and an animal contribution to the *hoste* when the nearby Order of the Hospital was called on for service. Daroca limited [36] *exercitus* service to that done with the king present, specified kinds of booty on which the royal fifth was owed, and had a more elaborate prisoner exchange law than had hitherto appeared.⁽⁶⁵⁾

The regency of the future Alfonso II produced an increase in the number of semi-independent *señoríos* under powerful noble families, especially along the Cordilleran frontier with Castile. One of these, Manrique de Lara, gave a *fuero* to Molina de Aragón (1152-56) which contained a significant amount of new military law.⁽⁶⁶⁾ This *fuero* is problematic, since our oldest surviving manuscript is a thirteenth-century copy and may have acquired additions based on the more ample codes from the end of the twelfth century. An analysis of Molina's military laws indicates much material for which there was precedent. Laws giving tax exemptions to *caballeros* who retained a house in the town with their families in residence for a portion of the year had already appeared in García-Gallo's "Toledan" group of charters, and laws on the booty fifth and fining for missing the military obligation were well established in Aragon. More dubious was the law which specified the turning over of a captured leader from the Muslim side to the king. Guadalajara and Daroca had a similar law, but the awarding of a maintenance allowance for the captors of the important prisoner appeared nowhere else before the end of the century. Similar doubts must be entertained for laws regarding campaign and watchtower duty, medical allowances for the healing of wounds, the use of *concejo* standards (battle flags) and specified battle equipment for mounted and foot soldiers. Most significantly, a certain level of wealth required the purchase of a horse and the obligations of service which went with it, a most unusual law for the mid-twelfth century.⁽⁶⁷⁾ It is possible that all of this law was included in the twelfth-century version of the charter. If so, it would mark Molina's charter as an important milestone between earlier Castilian and Aragonese law in the Cordillera and the extensive charters of Cuenca and Teruel granted at the end of the century. If we possessed an earlier copy of Molina's charter which would verify that contribution, we would have major indications of the growth of traditional law in the Iberian Cordillera by the mid-twelfth century. But while I am inclined to accept Molina's *fuero* as a faithful rendering of its original contents, caution prevents trying to argue such a case definitively.

The one area of Christian Iberia not yet considered with regard to the evolution of town militia service is Catalonia. The dynastic marriage of Ramon Berenguer IV and Petronilla would produce a common ruler for the Kingdom of Aragon and the County of [37] Barcelona in Alfonso II (Alfons I) while creating the new political entity known as the Crown of Aragon. The nature of the municipal military traditions of Catalonia offers an apparent contrast with the Aragonese evolution. While urbanization was, if anything, more advanced in Catalonia than elsewhere in Iberia in the mid-twelfth century, urban military service was at best obscure and underdeveloped if it is to be measured by the surviving records of military law. French-style feudalism was rather better developed in Catalonia than the rest of the peninsula and frontier expansion here had not moved at a rate equivalent to that of Castile or Aragon since the mid-eleventh century. The powerful comital houses of Barcelona and Urgel had concentrated upon containing each other's spheres of influence as well as that of the expanding Kingdom of Aragon. Muslim geographers noted the bellicosity of the "Franks" of Catalonia in the eleventh and twelfth centuries, and we know of at least one occasion when "Frankish" troops (clearly in the context Catalan mercenaries) served in the forces of the Emir of Granada. However, these descriptions of Christian valor were reserved for "Franks" as a people.

In contrast to the references which can be found for the towns of Navarre and Leon-Castile, the discussion of Barcelona and Tarragona which we have from Muslim geographers refers only to the "Franks" in general or the dangers to be experienced in the particular area. The mid-twelfth century Muslim geographer al-Idrisi noted the valor and bellicosity of the residents of Estella, Leon, Segovia and Ávila, in particular. Yet no town was singled out in Catalonia for a description of the military prowess of its inhabitants.⁽⁶⁸⁾ Surviving municipal charters add little to the picture. Two eleventh-century documents for settlers near castles mention *hoste* and *cavallcades* service, but Albana (1040) limited it to *milites* (knights) and Castelló exempted settlers from such obligations. In his donation of Tarragona to its bishop just prior to the taking of the town in 1118, Ramon Berenguer III declared the right to control questions of war and peace in the lives of its settlers without offering any specifics as to just what this might mean with regard to military obligations. Once Aragon and Catalonia were combined in the reign of Ramon Berenguer IV, there were some signs of change. In 1147, the *milites* of Almenar were required to serve, perform castle guard, and make food contributions in time of war. More significantly, Count Ramon and Bishop Bernat of Tarragona required *exercitus etcavalcata* in 1151 from all citizens of Tarragona, those with horses and those without them. Compared to what we have seen emerging in the other peninsular states, this is scant material, indeed, and Spanish legal historians such as García-Gallo have not considered the evolution of Catalan municipal [38] law to offer much interest until the thirteenth century.⁽⁶⁹⁾ One must allow for the possibility that urban forces of some kind might have been called up as a type of feudal service under the Count of Barcelona. If so, we have no clear indications of precisely how that service was rendered. It is equally possible that the Count took care of his basic military needs with the conventional feudal levies of his knights, and gave no thought of drawing upon his commercial settlements for combat forces in this early period.

IV - Mid-Century Reconnaissance

The mid-twelfth century presents a useful position from which to review the early chronological evolution of municipal military service in the Peninsula. First, it is clear that at least two distinctly different kinds of municipalities had emerged among the Spanish Kingdoms by 1157. The first was primarily commercial, was concentrated either in the northern portions of Navarre, Castile and Leon or along the coastal littoral of Catalonia, and was primarily focused upon pilgrimage-oriented or Mediterranean-oriented trade. These towns appear to have played a rather small role in the military endeavors of the Reconquest. Second, a unique type of frontier cattle town appeared in the eleventh century (if not before), focused on the raising of sheep and the control of cattle trails and grazing lands, whose development in the frontier zones of Aragon, Navarre, Leon-Castile and Portugal tended to place them in an extremely exposed military position. In the century from 1050 to 1157 these frontier towns multiplied, largely because the rulers perceived their signal value as agencies of settlement and defense for the newly won lands in the Trans-Duero, the Tajo River Valley, and the Upper Ebro River Valley. It is in this second kind of town that the military obligation comes to play such a vital part in royal frontier policy and in the daily lives of its citizens.

The charters of these municipalities display an increasing variety of military laws and policies, whose evolution is most pronounced in three frontier areas: the Cordilleran zone of Castile-Navarre-Aragon, the central zone dominated by Toledan law, and the Leonese-Portuguese zone. This developing municipal capacity to make war by the time of Alfonso VII of Leon-Castile has been noted by both the earlier and more recent Spanish urban and military historians.⁽⁷⁰⁾ My own findings indicate that Portugal and the Navarrese-Aragonese Cordillera also developed significant progress in military capability, although more limited to defense. In Leon-Castile, however, the offensive capability was more evident, even to the point of these towns initiating independent raiding not always [39]

convenient to the policy of the monarch or the stability of the relationships among the various frontier municipalities.

At the same time, this bellicosity on the part of the towns would prove an advantage in the decades to come. As the Almoravid principalities crumbled in the face of Leonese-Castilian, Portuguese and Aragonese-Catalan pressure, peninsular Muslim history repeated itself once more. A new reformist and puritanical North African movement, the Almohads, gathered its forces and invaded Almoravid Spain in the last decade of Alfonso VII's rule. By the death of Alfonso VII in 1157, the Almohads had secured the Almoravid territories, and operating out of Seville and Córdoba they substantially increased the Muslim threat to the Christian frontier while bringing heavy pressure to bear on the Tajo River line. Compounding these difficulties, Alfonso VII chose to divide his kingdom into its Leonese and Castilian components between his sons Fernando II and Sancho III, respectively. Thus, the Christian frontier appeared to be in the process of fragmentation at the very time the Almohads were bringing unity to Islamic Spain. By 1162, all of the Christian kingdoms save Portugal had young and inexperienced monarchs on their thrones in the face of an aroused Muslim south. In this age, the Christians would need all of the military frontier resources at their command. The towns would soon be challenged as never before.

Notes for Chapter 1

1. For peninsular feudalism, the early ground-breaking work is, Sánchez-Albornoz, *Los orígenes del feudalismo*. 3 vols. More recent is the work of his student, Hilda Grassotti, *Instituciones feudo-vasalláticas*, 2 vols., and Barbero and Vigil, *Formación del feudalismo*. For Catalonia, see Lewis, *Development of Southern French and Catalan Society*, and Bonnassie, *La Catalogne*, 2 vols.
2. For a useful overview of urban revival theories in Leon-Castile, see Gautier-Dalché, *Historia urbana de León y Castilla*, 7-95. For Catalonia, Font Rius, "Orígenes del régimen municipal de Cataluña," 16:397-435.
3. Sánchez Belda, "La Mancha," 8-9. While Sánchez Belda's remarks concerning the insouciance of the ecclesiastical chroniclers to the deeds of townsmen are directed to twelfth-century Castile, they are valid as a generalization for most contemporary accounts of reconquest history.
4. *Crónica de Alfonso III*, Villada, ed., 124-31. "Crónica de Sampiro," Pérez de Urbel, ed., 306, 313, 322.
5. Sacristaán y Martínez, *Municipalidades de Castilla y León*, 105, 122.
6. ⁶"Fuero de Valpuesta," 3:19. "Fueros de Brañosera," 17. "Fuero de Oviedo," 37:327. Louis Barrau Dihigo first questioned these early charters as late copies originating in the eleventh or twelfth century on the grounds of the terminology utilized in the documents, "Recherches sur l'histoire politique," 52:81. Claudio Sánchez Albornoz defended the authenticity of Brañosera's terminology for the ninth century in his review of Barrau Dihigo's work, *AHDE* (1925), 2:534. Since then others have entered the debate. Some accept the contents of Brañosera's *fuero* but move the date of that charter to 854. Pérez de Urbel, *Historia del Condado de Castilla*, 1:134-35. M. E. González, "La anubda," 39-40:14. However, Antonio Floriano Cumbreño has remained critical of the authenticity of Brañosera based on the charter's anachronistic terms which he argues belong two centuries later in time, *Diplomática española del periodo Astur*, 1:105-12, 159-64. Catalonia also gives us a ninth-century document of Carolingian origins requiring military service in Barcelona in 844, but this was almost certainly a territorial document for the county rather than a specific municipal levy, "Capitular del rey Carlos el Calvo a los godos e hispanos de Barcelona," 1:6.

7. For a fuller discussion of the scholarly debate on the origins and meaning of some of these terms, see: Powers, "Origins and Development of Municipal Military Service," 26:92-97, and "Frontier Competition and Legal Creativity," 52:469-75. M. E. González, "La anubda," 5-42. Many are also discussed in Chapter Six and briefly described in the Glossary. For the best early discussion and a useful list of variants for *fossatum* and *hostis*, see Palomeque Torres, "Contribución al estudio del ejército," 15:215-22. Fernando I conceded charters to Villafría, Orbaneja and San Martín in 1039 and to the monastery of Santa Juliana in 1045 in which *expeditio* was described as that which is called *fossato*. "Fueros de Villafría, Orbaneja y San Martín," 379, and "Privilegio de franqueza, que conceden al monasterio de Santa Juliana," 649.

8. Ubieto Arteta, "Valoración de la reconquista peninsular," 31:213-20. Lacarra, "Expediciones musulmanas contra Sancho Garcés (905-925)," 1:41-70.

9. ⁹ The best brief survey of frontier warfare in the tenth century can be found in Lomax, *The Reconquest of Spain*, 41-48. For the factors leading to tribal and clan consolidation in Muslim Spain, see Glick, *Islamic and Christian Spain*, 137-46.

10. "Fuero de León, (1020)," 15:487-91.

11. The most substantial criticism of this charter has been offered by the eminent medieval Castilian legal historian Alfonso García-Gallo, "El fuero de León," 39:5-171. At no point does García-Gallo question the military provisions, however. Claudio Sánchez-Albornoz has defended with intensity the authenticity of Leon's charter and its laws in, "El fuero de León," 2:11-60. While he passes rather too glibly over the chancery and linguistic arguments García-Gallo has to make, Sánchez-Albornoz does base his case in part on contemporary examples of the military service laws. While we cannot be absolutely certain, I am inclined to accept the military laws as proper to Leon for the early eleventh century. It would seem unlikely that such military obligations would be interpolated later, as Leon's distance from the frontier extended significantly during the eleventh century, reducing Muslim pressure on this town substantially.

12. "Carta de población (sic) de Villanueva de Pampaneto," 184. *FVillafría*, 379. "Fuero de Santa Cristina," 222. "Canales de la Sierra," 50:317-18. "Forais de S. João da Pesqueira, Penella, Paredes, Linhares, Ancães, 1055-65," 1:346. "Fuero de Cuevacardiel," 122-23. The Rioja thus became early on an important area of legal interaction between Leon-Castile and Navarre, as the *fueros* of Canales and Cuevacardiel would indicate. For a recent assessment of some of the Riojan *fueros*, see Martínez Díez, "Fueros de la Rioja," 49:331-60.

13. Lomax, *Reconquest*, 52-54.

14. A number of Alfonso's early *fueros* dealt only with requirements of guard duty and the *fonsadera* tax payment or exemption from these levies. "Fueros y privilegios de las villas sujetas a la ciudad de Burgos, 1073," 257. "Fueros de Palenzuela, 1074," 26. "Fueros de Alberguería de Burgos," 2:411. "Fuero concedido a Santa María de Dueñas," 16:627. "Fuero de Sahagún, 25 noviembre, 1085," 2:35-41. The villages subject to Burgos had to render *fonsadera* and *anubda*, while Palenzuela and Alberguería were exempt. Palenzuela has much interesting military law, but the material is far too precocious for the late eleventh century in language and complexity. While the exemptions seem appropriate to the period, the remainder seems closer to the age of Alfonso X, in whose 1261 confirmation of this charter our copy survives. Santa María de Dueñas received exemption from *fonsado* and *anubda*. Sahagún's *fuero*, surviving in a late copy, specifies a three-day limit for the royal *expeditio* for the male settlers, a first for Castile-Leon if valid, but possibly a reflection of the later Aragonese requirement imposed during Alfonso el Batallador's control of the town. There are a number of problems with the dating and internal integrity of the Sahagún charter, which may consist of sections

from different periods reassembled in its later copy. See Barrero García, "Los fueros de Sahagún," 42:393-401.

15. "Fuero concedido a Nájera," 2:79-85. "Fuero latino de Sepúlveda, 1076," 48. "Fuero concedido a Jaca por Sancho Ramírez (c. 1076)," 3-4. Molho dates the charter of Jaca in 1063, but Lynn Nelson, expanding on the argument advanced by Antonio Ubieto Arteta, redates it convincingly in the fall of 1076 or the spring of 1077. Nelson, "The Foundation of Jaca (1076)," 53:694-95. The similarity of the basic military requirement in Jaca to that of Nájera and Sepúlveda would seem to strengthen his argument. *FNájera*, "Plebs de Nageranon debent ire in fonssado, nisi una vice in anno ad litem campalem. "Villano qui non fuerit in fonssado non debet nisi duos solidos et medium. Si inffancion de Nagera non fuerit in fonssado habet calupniam X solidos, et pro fuero pectavit exinde medietatem." *FSepúlveda 1076*, "Et ad fonsado de rege si uoluerint ire non uadan nisi los caualleros, si non fuerit a cerca de rege aut a lide campal, et ad isto uadan cauallero et pedones los uezinos." *FJaca 1076*, "...ut noneatis in hoste nisi cum pane dierum trium; et hoc sit per nomen de lite campale aud ubi ego sim circumdatus, uel successoribus meis, ab inimicus nostris. Et si domnus domus illuc non uolet ire mitat pro se uno pedone armato." Concerning the Jacan use of *hoste*, a usage more typical of France, in lieu of *fonsado* in the more common previous usage, see Powers, "Frontier Competition," 469-72. Nelson also discusses possible French influence from contemporary urban unrest arriving via the pilgrimage road to Santiago, one branch of which passed through Jaca. Nelson, "Foundation of Jaca," 704-05. For a recent discussion regarding the authenticity of the *Fuero de Nájera*, see Martínez Díez, "Fueros de la Rioja," 348-51.

16. Powers, "Frontier Competition," 469-87.

17. The *Chronicon Lusitanum* dates the conquest in 1077. Terrón Albarrán's study of the Coria campaign suggests 1079, although noting that the evidence allows for debate. "Chronicon Lusitanum," 14:405. Terrón Albarrán, *El solar de los Aftásidas*, 122-30.

18. We have extended chronicle accounts of Sagrajas (Muslim Zalaqa) from both Muslim and Christian sources. Ambrosio Huici Miranda has provided useful extracts from them along with his analysis of Sagrajas in *Grandes batallas*, 37-82. Terrón Albarrán, *El solar*, 224-49, offers an extended reassessment of the conflict with a critique of Huici Miranda's account, noting the debate over the precise location of the battle. There is also the older account of Menéndez Pidal, *La España del Cid*, 1:331-37, which tends to be less critical of the sources, especially the Muslim ones.

19. "Fuero de Logroño," 335. On the overall significance of Logroño's charter, see Lacarra, "Notas para la formación," 10:227-32, and Martínez Díez, "Fueros de la Rioja," 352-58. *Fuero de Miranda de Ebro*, 47. This *fuero* has been traditionally dated in 1095, but Cantera Burgos suggests 1099 as the more likely date. "Fuero de Vallunquera," 16:630. Private charters by the count of Lara to Andaluz and by the abbot of Sahagún to Villavicencio in 1091 also exempt military service as a requirement. "El fuero de Andaluz, 1089," 21:197. "Fueros de Villavicencio, 1091," 118. Sánchez-Albornoz has suggested a later date for Villavicencio, c. 1110. "Fuero de León," 41.

20. *PCG*, 2:520. Sacristán, *Municipalidades*, 135. Martínez Ruiz, "La investidura de armas en Castilla," 1-2:208-09. Pescador, 33-34:146-52. Pescador argues that the Castilians were more advanced in giving this class legal distinctiveness than were the Leonese, who resisted associating the popular cavalry in any way with the blood nobility.

21. "Fuero de Fresnillo," 46-48. "Carta de seguridad concedida a los mozárabes de Toledo, 1101," 45:460. "Fuero del Castillo de Aceca," 462.

22. García-Gallo, "Fueros de Toledo," 412. Gautier-Dalché, *Historia urbana*, 97-102. Moxó, *Repoblación y sociedad*, 201-16.

23. Smail, *Crusading Warfare (1097-1193)*, 205-44.
24. Torres Balbás, et al., *Resumen histórico del urbanismo*, 37-39. Gautier-Dalché, *Historia urbana*, 20-34, 49-78. Valdeavellano, *Orígenes de la burguesía*, 85-127, 213-17. For a comparison with the Crusader Near East, see Smail, *Crusading Warfare*, 205-44.
25. Ramos y Loscertales, "El reino de Aragón," 15:67-76. David, *Études historiques sur la Galice*, 373-76. For the role of Cluniac monasticism in the politics of the Spanish kingdoms, see Bishko, "Fernando I y los orígenes de la alianza castellano leonesa con Cluny," 49-50:74-78. On crusading influence entering Spain through French and papal inspiration at this time, see Ubieto Arteta, "Valoración de la reconquista," 213-20.
26. *La geografía de España del Edrisi*, 79-80.
27. Lacarra, "Notas," 10:213-19. García-Gallo, "Aportación al estudio de los fueros," 26:430-40. *FJaca*, 3-4. García-Gallo takes a rather restrictive view of Aragonese foral penetration into Castile.
28. "Fuero de Argüedas," 10:255. Ubieto Arteta, *Colección diplomática de Pedro I*, 83. Ramos y Loscertales, "Reino de Aragón," 80-81.
29. Ubieto Arteta, *Colección de Pedro I*, 83-96. Dozy, *Recherches sur l'histoire*, 2:266-69. Abubéquer de Tortosa, *Lámpara de los príncipes*, 2:318-19, gives us our best contemporary description of the battle of Alcoraz, the victory which opened the door to besieging Huesca. None of these sources would indicate that town militias participated, but only that horse and foot soldiers were present, an observation sustained by a document of Pedro I to a Sancho Crispo which rewarded him for his contribution of three hundred "milites et pedones" to the battle of Alcoraz. "Pedro I dona a Sancio Crispo," 132.
30. "Galindo señala los derechos de Lecina, 1083," 1:65. "Fueros de Barbastro, 1100," 334. "Pedro I concede carta de fueros de Caparrosa," 371. "Pedro I concede los fueros de Santacara," 373. "Alfonso I de Aragón concede a los pobladores de Zaragoza los fueros de los infanzones de Aragón, Enero, 1119," 83-84. "Pedro I concede a Santa Cristina de Somport," 427. This last is a lost document known only through an 1108 document of Alfonso I which refers to it.
31. Ubieto, *Colección de Pedro I*, 112-17, 122. Bishko, "Spanish and Portuguese Reconquest," 3:403.
32. ³Reilly, *Queen Urraca*, 352-70.
33. *CAI*, 79-80. Gautier-Dalché, "Islam et Chrétienté en Espagne," 47:191. Pastor de Togneri, *Conflictos sociales*, 230. "Anales Toledanos I," 23:386-87. Represa Rodríguez, "La 'tierra' medieval de Segovia," 21:5-22. Slaughter, "La batalla de Uclés," 9:393-404.
34. "Fueros de León y Carrión, 1114," 48-49.
35. "Las crónicas anóimas de Sahagún," 76:339-56.
36. *IIM*, 2:144-45. This is a thirteenth-century chronicle, but contains considerable information for the twelfth century.
37. "Historia Compostelana," 20:132-33, 152-53, 168-69. "Foral de Guimarães, 1:2. "Fueros de Santiago, 1105," 3:62. Fletcher, *Episcopate in the Kingdom of León*, 81-82. Fletcher, *Saint James's Catapult*, 247-48. Reilly, *Queen Urraca*, 275-77. The Guimarães charter is dated 1095-96, but is found in a confirmation of 1128 by Afonso I Henriques.
38. "Historia Compostelana," 20:133-34, 314-16, 322, 324-26, 346-50, 443-48, 520. *Saint James's Catapult*, 247-48.
39. "Capitulos del fuero de Sobrarbe," 13:31-35. Lacarra, "Notas," 10:218-13, sees this exemption from

hueste service for *infanzones* as unique to Tudela. Orcástegui, "Tudela durante los reinados," 10:66. Alfonso had freed the Muslims of Tudela from the defensive obligation to serve four years earlier in 1115, an equally unusual exemption to judge by my own research. See: "Pactos ó capitulaciones que se otorgaron entre D. Alonso I de Aragón y los moros de Tudela, 1115," 2:558-59. The Mozarabs brought back from Alfonso's Grenadine expedition and settled in Zaragoza were also granted exemption from *hoste* and *cavalcata* against either Christians or Muslims. Lacarra, *Doc.*, Primera serie, 45. For a survey of all of Alfonso's activities in the period, see Lacarra, *Vida de Alfonso el Batallador*, 59-103.

40. Menéndez Pidal, *Documentos lingüísticos de España*, 10-11. "Fuero de Soria (1120)," 8:586-87. Lomax, *Reconquest*, 84.

41. "Fuero de Cáseda," 475. "Fuero de Carcastillo," 470-71. "Fuero de Encisa," 473. *Fuero de Calatayud*, 37. For a discussion of the importance of municipal legal development in this area, see Powers, "Frontier Competition and Legal Creativity," 52:475-87. With the exception of the undated *fuero* of Marañón which includes a one-third ratio for *caballeros* and royal booty specifications for mounted versus unmounted militiamen, the remainder of Alfonso's military laws for townsmen at the end of his reign go to Zaragoza and the more northern and western towns in the kingdom: Mallén (1132), Asín (1132), Tudela (undated), Barbastro (undated). These repeat earlier laws regarding *hoste*, *lid campal* and castle service with three days food supply, already well established principles in Aragon and Navarre. The time frame of 1121-23 has been suggested for Marañón by Rodríguez de Lama, "Fuero de Marañón," 2:119-22. "Fuero de los pobladores mozárabes de Mallén," 504. "Fuero de Asín," 505. "Fueros de Tudela, Cervera y Galipiezo," 418. "Privilegio de D. Alfonso I el Batallador confirmando los privilegios de la ciudad de Barbastro," 357. *FZaragoza 1119-34*, 449. Ramiro II cited Zaragozans for their military service in September of 1134 while awarding the town some land grants. See Lacarra, *Doc.*, Tercera serie, 557.

42. Bishko, "Reconquest," 407.

43. "Confirmación de los fueros de Burgos, julio 12, 1128," 132. *CAI*, 10-12. Ubieto Arteta, "Navarra-Aragón y la idea imperial," 6:50.

44. "Fuero de Escalona, 1130," 45:465. "Confirmación del fuero de los francos de Toledo, 1136," 467. "Fuero del Castillo de Oreja, 1139," 45:470.

45. García-Gallo outlines his case for the precedents in military law in his "Fueros de Toledo," 45:451, n. 244, while comparing the Toledan group of charters with those cited by Alberto García Ulecia for the Iberian Cordillera and northeastern Castile in the latter's *Los factores de diferenciación*, 355-448. See also Powers, "Frontier Competition," 465-87.

46. "(Foral de) Numão, 1130," 1:368-70. The *foral* of Numão cites no derivative charter in its text. "Foral de Trancoso, 1157-1169," 1:325-28. Pimenta, *Idade-Média (Problemas e soluçoens)*, 253. *FCarcastillo*, 470-71. *FMarañón*, 2:121. *FCalatayud*, 37. "Fuero de Lara," MD, 142. Three of these charters survive only in vernacular copies, but the coincidence of the laws and the dates makes a persuasive case for their authenticity on this point. "Foral de Évora," *DMP*, 1:371-73. Blasco, "El problema del fuero de Ávila," 60:7-32. Vergara y Martín, *Estudio histórico de Ávila*, 25-27. Ricardo Blasco has compared some members of the Évora group of charters in order to make the case for a pre-existing *fuero* of Ávila, and G. M. Vergara y Martín has dated the missing charter between 1080 and 1130. "Fuero de Guadalajara (1137)," 108-11. *FEscalona*, 465. For a more complete analysis of this problem, see Powers, "Portuguese and Leonese Municipal Military Law," *Speculum*, forthcoming. See also Chapter 2.

47. *CPA*, 18-19. Gautier-Dalché, *Historia urbana*, 386-87.

48. Martir Rizo, *Historia de Cuenca*, 27-28. Álvarez Martínez, *Historia general de Zamora*, 159.

Vergara, *Estudio*, 35-37.

49. *CAI*, 74-80, 86, 92-95. "Anales Toledanos I," 23:388. IIM, *Nfa*, 190-91. Ibn-eIhdhâri dates the Seville conflict in 1130, but the details conform closely to that of the other two chronicles. Fletcher, *Saint James's Catapult*, 270.

50. *CAI*, 88, 91-92, 95-97. Sánchez Belda, "La Mancha," 14-15. Fletcher, *Saint James's Catapult*, 270.

51. *CAI*, 110-17, 126-32, 146-48. Fernández Duro, *Memorias históricas de Zamora*, 1:323. Gautier-Dalché, "Islam et Chrétienté," 199-207. While less clear in the presentation of municipal activity, Alfonso VII's overall campaigning is surveyed by Recuero Astray, *Alfonso VII*, 137-88.

52. "Fuero de San Cebrián," 52. "Fuero de Alesón," 33:130. "Carta puebla de San Andrés de Ambrosero," 33:135. "Donación del Emperador de los hombres del Burgo," 1:371. *FCuevacardiel*, 122-23. "Fuero de Oviedo, 1145(?)," Fernández-Guerra y Orbe, ed., *El fuero de Avilés*, 114, n. 5. For the argument in behalf of a post-1227 date for the Oviedo-Avilés charter, see Vigil, *Asturias monumental*, 1:277-82. "Fuero de Fresno," 6:430. "Fuero de Astudillo, 1147," 241. "Fueros de Salinas de Añana, 1148," 1:217-18. "Fuero dado a los burgueses de Sahagún, 18 diciembre, 1152," 2:71-77. "Fuero de VillaCelema," 14:562. *Fuero de Allariz*, 41. "Alfonso VII confirma una concordia ... de Ocaña, 1156," 17:658. "Fuero de Villavicencio, 1156," 176. "Fuero de Pajares de los Oteros," 1:374. Claudio Sánchez-Albornoz has suggested the year 1143 for this undated charter, "Fuero de León," 41. Of the above charters, San Cebrián (1125), Alesón (1135), San Andrés (1136), Burgo (1140), Oviedo (1145), Fresno (1146), Salinas (1148), Villacelema (1153), Allariz (c.1153), Avilés (1155) and Pajares exempted payment of *fonsadera*. Villamundar (1142), Oviedo, Fresno and Villacelema exempted residents from *fonsado*, while Villamundar also offered the only contemporary exemption from *apellido*. Curiously, in addition to sharing Aragonese characteristics, Oviedo, Avilés and Sahagún also shared the place-name of Valcarcer as the geographic limit of the irrespective requirements of service. The only modern candidates for this place-name are Las Valcárceres (northeast of Burgos) and the Valcarce River, a tributary of the Sil c. 35 kilometers west of Ponferrada. Both of these locations are well north of the contemporary Tajo frontier, but the Valcarce River could suggest a need for service against the emerging Kingdom of Portugal.

53. *FGuadalajara 1137*, 108. "Fuero de los Balbases," 145-47. *FLara*, 142. *FAstudillo*, 241-43. "Fueros de Noceda," 270. Guadalajara, Lara (1135) and Noceda (1149) required *fonsadera* payment, while Balbás (1135) seems ambiguous, suggesting that some owe it, while others, possibly new residents, are exempt.

54. "Privilegio de Madrid, 1122," 214-15. Carlos de Lecea y García, *La comunidad y tierra de Segovia*, 31-33. "Privilegio del Emperador don Alfonso VII, delimitando las tierras de los concejos de Ávila y Talavera, 1152," 13-15, 53-54. *FP*, 156. Sacristán, *Municipalidades*, 291.

55. *FGuimarães*, 1:2. The confirmation of this charter in 1128 by Afonso I also includes an exemption from the non-service *fossadeira* tax. "Foral outorgado a Constantim de Panóias, 1096," 1:5. "Foral outorgado aos habitantes de Ferreira-de-Aves," 1:48-49. "(Foral de) Cernancelhe, 1124," 1:364. "Foral de Seia, 1136," 1:177. "Confirmação dos foros de Ansiães," 1:188. "D. Afonso Henriques dá carta de foral aos habitantes de Leiria, 1142," 1:234. "Carta de privilégio de Santa Cruz de Coimbra," 1:266. "Carta de foral concedida aos povoadores de Mesão-Frio, 1152," 1:290. "Carta de foral concedida aos moradores do Banho," 1:293. "Carta de foral concedida aos moradores de Sintra, 1154," 1:301. "Foral outorgado aos povoadores de Freixo, 1155-57," 1:311-12.

56. "Carta de foral concedida a Azurara da Beira, 1109-12," 1:18. "Carta de foral outorgada aos moradores de Sátão, 1111," 1:30. "Foral concedido aos povoadores de Tavares, 1112," 1:35. *FFerreira*, 1:48-49. "Foral de Viseu, 1123," 1:82. *FCernancelhe*, 1:363. *FLeiria*, 1:234. "Carta a favor dos

- moradores de Arouce (Louzã)," 1:287. *FSintra*, 1:301. The four *forais* citing the booty fifth are: "Foral concedido aos habitantes de Coimbra, 1111," 1:32. "Foral outorgado aos habitantes de Soure, 1111," 1:33. *FNumão*, 1:368-69. *FSintra*, 1:301.
57. "Chronica Gothorum," 26-27.
58. *FNumão*, 1:368. "Carta a favor dos moradores de Penela, 1137," 1:193.
59. "(Foral de) Miranda da Beira, 1136," 1:373-74. *FLouã~*, 1:287. *FSintra*, 1:301.
60. *FSeia*, 1:177-78. *FSintra*, 1:301. *FFreixo*, 1:309-12. The only other Portuguese charter to suggest Seia's May assembly is Fonte-Arcada. "(Foral de) Fonte-Arcada, 1193," 1:486.
61. "Annales D. Alfonsi Portugallensium regis," 157-58. This is the newest edition of that part of the *Chronica Gothorum* which deals with the reign of Afonso I Henriques. The brief chronicle which describes the taking of Santarém also fails to mention any participation by militias from the towns in 1147. "De expugnatione Scalabis," 93-95. See also Ayres de Magalhães Sepúlveda, *Historia do exército português*, 4:69-98.
62. Lourie, "The Will of Alfonso I," 50:635-51.
63. "Fuero de Peralta," 546, 549. "Fuero de Yanguas, 1145," 4:83-84. "Fuero de Olite," 57.
64. "Las franquicias de Huesca, 1134," 135. "Privilegio concedido á los vecinos de Uncastillo," 4:50. "Privilegio del Rey de Aragón D. Ramiro el Monge por el cual confirma y adiciona de los fueros de Jaca, (1134-37)," 129-34. "Alfonso VII confirma los fueros y usos de los infanzones y barones de Aragón, 1134," 93-94.
65. "El fuero de San Estebán de Luesia," 591. "Fuero de Cetina," 24:591. "Fuero de Daroca, 1142," 362-63, 366-67. Lacarra, "Notas," 10:241-46.
66. *El fuero de Molina de Aragón*, 64-65, 72, 83-85, 91, 128. Gautier-Dalché, *Historia urbana*, 119-21.
67. *FMolina*, 77. Pérez Prendes, "El origen de los caballeros de cuantía," 9:142-43.
68. Yusuf, son of Samuel Ibn-Nagrilla, account of 1042 campaign against Lorca by Nagrilla, and including "Frankish" Catalan mercenaries; *Divan Shemuel ha-nagid*, 39, No. 10. I am indebted to Professor Norman Roth of the University of Wisconsin for the preceding reference. Al-Idrisi, *Geografía*, 80-83. Lévi-Provençal, *Péninsule*, 128, 153-54, 209.
69. "Concesión del castillo de Albiñana con sus términos," 1:40. "Carta de franquicias otorgada a los habitantes de Castelló, 1085," 1:68. "Ramon Berenguer III dona la ciudad y territorio de Tarragona al obispo de Barcelona, San Olegario, para restaurarla y poblarla," Doc. 2. "Carta de población concedida a los habitantes de Almenar, 1147," 1:106. "Carta donationis quam fecit Bernardus, Tarraconensis archiepiscopus, venerabili Raimundo, comiti Barcinonensi, super civitate Tarraconae, 1151," 1:262. García-Gallo, "Aportación," 443-44.
70. Sacristán, *Municipalidades*, 291. Almirante, *Bosquejo de la historia militar*, 1:134-35. González, *Castilla en la época de Alfonso VIII*, 1:880. Gautier-Dalché, "Islam et Chrétienté," 191-204. Gautier-Dalché, *Historia urbana*, 20-34.

A SOCIETY ORGANIZED FOR WAR

James F. Powers

[40]

2 - INSTITUTIONAL MATURITY AND MILITARY SUCCESS, 1158-1252

The three decades which followed the death of Alfonso VII of Leon-Castile saw a remarkable development in the evolution of peninsular municipal law. This was especially true in Portugal, Castile and upland Aragon, whose groups or families of charters carried the specifications of rights and exemptions to unprecedented elaboration of detail, giving us our first indications of the specifics of the everyday existence of these townsmen. By the end of the twelfth century with the appearance of the Cuenca-Teruel family of charters, the *fueros* in Leon and Castile had reached the level of a municipal code of laws unmatched in its details anywhere else in contemporary Europe. Some of this law was destined to create future difficulties for the long-term programs of royal centralization, an instance where present needs outweighed future concerns. The cause of this outpouring of municipal rights and privileges is not completely clear, but one of the most basic considerations was a shortage of individuals to man the frontier. While the Templars and Hospitallers of the Near East had begun to garrison fortresses in the Peninsula decades before, especially in Aragon, their commitments elsewhere inhibited their ability to take up a major role on the frontiers of the Spanish kingdoms. These decades witnessed the appearance and growth of the first domestic military orders in Iberia, starting with the Order of Calatrava in 1158.⁽¹⁾ The call for settlers from beyond the Pyrenees which had made such a large contribution to the settlement of towns further north seemed to be declining as well. The French especially, with their commercial links already solidly established in the towns of Northern Aragon, Navarre, Castile and Leon, and with the [41] growing distractions provided by the rapid internal development of France and the external possibilities of the Crusader Near East, seemed to show little interest in coming to the warmer and drier districts which now constituted the southern frontiers of the Iberian kingdoms. This was doubtless influenced by the threat to daily life and possessions posed by the current expansiveness of the Almohads. Moreover, the compressed population reserve created in Asturias and the Cantabrians by the original Muslim invasions had long since exhausted itself in the resettlement of the Trans-Duero and the Tajo Valley. To continue to attract settlers to hold what remained of the gains of Alfonso VII's reign while attempting continued expansion into the Guadiana Basin, carefully specified rights and liberties were necessary to draw individuals from the comparatively secure north to the hazards of frontier life. Probably better than any other factor, this explains the growth and elaboration of the municipal charters we encounter in these three decades.

I - Late Twelfth-Century Portugal and Leon

For Portugal, the decades which make up the mature and later years of Afonso I's rule (1157-85) witness the most remarkable expansion of municipal military law which was to occur in the Central Middle Ages. Here, the explanation seems tied to the considerable threats Afonso faced, not only from the Almohads but his fellow Christian rulers in Leon and Castile. Fernando II and Sancho III signed a treaty at Sahagún (23 May 1158) which outlined the future expansion of their respective realms. Fernando's Leon was allotted much of the Alentejo and the Algarve by this agreement, leaving Portugal no Muslim frontier to the south for the unconsulted Afonso I.⁽²⁾ Fernando II further expanded his threat against Portugal by establishing the town of Ciudad Rodrigo in the early 1160's, close against the Portuguese frontier and controlling the route from Salamanca into the Beira Alta. While this would ultimately cause Fernando more difficulty with Salamanca than gain against Portugal, Afonso I clearly saw it as a direct challenge to his eastern frontier.⁽³⁾

This event probably explains the reappearance of the Salamanca-related *foral* originally given to Numão in 1130, which was awarded to Trancoso and six other towns in the Beira Alta between 1157 and 1169.⁽⁴⁾ The region faced a major access [42] route from the Kingdom of Leon. The Salamanca-Trancoso charters, required the knightly class to retain two-thirds of their force at home during expeditions, providing a substantial defensive buffer against an unanticipated assault from the Leonese king or even the territorial ambitions of a militarily-active town such as Salamanca. Nonetheless, one-third of the knights remained available for offensive expeditions, as well.

His Leonese flank secured, Afonso then proceeded to move toward the northern Alentejo and even Leonese Extremadura with complete disregard for the Sahagún treaty. Drawing on the assistance of the great frontier fighter Geraldo *sem Pavor* (Gerald the Fearless), King Afonso oversaw campaigns which brought Extremaduran Cáceres, Trujillo and Montánchez as well as Évora and Serpa of the Alentejo into Portuguese hands from Muslim control by 1166. When Geraldo's stealth and surprise tactics allowed him to penetrate the major town of Badajoz and besiege its garrison within the town citadel in 1169, Fernando II was spurred into movement by the threatened loss of all Leonese Extremadura to the Portuguese. Fernando struck quickly to parry the threat, and aided by the Muslims captured Afonso I's relief expedition and promptly besieged the besiegers. As a result, Badajoz remained in Muslim hands, while Cáceres, Trujillo and Montánchez returned to the Leonese orbit.⁽⁵⁾ While quelled in his ambitions toward Leonese Extremadura, Afonso I had made the Sahagún Treaty a dead letter, and had secured major footholds in the central Alentejo for Portugal.

This same period witnessed the genesis of two new families of municipal charters, the prototypes given to Évora and Santarém, respectively. Like Trancoso, Évora received a charter styled after a Leonese-Castilian model, in this case Ávila. But at Évora and the three other towns receiving this charter by 1185, a larger portion of horsemen serve in offensive expeditions, with the resultant gaps apparently tightened by assigning defensive, and possibly offensive, service to foot soldiers. Horse indemnities emerge in these *forais* to alleviate the heavier horse casualties likely to result from the intensified offensive activity. These charters were destined especially for towns in the Alentejo, southern Beira and Portuguese Extremadura.⁽⁶⁾ The second family is the most original of the Portuguese charters, awarded primarily on the southwestern frontier in Extremadura both north and south of the Tejo. It was first given in the month of May, 1179 to Santarém, Lisbon and Coimbra. As was the case with the Trancoso and Évora families, it would be awarded liberally throughout the next four reigns. The Santarém military service laws provided the most extensive requirements to appear in the Portuguese municipalities in the Central [43] Middle Ages. Moreover, this military law reflects a second generation of frontier experience which gives it a sophistication not found in Trancoso or Évora. Older law

concerned with defensive requirements, knightly archers and the status of aged knights is here combined with new material, focused for the first time on the tactical details of campaign and combat.

(7) These were regulations well suited to the additional manpower Afonso would need for the penetration of the Alentejo, born of the experience derived from the first generation of active frontier fighting. All three families of *forais* collectively stress an urgency heretofore absent from Portuguese municipal military law: the need to undertake offensive campaigning.

While the Portuguese chronicles were silent regarding any such activity on the part of town militias, the Muslim chroniclers, especially Ibn-Idhârî, were certainly aware of their presence and spotlighted some of the combat actions which may have been related to these legal developments. The pressure exerted by Portugal on the Alentejo and Leonese Extremadura roused Almohad concern. In 1174 Serpa and Beja were retaken and repopulated by the Almohads. Emboldened by these successes, the Muslims of Seville, Beja and Serpa attacked the zone surrounding Alcáçer do Sal. A regional force sallied forth to meet them and a battle ensued. During the course of combat the Santarém militia arrived, catching the Islamic force off guard and turning the struggle into a rout of the Muslim army. The resultant alarm from this battle so discouraged the new settlers of Beja that they packed up and retreated to Mértola without awaiting a Christian assault. In 1180 the militias of Toledo and Santarém (Ibn-Idhârî is unclear whether they were teamed or merely raiding separately) struck the region of the Guadalquivir while al-Mu'minin was directing a raid against Lisbon. In the following year a Muslim expedition marched into the Alentejo and laid siege to Évora, pinning the residents inside like "howling vixens." The entire campaign lasted from mid-May to late June, and Évora held despite battle losses and prisoners taken (400 men and 120 women). 1182-83 saw the militias of Santarém and Lisbon with both infantry and cavalry forces counter with an assault of their own against Sanlúcar, launching *algaras* (raids), springing ambushes, killing Muslims and destroying crops before retreating with abundant booty. (8)

Two Muslim chroniclers rendered accounts of the Muslim assault on the prime troublemaker, Santarém, in June and July of 1184. The Muslim governor of Seville brought his Andalusian force to Badajoz, combining it with forces from Extremadura there, and then moved on to Santarém. The Muslim besiegers devastated the area around Santarém, destroying churches, crops and hamlets and routing the initial *apelido* sent out to [44] deal with the invaders. A more serious battle took place on July 2, with the Muslims breaking off combat after heavy losses. The Muslim commander Muhammad ibn Ibrâhîm, terminally ill, besought Allah for the gift of Santarém. Allah's apparent response was to take the commander's soul to heaven instead, and when one of the chief Muslim court officials defected to the Christian side, the besiegers became very discouraged. Finally autumn cold, rain and a swelling Tejo River doomed the project, and the Muslims withdrew empty-handed. (9)

One last twelfth-century raid involving Santarém was recounted from Muslim sources in 1190. In the summer of that year the Almohads moved out from Seville and Córdoba with Santarém as the initial target. Having devastated the cereals crop in the region, they then struck north some thirty kilometers across the Tejo to attack Torres Novas. King Sancho I arrived at Santarém with a relief force, and then turned north to pursue the invaders. Meanwhile, aided by the Templars the town of Torres Novas withstood a week's siege, causing the Almohads to withdraw, laden with booty, to the safety of Seville before Sancho I could intercept them. (10) From the point of view of the Muslim writers, at least, the newly established and chartered Portuguese towns were beginning to perform outstanding service on Afonso I's southeast frontier.

In neighboring Leon during the approximately contemporary reign of Fernando II (1157-88), the surviving municipal record does not indicate a close parallel to the Portuguese model. The number of surviving municipal *fueros* with military references is far fewer than in Portugal for this period,

matching the equally thin record for the municipal militias in the chronicles. In contrast to Portugal, the surviving narrative references are Christian, and are centered on the founding of Ciudad Rodrigo (c. 1160) and the reaction of Salamanca to that endeavor. Since the days of Alfonso VII, Salamanca had been an active frontier agent of combat, usually in cooperation with the king. Even during the initial struggle to populate the new town situated on the main road from Salamanca into Portugal toward Guarda, Salamanca's militia along with that of Zamora had joined Fernando II's relief expedition to save Ciudad Rodrigo, when the rebellious Fernando Ruiz de Castro with a combined force of Christian and Muslim renegades suddenly laid siege to the populace in 1160.

By 1162, the Salamancans had come to view the matter differently, and turned hostile to Ciudad Rodrigo when Fernando II began to build a fortress as a citadel for the town. When it became clear that Salamanca's [45] militia, led by Nuño Serrano, intended to march against Ciudad Rodrigo to tear down its fortress, the king attacked with his own force. Salamanca's army was defeated at Valmuza (near modern Salvatierra del Tormes), and Nuño was beheaded for his mischief. The revolt quelled, Fernando soon reinstated Salamanca in his favor. In 1166 the town's militia joined him on campaign against the Portuguese at Argañán and assisted the king once more in the taking of Alcántara in 1167.⁽¹¹⁾ We have no evidence that militias took part in Fernando's strike against Geraldo the Fearless at Badajoz in 1169 nor any indications of their contributions to the military frontier for the remainder of the monarch's rule.

The charters are equally thin both in numbers and military indications for Fernando II's reign. Among a group of charters which tend to exempt individuals from military service or non-service fining, Benavente obtained a *fuero* (variously dated from 1164 to 1183) that indicated both old and new trends. By now familiar exemptions from military service were provided for the ill, for those who had lost wives within a year, and for those who were on pilgrimage to Rome. Older residents were now permitted to send sons or nephews on campaign in their stead. But Benavente's most interesting precedent would have important implications for the future of the Leonese municipal military capability. Office holders or individuals who brought specific equipment to military campaigns could secure exemptions from service for other residents (provided they were not *caballeros*), presumably those whom they might name.⁽¹²⁾ In addition to the political clout acquired by town officials for this type of inverse patronage, granting excuses from service in return for equipment implied a new set of priorities for the Leonese monarchy: namely, a smaller, better-equipped force from the town was preferable to a more numerous but poorly-equipped militia contingent. Certainly there is little evidence to suggest in the comparative expansion rates of Castile versus Leon that Alfonso IX would have been correct in the assumption that this made for a more effective militia. But more problematically, this principle, once established, would appear repeatedly in the charters of the frontier Extremaduran towns in the next century. Therefore, one might advance an alternative explanation, arguing that royal concern over the capability of a town militia might dictate a curbing of such potentially dangerous municipal threats within the realm. The same royal conservatism could also explain the comparative lack of frontier advance in the Leonese kingdom even in the face of Portuguese, Castilian and Almohad expansionism.

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II - Castile and Aragon

East of Leon in Castile and Aragon, events moved much more rapidly both in the contest for the frontier and in institutional development. King Alfonso VIII's Castile and the turncoat Muslim prince Ibn-Mardanish of Murcia (known to Christians as King Lobo) seemed to rank as the Almohad priority targets, followed by pressure on the Tajo Valley to drive the Christian kings back into the Trans-Duero. The Christian enclave at the Mediterranean port of Almería soon fell along with Baeza, the advanced

staging point for Christian raids into Andalusia.⁽¹³⁾ During the next several decades, the main battleground would be the lands south and east of Toledo: New Castile and La Mancha. In this zone, everything pivoted upon the ruler's making the time and finding the energy to take and retake fortresses and towns, as well as his generating the human resources to repopulate and defend what he had conquered. In this regard, the towns of the frontier were to play a vital role. We can infer from the scattered references in the chronicles and in royal documents which have survived that their military and settlement activity were widespread.⁽¹⁴⁾ However, the town of Ávila stands out especially, not only due to its active frontier status but because a chronicle of its deeds in this period, written in the thirteenth century, has survived. While the *Crónica de la población de Ávila* might serve to distort that to his place in the frontier history of the twelfth century, many of the Abulense adventures contained there are substantiated in the Muslim chronicles, where Ávila also merits frequent reference both as victor and as vanquished. Had all of our sources survived, Ávila's true position in frontier warfare could be assessed more evenly. As matters stand, we can assume at least that the Abulense experience is representative of that encountered by a number of the municipalities of the Trans-Duero and the Tajo Valley.

The Abulense militia possessed a leader who must have matched the Fearless Geraldo of Portugal in his picturesque aspect if not in his romantic one. His name was Sancho Jimeno, called Hunchback (*el Giboso*) by the Christians and the Packsaddler (*Abíu Bardaca*) by some Muslims. With his brother Gómez, Sancho the Hunchback was credited with leading some 25 raids against the Muslims from the 1140's until 1173. Sancho was in many ways the heir of Munio Alfonso, the great combat leader of Ávila in the 1130's and 1140's, and like him died heroically but tragically in combat. The Christian sources take note of Sancho's command of the Ávila militia for a raid against Seville in the latter part of Alfonso VII's reign, as well as others he led against the same city in 1158 and 1171.⁽¹⁵⁾ The spectacular nature of his last expedition with the [47] Abulense militia in 1173 drew citation from four Muslim sources, one of which mentions the "Friars" of a military order (*ifrîr*) who may have accompanied the militia on campaign. By one Muslim account, the Hunchback and his Abulense raiders had already struck deep into the Muslim south at Tarifa and Algeciras and returned home once that year. This second campaign took the force into central Andalusia, where it crossed the Guadalquivir at Palma del Río and laid waste to the region southwest of Córdoba. If they brought back even a substantial fraction of the 50,000 sheep and 2000 head of cattle attributed to their booty-taking by one Muslim source, they would have made a spectacular sight as they herded their animals and prisoners back across the Guadalquivir. They got no farther than the southern approach to the old fortress of Calatrava just north of the Muradal Pass in the Sierra Morena. Doubtless slowed down by the pace of their four-legged booty, Sancho and his militia were overtaken at Caracuel by an Almohad force mustered at Seville and reinforced at Córdoba. Unwilling to give up the profits of combat, the Christians gathered their herds and prisoners in a large cluster and made a stand against the numerically superior Almohads. Driven up the side of a mountain, the Hunchback and his followers fought to the last man while a handful of the Abulense militiamen who still survived in other parts of the battlefield fled the hopeless contest. The Muslims recovered all of the stolen animals and their kindred taken prisoner. The head of Sancho the Hunchback rode a spear back to Seville with an accompaniment of Muslim tambourines. Nonetheless, the Muslims paid Sancho the ultimate compliment by the great value they placed on the victory and the termination of his career.⁽¹⁶⁾ Possibly the grimmest indication of all of the extent of the Christian losses was the comparative silence of the *Chronicle* of Ávila regarding Abulense militia exploits for the next two decades.

Nor had the Almohads been sitting idly awaiting Christian raids during this period. Under Abú Yacqúb Yúsuf I, the Muslim caliph who had just crossed over from North Africa, they led an assault on King Lobo's Murcia in the spring of 1172, and with the death of Lobo accepted the surrender of Murcia.

Yūsuf then moved to retake the sections of northern La Mancha which Lobo had granted to Castile, a drive which saw the capturing of the castles of Vilches and Alcaraz and was climaxed by the siege of the town of Huete. This was not a seasonal booty-gathering raid but an assault designed to capture critical strategic locations to anchor the Muslim frontier well north of Andalusia. Whether the Muslims would have simply destroyed Huete or attempted to resettle it, we do [48] not know. In either case they were to be frustrated. The young Alfonso VIII had just reinforced Huete and its militia a few weeks before, and the added numbers may explain why the Muslim force caught the town shy of supplies, particularly water. The attendant clergy of both sides besought the heavens for relief or submission, respectively. Forays and costly combats proved unavailing to force the capture or break the siege, and surrender terms could not be agreed upon. Then the arrival of an unusual summer rain front appeared on Sunday, refilling the cisterns of Huete and dampening the effectiveness of a Monday Muslim assault. Abú Yacqúb chided his troops for their lackluster fighting, which had persuaded Allah that they had not wanted victory keenly enough. The large and famished Muslim army then withdrew to neighboring Cuenca for resupply. Ultimately the Muslim force was to campaign in La Mancha and Murcia, and even attack the Tajo Valley near Toledo and Talavera before the year was out. The campaigns terminated as mere booty-gathering raids with no lasting impact on the frontier settlement pattern. Even Beja was lost to the fearless Geraldo and Portugal that year. The Almohad caliph accepted a seven-year truce with Alfonso VIII, which signaled the conclusion of a period of Muslim expansive frontier momentum.⁽¹⁷⁾

Shortly thereafter in 1177, the Castilian king violated this truce by assembling an expedition to lay siege to Muslim Cuenca, a town of great strategic significance since it functioned as a supply base for Andalusian expeditions in La Mancha (as at Huete) and controlled a crucial passage through the Iberian Cordillera to Aragon. The city, sitting astride the Júcar and Huécar river gorges on an extended ridge flanked by precipitous cliffs, was thought to be invulnerable by Ibn Sâhib al-Salâ who mentioned its "lofty citadel, unconquerable, whose height reached heavenward to touch the clouds." Apparently Alfonso's besieging forces were too large to be attacked directly by the Islamic musters available, and the historian Ibn-Idhâri tells us instead the profitable raids that were launched that year against the Tajo Valley at Toledo and Talavera, almost certainly as a diversion to dissuade Alfonso from his project. These sources also note the 1177 raids of Ciudad Rodrigo and Talavera and the capture of a portion of the latter's militia when these Christian towns launched a counter-strike at Arcos and Jerez de la Frontera. What Ibn-Idhâri and the Anonymous Chronicler of Madrid and Copenhagen do not mention is the failure of all of this 1177 activity to accomplish its basic mission, the relief of Cuenca or the capture of any other Christian towns in compensation. [49] Rather, Cuenca capitulated to Alfonso VIII on 21 September 1177 after a siege of several months.⁽¹⁸⁾ For the Almohads it was a major loss, and possession of the town substantially enhanced Castile's grip on La Mancha. As we have seen, Seville concentrated its campaigning efforts in the next few years against the Alentejo in Portugal, although the Muslim sources do note a raid of dubious success against Talavera in 1182, as well as a counter-strike by the militia of Toledo against Córdoba in the same year.⁽¹⁹⁾ Certainly the militias demonstrated that they could hold their own in raiding and in the defense of their region. It is difficult to imagine how Alfonso VIII could have taken Cuenca without being able to count on the municipalities to maintain the campaigning pressure throughout the remainder of his frontiers.

One of the primary considerations which persuaded Alfonso VIII to move against Cuenca was the potential threat constituted by his neighboring Christian monarch to the east, King Alfonso II of Aragon-Catalonia (Count Alfons I of Catalonia). The son of Count Ramon Berenguer IV and the grandson of King Ramiro, Alfonso II was the first person to rule these two highly diverse realms in his own right. Concluding his minority and receiving the king-count position in 1162, Alfonso soon acquired yet more territory with the acquisition of his uncle's lands in Provence in 1166. 1169 saw the

conquest of Alfambra, and by 1171 the king had established a settlement in Teruel, soon to prove his most redoubtable frontier town in the south.⁽²⁰⁾ Teruel could have been seen as a gateway for Aragon to take Cuenca and reopen the old claims of Alfonso I to Castilian lands and what was left of King Lobo's Murcian kingdom. Any possibilities for this development were stifled by Alfonso VIII's successful siege of Cuenca, a siege during which Alfonso II rendered assistance in exchange for the removal of the last vestiges of Castile's feudal suzerainty over Zaragoza. In the next two decades Alfonso II and Alfonso VIII made a number of agreements with each other over the future rights of conquest of the Muslim south, Castile to receive Murcia and Aragon Valencia.⁽²¹⁾ During the same period the two monarchs monitored each other's progress along their mutual Iberian Cordilleran frontier with great care.

During the course of the middle and later twelfth century, the development of the municipalities in the Cordilleran zone where Castilian and Aragonese competition was concentrated produced a large body of municipal law. The primary catalyst behind this emergence lay in the needs of the monarchs to populate and hold this zone and the bargaining power this necessity gave to the new settlers. By the end of the century the Aragonese town of Teruel and the Castilian town of Cuenca received charters which contained remarkably extended statements of the laws heretofore unprecedented. Further, the codes of Teruel and Cuenca are exceedingly similar to each other, and must have been generated [50] from a base formulary upon which both chanceries could draw as a model. That original formulary has long since been lost, and the relative input of Castilian versus Aragonese law into that collection is still much debated by institutional historians. These charters were destined to become the format for numerous subsequent *fueros* granted both in Castile and Aragon, spreading the law of the Cordillera into the lower Meseta. Further, these extended *fueros* seem to have had their impact in the Kingdom of Leon, as well. Shortly after the issuing of the Cuenca-Teruel charter, Alfonso IX appears to have granted an extended charter to Ciudad Rodrigo around 1190 or thereafter, not closely modeled after the eastern formulary but close enough to suggest influence from it into Leon. Here again a family of charters spawned from the Leonese formulary, of which versions survive for several towns in Leonese Extremadura and the Portuguese Alentejo.⁽²²⁾

III - The Impact of Alarcos

How does all of this legal advance affect the combat capability of the militias? If we can assume that the earliest versions of Cuenca, Teruel and Ciudad Rodrigo were in place by the end of the twelfth century, then the first event which we can tie to the newly formalized militia laws is an unmitigated Christian military disaster, the battle of Alarcos of 1195. The Almohad Caliph al-Mansúr led an expedition across La Mancha in July of 1195 probably directed against Toledo and the Tajo Valley. King Alfonso VIII, unwilling to await reinforcement from his cousin Alfonso IX of Leon, moved south to Alarcos near the Guadiana River, where the Almohads sought to prevent a new fortress being constructed by the Order of Calatrava. Alfonso VIII's prompt arrival relieved that pressure at the cost of facing a numerically larger enemy. In the subsequent conflict, an attempt to break the Muslim center was parried by al-Mansúr's reserve, followed by the rapid deterioration of the Christian position. Alfonso VIII barely got away with his life in the ensuing rout, at the price of very heavy losses. The degree to which the municipal militias participated in this critical battle remains very much in doubt, although it is a commonplace among town historians to suggest that their particular Castilian municipality participated in the struggle. The only contemporary evidence of municipal participation in this disaster is the account in the Chronicle of Ávila citing Abulense service in the battle, service which took the lives of two hundred of the town's *caballeros*. Men of Ávila seem also to have served as Alfonso VIII's rear guard as he retreated to Sotillo.⁽²³⁾ However, the fact that Ávila's [51] militia was present at Alarcos strongly suggests a general muster of available military resources which probably

included contingents from other municipalities, as well. Their identity and performance remain matters of conjecture.

Alarcos may tell us all too little concerning the level of municipal readiness for combat in the wake of the legal elaborations toward the end of the twelfth century, but the Muslim expeditions which followed the Almohad victory offer stronger indications that institutionalizing the municipal military contribution bore significant frontier dividends. The Muslims wisely followed up their victory at Alarcos with major expeditions in the summers of 1196 and 1197. The first came up from Seville through Extremadura, capturing the exposed frontier settlements at Montánchez, Trujillo and the newly-founded town of Plasencia as the defenders withdrew from the walls into the keep of the citadel, only to capitulate. The Muslims then struck the Tajo Valley towns, moving in turn against Talavera, Escalona, Maqueda, and devastating the area around Toledo (including a "pleasure residence" of King Alfonso VIII at Munia). Save a castle or two, this raiding gained the Almohads nothing as the Christian towns withstood the assaults.

The following year the Andalusians returned to the central Tajo district once more, this time testing the defenses of Maqueda and Toledo, and then swinging north into the Manzanares and Henares valleys to harass Madrid, Alcalá and Guadalajara, finally trying the walls and militias of the municipalities of upper La Mancha at Uclés, Huete, Cuenca, Alcaraz and Alarcón (these last in the process of receiving or soon to receive copies of the *Fuero de Cuenca*). The *Anales Toledanos* likened the two years to a visitation of the "wrath of God." Doubtless the booty was comparatively rich and the disruption of town life substantial, but the Muslims achieved nothing of permanence save the fortresses of Alarcos and Calatrava gained in the wake of the great battle and their subsequent conquests in Extremadura early in 1196.⁽²⁴⁾ The Tajo Valley and La Mancha towns, without any assistance from Alfonso's depleted forces or the military orders, absorbed the shock of the post-Alarcos assaults and sufficiently discouraged al-Mansúr so as to persuade him to seek a truce with the King of Castile. A more classical example of deep-based defense would be difficult to find. Moreover, the municipal military capability constituted a decisive factor in the Christian kings being able to maintain their conquered territories even in the aftermath of disasters like Alarcos. To besiege the towns one by one took time and resources, and these were never sufficiently available to the Almohad caliphs, particularly when they had to consider [52] what mischief the other Iberian kingdoms and their North African tributaries might be plotting. There is a case to be made here that municipal military capacity and its legal maturity were indeed developing in close parallel.

IV - The Triumph of Las Navas de Tolosa

The chronicles give no indications of military activity by the towns for the first decade of the thirteenth century, but this proved to be merely a pre-storm lull. By 1210, Alfonso VIII was again prepared to renew settlement pressure in La Mancha by settling Moya and the Castilian zones of Extremadura by settling Béjar. In May of 1211 Alfonso led a raiding force made up of the militias of Madrid, Guadalajara, Huete, Cuenca and Uclés down the Valencia road to attack Játiva and the Mediterranean coast. The Almohads responded by assaulting the castle of Salvatierra, the last Calatravan fortress deep in the south of La Mancha. While the knights of Calatrava held out against the extended siege in the summer of 1211, Alfonso VIII pressed his municipalities for a second time in that year to gather a relief army. Despite the fact that Alfonso VIII would be able to gather the same municipal militias utilized in the Júcar Valley castles later in October, sufficient assistance in July and August was not forthcoming, and the king had to stand by helplessly as Salvatierra capitulated by the end of summer.⁽²⁵⁾ However, for Muhammad an-Nâsir, the Almohad caliph, Salvatierra was a decidedly pyrrhic victory, since it both distracted him from further campaigning against a possibly vulnerable Castile for the remainder of that

year, and because the fall of Salvatierra alarmed both the papacy and the Cistercian order, to whose organization the Calatravans were attached. Innocent III promptly assisted Alfonso VIII in the summoning of a great crusade which brought thousands of reinforcements across the Pyrenees, as well as the troops and personal leadership of Sancho VII of Navarre and Pedro II of Aragon to Alfonso's side. The result was a gathering of the largest Christian army in Spanish history in Toledo in June of 1212, assembling with the ostensible purpose of re-taking Salvatierra but with a far greater destiny to achieve as events unfolded. Included in the assemblage were a number of municipal militias which would enjoy a share of that destiny.

The huge expeditionary force proceeded south to the Guadiana Valley. After the capture of the Old Calatrava fortress, the July heat persuaded the Trans-Pyreneans, mostly Frenchmen, to return home well short of fulfilling their crusading vows. But Alfonso VIII drove onward with his Hispanic allies into southern La Mancha while receiving his first indications [53] that a massive Muslim army outnumbering his own reduced forces was gathering on the far side of the Sierra Morena beyond the Muradal Pass. In consultation with the other Christian leaders, Alfonso determined to engage in a decisive battle with the large Muslim relief army. Bypassing Salvatierra, Alfonso VIII made for the Muradal Pass, but discovered Muslim detachments had already arrived to occupy the vital passageway. The Christian army, stalled by this parry, encamped to consider returning to Toledo, but information provided by an old shepherd suggested an alternative route around Muradal Pass. Alfonso crossed the Sierra Morena and descended into Andalusia, arranging his forces for battle on the Navas (plains) of Tolosa immediately to the south of the mountain range. The stage was set for the greatest battle in the annals of the Reconquest.

Both sides apparently resorted to a conventional arrangement of their troops in three units along a line (a center and two wings) with a reserve held back. The Muslims also had an advance line of light skirmishers, whose provocative thrust at the Christian lines probably opened the battle. The number and disposition of the municipal militias at Las Navas, while the best described of any major battle until then, have remained somewhat uncertain due to the ambiguous surviving narratives and the numerous claims made by assorted municipal historians concerning their own town's role. Had all the municipal claimants produced their alleged forces along with the myriad of aristocratic families who claimed ancestors participating in the battle, the support column might well have extended back to Santander. This much seems clear by combining accounts: there were town forces in all three main battle lines, and specific reference is made to the militias of Ávila, Segovia, Medina del Campo and Toledo and their placement in the Christian right wing under the command of King Sancho the Strong of Navarre. Since other militia forces were collectively alluded to in the other wings of Alfonso VIII's forces, other towns must have contributed their militias, as well. We will probably never possess the complete list or deduce the full numbers involved.⁽²⁶⁾ The infantry detachments from the towns were mixed with cavalry forces in all wings, a mixture subsequently justified by King Alfonso in his letter to Pope Innocent III as needed to secure his flanks from envelopment. There may have been another reason in addition. The Archbishop of Toledo Rodrigo Jiménez de Rada, King Alfonso's companion throughout the battle, tells us that the king began to voice fears in the early phases of engagement that his unsophisticated [54] infantry forces might break under combat pressure and flee the battlefield.⁽²⁷⁾ Given the course of events which followed, the archbishop appears to have used historian's hindsight to frame this prophetic remark.

Las Navas began in earnest when the Christian forces began a full-scale advance against the Muslim skirmishing line and scattered it while moving toward the main Islamic lines. The two forces then engaged and grappled in indecisive combat. In time Muhammad an-Nâsir committed a portion of his reserve with the initial effect of buckling the Christian lines, causing some of the Christians to flee. While it was not clear who was involved in the flight, townsmen, nobles, or military orders (all these

had experience in battlefield flight prior to Las Navas), the threat was sufficient for King Alfonso to consider ending his life in the center of the fray rather than survive another loss such as Alarcos. But Archbishop Rodrigo, again with the prophetic hindsight of his post-battle history, rejoined that triumph, not disaster, was Castile's destiny that day. The archbishop's portion of the reserve and the Toledan standard were committed to the conflict at that point, while the fleeing Christians were persuaded to return to the yet undecided battle. The lines stabilized once more, and indeed began to bend in the opposite direction when the Andalusian Muslims began to give ground and flee. The Muslim loss of momentum had unnerved Muhammad an-Nâsir. When a detachment of Christians approached his battlefield position and broke through his line of chained Negro bodyguards, the Muslim caliph himself broke into headlong flight toward Jaén. By now the North African Almohad and Arabic units were retreating, a retreat which quickly evolved into a disastrous rout with the Muslims taking heavy losses of men and battle gear, during a pursuit which lasted into the evening. The Christian army then regrouped during the following day to assess the number of Muslim dead and the profits to be taken from the field. The booty taken by the Christians was enormous, so much so that one observer insisted that two thousand asses were insufficient to carry it away. While assessments of the performance of the municipal militias at Las Navas vary, it is difficult to see how Alfonso VIII could have won without the troops mounted and unmounted that they provided.⁽²⁸⁾ He was certainly impressed sufficiently with their contribution to use their forces for the remainder of that year and to call on them for the third year running in 1213.

In the follow-up campaigning for the remainder of the summer of 1212, Alfonso VIII concentrated on the capturing and garrisoning of fortresses which would assure that the passageway forced into **[55]** Andalusia would remain secure. The upper Andalusian towns of Baeza and Úbeda were captured, their walls dismantled and fields devastated, and the population of the latter carried off into slavery. Córdoba, Jaén and Granada sent forces to attempt recapture of the fortresses of Baños, Tolosa and Ferral, but the Muslims were stymied by the Christian municipal militias of Toledo, Madrid and Huete.⁽²⁹⁾ Finally, the plague which ensued from the spreading death and destruction accomplished what the Muslims could not, and the growing illness in the Christian ranks persuaded the Castilian king to return to the victorious celebration awaiting in Toledo.

1213 proved a busy year for the militias and Alfonso remained active on the frontier as well, despite the gradual onset of the terminal illness which took his life in 1214. The combination of disease, a hard winter in 1212-13 and a drought in the spring and summer of 1213 made it difficult to even hold on to, to say nothing of expand on, the gains of the previous year. Nonetheless, in February of 1213 Alfonso VIII led a *hueste* which included the militias of Madrid, Guadalajara, Huete, Cuenca and Uclés to the capture of the Júcar fortresses of Las Cuevas and Alcalá. From March through May the Castilian king besieged and captured the key crossroads town of Alcaraz with the aid of the militias of Toledo, Maqueda and Escalona. By July, the Talaveran militia was off on its own expedition into Andalusia, but was badly beaten by a Muslim force under the governor of Seville near Alcalá de Guadaira, who took much of the Talaveran force prisoner. Following the reckless example of Talavera, the son of the governor of Córdoba led a mixed force of Andalusians and Berbers in a raid north of the Tajo in September. Initially the Muslims were quite successful, but acquisition of booty slowed their progress and they were overtaken by the reinforced Toledo militia. The Córdoba force lost its booty and many of its members lost their lives. The victorious Toledans bore the *lorigas* (mail jackets), horses and heads of the vanquished back to their town in triumph.⁽³⁰⁾ The death of Alfonso VIII in 1214 and the untimely death of his son Enrique I in 1217 meant that no further advance would be made in the wake of Las Navas de Tolosa in the immediate future. However, much that would be accomplished by Alfonso's grandson Fernando III in the next thirty-five years had been made possible by the achievements of the military forces so adroitly harnessed in these few critical years by the king of Castile. Clearly, the

municipal militias had been a vital component of those frontier forces.

The second decade of the thirteenth century witnessed the passing of a number of significant milestones in the Iberian Peninsula. The kings of Portugal (Sancho I), Castile (Alfonso VIII and Enrique I) and Aragon-Catalonia [56] (Pedro II-Pere I) died, resulting in a transition of power to younger hands in those realms. Alfonso IX and Sancho VII the Strong continued their rule in Leon and Navarre, respectively, but were ever more hemmed in by the expansion of their neighbors. For Sancho of Navarre the containment was virtually total, but Alfonso IX attempted to maintain his options on southern expansion while exerting pressure against the eastward expansion of Castile. The total absorption of Leon by Castile was not yet inevitable. The great enterprise at Las Navas in 1212 had borne fruit for all of the peninsular monarchs in renewed opportunities for expansion at the expense of the thoroughly disrupted Islamic states, which were slipping into a disunity even Almohad determination could not arrest. Indeed, that determination became increasingly enervated by political and religious uncertainty resulting from al-Ma'mun's proclamation against the infallibility of Ibn-Túmart, the founder of the fierce orthodoxy of the Almohad Berbers. Al-Ma'mun, the former governor of Córdoba and Seville, thereby provoked widespread disagreement and self-doubt among the Almohad leaders, giving one more example of the highly cultivated civilization of Muslim Hispania providing the shoals on which North African puritanism floundered.⁽³¹⁾

The Almohad succession crisis sparked widespread revolt on the part of the Spanish Muslims of al-Andalus after 1224. Thus, Spanish Islam moved from stubborn resistance to factious disarray in the thirty-five years after Las Navas, while the Christian monarchs intensified their pressure and sought to obtain greater unity of purpose. The result was an age of spectacular military successes for Portugal, Leon, Castile and the federated Crown of Aragon, a harvest of victories in which the urban militias of all four realms had a hand in the reaping. The Kingdom of Navarre had become moribund as a frontier state by 1217, and King Sancho the Strong had rendered his last great contribution to the Reconquest with his outstanding performance at Las Navas. Such urban combat of which we have record seems largely to have taken place between the French and Basque *barrios* of Pamplona, which saw King Sancho and Bishop Ramiro hard at work on pacification in 1222.⁽³²⁾ The military precedents in Navarrese *fueros* virtually disappear for the remainder of the century. For the other Christian kingdoms, however, the frontiers lay open and the opportunities beckoned.

V - The End of the Leonese Reconquest

For Leon, most of the town militia activity of the preceding decades seems to have focused on the borders of their Christian neighbors, doubtless due to [57] the expansive pressures coming from Portugal in the west and Castile in the east, countered by King Alfonso IX's tendency to remain at peace with the Almohads. The *Primera Crónica General* occasionally cites the combat against the Muslims of a particular town's militia, such as Plasencia, during the earlier part of Alfonso IX's reign.⁽³³⁾ However, this does not seem to have been typical of the Leonese town militias and Plasencia was granted a charter of the Cuencan type and mustered by the king of Castile. The role of Ciudad Rodrigo as a strong point against the Portuguese has already been noted, and the only other evidence we have derives from Ávila's town chronicle, which mentions border skirmishes of that Castilian town's active militia with their old rivals, the Leonese militias of Salamanca and Alba de Tormes during the reign of Enrique I. This activity seemed to have peaked with a major raid of Leonese forces headed by Alfonso IX's brother Sancho Fernández in 1217, which included the militias of Salamanca, Alba de Tormes, Toro and Salvatierra de Tormes. The Ávila militia apparently dispatched the entire force and sent them retreating into the Kingdom of Leon.⁽³⁴⁾ Once Fernando III was solidly positioned on the throne of

Castile, the Archbishop of Toledo with papal backing arranged peace between the father and son monarchs of Leon and Castile, and the elder Alfonso IX took the Cross and turned his attention to the south. With the assistance of the military orders of Calatrava, Santiago and the Order of Alcántara (recently placed in the custody of the Order of San Julián del Pereiro but known by the former name hereafter) and in all probability the militias of the more active Leonese towns, the king sought to relieve pressure on the Tajo Valley frontier with a major thrust toward the Guadiana Valley. The central impediment to Alfonso's progress along the old Roman Silver Road to the south was the town of Cáceres. Muslim Cáceres was besieged initially and unsuccessfully in 1218-19, pressured again by continuing campaigns during 1220 to 1222, and besieged once more in 1223, again without success. The Almohad succession crisis of 1224 generated new opportunities, and Cáceres was besieged again in 1227, this time successfully.⁽³⁵⁾

The acquisition of Cáceres combined with a major victory in the area over the renegade Almohad Ibn-Húd from Murcia at Alange served to pull out the linchpin of Muslim resistance in the entire lower Guadiana. By 1230 Alfonso IX was positioned before Mérida. Despite the gradual onset of his terminal illness, the king pressed the siege vigorously, again fending off a relief army under Ibn-Húd. The militia of Zamora earned particular merit for itself during the siege by capturing the Roman bridge across the Guadiana, [58] an action which opened Mérida for the taking. In gratitude for this, Alfonso IX authorized the adding of a representation of the Mérida bridge to its city shield. Moreover, a contemporary stone plaque commemorating Zamoran valor at Mérida was installed on the Puerta de Olivares in Zamora, the eroded remains of the inscription still visible.⁽³⁶⁾ The summer of 1230 saw yet more striking gains with the Leonese capture of Montánchez and finally Badajoz, the old Muslim principality which had traditionally managed the defense of the entire lower Guadiana. Alfonso IX had signaled the towns and military orders to be ready for campaigns in the winter of 1230-31, but his death in September precluded further Leonese advances against the lower Guadiana for two decades.⁽³⁷⁾ At that point with the aid of rapid diplomacy, Fernando III of Castile, the only son of Alfonso IX, reunited the Kingdom of Leon to that of Castile. Henceforth, Castilian territorial priorities prevailed.

VI - The Collapse of Andalusia before Castile

The young Fernando III had spent his early years of rule consolidating his grip on his newly-won realm in the wake of the sudden death of his cousin Enrique I. Between that time and the opportunity presented by the death of his father in 1230, Fernando was active on his own frontiers. Again, the Almohad succession crisis seemed to have provided the spark. In 1224, Fernando attacked and sacked Quesada in the upper Guadalquivir Valley with the assistance of the militias of Ávila and Huete. The king formed a more impressive expedition in 1225 targeted for upper Andalusia and Granada. This expedition included the militias of Ávila, Segovia, Cuéllar and Sepúlveda, the veteran militias of the towns north of the Central Sierras. The army crossed through the Muradel Pass and tested the defenses of Jaén. When that city resisted their siege, Fernando struck south on the road to Granada, taking Priego and Loja en route. A tribute from the thoroughly-alarmed Granadans persuaded the Christian monarch to return to Jaén, where he dismissed his municipal contingents.⁽³⁸⁾ In that same summer, operating independently in the southeastern zone, Alfonso Tellez and the bishop of Cuenca led the militias of Cuenca, Huete, Moya and Alarcón on a long foray against Valencia and Murcia. These town militias were all products of the more recent conquests and resettlements of the eastern cordilleran frontier and recipients of the long Cuencan *fuero*. The culmination of this Valencian [59] and Murcian expedition was a major conflict against the combined regional forces of Murcia and Seville at Aspe near the town of Murcia. The Christians routed the defenders, due in the view of the Muslim source to the inexperience of the Sevillians and the cowardice of their leader, cAlì Ibn-Aarkì.⁽³⁹⁾

Whatever the reason for the triumph, the municipal militias were demonstrating a capability for a variety of regional musters, and providing a resource able to apply pressure on different frontiers simultaneously. The Ávila militia, possibly in the company of units from other towns, participated in the siege of Jaén in 1230. The Abulenses initially took heavy losses in a position exposed to fire from the wall, until Fernando repositioned them at a safer distance. They then launched a number of raids during the siege, but again Jaén held firm in the hands of the Muslim defenders.⁽⁴⁰⁾ Any disappointment arising from this frustration for King Fernando was soon forgotten, however. On his return from Jaén, the Castilian king learned of his father Alfonso IX's death, and knew that the Kingdom of Leon with all of its recent conquests, resources and its militias were soon to be his to utilize in future frontier efforts.

Once the Kingdom of Leon was successfully reunited to Fernando III's Kingdom of Castile, the king was not slow to test the new municipal militias now at his disposal. Renewing his pressure on Upper Andalusia in 1233, Fernando besieged Úbeda and called up the Leonese militias of Toro, Zamora, Salamanca and Ledesma (all situated well to the northwest in the Trans-Duero south of the Duero River) to assist him in this undertaking. Their service term expired prior to the end of the siege, but Úbeda succumbed to the king's forces after their departure.⁽⁴¹⁾ Nonetheless, Fernando may have learned an important lesson here in the use of the town militias in the maintenance of a siege. Unlike a full-scale battle in the field, where the maximum force is needed for a vigorous effort at one point in time, sieges required a concerted effort of fewer effectives over an extended period. Since time limitations on military service were written into the municipal *fueros* and were thus a reality with which the king had to deal, sieges required a manipulation of the urban resource if they were to be effective for the numerous assaults on the Andalusian towns which the monarch envisioned in the decades ahead. In 1235, some unspecified municipal *concejos* sent forth contingents to assist Alvar Pérez and the king in their assault on Ibn-Húd in Andalusia.⁽⁴²⁾ However, a far richer prize soon beckoned. An isolated group of warriors secured a suburb of the old Umayyad capital of Córdoba in January of 1236, and called for help when they were [60] besieged by the other residents of the city. Fernando braved winter roads and swollen rivers to make his way to the city, and a full-scale siege of Córdoba soon developed.

Possibly drawing on the experience at Úbeda three years earlier, the Castilian monarch appears to have rotated the service terms of his militias for the first time so that the first arriving detachments from some towns would have their places taken once their terms had expired by those *concejos* which came later. The Castilian contingents from Cuenca and Baeza had gotten to Córdoba by February. The Leonese towns of Salamanca, Zamora and Toro had arrived by early April, to be followed by forces from Madrid and other unspecified municipal militias from Castile, Leon and Galicia in the same month. By June, the service terms of even the later arrivals had begun to run out, but Fernando avoided the kind of frustration which had dogged him in the sieges of Jaén by threatening to give Córdoba to Ibn al-Ahmar, a former ruler of the city whom the citizens had exiled, unless Córdoba surrendered promptly. This ploy succeeded, and Ibn-Húd gave the city up on June 30. Even so, the militia of Segovia appeared in the wake of the surrender with relief supplies. As events unfolded, the Segovians helped supervise the occupation of the city in lieu of besieging it.⁽⁴³⁾ The principle of a staged muster of the militias to man an extended siege had worked well, indeed, in the capture of the ancient Muslim capital.

Within a decade, the militias were mustered once more for a siege, this time of the stubborn bastion of Jaén. The campaign opened in 1244 with an raid led against the supply line from Granada to Jaén by Alfonso de Molina, an assault force made up of the recently-founded militias of Baeza, Úbeda, Jódar and Quesada. By this time the entire eastern flank of this zone had been lost to Islam by Prince Alfonso's conquest of the Kingdom of Murcia, so that Jaén was exposed to Christian attack as never

before. By 1246, Fernando III besieged Jaén itself, aided by a number of municipal militias, some of which assisted in the use of a battering ram. Ávila's militia engaged in much of the combat, including an assault on the Fonsario gate, and suffered heavy losses. By early spring Jaén had capitulated, and the ceremony of formal entry and occupation with its attendant pomp staged ten years earlier at Córdoba was repeated here at Jaén, again with the standards of the militias in prominent view.⁽⁴⁴⁾ Fernando and council then considered the course of future campaigns, Granada being eliminated by the Leonese-Castilian king's alliance with the King of Granada as a part of the surrender agreement at Jaén. The Christians resolved to begin the drive down the valley of the Guadalquivir toward the last great prize in that direction, Seville.

By late summer of 1246 a raiding force struck at Seville, an expedition which included the recently-formed militia of Córdoba and 500 mounted troops from Fernando's Granadan ally. By 1247, we have the first indications of the use of the Leonese Extremaduran militias [61] in the lower Andalusian campaigns, as Coria, Granadilla, Cáceres, Montánchez and Medellín assisted in the taking of Carmona, a fortified town just to the east of Seville which was crucial in its regional defense.⁽⁴⁵⁾ Early in 1248, Ramón Bonifaz commenced to assemble a blockading fleet, drawn from the Cantabrian towns and the real beginning of the Castilian navy, in the Guadalquivir west of Seville to sever a major source of potential Muslim relief coming from North Africa. When the Sevillans responded by attacking the ships from the banks of the Guadalquivir, Fernando III sent a relief contingent to reinforce Bonifaz which included *concejo* militias. Once Seville was placed under siege, the Christian monarch probably utilized his municipal militias in much the same fashion that he had developed against Córdoba twelve years earlier in the system of a staged muster. However, the accounts in the various chronicles are less clear on this subject in the siege of Seville. Córdoba's militia had arrived by June and there is reference to the presence of Madrid's militia as well, along with that of the Extremaduran militias which served against Carmona.⁽⁴⁶⁾ Beyond that, one can only surmise the full extent of the participation of the municipalities in this greatest of King Fernando's conquests. Seville capitulated in December of 1248, and Fernando promptly set about the large task of distributing the city and its territories among the victors. Fernando III's death in 1252 concluded a spectacular age which had seen the Muslim heartland of Andalusia absorbed completely into Leonese-Castilian control, an age in which the municipal militias had contributed a full measure of their capabilities to this cause.

VII - The Aragonese-Catalan Conquest of Valencia

The achievement was not less spectacular to the East in Aragon-Catalonia. Here King Jaime I (Count Jaume I of Barcelona) would earn the title "Conqueror" as his sobriquet in response to a career which fully merited that accolade. Together he and Fernando constituted the twin engines which powered the Reconquest through its most decisive phase. However, prior to launching any of his historic campaigns, Jaime had to bring stability to the realm so long hampered by his extended minority and its attendant regency. Jaca played a large role in this work within its own region, as evidenced by pacts of peace made by the *concejo* of that city from 1215 to 1217 and the gratitude extended to them for this by Jaime.⁽⁴⁷⁾ Moreover, the royal *Corts* of 1218 at Villafranca, Tortosa in 1225 and Barcelona in 1228 all placed townsmen specifically under the protection of the royal peace.⁽⁴⁸⁾ The towns of the Upper Ebro, possessing [62] their own armies and able to act on their own behalf, on occasion took independent action to halt the disorder and lawlessness which still bedeviled Jaime's early years. Putting one in mind of a typical Castilian *hermandad* or town alliance, Huesca, Jaca and Zaragoza combined to deal with such problems in a pact of 1226. Jaime apparently considered this kind of banding together as much a threat as the lawlessness which provoked it, and he chastised the three towns for taking this

step in 1227.⁽⁴⁹⁾ As late as 1238 the municipal government of Jaca was still attempting to ease the disruptions by passing arms control ordinances within the city.⁽⁵⁰⁾

Once Jaime freed himself of such early encumbrances and was able to launch his first major campaign of expansion against the island and town of Mallorca, he could draw little upon this interior Aragonese military tradition. He utilized instead his Catalan feudal retinues and such military forces as the towns could grant him from the Catalan coast. In addition to Lleida on the Segre, Jaume seems to have drawn forces from Tarragona, Girona and Barcelona, or at least the episcopal clergy, deacons and sacristans of those towns offered substantial forces.⁽⁵¹⁾ How much of this consisted of feudal forces under clerical control as against any available municipal militiamen remains difficult to say, but the substantial number of infantrymen offered increased the likelihood that townsmen were involved. We know that in addition to these forces the Catalan towns offered naval assistance to ease the normal royal problem of going to the north Italian towns to obtain that type of aid. Once the siege of Mallorca had been undertaken, we hear of Lleidans engaged in filling the city's moat and of the dramatic assault of some Barcelonan footsoldiers who seized key sections of the walls as an immediate prelude to Mallorca's capture.⁽⁵²⁾ Mallorca would have offered a readily attractive objective for the Catalan towns, especially Barcelona. However, the next thrust for Jaime was targeted for a large and contiguous territorial state: Valencia. The Catalan resources, still committed to the absorption and settlement of the Balearic prize, would be insufficient for the new enterprise.

For this phase of Aragonese expansion Jaime drew heavily on the municipal militias of the upland interior. The *Corts* of Monzón in 1236 indicated some division of opinion regarding the advisability of the Valencian campaign on the part of Lleida, Tortosa, Zaragoza, Teruel, Daroca, Calatayud, Tarazona, Huesca and Barbastro which sent representations.⁽⁵³⁾ The towns of Teruel, Daroca and Zaragoza were nonetheless destined to make major military contributions to the undertaking. In truth, they [63] already had done so. Teruel's militia had been present for the assault on Ares and Morella in 1233, and forces from Teruel and Daroca were a part of the royal *host* which besieged and captured Burriana in the same year, with forces from Zaragoza, Calatayud, Lleida and Tortosa arriving after the conquest.⁽⁵⁴⁾ When Jaime moved against the key fortress overlooking the approaches to Valencia at Puig de Santa Maria in 1236, the militias of Teruel, Zaragoza and Daroca volunteered for extra duty in reconstructing the walls of that citadel after its capture. When the garrison suffered severe losses to the Muslim relief army which tried to retake Puig, seventy to eighty light cavalymen from Teruel rode quickly to the site on their own volition to ease the impact of this attrition.⁽⁵⁵⁾ In addition to the militias of Teruel, Daroca and Zaragoza available at Valencia, Jaime received assistance from the towns of Alcañiz and Castellote, located on the Guadalupe River northeast of Teruel to the north of the Sierra of Gúdar. On occasion municipal enthusiasm created unwanted complications in the campaign against Valencia itself, as with the instance of Jaime's request that some townsmen give over an advanced spearhead they had taken and were eagerly sub-dividing among themselves.⁽⁵⁶⁾ Jaime had a far more systematic partition of Valencia and her lands in mind. The contemporary chronicles made it clear that Jaime was able to harvest the fruit of the Cordilleran Aragonese municipal militias which had been planted by Alfonso *el Batallador* and nurtured to maturity by Alfonso II (Alfons I) at Teruel.

Thus, Valencia's submission in 1238 and the acquisition of that city's material and territorial wealth by the king-count was very much the product of a combined effort on the part of all of the Aragonese-Catalan military resources, municipalities included. The differing natures of these two municipal traditions, the upland Aragonese kingdom and the coastal Catalan county, are elaborated in [Appendix B](#). The surviving charters and chronicles tell us far more about the contribution of the former than the latter. Yet, the generous allotments for settlement in Valencia granted to Barcelona, Tortosa, Tarragona, and even the trans-Pyrenean town of Montpellier suggest rewards for substantial military service

rendered during the conquest of the city. Nevertheless, the forms of military service which such towns could have utilized to muster for Valencian duty remain hidden from us. Thus, Jaime possessed two forms of municipal military components for the drive on Valencia: one group with clearly delineated laws and traditions which commands a significant portion of his *Chronicle* by its exploits, and another whose legal foundation and particular deeds have been left largely unrecorded, save for isolated indications of their role in the conquest of Mallorca.

VIII - Portugal against the Alentejo and the Algarve

On the other side of the Peninsula in Portugal, territorial expansion advanced with a speed equal to that of Leon-Castile and Aragon in the period, but our narrative evidence is virtually non-existent. The [64] surviving Christian chronicles are late and offer little information on town militias. The Muslim chronicles make a substantial contribution to filling this information gap in the later twelfth century, but maintain less interest in the Portuguese frontier during the thirteenth. Thus we are left with the pattern of town charter grants and renewals during the two very troubled reigns of Afonso II (1211-23) and his son Sancho II (1223-45, died 1248) to offer some indication of the rate of progress in expansion. Of the narrative exploits of town militias, we have none. Yet they must have been active, since both in renewals and in new charters the military obligation for townsmen continues to be as predominant as in the days of Afonso I and Sancho I. Towns continued to receive awards of the three major families of charters (Trancoso, Évora and Santarém), although increasingly these were granted by persons other than the king.⁽⁵⁷⁾

As with the other peninsular Christian monarchs, internal difficulties prevented Afonso II from seizing prompt initiative in frontier expansion after the battle of Las Navas. By 1217, however, aided by a large force of Rhenish and Dutch crusaders on their way to Egypt for the Fifth Crusade, Afonso was able to besiege and retake Alcáçer do Sal, aided in part by the fine performance of the militia of Palmela. Through the acquisition of this key port and Muslim base between the western Ribatejo and Alentejo, the king allied with the military orders was able to resume pressure on the Alentejo and reestablish municipal military bases beyond the Tejo River frontier once more.⁽⁵⁸⁾ The advance has traditionally thought to have been quite modest, but should be moderately reassessed in the light of Afonso's reconfirmations of *forais*, which indicate the extension of his territorial grip. The old salient at Évora had held all through the years of Almohad reconquest, and was now for the first time substantially reinforced. In 1219 the frontier advanced further with the reacquisition of Marmelar 55 kilometers southeast of Évora near the Guadiana River and the reconfirmation of its *foral*.⁽⁵⁹⁾ If Afonso II was not leading the armies which retook these towns in person, he certainly took a prompt interest in establishing his law and his militias in these regions. Also, while the military orders were beginning to lay claim to the waste and grazing lands of the Alentejo, the king maintained an interest in the charters of the frontier towns. The monarch's reconfirmations may well have had as a part of their motivation the restatement of the military obligations for the older towns further back from the frontier, possibly sought as a means to balance his resources against those of the military orders on the frontier.

The reign of Sancho II (1223-45) proved both longer and no less troubled. His relationship with the Portuguese church exceeded even the unhappy level [65] established by his father, and was ultimately climaxed by his deposition through an alliance of the bishops, the papacy, some rebellious nobles and his younger brother Afonso. Unlike his father, Sancho was active on the frontier particularly along the emerging boundary with Leon-Castile. Possibly sensing a threat to his Guadiana frontier during Alfonso IX's last years given the Leonese king's lack of male heirs, Sancho II awarded charters to the frontier towns north of the Tejo (Marvão, Sortelha, Idanha-a-Velha and Salvaterra) between 1226 and

1230 and climaxed his efforts by garrisoning Elvas near the Guadiana in 1230 in the wake of the fall of Badajoz to Leon.⁽⁶⁰⁾ Sancho then struck across the Guadiana to take Moura and Serpa in 1232, thereafter turned his attention to the lower Alentejo and the eastern Algarve at the mouth of the Guadiana, taking the coastal towns of Cacela and Tavira in 1239. The monarch's conflict with the church overtook events at this juncture, and he was unable to pursue his plans for the conquest of the western Algarve, a task left for his brother Afonso III. Much of the actual work of conquest was in the hands of the military orders, a fact evidenced not only by their considerable acquisitions in the Alentejo but also by their increasing use of the Évora-Ávila model charter which they granted to the growing number of municipalities under their control.⁽⁶¹⁾ But contemporaries witnessed the loss of royal initiative in the Portuguese Reconquest. Royal absence from the conquests caused these events to be so poorly chronicled. Similarly, royal distractions permitted the military orders to become the dominant property holders and the controllers of the expansion program in the south. The Leonese-Castilian expansion experienced some of these same forces at work, although with a different blending of power blocs.

IX - The Frontier in the Mid-Thirteenth Century

The panorama of municipal militia evolution and achievement at the mid-thirteenth century could be characterized essentially as a spread of older forms into newly reconquered areas, a generalization which applies in Portugal, the Crown of Aragon and Leon-Castile. The success of the Christian offensive was in large part a testimony to the effective functioning of the municipal institutions and the townsmen who gave them life, specifically cited for their achievements in the chronicles of Leon-Castile and Aragon, and almost certainly making an additional unrecorded [66] but nonetheless significant contribution in Portugal. The era also marked a closer relationship between the frontier military orders and the towns to whom they increasingly granted *fueros* in lieu of the king, especially in Portugal and Leon-Castile. As the result of the conquest, the great regional systems of municipal law, those of Cuenca-Teruel, Toledo, Coria Cima-Coa, Évora-Ávila and Santarém, would have the opportunity to spread their influence into the newly conquered lands, although with unequal impact. The use of such diverse forces on the frontier bred its own risks. The towns often utilized their bargaining position as frontier maintainers to obtain as many grants, privileges and immunities as they could from their lord, and the Castilian monarchy would come to see a charter format such as Cuenca as potentially threatening to royal prerogatives and effective centralization of rule. Certainly the municipal possession of a military force and the authorization to use it presented risks of independent activity that could be a problem even in a period of strong kingship.

The aggressiveness of old combat towns like Ávila and Segovia did not always diminish in periods of peace, given the temptation to expand the zone of one's grazing lands and the size of one flocks. Plasencia expended substantial concern regarding the pressures felt from her neighbors at the western end of the Gredos Mountains, working out her conflicts with Escalona in a charter of c. 1200, forming a *hermandad* (brotherhood, alliance) with Talavera against Ávila in 1248, and even refusing to permit any Abulense to settle in the lands of Plasencia. Segovia's expansive tendencies caused temporary loss of lands even to Toledo and her differences with Madrid required Fernando's personal intervention to secure the military contingents from the two militias for the attack on Seville in 1248.⁽⁶²⁾ Nor was Castile the only kingdom to experience municipal aggressiveness and mutual alliance efforts. Zaragoza, Huesca and Jaca had formed a mutual aid pact in 1226 to defend their collective interests, an initiative countered by King Jaime in the following year. Salamanca's *fuero* notes salaries for *medianeros* (adjusters, negotiators) who go to attend *juntas* with the towns of their vicinity in Leon. Even in Portugal, the question of common grazing rights led to conflict between Santarém and Évora.⁽⁶³⁾ This

municipal independence was largely the result of the militarization and frontier aggressiveness of these towns, part of the price to be paid for creating such enterprises to aid in the Reconquest. So visible had been their contribution that a contemporary Muslim geographer's description of Christian Spain paid little heed to the [67] nature of the political kingdoms and a great deal of attention to the towns and their environs. For him it seemed the natural way for a Muslim to perceive Christian Hispania. (64) It was, therefore, the effective absorption of these conquests and the taming of these frontier towns that would concern the latter part of Jaime I's reign, and the new kings of Portugal and Castile, Afonso III and Alfonso X, in the decades to come.

Notes for Chapter 2

1. For bibliographical surveys of the foundation of the military orders, see: Bishko, "Spanish and Portuguese Reconquest," 418. Also, Lomax, *The Reconquest of Spain*, 182.
2. Bishko, "Reconquest," 414-15.
3. *PCG*, 2:674. Nogales-Delicado, *Historia de Ciudad Rodrigo*, 43-58.
4. "Foral de Trancoso," 1:326-27. "Foral de Marialva," 1:328-30. "Foral de Aguiar-da-Beira," 1:331-33. "Foral de Celorico da Beira," 1:334, 336. "Foral de Moreira," 1:337. "Carta de foral concedida aos habitantes de Mós," 1:363, 365. "Carta de foral outorgada aos povoadores de Linhares," 1:385-87. Of the above six *forais*, Aguiar-da-Beira, Celorico and Moreira cite their derivation from Salamanca in the text of their charters, as Trancoso. Marialva cites its derivation from Trancoso, while Mós and Linhares list no derivative. See James F. Powers, "The Creative Interaction of Portuguese and Leonese Military Law, 1055-1279," *Speculum*, forthcoming.
5. Bishko, "Reconquest," 414-16. Lomax, *Reconquest*, 113-15. AMC, 3-6, gives us a Muslim account, although omitting Geraldo.
6. "Foral de Évora," 1:371. "Foral outorgado aos moradores de Abrantes," 1:451. "Carta pela qual se concede aos povoadores de Coruche," 1:466-67. "Foral de Palmela, 1185," 1:481. The original charter of Ávila has not survived in original or copied form. Its potential origins are discussed in Chapter One (pp. -). There was no precursor such as Numão, and Évora was the earliest known copy. Abrantes, Coruche and Palmela all cite their derivation from Évora in the text of their charters. See Powers, "Portuguese and Leonese Municipal Military Law," forthcoming, and Gama Barros, *História da administração pública*, 3:61-63.
7. "Foral de Santarém," 1179," 1:438-39. "Foral de Lisboa, 1179," 1:443-44. "Foral de Coimbra, 1179," 1:447-49. "(Foral de) Miranda da Beira," 1:373-74. "Carta a favor dos moradores de Arouce (Louzã)," 1:287-88. "Carta foral concedida aos moradores de Sintra," 1:300-03. Sintra lacks the knight archer law. Gama Barros, *História*, 3:65-67. Powers, "Portuguese and Leonese Municipal Military Law," forthcoming.
8. IIM, 2:21, 38-41. AMC, 9-10.
9. IIM, 2:70-73. AMWM, 4:210-11. AMC, 32-35.
10. "Relation d'un raid d'Abû Yûsuf Yacqûb au Portugal," 28:64-65.
11. *PCG*, 2:674. Nogales, *Ciudad Rodrigo*, 43-44. Hernández Vegas, *Ciudad Rodrigo*, 15-16. Villar y Macías, *Historia de Salamanca*, 1:102-04. González, *Regesta de Fernando II*, 50-52.
12. "Fuero de Benavente, 1164-83," 2:626. The remainder of the sources discuss only the need to pay or be exempt from the *fonsadera* exemption payment. "Privilegio de Fernando II a Salamanca, 1167," 1:234-35. "Fuero dado a los moradores de Rabanal del Camino, 1169," 2:115-19. "Fuero de La

Coruña," 143. "Fuero de Zofraga," 14:565.

13. "Relation de la prise d'Almería, de Baeza et d'Úbeda et de la mort du roi chrétien Alphonse VII," 28:40.

14. Layna Serrano, *Historia de Atienza*, 54-55, 81-83, 89-94, indicates considerable activity for that town in this period, although without documenting much of this activity. See also his, "La histórica cofradía," 2:503-20. Represa Rodríguez, "La 'Tierra' medieval de Segovia," 21:5-17. The twelfth-century rewards for Segovia's militia service were sometimes returned to the prior holders of territory in the thirteenth century. "Privilegium super restitutione aldearum de termino de Alcalá," 8:240.

15. CPA, 23-24, 26. "Anales Toledanos I," 23:390. It is not clear in the context, but the *Anales* seems to be recounting the same 1158 expedition as described in the Abulense *Crónica*. Ávila's reputation was such that the newly founded Order of Santiago recruited actively among the city's *caballeros* in 1172. See Vergara y Martín, *Estudio histórico de Ávila*, 62-63.

16. IIM, 2:4-6. It is he who suggests the earlier raid and offers livestock estimates, while complementing the Abulense specifically for their great valor and offensive spirit. "Relation d'un raid des Chrétiens d'Avila dans la région de Cordoue," 28:52-53. This Almohad letter gives us our fullest account of the Abulense disaster. AMC, 1-3, also renders an extended account, including the same cattle estimates as IIM. ISS, 227-32. Ibn Sâhib suggests that Ávila initiated its raid as the result of a prior Muslim raid on the Tajo Valley. AMWM, 4:162, a source which strangely passes over this great Muslim triumph, but one of those which awards Sancho his packsaddle nickname. Sánchez Belda, "La Mancha," 7-26.

17. ISS, 204-17. AMWM, 4:203-04. Derek Lomax gives the most thorough account of the Huete campaign in English, apparently based on Ibn Sâhib. See, *Reconquest*, 114-15.

18. ISS, 116-19. This is our richest account of Muslim Cuenca. IIM, 2:28-30. AMC, 13-14, which adds the account of the Ciudad Rodrigo militia. López, *Memorias históricas de Cuenca*, 1:54-55. González, *Castilla en la época de Alfonso VIII*, 1:924-25.

19. IIM, 2:41, 49-51. AMC, 22-24, contains a very similar account.

20. Arco, "Referencias a acaecimientos históricos," 3:351, Doc. 105. Caruana Gómez, "Itinerario de Alfonso II," 7:94, 105-06. Rafael Estebán Abad has argued that the militias of the Aragonese towns, including Daroca, took part in this conquest of Teruel, an assertion which goes unsupported by Zurita's late medieval chronicle or any other collaborating source. See his, *Estudio de Daroca*, 55. Zurita makes no mention of town militias in the conquest of either Albarracín or Teruel. See Jerónimo Zurita *Anales de la Corona de Aragón*, I:260-61, 266.

21. Ventura, *Alfons 'el Cast'*, 179-83. Caruana, "Itinerario de Alfonso II," 95-98. Caruana Gómez *Historia de la provincia de Teruel*, 44-45. *Liber Feudorum Maior*, 1:46. Lacarra, "El rey Lobo de Murcia," 3:520-23.

22. For a full discussion of the relationship of the two great formularies and their respective networks of charters, see [Appendix B](#).

23. Colmeiro y Penido, *De la constitución y el gobierno*, 2:149-50. José María Martínez Val places the town militias in the right wing against the Guadiana River in one article, but frankly admits we have no specific sources on their placement. "La batalla de Alarcos, y la Orden de Calatrava," 79, and "La batalla de Alarcos," 12:115-22. Ambrosio Huici Miranda suggests in an early study that the *concejos* performed poorly at Alarcos, affecting Alfonso VIII's placement of them seventeen years later at Las Navas, *Estudio sobre la campaña de Las Navas*, 47, but he makes no reference to municipal militias whatsoever in his more recent account of Alarcos itself, *Grandes batallas*, 160-63. Derek Lomax

makes a similar assertion regarding the militias at Alarcos in his account of Las Navas, again without mentioning this in his account of Alarcos proper and without supporting references, possibly derived from Huici Miranda, Lomax, *Reconquest*, 126-27. Alonso Fernández without adequate supporting references places Plasencia's newly formed militia at Alarcos, *Historia y anales de Plasencia*, 52. Gerardo Moraleja Pinella dutifully puts Medina del Campo at the battle, also without satisfactory evidence, *Historia de Medina del Campo*, 42-43. *CPA*, 32. Three Muslim sources recount the conflict, but make no reference to Christian militias. Ibn-Abi-Zarc, *Rawd al-qirtâs*, 2:440-45. Lévi-Provençal, *Péninsule*, 18-19. *AMC*, 76-82.

24. "Anales Toledanos I," 23:393. *PCG*, 2:682. Lévi-Provençal, *Péninsule*, 18-19. "Relation de l'expédition," Lévi-Provençal, "Recueil," 28:66-67. *AMC*, 83-85, 86-89, the only source which adds Guadalajara to the list of towns attacked.

25. "Anales Toledanos I," 23:394-95. *CLRC*, 40. *AMC*, 119-21. Zurita, *Anales*, 1:333. González, *Alfonso VIII*, 1:986-94. Gautier-Dalché, *Historia urbana de León y Castilla*, 391.

26. *PGC*, 2:700. *CPA*, 33. Ximinius de Rada, "De Rebus Hispaniae," 185. Ibn-Abi-Zarc and the Anonymous of Madrid and Copenhagen have lengthy descriptions of the battle, but no specific citation of any Christian municipal militias, *Rawd al-qirtâs*, 2:440-45, and *AMC*, 122-24. Huici Miranda, *Estudio sobre las Navas*, 90-91. Huici Miranda, *Grandes batallas*, 253-71. Huici Miranda estimates 100-150,000 troops on the Muslim side as against 70-80,000 Christians. Anaya Ruiz, "La cruzada de las Navas," 25:29. Of the many town historians who add their town to the Las Navas participation list, Fernández de Cañete at least argues the presence of Alarcón on the basis of documents in that town's archive, citing *mercedes* given to the *caballeros* of Alarcón for their participation, *Apuntos históricos*, 20-22. Most interesting is the very reliable Julio González, who lists the presence of the militias of Talavera, Madrid, Huete, Cuenca, Alarcón, Soria, Sepúlveda, Cuéllar, Atienza, Burgos, Carrión "and others" without benefit of a source citation to support this list, *Alfonso VIII*, 1:1011. To be sure, the chronicles would indicate that many of these militias had been active in this period, but none specifically place them at Las Navas.

27. Ximinius de Rada, "De Rebus," 183. Alfonso attempted to counter this threat, as he later wrote to Pope Innocent III, by mixing cavalry in with his infantry with particular regard for the avoidance of flank envelopment, "Carta de Alfonso VIII al Papa Inocencio III," 168.

28. Ximinius de Rada, "De Rebus," 186-87. "Carta de Arnaldo Amalarico," 173-74. The best accounts of the battle in Spanish can be found in González, *Alfonso VIII*, 1:1031-55, and in Huici Miranda, *Grandes batallas*, 253-89. Briefer but very useful English language narratives are available in Bishko, "Reconquest," 3:423-24, and Lomax, *Reconquest*, 124-28.

29. "Anales Toledanos I," *ES*, 23:397.

30. *Ibid.*, 23:397-98.

31. *AMC*, 136-48. Huici Miranda, *Historia política del imperio Almohade*, 2:476-77. Lomax, *Reconquest*, 140.

32. Marichalar, ed., *Colección diplomática del Rey Sancho VIII*, 181-85.

33. *PCG*, 2:680.

34. *CPA*, 33-36. González, *Alfonso IX*, 1:176-77.

35. Lumbreras Valiente, *La reconquista de Cáceres*, 58-59. Bishko, "Reconquest," 3:425. Duarte Insúa, *Historia de Alburquerque*, 52.

36. *AMC*, 17:143. González, *Alfonso IX*, 1:209. The inscription on the Puerta de Olivares in Zamora is

discussed in several sources. Gómez Moreno, *Catálogo monumental*, 1:85-86, 144. Álvarez Martínez, *Historia general de Zamora*, 184. Fernández Duro, *Memorias históricas de Zamora*, 1:386-90. Regretably, M. C. Díaz y Díaz does not discuss the inscription in his *Index scriptorum latinorum medii aevi Hispanorum* (Salamanca, 1958). The surviving inscription can be seen in Plates 5 and 6. Gómez Moreno's transcription (with restored segments in parentheses) is as follows:

(Era millesima ducentesima sexagesima octava
Alfonsus rex Legionis cepit Caceres et Montanches et)
Merita(m et) Badaloz et vicit Abe(mfuit)
regem maurorum qui tenebat xx mi(lia)
equitum et lx miliu peditum et Zamo(ren)
ses fuerunt uictores in prima acie (et)
eo anno ipse rex vii kl octobris obiit (et xlii)
annis regnavit et eo anno factum fuit hoc port(ale).

An Olivares Gate is listed as far back as 1172. See: A. Matilla Tascón, *Guía-inventario de los archivos de Zamora y su provincia* (Madrid, 1964), 162. The only remaining depiction of a bridge with any specific connection to Zamora is a city seal from 1273, which shows a vista of the city seen from across the Duero with two bridges indicated. Since Zamora, as Mérida, has a Roman bridge, and since the seal is pictorial rather than heraldic, it is difficult to argue that we have a clear reference to the performance of the Zamoran militia at Mérida. The thirteenth-century *Fuero* of Ledesma indicates that Ledesma's militia also rendered good service at Mérida. "Fuero de Ledesma," Federico de Onís, ed., *Fueros Leoneses de Zamora, Salamanca, Ledesma y Alba de Tormes* (Madrid, 1916), 279.

37. González, *Alfonso IX*, 1:207. Bishko, "Reconquest," 3:425-26 Lomax, *Reconquest*, 142.

38. *CPA*, 41-42. *CLRC*, 85-86. González, *Reinado y diplomas de Fernando III*, 1:297-300. Lomax, *Reconquest*, 138.

39. *CLRC*, 87. Lévi-Provençal, *Péninsule*, 163. There is some dispute among historians on the dating of this Murcian raid, but I have accepted González's chronology here.

40. *CPA*, 42. Jiménez de Rada notes a general presence of urban forces, but lists no particular towns. Ximenius de Rada, "De Rebus," 202-03. González, *Fernando III*, 1:315.

41. *CLRC*, 107. González, *Fernando III*, 1:319.

42. *CLRC*, 110. González, *Fernando III*, 1:321.

43. Ximenius de Rada, "De Rebus," 205. *PCG*, 2:726-33. *CLRC*, 116-23. González, *Fernando III*, 1:323-28. *AMC*, 17:162-63. Madrid's militia was present at the siege as well, although not mentioned in the chronicles. See: "Carta de Fernando III en que se confirma el privilegio de Segovia," 1:1. The same source verifies the presence of Madrid's militia at the taking of Seville in 1248.

44. *PCG*, 2:743-46. *CPA*, 44-46. González, *Fernando III*, 1:357-60. Mozas Mesa, *La conquista de Jaén*, 21-22.

45. *PCG*, 1:748-49. González, *Fernando III*, 1:368-71.

46. *PCG*, 2:746-60. *AMC*, 17:190-91. González, *Fernando III*, 1:373-81. González, *Repartimiento de Sevilla*, 1:203. "Orden de Fernando III, 1248," 217-19. See also note 42.

47. "Jaca hace una carta de paz con los hombres del Valle de Echo (1215)," 257-62. "Jaca hace una

carta de paz y convenio con Lope de Arresella (1217)," 263-65. "Jaca hace una carta de paz con Lope Arresella y sus compañeros (1217)," 267-73. "Jaime I da a concejo de Jaca salud y confianza," 309-10.

48. "Jaime I, rey de Aragón, preside Cortes en Villafranca, 24 junio 1218." "Jaime I, rey de Aragón, reúne Cortes en Tortosa, 28 abril 1225." "Jaime I, rey de Aragón, reúne Cortes en Barcelona, 21 diciembre 1228," 1:35-39, 139-44, 206-07.

49. "Los jurados de Zaragoza, Huesca y Jaca pactan." "Jaime I de Aragón reprueba las confederaciones, 1 abril 1227," 149-51, 154-56.

50. "Los concejeros y los prohombres de Jaca, (1238?)," 334-36. This must be balanced against the expeditionary and mounted service required by Jaime in the upper Ebro at Miranda de Ebro in 1236 and at Jaca in 1249. "Jaime I concede franquicias a Miranda de Ebro (16 March 1236)," 1:246-47, and "Carta de Jaime I a Jaca (1249)," 367. Military needs could not be totally overridden by concerns for pacification.

51. Desclot, "Crònica de Bernat Desclot," Ch. 15-20. Duran i Sanpere, "Defensa de la ciutat," 312-13.

52. "Llibre dels feits del Rei En Jaume," Ch. 73. Desclot, *Crònica*, Ch. 47. Testifying to Lleidan participation are the 198 shares received by the citizens of that town in the *Repartiment* of Mallorca and the two Lleidans who served on the repartiment council for Mallorca. Lladonosa i Pujol, *Llérida medieval*, 1:51-53.

53. Ubieto Arteta, "Dos actitudes ante la reconquista," 3:3-22. Ubieto notes that while the other towns were active sooner, Barcelona and Tortosa were drawn into the Valencian campaign after Monzón largely by their interest in the papal crusade rather than their interest in territorial expansion. Catalan historians have been resisting the notion that Aragonese settlement was the more extensive and deeper in its historical continuity than Catalan, as with Josep L'Escrivà, *Els repobladors de València*, (Valencia, 1979), 99-145. The town *concejos* may have been active as far back in Jaime's reign as the retaking of Albarracín in 1220. The chronicle of Jerónimo Zurita places the *militas* of Zaragoza, Lleida, Calatayud, Daroca and Teruel at the reconquest of the town. *Anales de la Corona de Aragón*, Angel Canellas López, ed. (Zaragoza, 1967), 1:382. While Zurita's sixteenth-century account is not supplemented by any surviving contemporary evidence, King Jaume's chronicle has these same militias active in the conquest of Valencia only a few years later. There is, therefore, good reason to accept Zurita's version.

54. *Llibre dels feits*, Ch. 157, 170-71.

55. *Llibre dels feits*, Ch. 211, 218.

56. *Llibre dels feits*, Ch. 210, 288.

57. Seven are in the Évora group: Sarzedas (1212), Castelo Branco (1213), Proença Velha (1218), Sobreira Formosa (1222) and Lardoza (1223) being given by a grantor other than the king, and Alcáçer do Sal (1218) and Avis (1218) by Afonso II. Three are from the Santarém group: Montemor-Velho (1212), Alenquer (1212) and Lisbon (1217), only the last granted from Afonso II. There are two in the Trancoso pattern at Valença (1217) and Touro (1220), the first being from Afonso II. See *MPH-LC*, 1:555-61, 566-67, 569-72, 577-82, 586-94. "Confirmação do foral alfonsino de Lisboa, 1217," 1:3-6.

58. Powell, *Anatomy of a Crusade*, 125-26. Bishko, "Reconquest," 3:425. Lomax, *Reconquest*, 132.

59. "Foral de Évora," 1:371-73. "Carta pela qual se concede aos povoadores de Coruche," 1:466-69. "Foral de Palmela," 1:481-83. "(Foral de) Marmelar, 1194," 1:489-90. "(Foral de) Benavente, 1200," 1:512-14. "(Foral de) Cesimbra, 1201," 1:515-17. "(Foral de) Monte-Mór o Novo, 1203," 525-27.

60. "(Foral de) Marvão, 1226," 1:606-07. "(Foral de) Sortelha, 1228-29," 1:608-10. "(Foral de) Idanha

Velha, 1229," 1:613-16. "(Foral de) Salvaterra," 1229," 1:616-18. "(Foral de) Elvas, 1229," 1:619-20. Sortelha, Idanha Velha and Salvaterra have new forms of the Évora pattern with considerable additions in legal material. However, none of this added material has military implications.

61. Bishko, "Reconquest," 3:431-32. Lomax, *Reconquest*, 142-44. After 1229, there are only ten municipal *forais* issued until the death of Sancho II. Only one of these at Mós was given by the king, and it contains no military material. A group of military laws appears in the charter given to Sancta Cruz in 1225, including possible influence of the defensive service law from the Coria-Cima Coa family, but there is no other example in Sancho's reign. "(Foral de) Sancta Cruz, 1225," 1:601-04. Also, two interesting charters given to Cidadêlhe in 1224 and to Alijó in 1226 signal the beginning of a small regional family of charters with military law in the northeast of Portugal, but these develop primarily in the subsequent reign of Afonso III. "(Foral de) Cidadêlhe," 1:599-600. "(Foral de) Alijó," 605-06. Sancho II gave real indication of fostering military and municipal developments in the early part of his tenure, but this start was blighted completely after 1230. See also Powers, "Portuguese and Leonese Municipal Military Law," forthcoming.

62. "Carta de hermandad entre Plasencia y Escalona," 3:506-07. "Carta de hermandad entre los Concejos de Plasencia y Talavera," 57-58. *FP*, 156. "Privilegium super restitutione aldearum de término de Alcalá," 8:240. "Orden de Fernando III a Madrid, 1248," 217-18. Represa Rodríguez, "Segovia," 21:5-17.

63. For the Aragonese municipal pact, see note 19. "Fuero de Salamanca," 165, 181-82. Oliveira Marques, *History of Portugal*, 81-82.

64. AMWM, 4:300-02.

A SOCIETY ORGANIZED FOR WAR

James F. Powers

[68]

3 - THE END OF AN ERA, 1252-1284

I - The Consolidation of Frontiers

At the close of his reign, Fernando III had acquired a vast array of territories, including Leon and Leonese Extremadura, southern La Mancha, the southern extremities of New Castile, and large portions of the heartland of Al-Andalus, including its great cities of Córdoba, Jaén and Seville. The kingdoms of Murcia, Niebla and Granada lay under tribute to Castile. The *Primera Crónica General* relates the death bed scene of Fernando III, when this Castilian Cyrus, whose imminent demise would end his hopes of extending his victories to North Africa, counseled his son Alfonso to preserve those things he had won, and if possible, to extend them. Should the heir apparent lose any of this great store of lands and vassals, Fernando charged his son, then "you will be a lesser king than I."⁽¹⁾

Prince Alfonso came to the throne personally experienced in the matter of combat and conquest in his own right. Active in the armies of his father since the siege of Córdoba, he had been the commander in charge during the reduction of much of Murcia to its tributary status. If holding onto the lands of his father and adding some territories to that amalgamation were the only standards necessary to meet San Fernando's criteria of "greater kingship", Alfonso X met that test. However, the reality was far more complex and demanding than the one the royal chronicle depicts. The historical situation demanded that Alfonso X play the Darius to Fernando's Cyrus, that he pull together and synthesize the sprawling kingdom of Castile. As king of Castile, Toledo, Leon, Galicia, Seville, Córdoba, Murcia, Jaén and Badajoz (many of [69] these the titles of former Muslim princedoms in the Peninsula), Fernando had assembled a state from areas with strong regional identities, some with Muslim population majorities. The real task he bequeathed to Alfonso was the structuring of this diverse realm into a solid thirteenth-century state. His great cultural attainments notwithstanding, historians have tended to measure Alfonso X's achievement with much debate and disagreement, based on the extent to which he consolidated Castile and built for its future.⁽²⁾

Alfonso X's neighboring rulers in Aragon and Portugal were not without their tasks to complete. While consolidating his newly acquired Valencian lands, Jaime had to be aware of the uncertain stability of the Muslim vassal state of Murcia to his southwest. Then, following the conquest of Murcia by his neighbor Alfonso X, King Jaime had to consider his future expansion as increasingly circumscribed within the Peninsula, unless he wished to make war on Castile. The Murcian revolt and the continuing sea contact between Al-Andalus and North Africa indicated that threats and opportunities from this direction remained. But for the time being, the Aragonese reconquest was drawing to a close, and the king had to consider the policies of consolidation of the federated kingdoms which he had vastly expanded and enriched by his conquests, especially Valencia. Like Alfonso, Jaime would develop an interest in exploiting the possibilities of Roman law to unify his realm and would found a university to undertake the training of a governmental elite. While Alfonso III did not yet take up Roman law or university creation, he did have the task of completing the conquest of the Algarve and then securing unrestrained title to it from Alfonso X. The uncertain status of Niebla and Cádiz permitted a possible push of the Portuguese frontier beyond the Guadiana.

Although it may not have been completely clear to these three contemporary monarchs, the shape of their frontiers was rapidly hardening into final position. For Portugal and Aragon, this meant internal consolidation remained the primary task. For Castile, the consolidation of a large and diverse kingdom had to be accomplished in the face of a continuing threat of Muslim warfare. Indeed, all three states were decades from the completion of the most basic goals of internal unity. All three monarchies had particularly to consider the status of the institutions created to facilitate the expansion of the frontier. In such an age of transition, the municipalities and the policies of the peninsular monarchs toward them offer indications of the kinds of stress and change being encountered by the towns and their militias.

II - Castile

In many ways Castile had reached a critical point in its municipal military evolution. Both the reuniting of Castile and Leon under Fernando III in 1230 and the headlong rush from the central Meseta into Andalusia with the conquest of Córdoba, Jaén, Murcia and Seville had [70] burdened the kingdom with an incredible period of growth. Alfonso inherited a southern frontier that reached from the mouth of the Guadiana in the west to the port of Alicante in the east. The entire Muslim frontier was now encompassed within the Castilian state. Since Fernando III had acquired his conquests piecemeal and had devoted the bulk of his energies to further expansion rather than the internal organization, Alfonso had to contend with the dual challenges of internal consolidation and frontier momentum. One method of dealing with these goals was to attempt the creation of a body of law by which his entire realm might be governed. This involved the creation of several different legal compilations including the *Espéculo*, the *Fuero real*, possibly the *Fuero sobre elfecho de las cabalgadas*, and finally culminating in *Las siete partidas*.⁽³⁾ While this attempt at unifying all the law of Castile in an organized body infused with the principles of Roman law did bring into Castilian legal tradition a new direction destined to have great impact in the Later Middle Ages, the resistance of Alfonso's countrymen meant that these experiments were likely to be little more than "constitutions under glass" for the next century. Meanwhile, a far more basic and confusingly diverse type of resource would have to be utilized in dealing with the towns, the assorted regional *fueros* of his kingdom.

Clearly the king did not regard the combats with the Muslims as a thing of the past, and granted *fueros* with military service requirements throughout his state. For municipal law of a more general nature, there were at least three *fuero* traditions to which Alfonso X could have turned: Coria Cima-Coa, Cuenca-Teruel and Toledo-Córdoba. Alfonso made no use of the *fuero* pattern which had appeared at the end of the twelfth century with the Coria Cima-Coa formulary in Leonese Extremadura of which we are aware. Instead, the king intended Extremadura as one of the zones into which he would implant his new initiative in municipal legislation and military requirements.

He might also have opted for the most extensive statement of military requirements made prior to his reign, that appearing in the Cuenca-Teruel family of charters which multiplied toward the end of the twelfth century in the reign of *el Sabio's* great-uncle, Alfonso VIII. This set of municipal laws had subsequently spread south and west of the Iberian Cordillera across eastern Castile, La Mancha and upper Andalusia, with two exceptional western outposts at Plasencia and later at Béjar. While it appears that Alfonso X gave copies of this *fuero* to Villa Real in 1255, to Requena in 1257, and to Almansa in 1265, in none of these cases does the text survive.

Alfonso's *Crónica* discusses the military expedition which led to the founding of Villa Real (modern Ciudad Real). The king assembled his [71] force which included municipal militias to deal with the rebellious king of Murcia. Alfonso saw Villa Real as a convenient base in La Mancha for operations in upper Andalusia, and settled the new town with residents of Alcaraz. Since Alcaraz already possessed a

Cuencan *fuero*, Villa Real logically received the same body of law.⁽⁴⁾ However, Alfonso does not seem to have been favorably disposed toward the Cuenca pattern, and even attempted to supplant the 1236 version given by Fernando III to Baeza before reversing himself in 1273 by restoring it there.⁽⁵⁾ Beyond this there is no record of his assigning the Cuenca model anywhere, although it reappeared subsequent to his reign.

Rather, Alfonso turned his attention to the model which Fernando III had originated at Córdoba in 1241. Some of this law had its origins in a body of municipal precedents tied to the assorted *fueros* of Toledo going back to the early twelfth century, a developing system of law which García-Gallo has argued was intended as a royalist alternative to the more liberal pattern of Cuenca-Teruel. This Córdoba charter, as noted earlier, included military law drawn from the earlier Toledan pattern. However, of this group of charters, the first at Córdoba and the last at Carmona were the most extensive, particularly in the added provisions concerning military law. The more extensive Córdoba-Carmona version, apparently created for the Andalusian frontier, did find some favor with Alfonso X, who gave it to the port city of Alicante, which anchored his then Murcian frontier with the Crown of Aragon, in October of 1252. It reappeared in 1271, when Alfonso awarded it to Lorca, the fortress town astride the main road from Granada into Murcia.⁽⁶⁾

What does it tell us of Fernando and Alfonso's municipal policy on the military frontier? First, that the social fluidity of municipal warfare should be retained, inasmuch as *peones* had the right to acquire the urban aristocratic ranking of *caballero* with the purchase of the proper horse, arms and land holdings (*heredades*). The ability to move from the *peón* to the *caballero* class through the acquisition of a horse and a willingness to fight on its back had been an ongoing feature of peninsular warfare during the Early Middle Ages, and it is interesting to see the process still potentially at work in the Andalusian and Murcian frontier. However, this must be weighed against the contemporary effort to create an upper aristocracy in the towns, the *caballeros delinaje*, above the regular *caballero* class.⁽⁷⁾

Second, some traditional law was drawn into the formula. For example, familiar restrictions were also included against taking arms and horses into Moorish territory, and a notable concern for the protection [72] of the royal and municipal standards during defensive *apellidos* and *cabalgadas* (mounted raiding forays). This derives from the high symbolic value placed on royal and town standards which were a natural target in combat on which bounties were often placed. Indeed, the standards, along with the keys to the gates of the town and the town seal were to remain in the possession of the *juez* (the chief administrative official of the town) who was instructed to be well-armed on such occasions, even including horse mail. All castles won by the municipal militia were to be handed over to the king, although at Carmona and Lorca (both given late in the reigns of their respective monarchs) such castles could be re-awarded to the takers after the death of the ruler.⁽⁸⁾

Third, The Córdoba group of charters reflect the frontier instability that must have been much on the mind of ruler and subject alike when it considered the unhappy possibility that the Muslims might retake the lands wrenched from them. A law thus insured that residents losing *heredades* to Moorish counter-conquest could expect to have their holdings restored, once the land had been retaken.⁽⁹⁾ The Córdoba bloc dealt with matters regarding the *caballero* class and its legal standing which had emerged earlier in the Toledan pattern and would be echoed repeatedly in Alfonso's charters. To receive the tax exemptions which went with municipal knightly status, a married *caballero* was required to reside in the town and specifically in a house in the *villa* with his wife and children. When a *caballero* died, his horse and arms, the prime qualifications for his class position in the town as well as his military value to the king, were to pass to his sons (or his parents if he had no male children). His wife was to maintain her *caballero* rank during her widowhood, and his sons would also receive the benefits of that class until they were old enough to serve in their own right.⁽¹⁰⁾ While much of this derives from

the older municipal law, the repeated stress on this maintenance of status and arms indicates Alfonso's continuing concern regarding the combat readiness of his municipal light cavalry.

Moreover, the task left by his father to organize and synthesize the widely-spread territories of his kingdom soon imposed itself upon Alfonso's legal creativity. Doubtless contemplating with his legists the compilation of the vast Romanizations of Castilian law in the *Espéculo* and the subsequent *Siete partidas*, the years 1255-56 saw him open a dramatic new initiative in law with the widespread imposition of a unified municipal code. The editors of the nineteenth-century documents collection, the *Memorial histórico español*, who first identified the relationship of these *fueros*, referred to the pattern being awarded as the *Fuero real*, a ambiguous term since Alfonso also promulgated the code known by that name. I will refer to the *fueros* based on this formulary as the *Ordenamientode* [73] 1256 charters. García-Gallo has argued that the early unification of law called the *Espéculo* is present in these charters, but the military content does not by itself bear this thesis out.⁽¹¹⁾ Primarily, we have here some more detailed statements regarding the knightly obligation to retain arms, sweetened by some exemptions to soften the demand.

By 1256, versions of this new pattern were given in a broad stroke to the Meseta towns of Central Castile, including Burgos and Buitrago in the far northeast, Arévalo, Ávila, Cuéllar and Peñafiel north of the Central Sierras, at Atienza east of Madrid, and at Trujillo in Extremadura. An amplification of these laws appeared at Escalona in 1261, at Madrid in 1262, and at Ávila and Cuéllar in 1264. A further and very interesting amplification was given also to Madrid in 1264, discussed below. This *Ordenamientode* 1256 pattern represented the direction of Alfonso's municipal thinking, which was the unification of the diverse regional traditions of town law that had emerged during the preceding centuries of the Reconquest. For a monarch bent on consolidating the loose-knit institutional state which was the result of two centuries of expansion, these regional diversities were intolerable, particularly given the inequity of the laws from town to town. In addition, there was a problem in attempting to build a system of law with the established *fueros* such as Cuenca when no single body of tradition, no matter how well written, could easily be applied outside of the area where it had germinated. As a solution to the problem of diversity, Alfonso's prototype encountered mixed results at best. Valladolid received the amplified *fuero* in 1265, and there were aspects of its military requirements to be found in the *fuero* received by Murcia after its restoration in 1266 and at Requena in 1268. By this time, however, Alfonso had acquired a significant number of distractions, and there is little indication that he pursued the imposition of the *Ordenamientode* 1256 format on his towns after 1268. In fact, he even removed this type of charter from Baeza, restoring the older Cuenca-format in 1273.⁽¹²⁾

The *fueros* of the *Ordenamientode* 1256 pattern reveal a blend of old and new law. To secure their normal rights, the *caballeros* had to reside in the town from eight days before Christmas until eight days after the Sunday before Lent, maintaining a house in which their wives and children dwelled in the town during that period.⁽¹³⁾ Requiring residence was not a new concept; specifying the time period was, and had only appeared once before at Alfaiates where duration but not the particular point in the year was indicated.⁽¹⁴⁾

The specification of *caballero* battle gear, although not new as a concept was more detailed than any which had appeared before. The [74] horse had to have a value of at least thirty *maravedis*, and the properly equipped mounted warrior required a shield, a lance, a metal helmet, a sword, a mail body jacket (*loriga*) with a padded jacket beneath (*perpunte*) along with arm and thigh protectors (*brafoneras*).⁽¹⁵⁾ The list indicates a familiarity with combat hazards, especially in the required use of the padded jacket beneath the mail coat both to ease the pressure of the metal on the body and to insulate the flesh from the rapid temperature changes of the mail. Just as significant, the length and

detail of the list suggests one, that the urban knightly class had been coming to battle in recent decades ill-equipped and ill-prepared to fight, and two, that a reason for such a concern about the battle safety of the *caballeros* lay in the possibility that there simply weren't enough of them to meet the military pressures and needs that Alfonso envisioned for the remainder of his rule. The *Ordenamiento de 1256* charters assured the continuance of knightly status for widows and their sons as well until they matured.⁽¹⁶⁾ This reflects the intensifying efforts on the part of that class to make permanent its social and economic prerogatives. To make service in the royal *hueste* more attractive, the town was freed of the census tax known as the *marzadga* in the years that the *concejo* took its municipal contingent on campaign with the king.⁽¹⁷⁾ The status of *cavallero fijo dalgo* was also granted to men who had the proper horse and arms in Alicante and in Cartagena in 1257, and to archers and ship captains as well, but here that which constituted "proper" equipment was not specified in either grant.⁽¹⁸⁾

In 1261 the town of Escalona west of Madrid received the first in a new group of charters related to the *Ordenamiento de 1256* pattern. It contained all of the military references typical of the grants of 1255-56, as did the *fuero* granted to Madrid one year later. There were some interesting changes in emphasis, however. First, the period of residence was extended to the feast day of John the Baptist (June 24), making the *caballero* total stay in the town approximately a half-year. Second, there was a notable swing toward increasing the exemptions a *caballero* might claim. In Burgos, Buitrago and Peñafiel *caballeros* gained tax exempt status for their bread suppliers, millers, gardeners, those who took care of their children and assorted livestock tenders. To this list, Escalona and Madrid added beekeepers and household managers. Then the *caballeros* were to have a certain amount of random excuses acquired through military service and the provision of equipment, to be given to those whom they chose. Two excuses were gained for service and the provision of equipment, two excuses for service in the royal *hueste*, three more could be gained for the provision of a field tent, and five could be gained for bringing a [75] horse's mail coat (See Chapter Five for a fuller discussion of the advantages of equipment provision). A supplementary charter to Escalona required that the weapons and equipment should be displayed at the *alarde* (troop and weapons muster) on the first of each March.⁽¹⁹⁾ This stress upon exemptions is reminiscent of a trend in the twelfth and thirteenth-century Leonese law which now appears to be migrating into Castile.⁽²⁰⁾

In 1264 Ávila, which had already received a version of the royal *fuero*, was granted a supplementary charter which offered curious additions in *caballero* obligations regarding military service. The town could now extend the knightly class random tax exemptions to bread suppliers as well as to minor brothers and nephews which were valid until these male relatives were old enough to serve in their own right.⁽²¹⁾ In April, 1264 Alfonso granted a territorial award of the *Ordenamiento de 1256* pattern to all of the towns of Extremadura, which added the right of justifiably excused *caballeros* to maintain their class status and thereby to be free of the *fonsadera* penalty fee for failing to serve in the *hueste*. The Extremaduran and Abulense grants give no indication of the equipment excuses seen at Escalona and Madrid, but a new element does turn up in both *fueros* in an extended law discussing the inheritance of the horse and the knight's arms. From the mid-twelfth century onward, both the horse and the arms which rendered the *caballero* capable of giving military service and of maintaining his status were to be inherited by the eldest son, thus enabling the emergence of a hereditary class.⁽²²⁾

This concern with the municipal *vecino* and his arms reached its fullest development with a charter given to Madrid in August of 1264, where the persons involved were not referred to as *caballeros* or as *peones*, but simply as *pecheros* (taxpayers). Probably both classes were being dealt with together, since the required weapons list (typical of the *Ordenamiento de 1256* listing for *caballeros*) included the right to substitute a crossbow (*ballesta*) for the lance and a *cuchiello serranil* (literally a mountain-dweller's knife) for the sword. Since the lance and sword were quintessential knightly weapons while

the crossbow and the long knife were considered weapons of infantrymen, the two groups were almost certainly gathered here under the name of *pecheros*. To make the crossbow substitution, Alfonso stipulated that the archer be able to pull the bow well. The impartible inheritance of weapons by the eldest son reappears here with the added stipulation that if the eldest son already had the necessary weapons, the deceased's armament should be inherited *en bloc* by the next eldest son. While this revived interest in the *peones* was noteworthy, the process by which the citizen's possession [76] of the proper weapons found verification proves even more revealing. No person was to borrow armaments from another for verification, nor become indebted through a pledge to acquire them. Money could not be acceptably substituted for weapons. To assure that all these conditions were being met, the *pechero* had to bring his required arsenal to the plaza of the town for display biannually (in mid-March and on Michaelmas in late September, a kind of before and after check for the campaign season) so that the weapons might be inspected. At least one other city began such examinations at about this time, for Seville utilized the nearby Campo de Tablada as its inspection site.⁽²³⁾

The thrust of Alfonso's laws in the *Ordenamiento de 1256* pattern seems undeniable. He evidences concern about the number of available militiamen, especially *caballeros*, that he could muster from the towns, especially those well back from the Andalusian frontier. Alfonso wants his militias properly armed for their own preservation and for their military effectiveness. He had reached the point of insisting that the town residents possessed the weapons required of them, and deemed it necessary that the required weapons be kept together from generation to generation. The towns which received the *Ordenamiento de 1256* pattern are in most cases the old Castilian standbys of the Duero and Tajo river valleys which had a strong record of providing militias that had served *El Sabio's* predecessors.

One conclusion is evident: based on his expectations derived from former municipal capabilities, the king believes his towns are in the early stages of atrophy in their military capability. One can only conjecture the source of the king's concern which prompted the military preparedness regulations inserted into the April, 1264 *fueros*, whether the backlash of the abortive campaign against Salé in North Africa in 1260 or the pressures exerted during the conquest of Niebla in 1262. The municipal militias had indeed joined Alfonso at Niebla. The *concejo* musters also accompanied the king on an expedition against Granada in 1263. No indication of poor performance by the towns in any of these military endeavors appears in the royal chronicle.⁽²⁴⁾ But the new weapons inspection required at Madrid in August had a much more direct cause: Nasrid instigation of major Muslim revolts in Andalusia and Murcia in June of 1264. This event generated the threat of a major destabilization of the southern frontier. For a brief time Alfonso must have thought himself back in the days of his great-uncle with a new Alarcos or Las Navas in prospect. In many respects, he had reached the great turning point of his reign.

[77]

The Andalusian and Murcian revolts were turned back with a fortuitously small loss of towns and castles between 1264 and 1266. Credit for averting a far worse military disaster has traditionally and deservedly been awarded to the vital assistance given by King Jaime, and to the military orders with their vast holdings in the area. It should also be mentioned that Alfonso X noted in his own documents the contributions of the *concejo* of Orihuela and the *caballeros* of Cáceres and Seville, the Cácerans having especially been singled out for joining a successful expedition of the Infante Fernando against Granada during the revolt.⁽²⁵⁾ While independent municipalities in the newly-conquered realms in the south were few, the ones that were there played a role in stabilizing the situation. The trust placed in Lorca as revealed by its contemporary documents gives us one example of such a town. However, the real impact of the Murcian revolts upon Alfonso's policy of municipal military preparedness did not lie in the exchange of some frontier territories in the south. The energies burnt up in resolving the Muslim

crisis, combined with the distraction of the pursuit of the imperial title and the financial maneuvering entailed by that project, seem to drain away Alfonso's enthusiasm for a unified municipal law and its attendant integration of a more effective military structure. At the least, these seem to offer the most plausible explanation for what happened to the *Ordenamiento de 1256* program in Alfonso's later years.

Valladolid did receive a *fuero* in this pattern in August of 1265 in which one finds a regulation for the *caballero's* horse and arms as well as other military status laws which derive from the original 1255-56 charters and their later amplifications. However, Valladolid's charter lacked a specific time period for town residence, a impartible law of weapons inheritance, and reference to the weapons inspection required a year earlier in Madrid.⁽²⁶⁾ This is the first suggestion of a drift toward a lack of specificity and it stands in contrast to the pre-1265 policies. Another important opportunity was passed by when Alfonso settled Murcia in May of 1266 and granted the former Muslim vassal city a royal charter. The outline of the *Ordenamiento de 1256* pattern was there, with its requirement of a town house inhabited by the *caballero's* or *peón's* family and stipulation that the same two classes have appropriate weapons, but again no time frame was noted and now the mandated weapons were not listed. Alfonso sought the implantation of municipal *concejos* in the reconquered areas of the Murcian kingdom, and at Elche he granted a similarly unspecified set of requirements to the knights and infantrymen in 1267.⁽²⁷⁾ [78] By 1268, all of Requena's residents received town residence exemptions if they performed fortification maintenance on the town walls and regional fortifications, and *caballeros* with an inhabited house (again without a cited time period) did not need to perform even that chore. The royal chronicle cited a tax for the *caballeros fijosdalgos* of Burgos in response to their failures in wall maintenance. Escalona received a supplement to its charters in 1269 which seemed a step backward from its earlier *Ordenamiento de 1256* regulations of 1261. The length of residence requirements and the weapons list were omitted, although possibly the former specifications were still assumed.⁽²⁸⁾

After this point, the *fueros* and their content thin out considerably. The towns were gaining leverage through the king's determination to pursue the German imperial crown, and his need to make concessions in order to obtain the tax resources to fund that endeavor. This is indicated by the set of laws which appear in 1273 just prior to Alfonso's departure to meet with Gregory X in hope of achieving his goal. Alfonso balanced the fiscal exactions wrested from the Cortes with concessions granted in the military and legal sectors. The *caballeros* of Cáceres were to receive their tax exemptions without having the appropriate horse and arms in exchange for their past service against Granada. The *caballeros* of Seville and Córdoba (in 1273 and 1280, respectively) received the very considerable exemption from the royal *monedaforera* tax for simply retaining their horses and arms in the city. Also, it was at this point that Baeza had its Cuenca-model *fuero* restored.⁽²⁹⁾ While this restored *fuero* for Baeza had the very ample body of militia laws contained within the Cuenca formulary, it nonetheless represented a defeat for Alfonso since it probably replaced an *Ordenamiento de 1256* model he had imposed earlier and recorded instead of another victory of territorial over national law. The last suggestion of any residual determination on the part of the king to pursue the former policy could be seen at Aguilar de Campo in 1276, where any money gained through military service by the *caballeros* had to be returned if the knight had served without proper equipment, and paid in double amount if he resisted the penalty. Those who failed to show up for the troop and weapons muster (*alarde*) properly equipped received similar penalties.⁽³⁰⁾

There were, nonetheless, continuing indications of militia service on the frontier in the 1270's. The "concejos de las Extremaduras" were mustered for an expedition to Granada in 1271. When King Alfonso requested that the municipal *concejos* serve with Prince Fernando in 1273, many of them informed the prince that they had already rendered their [79] required expeditionary commitment for that period. In that same year, Alfonso gathered a force to accompany him for a meeting with King Jaime of Aragon at Cuenca, and called up some unspecified militia contingents to enhance the size of

his entourage. 1275-76 saw another major Muslim uprising in the south instigated by Granada, and again the urban militias appeared at the scene. The *concejos* of Toledo, Talavera, Guadalajara and Madrid, militias well blooded in the annals of frontier warfare, rallied to the aid of Archbishop Sancho of Toledo (the son of King Jaime of Aragon) at Jaén, where this force suffered severe losses and the death of its archiepiscopal commander. Prince Fernando moved promptly to the frontier, summoning a new levy of the town militias to join his expedition at Villa Real. When the heir apparent died there suddenly in 1275, his brother Prince Sancho arrived at the city to take up command of the force, which now included militias from all over Castile. The expedition quelled the revolts in Andalusia, made its way to Córdoba to regroup, returning then to Toledo where King Alfonso met the victorious Sancho and his army. The militias of Uceda, Guadalajara, Hita, Atienza, Medinaceli and Hariza were roused in the unsuccessful attempt of Alfonso X to prevent his queen, daughter-in-law and the late Prince Fernando's children from fleeing to Aragon. A general muster of the municipal militias served in the royal siege of Algeciras during 1277-78, and again in 1280 in a campaign force King Alfonso gathered at Córdoba to assault Granada. When Alfonso became ill, Prince Sancho again took command and led what became a costly and casualty-ridden campaign into the south. In 1279, the Burgos militia served with the prince in a small expedition which squelched a rebellion of some nobles in the Cuenca region. [\(31\)](#)

Within and without the kingdom, then, townsmen were performing a variety of military tasks in a troubled decade. By the end of his reign, however, Alfonso's endeavors on all fronts were in the process of disintegration in the face of the aristocratic revolts in behalf of his son Prince Sancho. The king was soon forced to call on Islamic support in trying to put down the incipient insurrection in his *reinos*, a step which certainly obviated any further development in a unified military policy for his towns. The *Siete partidas* offered some indications of his program in its ample sections on military law, but the lack of an opportunity to promulgate the code left all of this in the realm of theory. The towns were already going their own way.

With the decline of a centralizing initiative from the king after 1265, the independent municipal activity typical of the earlier Reconquest reappeared, **[80]** indeed even with a certain amount of royal encouragement. While the towns of the Meseta pressed to lighten their military obligations and solidify the aristocratic urban class which developed during the frontier wars, the municipalities on the new frontier represented what was left of the municipal forces at the ready to undertake combat burdens and enjoy its profits. Lorca, especially, was able to consolidate its position during and after the Muslim revolts. The town *concejo* acquired the castles of Puentes and Felí and secured an exemption from the one-fifth royal booty tax in 1265 during the height of the Murcian revolt, received the Córdoba pattern *fuero* of 1271 with its right, on the death of the monarch, to re-occupy any castles given to Alfonso at the time of their capture. Lorca also acquired the castle of Cella from the king in 1277. [\(32\)](#) Once Murcia was taken, it too began to develop a substantial base for independent action, receiving its rather inspecific *Ordenamiento de 1256* model charter in 1266. In 1267 Murcia gained the right to control the roads in its vicinity and to have the villages of Mula and Molina Seca serve in the *hueste* under its standard. [\(33\)](#) Allowing such towns to gain this measure of autonomy certainly made them more independent militarily but it augured badly for the future of royal control in the area. Once Arcos de la Frontera was restored to Christian control in 1268, the town was allowed to limit its *hueste* service south of the Guadalquivir River, a problem when Alfonso required their assistance in the central kingdom. [\(34\)](#)

Meanwhile, the towns responded collectively to the growing disorders in the realm. The Andalusian cities of Córdoba, Jaén, Baeza, Úbeda, Andújar, San Esteban, Iznatoraf, Quesada and Cazorla formed a *hermandad* (brotherhood) for mutual defense against the Muslims in 1265, including efforts to settle local internal disputes. There were some harsh fines for those who provoked disorder, wished to pass

through their respective territories illegally, or refused to cooperate in joint military endeavors. This kind of joint alliance reappeared among the same Andalusian frontier towns in 1282, when the towns prepared to defend themselves against either Alfonso or his rebellious son Sancho. In all likelihood it was the militias of the Andalusian *hermandad*, including that of Córdoba under its commander Fernán Muñiz, which sparred at this time with an army led by the renegade noble Fernán Pérez Ponce, resulting in heavy municipal casualties and the death of the Córdoba commander. The municipalities of Castile, Leon, Galicia, Extremadura and Andalusia joined members of the clergy and nobility in a *hermandad* supporting Prince Sancho in 1282 at Valladolid. 1282 also saw a *hermandad* [81] formed between Salamanca and Cuenca, and by 1284 a group of inter-regional *hermandades* involving the *concejos* of Castile, Leon, Galicia, Extremadura, Toledo and Andalusia appeared.⁽³⁵⁾ These were not the first such brotherhoods or signs of municipal turbulence among the frontier towns in the Castilian Reconquest and they were not destined to be the last. Alfonso's failure had meant the revisitation of the past upon himself and his successors.

III - The Crown of Aragon

In the Crown of Aragon, King Jaime I (Jaume I) had arrived at a crossroads in the use of municipal institutions, as well. Once Murcia had become tributary to Castile and it was mutually agreed that this Muslim principality belonged within the Castilian future sphere of conquest, Jaime's future peninsular expansion seemed closed. The southern areas of the Valencian *Regne* still required absorption and stabilization and the need for military resources clearly remained, given that Jaime still looked out upon potentially threatening neighbors, including Muslims, the French and even Castile. Within his realm an occasionally rebellious nobility led him to threaten his aristocrats with the use of the municipal militias against them at Zaragoza in 1264, and subsequently to advise Alfonso X to keep the towns and the church allied with the crown since combined municipal and ecclesiastical power was sufficient to defeat the nobility.⁽³⁶⁾ He would still find a use for urban militias, as the last decades of his reign give ample evidence. The Cordilleran militias and the rich legal tradition that is our best evidence of their operation had rendered excellent service in the Valencian conquest. The *fueros* of Teruel and Albarracín even gave early evidence of the tax exemption for residing in the town and maintaining a horse and equipment, a requirement which loomed so large in the Castilian Toledan tradition, interesting in that these laws appear in sections of the Teruel-Albarracín charters that are *not* paralleled in the Cuencan versions on the other side of the Cordillera.⁽³⁷⁾

As the Teruel branch of the Teruel-Cuenca family of charters ceased its expansion beyond Albarracín, the most elaborate statements of military law continued, nonetheless, to be assigned to the upland towns, starting with the consolidation of the *Consuetudines* of Lleida in 1228, a city on the frontier between the Aragonese *Reino* and the Catalan principality of Barcelona. The statutes of Lleida limited full residential privileges to persons who had a horse, maintained their wives and families in the city, and served in the royal *exercitus* (another word for *host* service).⁽³⁸⁾ Once we reach the [82] post-Valencian conquest era in Jaime's reign, the surviving extended statements of military law in the period concentrate on three well-established militia towns: Daroca, Zaragoza and Jaca. Daroca was reminded of the fines to be paid by knights and infantry for missing the defensive assembly known as *apellido* in 1256, and had its militia requirement of militia service restated in 1270. Zaragoza was freed of mustering its militia or providing provisions for Jaime's campaign against the Catalan revolts, but was obligated to provide support for the king's wars to put down the Murcian uprisings, although assured that the exactions were temporary. Jaca had its obligations to serve in the royal *exercitus* and the mounted raiding force (*caualcatis*) reiterated in 1249 and 1269.⁽³⁹⁾

Maintaining the tradition of upland Aragonese and Cordilleran military activism would not be easy once Aragon had conceded the occupation of Murcia to Castile and honored that commitment by breaking the back of the Murcian resistance in 1265-66, while returning the bulk of the conquests to Castile. As the Catalans increased their resettlement activity in the Kingdom of Valencia and even penetrated marginally into Murcia, the southern edge of potential Cordilleran expansion was closed off, ending the two-century role these frontier towns had played in the Aragonese Reconquest. While we cannot be certain of the causes, either the Aragonese towns had no excess population available to claim the substantial *barrios* and households in Valencia awarded to them by Jaime in the *Repartimiento* of that city, or the townsmen of the Cordillera simply did not want to come. Zaragoza and Tarazona managed to utilize only about forty percent of the households allotted to them, Daroca under thirty-five percent and Calatayud less than twenty. Teruel was the only town, Catalan or Aragonese, to attain fifty-five percent residency, while a small district bordering between the allotments of Teruel and Daroca reached only two percent. The figures improve only slightly when adjusted to account for settlement by these townsmen in parts of the city not originally allotted to them. In truth, the Catalan rates were no better, but the Catalans continued to be available for settlement in some numbers south of Valencia city and into Murcia, a capability apparently not equaled by the Aragonese townsmen.⁽⁴⁰⁾ Time and circumstances dictated that the Aragonese militias drifted increasingly into the position of a reserve force without an active part in combat or settlement.

There are indications that Jaime and the other individuals in the Crown of Aragon capable of calling forth military contingents did attempt something of a militarization of the Catalan municipalities. Gual Camarena's study of patterns of municipal codes in the Kingdom of Valencia and the possible movement of upland traditions such as those of Lleida, Zaragoza and the *Fuero de Aragón* on to the coastal plain includes few towns with military service obligations, so that his data and mine fail to mesh effectively.⁽⁴¹⁾ I base my own assumptions [83] of an attempt to increase the number of military effectives living in the towns and villages upon a moderately increasing number of citations of military obligations imposed in the charters of the Catalan and Valencian municipalities during Jaime's reign. While only fifteen such references appear in the 236 documents gathered by Font Rius prior to the Conqueror's reign, the 91 documents in the same collection dated during Jaime's period show 22 such references, fifteen of which require service and seven of which give exemption from such service. The other documentary source collections corroborate this mild increase, suggesting that Jaime was pressing all possible resources to sustain his program for southern conquest.

Unlike the extended descriptions of military service and its regulations which typify the Cordilleran tradition and culminate at Teruel, the coastal towns and villages rarely incur more than a simple obligation to give the royal expeditionary service of *host* or *exercitus* and the mounted raiding contingents for the *cavalcata*, or exemption from these same services. Before 1250, eighteen of these sites required such services and nine were given exemption from them.⁽⁴²⁾ After 1251, there was a dramatic shift in favor of exemption from service, with two places required to serve, two with a requirement which they were permitted to buy off, and nine given exemptions from such services.⁽⁴³⁾ The closing of the Crown of Aragon's southern frontier with the ceding of Murcia to Castile might well explain this tendency, although complacency was to prove ill-justified. There remained periodic internal revolts and disturbances to quell, the Murcian uprising with which to contend, and threats of further large-scale rebellions by the Muslims supported by North Africa such as that which darkened Jaime's last years. These crises generated emergency efforts by Jaime to draw upon the older resources, resulting in an ambiguous policy regarding the pacification of his kingdom and the defusing of the military potential of his municipalities.

The first event to impose this dilemma on Jaime was the uprising in the kingdom of Murcia. The revolt which had such a dramatic impact on Alfonso X in Castile found Jaime in a cooperative frame of mind

to assist his kindred monarch. During the assault on Murcia, Jaime again exacted support and retinues from his municipal constituents, especially the Huescan upland towns of Tamarit and Monzón noted in the king's *Crònica*. The royal forces experienced considerable difficulties in keeping some of their locally recruited warriors together for such an extended campaign, marking a rather decided contrast to the voluntarism so in evidence during the assault on Valencia, and this despite the considerable booty being acquired which enriched various members of the victorious *host*.⁽⁴⁴⁾ There was yet another sign of slippage from the upland towns in 1274, when Jaime was gathering his forces to subdue [84] the revolts of a number of Catalan nobles, and called upon that pillar of the Valencian assault, the *concejo* of Zaragoza, to send a contingent with three months supplies to round out his expeditionary force. This request was dated on July 15, and the response must have been disappointing. On July 23 Jaime resubmitted his request, offering to permit the Zaragozans to pay a fee of three thousand Jacan *solidos* in lieu of service. Jaime was back on September 8 to demand the fee, as the citizens of Zaragoza had rendered neither its militia nor the required money.⁽⁴⁵⁾

Far more impressive for assessing the impact of the Arago-Catalan municipal capability are the massive musterings of Catalan towns in 1275: first some twenty-five towns for three-month service on March 29; then twenty-seven for the same term on April 8; finally twenty-five for a two-month term on June 13.⁽⁴⁶⁾ When a new and major uprising of the Muslims emerged in 1276, the terminally-ill Jaime ordered some seventy-three Catalan towns to remain apart from the conflict of the Count of Ampurias and Jaime's son Prince Pere on April 21, possibly to maintain readiness for duty in Valencia. He specifically summoned Aragonese Daroca to assemble its militia with two months worth of supplies and march to Teruel joining a larger force assembling to deal with these Valencian revolts.⁽⁴⁷⁾ The revolt was ultimately quelled by Pedro III (Pere II), to whom the peninsular Aragonese and Catalan *Reinos* had now passed.

The larger towns on the Catalan coast, especially Barcelona and Valencia, displayed a growing capability to render military service especially on those occasions when the realm was attacked, as indicated in the twelfth century by the "Principes namque" section of the *Usatges* of Catalonia. Barcelona assembled its *host* (called the Sagramental) at Jaime's order in 1257, a muster of the town and neighboring regions which included archers and soldiers providing their own lances and swords.⁽⁴⁸⁾ While the *Furs* of Valencia provided little in the way of military information, Jaime grants of tax exemptions to those who maintained a horse and arms in the city, a concession renewed by his son Pedro III, suggests a continuing interest in municipal light cavalry. Jaime also expected the citizens of Valencia to maintain its walls in good defensive order. In the same year that Barcelona's Sagramental was mustered (1257), the governor of Valencia under royal command brought a military force from the region to join the royal army at Almodébar north of Zaragoza. Apparently any slack that developed among the Aragonese upland [85] towns was being taken up by the Catalan towns and the Valencian levies, as the work of Robert Burns indicates.⁽⁴⁹⁾

IV - Navarre and Portugal

Navarre's contribution to municipal military evolution had become moribund by the middle of the thirteenth century. Navarrese raiding continued to be a consideration on the Aragonese frontier, borne out by the promise of military service from the town of Sábada to Jaime I in exchange for royal assistance against "enemigos nuestros que sean de frontera de Navarra," but how much of this concern was directed toward the activity of Navarrese municipal militias is dubious.⁽⁵⁰⁾ With the death of Sancho VII in 1234 and the failure of either Aragon or Castile to absorb the kingdom, Navarre passed into the control of the Champagne dynasty of Thibault I (1234-53) and Thibault II (1253-70). Its

Muslim frontier had for some time been blocked by the expansion of Castile and Aragon, and the new dynasty would be more interested in crusading outside the Peninsula than within. The handful of charters which deal with any kind of municipal military requirement dating from the reigns of the two Thibaults show the retention of *hueste* and *cabalgada* at Urroz and Tajonar, and the exemption from these services at Garitoain and Gallipienzo. Torralba and Viana near the Castilian frontier received exemption from the *fonsadera* military tax, the latter because of the devastation wrought by Prince Fernando's Castilian raiding forays on the Navarrese frontier in 1274-75.⁽⁵¹⁾ Cut off from the stresses which expanded the reach of the municipal forces based in Castile, Aragon and Portugal, we can assume that the municipalities of Navarre had retained only the capability for purely short-range operations by the mid-thirteenth century. The Reconquest had long since ceased to work its influence on their development.

By the age of Afonso III (1248-1279) Portugal had completed its basic frontiers. As with the preceding Portuguese reign, there are no chronicle references relating militia activity. The major endeavor, conquest of the western Algarve, was completed early in Afonso's rule, leaving him to consider only those military needs required to pursue the rights of the crown in internal affairs and to shore up his frontiers against Castile. A great deal of municipal legislation appears in the reign, both in a rich number of surviving *forais* and in the newer collections of municipal *costumes* with their fuller statement of municipal law. The towns even send their first formal representation to the royal council in the *Cortes* of Leiria in [86] 1254. Despite all of this surviving material with its considerable growth of municipal precedents, virtually no new military material emerges.

There was the continued awarding of *forais* in the established Évora, Trancoso and Santarém families as well as the expansion of a new regional group in the north, and from the geographic pattern of their distribution and the identity of their grantors it is possible to establish the basic thrust of Afonso's municipal military policy. While the king would not completely avoid the conflict with the church that had created such difficulties for his father and brother, the real breach came very late in his reign. Thus the flow of his municipal law remains relatively constant, enabling one to analyze the role played by the conclusion of the Portuguese Reconquest upon his policies.

Noteworthy changes appear in the distribution of the older families of charters: for example, a substantial shift of the Évora group into the hands of non-royal grantors, primarily the military orders; the increasing use of royal grants of the Santarém format for towns in the central and eastern Alentejo, a zone formerly dominated by the Évora pattern; and the issuing of the Trancoso format in the north of Portugal, far outside its older geographic concentration in the Beira Alta. A newer family, developing from the precedents established at Cidadêlhe in 1224 and Alijó in 1226, multiplied in grants from Afonso III between 1254 and 1257 in the same general area where the initial charters were given. The Cidadêlhe group sought short-ranged regional obligations limited in frequency to once a year and in geography to the Douro-Lima-Minho river valleys. Moreover, Setúbal (1249) presents the first reference to an *exercitus* or *caualgada* at sea, almost exactly contemporary to a similar reference on the opposite side of the Peninsula at Cartagena in 1246.⁽⁵²⁾ Both the Portuguese and Castilian frontiers were now close enough to the North African coast to consider the possibility of offensive and defensive marine action.

The overall intent of Afonso's strategy pointed toward an outer ring of Trancoso-type militias with their one-third cavalry muster in the north and east, backed by a defense in depth based on the Cidadêlhe militias of the Douro, Lima and Minho. To the east and southeast, the Évora system spread, offering its greater participation of the municipal *cavalleros* (two-thirds). This region received additional reinforcement from the knightly levies of the towns granted the Santarém *forais*, buffering the region against any danger of Castilian expansion from Seville or Niebla. In the southern Alentejo and the Algarve, urban settlement was [87] thinner, and a deep defense was unlikely, save by the military

orders who controlled much of this land. Numerous other *forais* outside these family patterns existed, but they offer only scattered brief references to military requirements thus giving few insights into any royal system of militia usage.

The emergence of lengthy municipal customs collections occurred in Portugal at this time, as in Catalonia. While similar in the diversity of their law to the earlier Cuenca-Teruel and Coria Cima-Coa collections, there is little military law in these Portuguese or Catalan compilations. The most interesting laws in this group appeared at Alcácer, where weapons requirements, although little detailed, bear some comparison to the *Ordenamiento de 1256* pattern in Castile.⁽⁵³⁾ These collections of customs speak much more to legal diversification, Roman legal influences and the rise of commercial activity (especially in Catalonia) than they do to a sophisticated military establishment. Moreover, they suggest a variety of interests in general not found in the contemporary Castilian municipality, one possible effect of the continuing existence of an active Muslim frontier.

V - Legacies

Thus, for three of the four Christian kingdoms the Reconquest had in effect terminated. By 1284, the era of common purpose against the shared Muslim foe, although honored as often in the breach as in the fulfillment, drew to a close. The age of continued territorial aggrandizement among Christian neighbors without a significant Islamic distraction had begun for all but Castile, the only kingdom facing Granada and the other three Christian states. The municipalities of the Peninsula offer penetrating insights into the impact of these later thirteenth-century forces on the major kingdoms and their attempts to cope with the readjusted realities. In Portugal, the first priority with regard to the municipal militias became defense against Castile. The need for large expeditionary forces to capture and occupy territory was now largely a thing of the past. The growth of the established foral families came to an end, left in the developmental stage that Afonso I had established at the beginning of the Portuguese Reconquest; thus the towns maintained basically a defensive capability with a limited capacity for offensive expeditionary service. Their relationship to the crown gave the king the strongest foothold he possessed in the Alentejo and the Algarve, but he would not have wanted their military establishment enhanced beyond its thirteenth-century level, [88] since armed towns defending their rights present a serious obstacle to the royal consolidation of the realm. The Kingdom of Navarre presents a model quite similar to that of Portugal with municipal militias yet less developed and more tied to defensive operations.

The Crown of Aragon in the age of Jaime I and Pedro III presents a more complex picture than is true for Portugal and Navarre. King Jaime had effectively managed the capabilities of his varied municipal military resources during his long rule, adjusting adroitly to the succession of dramatic changes wrought by his successful campaigns. He was able to exploit his militias when he needed them for the conquests that gave him his formidable reputation. His emphasis shifted from extension to exemption once Valencia and its surroundings had been conquered, possibly because he considered unwise the continued encouragement of a widespread municipal military capability in a realm which had found its appropriate frontiers. Thereafter, such towns could constitute a threat to royal authority as they were to prove in Castile. Notwithstanding these considerations, the king-count intended that the larger Catalan towns maintain forces available for military service. The record clearly indicates this for Barcelona and Valencia, and the large allotment of households in the division of Valencia to the citizens of towns like Barcelona, Tortosa, Tarragona, Montblanch, Lleida and even Montpellier suggest that they all contributed militias to the Valencian siege, unless Jaime merely assumed them to possess the best potential pools of populators. The large muster of Catalan militias in 1275-76 indicate a continuation of this capability. On the other hand, during the brief period that Jaime controlled large portions of Murcia

after the revolts there, he chose the route of aristocratically controlled *señoríos* as the vehicles for the settlement pattern rather than the use of municipal *concejos* (the device Alfonso el Sabio employed in Murcia) to achieve the same end.⁽⁵⁴⁾ Given the ready use of small town settlements by Jaime in the Balearics and in Valencia, the change in policy for Murcia is interesting. It is possible that the uncertain situation he had in Murcia precluded the use of permanent colonists from northern towns there. Since aristocratic *señoríos* employed as a settlement device in the Cordillera by his predecessors had proved workable in the twelfth century, Jaime may have simply been repeating that policy in Murcia. In each case, the creation of a buffer zone against Castile could be achieved despite a limited supply of municipal colonists. Jaime prudently backed away from the strong temptation of exploiting the Murcian revolts to reopen his frontier with Granada, thus avoiding a share of Castile's future problems. Moreover, the slackening caused by the atrophy of the [89] Cordilleran municipal military contribution and the swing to an emphasis on exemption in exchange for money in the newer Catalan grants does not seem to have harmed the military posture of Aragon and Catalonia. Jaime's musters of 1275-76 suggest a continuing and widespread municipal capability. Pedro III was able to enlist municipal support from Valencia and the other towns of the *Regne* for the successful siege of Montesa in 1277, while summoning his own vast musters involving some 250 towns to deal with the French invasion of 1285. The Muslim subjects offered their own contribution to the defense to the Crown of Aragon during that French invasion which closed King Pedro's reign.⁽⁵⁵⁾ For those such as the *almogàvers* who found unbearable the loss of military opportunities resulting from the end of the Aragonese Reconquest, the crown soon provided a newer theater of action across the Mediterranean.

Alfonso X bequeathed a less defined and rather more disappointing legacy to Castile. Castile's frontier situation was extremely complex and dangerously open. While the physical size of the kingdom and its greater population made it the ostensibly dominant peninsular monarchy, this situation was more apparent than real. Great numbers of unassimilated Muslims in Andalusia and Murcia both possessed and had actualized a serious potential for revolt. The newly-conquered areas in New Castile and Andalusia, as was the case in Portugal, had been handed over primarily to the military orders north of the Sierra Morena and the powerful nobility in the Andalusian south, leaving such frontier towns as there were in isolated pockets, cut off from their brethren on the Meseta. The devastation associated with the conquest of Andalusia combined with great numbers of resident natives with their propensity to revolt caused general settlement to follow very slowly after conquest. Some settlers who had acquired land shares in and around Seville returned north within a few years, and the military orders favored large-scale stockraising over the implantation of new municipalities.⁽⁵⁶⁾ Thus the growth of frontier settlement and military preparedness in the towns had been disrupted. The northern towns of Castile were increasingly concerned with using their military experience to defend their prerogatives individually and in collective *hermandades*, a development which worked against the development of effective royal power. Alfonso's efforts to universalize the military requirements through the Toledan *Ordenamiento de 1256* models and the military laws of the *Espéculo* and the *Siete partidas* were frustrated and delayed by the resistance of his subjects, the Murcian outbreaks and the distractions of his later [90] reign. El Sabio had not only attempted to meet but exceed the deathbed assessment of greater kingship offered by his father. The outcome was an insoluble array of problems and challenges which the king could not fully grasp, to say nothing of resolve. His municipal militias, with their highly developed military capabilities, remained ineffectively restrained by royal policy. Yet their former access to the south, its combat and its opportunities for booty had become difficult, leaving their capacity for warfare unvented in the traditional fashion. Alfonso might not have been able to avert this with the application of the most enlightened insights of the age, but there is no indications that he foresaw the problem at all or took even minimal steps to deal with it. As a result, the municipal energies turned themselves inward, adding immeasurably to the turbulence the later medieval Castilian monarchy would experience.

Having surveyed the origins and development of municipal militias during the Central Middle Ages in Iberia, it is now important to comprehend how that evolution affected the life, the municipal institutions, the economy and the law of the various kinds of towns to be found in Iberia. In turn, the townsmen's municipal organization, their delimiting of their military obligations, their conduct on campaign, the social and economic implications of their warfare, and the influence of this militarized life style on their sense of justice will be considered and assessed. In this way one can come to a fuller understanding of the weight of these three centuries of frontier experience on their daily activities, their institutions and their expectations.

Notes for Chapter 3

1. *PCG*, 2:772-73.
2. The most important biography of Alfonso X is Ballesteros y Beretta, *Alfonso X el Sabio*, 54-86. Good brief modern assessments in English are available in Lomax, *The Reconquest of Spain*, 160-64, and Bishko, "Spanish and Portuguese Reconquest," 3:433-35. For a more lengthy analysis, see O'Callaghan, *A History of Medieval Spain*, 356-81. Some of the material in this chapter has appeared in an earlier version in Powers, "Warrior-Kings and Militias," 95-129.
3. For the most recent review of this complex and somewhat obscure process, see García-Gallo, "Nuevas observaciones," 46:609-70. Regarding the possible Alfonsine origins of the *Fuero sobre el fecho de las cabalgadas*, a curious collection of military customs preserved in a fifteenth-century manuscript, see Powers, "Origins and Development of Municipal Military Service," 26:106-08. The *Espéculo* was promulgated in the spring of 1255, and was the law until the *Cortes* of 1272 required the king to back away from this code as the enforced law of the land. The *Fuero real*, probably granted to the towns with their new municipal laws, was also modified but not abandoned in 1272.
4. Excmo Ayuntamiento de Ciudad Real, *La fundación de Villa-Real*, 7-14. Torres Fontes, ed., *Colección de documentos del Reino de Murcia*, 3:83-85. González, *Reinado y diplomas de Fernando III*, 1:413. "Crónica del Rey Don Alfonso Décimo," 66:9. The chronicle is notoriously poor in its chronology, and dates this event in 1262. The founding of Villa Real is well established in other sources as occurring in 1255.
5. *FBa*, 20-25.
6. "Fuero de Alicante," 41-48. "Fuero de Lorca, 1271," 76-85. Charters similar to it were given to Mula, Cartagena and Carmona in Fernando III's lifetime. García-Gallo also notes that certain other towns in the Alfonsine period received the *fuero* of Córdoba, namely Arcos de la Frontera in 1256, Niebla in 1263, Orihuela in 1265 and Murcia in 1266. However, in these instances abbreviated texts survive which offer no basis for comparison of individual laws such as those military laws which appear in Córdoba, Carmona, Alicante and Lorca. Further, Ballesteros, *Alfonso X*, 1095, indicates that Jódar also received the Lorca charter, but an examination of that document, existing in a eighteenth-copy, reveals only an acknowledgment of the grant with no indications as to the content. see *Privilegio confirmando los de sus predecesores hasta Alfonso X, sobre libertades y franquicias de la villa de Jódar*, Libro 1157-B, MSS 969, ff. 6r-8v. Alfonso had consistently shown an interest in organizing frontier policy, demonstrated by his creation of a new official in charge of general military responsibility for the Granadan frontier, the *Adelantado Mayor* in 1253. Pérez-Bustamante, *El gobierno y la administración*, 1:170-72.
7. *FCórdoba Lat*, 3:221. "Fuero de Carmona, (8 May 1252)," 4. *FAlicante*, 43. *FLorca*, 78. The effort to develop the *caballero delinaje* group intensified in the reign of Fernando III and continued into the reign of Alfonso X. Maximums were set on their number in several towns: Seville, 200; Lebrija, 16;

Jérez, 40; Arcos, 30; Baeza, 33; Úbeda, 32; Requena, 30. See, González, *Fernando III*, 1:407.

8. *FCórdoba Lat*, 3:223. *FCórdoba Rom*, 3:213. *FCarmona*, 6-7. *FAlicante*, 44, 46. *FLorca*, 80-82.

9. *FCórdoba Lat*, 3:221. *FCarmona*, 5. *FAlicante*, 43. *FLorca*, 79.

10. *FCórdoba Lat*, 3:221. *FCarmona*, 4, 6. *FAlicante*, 42-44. *FLorca*, 76, 78.

11. *MHE*, 1:89-90, 93-94, 97-98, 178-80. García-Gallo, "Nuevas observaciones," 46:620-29. *Fuero real del don Alonso el Sabio*, 4:19:1-5. An early version of this code was translated into Portuguese in the thirteenth century, and now represents the oldest surviving version: *Fuero real de Afonso X, o Sábio: Versão portuguesa*, 156-57. "El Espéculo o espejo de todos los derechos," 1:81-126. The only specific military item in the *Especulo* relating to towns was a concern for the protection of municipal standards and emblems in combat, already signaled in the Córdoba, Carmona and Alicante charters. My own view is that the *Especulo* draws much of the general ordering of its military law from municipal charters, especially Cuenca, rather than the other way around. The reference to the *Libro del fuero* mentioned in the 1256 charters is more likely the *Fuero real*, probably emphasizing that it had been given to the towns in the previous year when the *Especulo* was published.

12. Beyond this remarkable attempt in the *Ordenamiento de 1256* pattern to find some kind of universal formula for municipal law, the period from 1256 to 1261 was marked only by a handful of royal *fueros* which offered some military service exemptions here and additional requirements there, all of which represented a scattered application of older municipal law which gave little hint of this major program on which Alfonso had embarked. Not until the 1261-65 period do we see the outlines of a renewed effort in this direction with the approaching shadow of the Murcian revolts. *El fuero de Brihuega*, 122, 160, 173, 188. "Alfonso X concede tierras y exenciones en Requena," 167. "Privilegio del Rey D. Alfonso X, dando a la ciudad de Córdoba, 5 febrero 1258," 1:127-28. "Fuero de Orense, 1 febrero 1259," 24-26. Gómez de la Torre, *Corografía de la provincia de Toro*, 105. "Alfonso X confirma el privilegio de Alfonso VIII, expedido en Ayllón," 40-42.

13. "Privilegio del Rey D. Alfonso X, concediendo a la ciudad de Burgos," 1:97-98. "Fuero de los escusados o franquicias de Arévalo, 1256," 1:266. "Fuero de Ávila de 30 de Octubre de 1256," 1:491. "Privilegio del Rey D. Alfonso X, concediendo al concejo de Buitrago el fuero real, 1256," 1:93-94. "Alfonso X el Sabio confirma los fueros extensos de Cuéllar," 43. "Privilegio de Rey D. Alfonso X, concediendo a la villa de Peñafiel, 1256," 1:89-90. *Fuero de Trujillo*, MSS 430, f. 50r. "El fuero de Atienza," 68:267. The term *cinquesma* as the determinant for the closing period of residence is open to an alternative interpretation, namely being fifty-eight days after the pre-Christmas date. However, given the frequent use of holy days as legal dates and the use of one to set the beginning of the period, I believe the Sunday before Lent is the more likely meaning.

14. "Fuero de Ledesma," 236. *FCO*, 30. *FCB*, 32. *FA*, 21. *FCM*, 47. *FCR*, 1:27. *FCA*, 31. *FU*, 32. Alfaiates sought residence for "two partsof the year." García-Gallo, "Los fueros de Toledo," 45:346-401.

15. *FBurgos*, 1:97-98. *FArévalo*, 1:266. *FÁvila 1256*, 1:491. *FBuitrago*, 1:93-94. *FCuéllar*, 43. *FPeñafiel*, 1:89-90. *FTrujillo*, f. 50r. *FAtienza*, 68:267. Ávila permits a horse of twenty *meravedis* or more to be utilized. Buitrago does not include a sword or a *loriga*, but substitutes a *peto* (chest strap for a horse) and an *adarga* (another type of shield). A second shield and a piece of horse harness seem illogical here when repeated nowhere else, causing one to suspect a copist's error.

16. *FBurgos*, 1:98. *FArévalo*, 1:268. *FBuitrago*, 1:94. *FCuéllar*, 43. *FPeñafiel*, 1:90. *FTrujillo*, f. 50r. Neither Ávila nor Atienza have this provision. All of the rest specify widows maintaining their status, but Arévalo and Cuéllar note that this was valid until the eldest child reached eighteen. The chronicle of the reign of Alfonso X also notes the concern for the shortage of horses and horseman in its account of

the year 1263. "Crónica del rey Alfonso décimo," 66:10.

17. *FBurgos*, 1:99. *FBuitrago*, 1:95. *FCuéllar*, 44. *FPeñañiel*, 1:91. Valdeavellano, *Historia de las instituciones*, 251. Arévalo, Ávila, Trujillo and Atienza lack this provision.

18. "Concesión a burgueses, marineros y ballesteros alicantinos," 52-53. "Privilegio rodado de Alfonso X a Cartagena," 3:54.

19. "Privilegio del Rey D. Alfonso X de Escalona, 5 marzo 1261," 1:178-80. "Privilegio del Rey Alfonso X, reformando, a petición del concejo de Escalona, 23 junio 1261," 1:187. "Varias exenciones a los caballeros de Madrid," 169-70. *FBurgos*, 1:97-98. *FBuitrago*, 1:93-94. *FPeñañiel*, 1:89-90. The *fuero* of Arévalo included a four-month period in which a *caballero* might replace a horse which had died while still retaining his status, which now appears at Escalona and Madrid, as well. Arévalo also included the provision of excuses for *hueste* service (four), the contribution of a tent (five) and a *loriga de cavallo* (six). In many ways it seems to be the precursor in 1256 of this later group. It should be noted that St. John the Baptist's nativity was celebrated on June 24, but his beheading was celebrated on August 29. The earlier date was the more frequently celebrated one in the thirteenth century and I think the June date is the more likely one here. *FArévalo*, 1:267-68.

20. The town of Sanabria in northwestern Leon bordering on Galicia received a *fuero* in 1263 which, while it bore no other connection to the *Ordenamiento de 1256* group, indicated the continued survival of the liberal Leonese tradition of random excuses for military service. "El fuero de Sanabria," 13:286. Also, an interesting law giving four excuses to *caballeros* with a horse and family dwelling in a house within the town appears in three of the later Cuenca family charters at Baeza, Iznatoraf and the town which received the Bibliothèque d'Arsenal version. *FBa*, 916. *FI*, 885. *MS8331*, 769.

21. "Privilegio otorgado por D. Alfonso X a Ávila, 22 abril 1264," 2:492.

22. This addition was similarly granted to Peñañiel and Cuéllar, from the archives of which the grant to Extremadura survives in two examples. "Ordenamiento de leyes para el Reyno de Extremadura, en Sevilla, 1264," MSS 9-21-7, 4032, no. 4, ff. 6r, 7r, 9r (the Peñañiel version). "Alfonso X de Castilla, a petición de los habitantes de la villas de Extremadura, desagravia a los de Cuéllar, 1264," 61-64. There was one indication in an undated document pertaining to his reign that Alfonso tried to make this a general rule for all of the *caballeros fijosdalgos* in his realm. *Ordenamiento que hizo el Rey D. Alonso en el Corte de León; Este es el Fuero de los fijosdalgo*, MSS 1.3081, ff. 267-68. In its simplest form, this law goes back to the twelfth century in Portuguese and Toledan *fueros* (see Chapter Two). For an extensive examination of the development of the urban *caballero* class, see Pescador, 33-34:101-238, 35-36:56-201, 37-38:88-198, 39-40:169-260.

23. "Provisión del Rey D. Alfonso X a Madrid, Sevilla, 27 agosto 1264," 1:59-65. Ladero Quesada, *Historia de Sevilla*, 143-47. Concern for lack of equipment and reluctant *concejo* service is also revealed for this period in Alfonso's *Chronicle*. "Crónica del rey Alfonso décimo," 66:10, 40-41.

24. "Crónica del rey Alfonso décimo," 66:6, 9. AMC, 17:197-200. For modern accounts of the Salé and Niebla campaigns in English, see: Bishko, "Reconquest," 3:434; Lomax, *Reconquest*, 160-61; and O'Callaghan, *History of Medieval Spain*, 364.

25. "Concesión al concejo de Orihuela, 1265," 28. *Carta a Cáceres por Alfonso X, 12 febrero 1273*, MSS 430, f. 56. Floriano Cumbreño, ed., *Documentación histórica del Archivo Municipal de Cáceres*, 21. "Privilegio del Rey D. Alfonso X, eximiendo a los caballeros fijosdalgo de Sevilla y a los ciudadanos de ella que tuvieren caballo y armas, del servicio de moneda," 1:293. This does not seem to have prevented the weapons inspections in the Campo de Tablada cited by Ladero Quesada, *Historia*, 143-47. The Burgos militia was also mustered: "Al concejo de Burgos, 1266," Doc 595, 1088.

26. "Privilegio del Rey D. Alfonso X, concediendo a Valladolid," 1:225-27. The editor gives this a date of 1295, but 1265 is almost certainly the date, given the place of this document in the chronological order of the documents in the collection with Alfonso X as the grantor.
27. "Privilegio rodado de Alfonso X a los pobladores de Murcia, Sevilla, 14 mayo 1266," 1:19-20. Torres Fontes, "Jaime I y Alfonso X, dos criterios," 2:329-40. "Infante don Manuel confirma a Elche sus privilegios," 2:32.
28. "Alfonso X concede tierras y exenciones en Requena," 166-67. "Crónica del rey Alfonso décimo," 66:21. The chronicle dates this in 1272. "Carta del Rey D. Alonso X exortando a la paz al concejo de Escalona, 1269," 1:254.
29. The *Córtes* held at Jerez in 1268 did consider the price of arms in the kingdom, but of such an elaborate and expensive kind that this could have had but little implication for the average municipal militiaman. "Córtes de Jerez de 1268," 1:70-71. *Carta a Cáceres, 1273*, f. 56. "Privilegio de Sevilla, 6 June 1273," 1:293. "Privilegio del Rey D. Alfonso X, eximiendo a los de Córdoba de la moneda forera," 2:27. *FBa*, 20-25. There seems no limit in time on the Seville grant, but Córdoba's is limited to seven years. For a survey of Alfonso's pursuit of the imperial crown and its impact on his domestic policies, see O'Callaghan, *History of Medieval Spain*, 362-75.
30. "Privilegio del Rey D. Alfonso X, en que condonando a la villa de Aguilar de Campo," 1:314-15. This particular document is dated October 30, 1276.
31. "Crónica del rey Alfonso décimo," 66:23, 40-41, 43, 50-51, 53-54, 57-58. "Carta del infante don Sancho, hijo de Alfonso X, al concejo de Burgos," 1117, Doc. 1179.
32. "Cesión de los castillos de Puentes y Felí a Lorca, 1265," 178; also reprinted in Torres Fontes, *Repartimiento de Lorca*, 57-60. "Privilegio de Alfonso X al concejo de Lorca, eximiéndoles del quinto de las cabalgadas, 1265," 68. "Alfonso X al concejo de Lorca, concesión del castillo de Cella," 34. Torres Fontes also produces a grant of the castles of Puentes and Felí to Lorca dated 23 marzo 1257 in his *Colección de documentos de Murcia*, 3:41-43, which suggests that the 1265 grant may have been a re-grant or confirmation.
33. "Privilegio de Murcia, 14 mayo 1266," 1:19-20. "Alfonso X a los concejos de Mula y Molina Seca," 1:39. "Ordenamiento de Alfonso X al concejo de Murcia, 15 mayo 1267," 1:42-43. For an analysis of the defensive system in Murcia, see the comments of Torres Fontes, *Colección de documentos de Murcia*, 1:65-84.
34. "Privilegio del Rey Alfonso X, concediendo a los caballeros de linage que fueren a Arcos de la Frontera," 1:240.
35. "Carta de la hermandad celebrada entre los concejos de Córdoba, Jaén, Baeza, ..., 26 abril 1265," 1:222-23. "Carta de la hermandad celebrada entre los concejos de Córdoba, Jaén, Baeza, ..., 10 mayo 1282," 1:72-74. "Carta de la hermandad de los concejos de Córdoba, Jaén, Baeza, ..., 10 mayo 1282," 1:74-75. García-Gallo, *Manual de historia del derecho español*, 2:936. "El cabildo de Salamanca otorga carta de hermandad con el concejo de Cuenca," 487-88. "Carta de los hermandades de Castilla, León, Galicia, Extremadura, Toledo y Andalucía reunidas en Medina del Campo," 494-96. Puyol y Alonso, *Las hermandades de Castilla y León*, 7-22. For a more recent overview of the *hermandades*, see Suárez Fernández, "Evolución histórica de las hermandades castellanas," 15-16:5-78. Both the chronicle of Alfonso X and the *Crónica of Loaysa* recount the Córdoba incident. See: "Crónica del rey Alfonso décimo," 66:63, and Jofré de Loaysa, *Crónica de los reyes de Castilla*, 106-07.
36. "Llibre dels feits del Rei En Jaume," 397, 498.
37. *FTL*, 8, 10. *FTR*, 6, 8. *FAlbR*, 6-7. The requirement is for a saddle horse, shield and lance, and the

romance version of Teruel adds a metal helmet. For a good overview of the interaction of the various kinds of municipal law in the Crown of Aragon, see: Font Rius, "El desarrollo general del derecho," 7:289-326.

38. *Costumbres de Lérida*, 48.

39. "Privilegio en que el rey (Jaime I) sanciona los estatutos de Daroca, 1256," 35-36. *Privilegios y ordenanzas otorgados a los aldeanos de Daroca*, MSS J-III-21, ff. 140-44v. "Jaime I de Aragón absuelve al concejo de Zaragoza de su petición, 3 diciembre 1257," 190. "Jaime I de Aragón concede al concejo de Zaragoza, 16 mayo 1266," 218. "Carta de Jaime I de Jaca, 1249," 367, and "Carta de Jaime I a Jaca, 1269," 383.

40. *Llibre del Repartiment de Valencia*, 17-72, 323-435. Desamparados Cabanes Pecourt, "El 'Repartiment'," 2:18-21. The trans-Pyrenees town of Montpellier also received lands, but attained occupation rates similar to those of the Catalan towns.

41. Gual Camarena, "Estudio de la territorialidad," 3:262-89.

42. Font Rius, *Cartas*, 1:338-39, 1:414 (this a five-year exemption, followed by military service thereafter), 1:415. Huici Miranda and Desamparados Cabanes Pecourt, eds., *Documentos de Jaime I*, 1:269, 378. Huici Miranda, ed., *Colección diplomática de Jaime I*, 197, 435, 827-29. Alart, 181-82. The preceding are the documentary references to 1251 which grant exemptions from military service. The following documentary citations prior to 1252 which require it. Font Rius, *Cartas*, 1:343, 345, 349, 354-55, 375, 378, 384, 403, 405, 409, 426, 428. Huici-Desamparados, *Documentos de Jaime I*, 1:356, 2:122-23, 333. Alart, 155-56, 175. Notice should also be taken of one remarkable exception in the restriction of Cordilleran law from the Catalan plain, when the *Fuero de Sepúlveda* was awarded to Morella, presumably with its military requirement intact. "Carta-puebla de Morella de Don Blasco de Alagón, 26 abril 1233," 3:517-18.

43. Font Rius, *Cartas*, 1:437, 439, 447, 449, 450, 469, 488. Alart, 215, 261. Bofarull, *Colección*, 8:135. Aragón and Costa, eds., *Privilegios reales*, 6. Foguet and Foguet Marsal, eds., *Código de las costumbres escritas de Tortosa*, I:1:5.

44. "Llibre dels feits," Ch. 401, 403, 443, 458. Mutaner, "Crònica de Ramon Muntaner," Ch. 13.

45. "Jaime I de Aragón, comunica al concejo de Zaragoza, 15 julio 1274," 239-40. "Jaime I comunica al concejo de Zaragoza, 23 julio 1274," 240-41. "Jaime I solicita de la ciudad de Zaragoza, 8 Septiembre 1274," 241-42.

46. "Jaime I mandó exercitum civitatibus," 1150. "Orden del Rey Jaime por carta a las ciudades," 1152. "Misit litteras dominus Rex Jacobus hominibus villarum," 1158.

47. "El rei Jaume I mana als homes de los viles i ciutats," 3:476. *Orden a los oficiales de las aldeas de Daroca, January, 1276*, Rg. 39, f. 133v.

48. "Pedro I concede carta 'Princeps namque'," 88-89. Duran i Sanpere, "Defensa de la ciutat," 312-13. The organization for defense was elaborated rather more clearly over a century later. See: Marsá, ed., *Onomástica Barcelonesa del siglo XIV*, 3-212.

49. "Quod tenentes continue equum certi pretii seu valoris, (May 1266)," 183-84. "De confirmatione franquitatis concessa tenentibus equos et armes, (December, 1283)," 187. "Concessio facta ciuitati de muris barbacanis vallis et planis eiusdem, (October, 1259)," 184-85. "Jaime I manda al gobernador de Valencia presentarse con sus tropas en Almodévar, (1 September 1257)," 186-87. Burns, *Islam Under the Crusaders*, 300-22. Burns, *Medieval Colonialism*, 138-45.

50. "Homenaje prestado a D. Jaime por los vecinos de Sadava," 8:133-37.

51. "Teobaldo I concede fueros a los vecinos de Garitoain, 1236," 171. "Teobaldo I confirma a los collazos escancianos de Urroz, 1237," 186-87. "Teobaldo I exime a los labradores de Galipençu (Gallipienzo)," 188-89. "Teobaldo I da a tributo a los de Taxonar (Tajonar)," 221. "Teobaldo II concede a los pobladores de Torralba," 242. "Perdone al concejo y moradores de Viana, 4 enero 1275," 1:203-04.

52. The towns receiving the Évora charter are: Setúbal (1249), Aljustrel (1252), Mértola (1254), Aroche (1255), Penegarcia (1256), Alcáçovas (1258), Terena (1262), Tolosa (1262), Portel (1262), Gravão (1267), Seda (1271) and the Muslim residents of Évora in 1273. Of these, Setúbal, Penegarcia and the Évoran Muslims received highly abbreviated versions with the military law missing or untypically expressed. *MPH-LC*, 1:634, 636, 645-46, 651-52, 667, 689-90, 698-705, 708-09, 720-21, 729-30. The towns receiving the Santarém charter are: Torres Vedras (1250), Beja (1254), Odemira (1256), Monforte (1257), Estremoz (1258), Silves (1266), Aguiar (1269), Vila Viçosa (1270), Évora Monte (1271) and Castro Marim (1277). *MPH-LC*, 1:634-35, 640-41, 664-66, 670-72, 679-83, 706-08, 712-15, 717-19, 721-23, 734-36. The towns receiving the Trancoso pattern are: Melgaço (1258), Aguiar da Beira (1258), Viana (1258-60), Prado (1261), Monção (1261) and Pena da Rainha (1268). *MPH-LC*, 1:684-98, 710-12. *FSetúbal*, 1:634. "Fuero de Cartagena," 23-24. For the general outlines of the population resettlement in Portugal, see: Moxó, *Repoblación y sociedad*, 283-96. For the Cidadêlhe pattern in the period, see Appendix A.

53. *Fori Antiqui Valentiae*, Serrano, ed., 3:1-4, 133:1-27. The more recent and scholarly edition, *Furs de València*, Colon and Garcia, eds., has not reached the military sections in its progress at this time. *Costumbres escritas de Tortosa*, 18-19. "Costumes e foros da Garda," 2:4, 8-9. "Costumes e foros de Santarém," 2:31. "Costumes de Santarém comunicados a Villa Nova d'Alvito," 2:48, 50. "Costumes e foros de Beja," 2:61, 66, 69-70. "Costumes de Garvão comunicados d'Alcácer," 2:80-81. Oriolla, Évora (which presented two sets of customs as well as its earlier charter with its long-standing military obligations) and Torres Novas had no military content in their *Costumes*.

54. *Repartiment de Valencia*, 17-23, 32-72, 323-27, 329-34, 340-46, 372-82, 405-07, 411-12, 414-15, 424-26, 434-35. Torres Fontes, "Jaime I y Alfonso X," 329-40. Despite this, some Catalan settlement in Murcia did take place. "Crónica del rey Alfonso décimo," 66:11.

55. "Misit litteras dominus Rex Petrus hominibus villis, (16-17 Febrary 1285)," Reg. 43, ff. 106r-108v, 118r-118v. I am indebted to Fr. Robert I. Burns for these particular archival references. "Crònica de Ramon Mutaner," Ch. 10. "Carta de Pedro III de Aragón a los alamines y aljamas de Sarracenos del reino de Valencia," 188-89. Burns, *Medieval Colonialism*, 144.

56. Bishko, "The Castilian as Plainsman," 53ff. Hillgarth, *The Spanish Kingdoms*, 1:21-26. Moxó, *Repoblación*, 349-82.

A SOCIETY ORGANIZED FOR WAR

James F. Powers

[91-92]

PART II

THE ORGANIZATION FOR WAR AND ITS SOCIAL AND ECONOMIC INFLUENCES

[93]

4 - THE SYMBIOSIS OF URBAN AND MILITARY ORGANIZATION

The governmental organization of the municipalities in medieval Iberia offers a diverse and evolving field of study. The Central Middle Ages witnessed the origins and growth of towns whose individual histories reveal a labyrinth of developmental paths affected by such variables as century of emergence, geographical location, economic opportunity and military need. For example, the availability of a coastline for commercial development dramatically influenced the evolution of many Asturian, Galician, Portuguese and Catalan towns; the lack of sea access similarly had its restrictive impact on Leon-Castile. Similarly, the concentration of Roman cultural influences in the south and east of the Peninsula affects the municipal history of that area. As if geographical and cultural differences weren't sufficient to create ample complexities for the investigator, the relative paucity of source materials for much of the Peninsula prior to the twelfth century limits our patterns of understanding. This last is especially true for Leon-Castile, where the municipal documents for the eleventh and early twelfth centuries have a poor survival rate, and many charters exist only in copies made a century or two later. This has not prevented a number of historians from attempting theoretical models of early municipal governmental growth. Sacristán pioneered such an examination in the later nineteenth century, and Carmen Carlé and Gautier Dalché in the last fifteen years have offered more recent explorations of the topic limited to Leon-Castile. Font Ríus has given us the best works in the Catalan field. Bernard Reilly, a scholar largely critical of the sources, provides in a chapter from his book on Queen Urraca an excellent brief [94] overview of the limited state of municipal governmental growth down through the first quarter of the twelfth century.⁽¹⁾

The towns themselves present a variety of origin, growth and elaboration patterns with commerce, cattle, the church and fortification all making important contributions to the eventual municipal management and landscape. The basic task lay in settling land conquered from its former Muslim rulers in order to maintain control over its use. To achieve this end, methods appropriate to each situation were employed. The chief sources of towns were the agglomeration of church parishes (*aldeas*) which became more densely settled and drew together for protection while constructing an extensive wall around themselves (examples being Salamanca, Ávila, Segovia, Burgos, Valladolid and Soria), and the siting of a castle or other fortified area in an area, from which settlers would begin to radiate in a settlement pattern, if given the necessary encouragement.⁽²⁾ This process became rather more complicated when larger Muslim towns which had been major Islamic administration centers began to fall under Christian control.

Our sources suggest a comparatively restricted development of the machinery of government in the towns prior to the mid-twelfth century. While one has to be aware of distinctions to be made among such dissimilar regions as Catalonia, the Santiago pilgrimage towns of northern Spain, and the plains of the Trans-Duero and the Tajo Valley, the fundamental pattern shows the towns under the control of a powerful king or count, or a regional *merino*, *señor* or churchman (archbishop, bishop and even an occasional abbot as at Sahagún). Even though some of these towns have complex sub-structures, based on the variety of peoples settled within them (such as the Mudéjars and French settlers in Toledo), the ruler often chose to deal with these separate groups independently rather than as a single unit. In these instances, segments of the Mozarab and Mudéjar population (Christians who had been living under Muslim rule, and Muslims who chose to live under non-Muslim rule, respectively) remained in already well developed urban concentrations (Toledo in the eleventh century, Zaragoza and Lisbon in the twelfth century, Valencia, Córdoba and Sevilla in the thirteenth). While one finds occasional reference to a group of residents called a *concejo* in the documents, at best this seems to have been an advisory body to the bishop, *señor*, *castellan* or the king himself, possessing no genuine authority to act independently. At least this is how matters appeared until the central twelfth century.

The growing independence and increasing articulation of municipal government became the major development of the later period from the mid-twelfth through the later thirteenth century. By the time of the great [95] Cuenca-Teruel and Coria Cima-Coa *fueros* toward the end of the twelfth century, the *concejo* has evolved as a well-developed organ which elected officials formerly appointed by outside authority, such as the *juez* (a combination of chief executive and judge) and the *alcalde* (a former Muslim official with powers similar to that of the *juez*, but associated with a particular district of the town and under the authority of the *juez*). The expansion of the frontier south of the Tajo-Tejo and the deeper penetration of the Iberian Cordillera to the southeast provided the theater in which the developments took place. Since Carlé and Gautier Dalché offer a good general view of the process, the present work will focus on the military law being generated by the situation, and what can be discerned from that regarding the major causative factors behind the growth of more independent urban governmental forms. Here the answer probably lies in the twelfth-century emergence of competing Christian states to Leon-Castile in Portugal in the west and the state of Aragon in the east, especially after the latter was linked by a dynastic marriage to the County of Barcelona.

The invasion of the Muslim Almohads in the middle of the century also made an important contribution that most scholars have assumed played the dominant role in the emergence of Christian municipal institutions. Yet, it is most interesting to observe that the most rapid development of municipal law generates not along that frontier with the Almohads, but rather along the Aragonese-Castilian frontier from where the Cuenca-Teruel laws originate and the Portuguese-Leonese frontier where the Coria Cima-Coa group springs forth. Thus, Christian competition in the wake of territorial expansion appears the driving force, with the Muslims functioning more as a catalyst than as a creator.⁽³⁾ Nonetheless, as we will see, many of the military terms for officials, tactics and the like have Arabic origins, leading one to be cautious in downplaying Muslim influence. Indeed, the interplay of determined and expansive Christian monarchs, latent custom, Muslim culture and rapid territorial absorption is still not fully understood by scholars.

Whatever else might be ventured regarding the origins and growth of municipal government, it is clear that the penetration of the Tajo-Tejo, the Cordillera and the Ebro placed heavy military demands on the settlers in the newly-conquered or created towns. These agents of territorial expansion, whether backed by crown, church or noble, required the ability to assemble a military force for both offensive and defensive missions to be an effective (and more than temporary) factor on the frontier. Indeed, the military organization of the town was crucial to its very existence. [96] Without it the municipality could not hope to assemble its militia, retain its territories (*alfoz*), or make its weight felt effectively on

the frontier in which it was situated.

The towns mustered their militias for combat in the following way. Once the call had been sounded throughout the municipality and its territories, and the *vecinos* and *aldeanos* were collected in the center of town, the officials who were in charge of the urban force readied their forces for departure. The direction of the militia by the end of the twelfth century lay in the hands of the *juez* and *alcaldes*, administrators of the town and its *collaciones*, respectively. The *juez*, formerly an appointee of the king or his *señor*, but elected in the Cordilleran towns by the end of the twelfth century, was in command. The *alcaldes* ranked below the *juez*, but could make command decisions in the absence of the *juez*, and were often consulted regarding matters particular to their own *collación*. If the *collaciones* maintained their integrity as separate units when the militia left the town, the *alcaldes* probably remained with their respective district residents on the march. Their part in the militia was largely administrative since battle commanders took charge when the threat of combat loomed near.⁽⁴⁾ Scouts, both mounted and unmounted, were selected at the outset by the *juez* and the *alcaldes* of each *collación* along with guards and animal tenders.⁽⁵⁾ In addition to these, clerks accompanied the expedition, making regular inventories of the stock and provisions and assisting with the records for spoils division. Chaplains took care of spiritual needs while surgeons (as contemporary Iberia understood that term) tended the body.⁽⁶⁾ When the entire force was mobilized, we can assume that some prearranged order of march was established for the *collaciones* so that the militia could move across the countryside in orderly fashion. Marching at the front with the standards in the command position could be one of several dignitaries in charge of the force: the king's *señor* of the territory, the *juez* or *alcalde* from the town, a bishop or archbishop, a master of a military order or a royal *merino*.⁽⁷⁾ If the militia had mustered for defense or its own aggressive project, these leaders might remain in command until the force returned to base. Frequently, however, they merely took the place of the king or led the militia to the location where it would join the royal army with the king in personal charge.

The military organization which formed and directed the militia evolved through the Central Middle Ages in close parallel with the government of the municipality, the structures of which gave it its shape. Municipal military service began with a general summons to the *vecinos* to serve as a body, usually with the king, for short range defensive or offensive [97] operations. All persons who owned a house in the town came under the category of *vecino*, unless some other grant to the town gave them special standing. *Apellido* denoted service called under the duress of invasion or other local emergency, while *fonsatum*, *exercitus* and *hueste* indicated service initiated by a Christian offensive. As the towns grew during the twelfth century, occupied more strategically exposed terrain, and developed a more complex organization, their militias became more sophisticated while the range and length of service of these forces increased. As the towns' military capability expanded, an organizational system was forged to meet the challenges and deal with the new problems. By the end of the twelfth century, the longer collections of municipal law indicate the emergence of a militia composed of various units designed for battlefield flexibility, one best defined in the cattle towns of the Castilian-Aragonese Cordillera and in Leonese Extremadura and Portuguese Beira Baixa and Alentejo where our evidence is the richest. This age of increasing rights and privileges for townsmen carried with it the concurrent growth of military responsibilities, not unlike a similar process at work in the early days of the French Revolution with its *levée en masse*.

Rather than postulating prematurely a nation-at-arms concept for Iberia in the Central Middle Ages, some limitations should be underlined. For one, we are only discussing municipal settlements here, not the populace as a whole where the incidence of military service would be lower. Secondly, not all towns were required to render service. Many smaller and less strategic places were given exemption from service, and even among those which did render service, their capability especially for offensive campaigning varied from one region to the next. Finally, there is the question whether all classes served

within a given municipality. Occasionally one encounters the assumption that combat in the Reconquest was essentially a cavalry affair with the footsoldier (*peón*) either excluded from the battlefield or relegated to relatively minor defensive operations.⁽⁸⁾ Yet numerous *fueros*, *forais* and *cartas pueblas* from the age categorically require service from all *vecinos* without regard to class.⁽⁹⁾ Others specify service for the *peones*, in particular,⁽¹⁰⁾ although some require only a portion of the class to serve in a given instance.⁽¹¹⁾ The great Castilian codes of Alfonso X, the *Espéculo* and the *Siete partidas*, clearly anticipate the participation of *peones*, and the latter describes the characteristics of good footsoldiers and the men who command them.⁽¹²⁾ As long as one defines a person who fought on horseback as a *caballero* and one who fought on foot as a *peón*, both classes served in the municipal militias. Indeed, it was this interweaving of the military function and the social status which creates much of the confusion regarding this issue, while at the same time it is our clearest indication of the mutual interdependence of military and social structures in these towns.

[98]

A major complication in the cavalry-infantry question emerges from the military, social and legal roles of the nobility and the manner in which these roles overlapped one another in their municipal context. The two lowest levels of the nobility, *infanzón* and *caballero*, often lived in the territory controlled by the town and rendered military service in conjunction with the urban militia.⁽¹³⁾ A number of towns demanded that those who possessed *heredades* (land holdings) in the *alfoz* (territory over which towns claimed authority) should do their military service with the town and not with another group or place.⁽¹⁴⁾ In addition, there was a special class directly associated with the towns which stood in the penumbra between noble and non-noble, the *caballero villano*, the subject of an extensive study by Carmela Pescador. Parallel studies do not exist for Navarre, Portugal and Catalonia, although much similarity exists between the *caballeros villanos* of Upper Aragon and Castile. The class remained at the non-noble level throughout much of the Leonese Reconquest, despite liberalizing efforts of monarchs like Alfonso VI. As late as the reign of Alfonso IX, the *Cortes* of Leon issued an *ordenamiento* preventing any *villano* from attaining the rank of *caballero* if he had not been born into that class.⁽¹⁵⁾

The twelfth-century Aragonese Cordillera and the Portuguese Alentejo had already embarked on a different course. On these frontiers those individuals who had reached a certain level of wealth were obligated to take up the responsibilities of the *caballero* class through the acquisition of its most vital symbol, the horse. At Molina de Aragón, a yoke of oxen and a hundred sheep or land holdings valued at one thousand *mankales* constituted the property requirement demanding a horse purchase, while in the Évora family a yoke of oxen, ten (later forty) sheep and two beds sufficed to compel the same step. By the end of the century, the Leonese-Portuguese family of Coria Cima-Coa charters revealed a similar law, despite the *Cortes ordenamiento*, where a monetary level of three hundred *maravedís* (less the value of his wife's clothing) required the purchase of a horse. Fernando III set the level at four hundred for Toro in 1232. By the later thirteenth century Alfonso X compelled Extremadurans to take the step at the five hundred *sueldo* level, and Portuguese Beja established a six hundred *libras* floor. This constitutes the real beginning of the class known in the Later Middle Ages as the *caballeros de premia*, a group whose status was primarily dependent on economic wealth rather than military service.⁽¹⁶⁾

The horse was central to the status of the urban knight, both in his social position and in his value to the king in the frontier wars. The *caballero* was expected to bring the animal with him when he came to [99] settle in the territory of the town, and to retain possession of the horse if he wished to be entitled to the rank. The rigors of combat and, failing that, the natural death of the horse invariably led to the need for its replacement, and the *caballero* had to provide a new one often within a specified time period. In

Portugal, the time allowed was one to three years, while in Leon-Castile and Navarre one year was more common. Fernando III had, however, given the knights of Toro one month to replace after selling the horse, two months if the animal had died. The frontier pressures of Alfonso X's reign led him to specify four months for the knights of Arévalo, Escalona and Madrid.⁽¹⁷⁾ At the same time Fernando III and Alfonso X pursued an urban policy leading to a multi-layering of the municipal aristocracy, allowing on one hand those of the *peón* class who wished to attain *caballero* status to do so by the acquisition of a horse and the *heredades* of a *caballero*, while on the other hand identifying a top level of this group, the *caballeros fidalgos*, to favor the growth of a closed upper urban aristocratic class. This was doubtless supported by the potential members of that class who sought to consolidate their gains from the frontier wars.⁽¹⁸⁾ The status of *caballero* was occasionally bestowed on those with skills in archery, especially in Portugal. While the same proviso made an early appearance in Castile at Escalona in 1130, by the thirteenth century Aragon, Castile and Leon accepted both *caballero* and *peón* archers. The existence of *peón* archers manifestly demonstrates that the skill is no longer a gateway to higher status by and of itself.⁽¹⁹⁾

Another requirement appeared during the twelfth century for obtaining *caballero* status, the possession of and residence in a house in the town itself. Here, however, inducement replaced obligation as the emphasis. House ownership apparently functioned as a device to persuade knights to locate themselves in the towns through the lure of tax exemptions granted to the class of urban *caballeros*. It was generally understood that the knights would bring their wives and children to reside in such a house, and in Escalona and Toledo it was further stipulated that should a *caballero* depart for a time he would leave another knight behind in residence.⁽²⁰⁾ By the end of the twelfth century, this obligation had become widespread, penetrating the great charter families of Cuenca-Teruel and Coria Cima-Coa. In the Cuenca family (as distinct from the Teruel branch), the tax exemption did not include wall, tower and fortification levies, unless the knight had a horse valued at fifty *mencales*.⁽²¹⁾ In time residence came to be regarded as living in the town during the late autumn, winter and early spring, presumably based on the reasoning that if the *caballero* were based in the frontier town for those portions of the year, he would be there for the campaign [100] season of late spring, summer and early fall, as well.⁽²²⁾ The levy for military service was taken on the basis of one man from each household. Thus, the household functioned as the fundamental unit in the organization of the militia. For the knights to be a part of this militia, their residence in the town was vital.⁽²³⁾

There are clear indications that urban knightly status rested on combat performance, which raised serious questions concerning their status once they were too old to fight and on the status of their wives and children if the *caballeros* died with their sons immature. If they could send a son from their household, the Cuenca-Teruel and Coria Cima-Coa charters permit substitution to take care of the geriatric problem. Some of the Portuguese charters permit knights to retain their status when too old to do military service until their male heirs mature sufficiently to send as substitutes, and this was probably the general solution. Widows are frequently exempted from military taxes, and the 1109 *fuero* of Leon given by Queen Urraca begins the precedent for their retention of the *caballero* status if their husbands should flee to Muslim lands. The same Portuguese *forais* which deal with aging knights also permitted their widows to retain their status until they died or their sons matured sufficiently to do military service. Several of the *Ordenamiento de 1256* charters of Alfonso X also permit this, but the 1256 charter to Cuéllar and the 1262 charter to Madrid underlined a principle which was doubtless widespread: if a knight's widow remarried, she took the status of her new husband.⁽²⁴⁾ Numerous laws pertaining to the inheritance of horses and arms, discussed in Chapter Five, also deal with the preservation of *caballero* status among widows and children.

The *peones*, despite the lesser emphasis placed on them in the charters, were the numerically dominant class. We hear less of them in the municipal sources because these documents are largely statements of privileges of which the *caballero* possessed the larger share. The *peones* were non-noble and were primarily peasant land workers and herdsmen, supplemented by craftsmen and merchants. The proportions of these occupations would vary depending on location, size of town and its economic complexity, e.g. merchants were important in the Santiago pilgrimage towns of the north and the larger towns of the interior (Toledo, Córdoba, Seville) and of the coast (Lisbon, Barcelona, Valencia). Like the *caballeros*, the *peones* were obligated in many towns to establish residence in a house within the *villa*, and failure to do so led to loss of privileges, although their lack of a horse and proper military equipment meant they received less in the way of tax exemptions as a result.⁽²⁵⁾ While the general name for the lands under the control of the town was *alfoz*, individuals were customarily referred to as dwelling in the *aldeas*, which [101] were villages or concentrations of population usually without their own walls or defenses, legally and militarily attached to the town, and by the later twelfth century dependent on its municipal council (*concejo*).⁽²⁶⁾ As demonstrated above, the *peones* class not only met residence requirements and maintained a legal existence in the municipalities, but they also shouldered a military service obligation as well. They constituted the infantry forces the militias could bring to the field.

During the Central Middle Ages in Iberia social fluidity appears constant. Thus, the *peón* who desired to raise his legal position to that of a *caballero* usually had the capability to do so. If he were militarily adept and the king had sufficient need of cavalry in a particular area, the footsoldier could acquire the requisite horse and arms from the king. He could also win these things in combat by a happy combination of prowess and good fortune. If the *peón* through his craft or business skills built a proper monetary or property base, he could be compelled by the king to purchase a horse and take up the obligations of a *caballero*. If he dwelt in an area which did not permit such elevating of status, he could move to a town closer to the frontier where the liberties did guarantee such mobility. For the *peón*, *caballero* status meant better land holdings, better pasturage, better opportunities for booty in warfare, and a special sense of pride, a pride which would become the particular characteristic of the Castilian Meseta and Andalusia.⁽²⁷⁾ Not everyone necessarily sought this reclassification, as for example the newly prosperous merchant or craftsmen who had no stomach for the military burdens of the mounted class. This might indeed explain why the Coria Cima-Coa charters permitted the individual who had reached the wealth status of a *caballero* to buy a mule (possibly used on the municipal expeditions as pack animals) instead of a horse and forego the privileges of the knightly class.⁽²⁸⁾

The documents indicate that the military organization of the town imitated its urban administrative pattern. By the later twelfth century the lengthy charters of Cuenca-Teruel and Coria Cima-Coa draw their military units and their march order from the municipal unit called the *collacio* or *collación*, a residence quarter or section of the town. The term, deriving from the Latin *conlatio* and meaning a combination, gathering or monetary levy, appears in town charters widely dispersed across the Peninsula from the tenth century onward, with density of references beginning to occur in the twelfth century. Many of the charters which use *collacio-collación* survive only in later copies, so an exact tracking of the migration of the term in its municipal context can only be tentative.⁽²⁹⁾ By the time of the Cuenca-Teruel and Coria Cima-Coa charters at the end of the twelfth century, *collación* had not only [102] become a standard term in municipal usage, but its first association with the militia had also become apparent. Individuals had to be registered on the *padrón* (census list) of the *collación* to be officially resident in the town. The district elected its own officer and judge, the *alcalde*, and was responsible for its own security in times of danger.⁽³⁰⁾

While there is no general agreement as to the origins of the term, the ecclesiastical parish seems to offer the best explanation of this grouping of residents. *Collación* was a predominantly urban term, but other words for areas within and without the boundaries of the walls also appear. *Quarto* (quarter) was one, and may have been a synonym for *collación*. Another common term was *sexmo* (sixth), apparently utilized to deal with rural areas adjoining the town. In 1222, King Fernando III employed all three terms in each of the three charters he gave to Ávila, Uceda, Peñafiel and Madrid, using them as the basis for collecting taxes in those towns.⁽³¹⁾ The only other significant possibility suggested as a basis for militia organization was the guild. This was the system in use in fourteenth-century Valencia, where it may have been a later structural development. There is no indication of the use of guilds in the Peninsula west of Aragon in the Central Middle Ages, save for a brief reference to a *colegio de artistas* possessing a collective exemption from the military service fee of *fonsadera* given by Bishop Gelmírez to Santiago de Compostela in 1113, probably to attract the artisans who were to work on the remarkable Romanesque cathedral then under construction. Even this does not suggest that such a guild served as an organization unit for battle. Moreover, the Castilian monarchy in particular strongly opposed the formation of guilds.⁽³²⁾

The evidence is quite clear, however, that the town district was also a substructure for municipal combat forces. There seems to have been nothing so elaborate as standard military units of cavalry, infantry and archers. Rather, detachments of military forces were obtained through levies on the various districts of the town and its territories. The various *collaciones*, *sexmos*, *barrios* and *parroquias* then mustered forces in response to a call for battle. The municipal charters and codes did not elaborate regarding the procedures employed in each section of town and countryside to assemble the force, and it may be assumed that the basic organization was quite rudimentary, the only classes of troops clearly distinguished being *caballeros* and *peones*. Where the individual was assigned in the structure of his militia depended primarily upon two considerations: the part of the town or its *alfoz* in which he resided and whether [103] he fought on horseback or on foot. Thus, he dwelt in a *collación* (or its equivalent) and fought alongside his neighbors in time of war. If he rode a horse on the battlefield, he fought with his fellow *caballeros* in the *collación*. If he went to war on foot, he was grouped with the other *peones* of his district. The military organization of the municipalities clearly rested on these distinctions in Leon and Castile. While we lack complete evidence for the other kingdoms, in all likelihood a similar situation was operative in Portugal, Aragon, Navarre and Catalonia as well.

No document states that men of the urban militias arranged themselves by *collaciones* before going on an expedition or mustering for defense, but there is no other real possibility. From the time they first appear in the municipal charters, the *collaciones* emerge as indispensable agencies for the keeping of records, tax collection, electoral units in town government, the appointment of military functionaries and for apportionment of booty. The system is best delineated in the Cuenca-Teruel charters. When the call for military service circulated in the boundaries of a municipal district, the forces of the town gathered in the plaza to assemble for departure. At that time, the men of each *collación* were still assembled as a group, because scouts were drawn from their midst by their *alcalde* in cooperation with the *juez* of the town, after they gathered in the plaza but before they departed from the town.⁽³³⁾ Once on the march the men of a *collación* must have remained together, because they had to send a *quadrillero*, an officer with responsibility for spoils division, on such occasions when combat could be anticipated.⁽³⁴⁾ Should any cattle captured by the expeditionary force be converted into provisions during the campaign, the *quadrilleros* saw to the proper distribution of the meat among the *collaciones*.⁽³⁵⁾ When the troops returned from the field, the *quadrilleros* divided the booty among the *collaciones*, whose residents then returned to their homes. Only the Cuenca-Teruel family of *fueros* presents this much detail concerning militia organization, and there is obvious risk in assuming a total application of these principles far from the Iberian Cordillera where that group of charters initiated. Yet no other

system is described in the documents, and the Cuenca-Teruel charters, which went basically to small and medium-sized towns, contain the most elaborate accounts of militia regulations that we possess. Possibly, where there was no use of the *collación* or its equivalent by a municipal militia in the field, the townsmen served as [104] one large mass under the banner of the town, a procedure inherited from the early Reconquest, when towns were smaller, less autonomous, and less sophisticated in organization.

The system of organization for combat revealed in the Cordilleran charters emerged from several decades of expansion. Unquestionably the product of expediency and experimentation, its evolution probably began to accelerate with the penetration of the Trans-Duero, acquiring modification and some sophistication as the frontier reached into and beyond the Ebro and Tajo-Tejo Valleys. While the origins of the organizational system remain for debate among ecclesiastical, military, social and economic historians, a new development has appeared by the later twelfth and thirteenth centuries. The municipal structure began to impose itself on new settlements as it pressed southward toward the Vega of Valencia, Andalusia and the Alentejo. As more and more established Muslim towns fell under the control of the Christian kings, increasingly the members of the victorious army received options on the lands inside and outside of the town they had gained. To be sure, in many of the Andalusian municipalities the Muslim population remained, and the Christians contented themselves with holding the citadel and the other significant fortifications. In others, the Muslim population abandoned the town, and a swift land division among the conquerors followed.⁽³⁶⁾ Such a land division came to be known as a *repartimiento*, and the evidence strongly suggests that the Christian municipal organization of the conquering forces provided the pattern to be laid down upon the captured Muslim town, especially in the case of small and middle-sized settlements. Once a town was captured and its administrative organization put into operation, the monarch expected the *vecinos* to begin fulfilling their military role. The municipalities had to maintain their own militia for the purposes of both local needs and the royal service obligation. The royal army in all of the peninsular kingdoms was never large in the Central Middle Ages, and it could not be expected to provide sufficient protection for the frontier towns. It was therefore to the town's advantage to lay the foundations of its military system as soon as possible, given the ever-present reality of frontier warfare in its various forms. Thus, a replication in the new town of the system which had proved workable in the old was a natural development in the circumstances.

We possess the records of a number of *repartimientos* of larger towns by the thirteenth century, especially for Valencia, Murcia and Seville. For smaller towns there is less in the way of evidence. Alfonso II (Alfons I) of Aragon demonstrated his experience on the Cordilleran and Catalan frontiers to the northeast in Roussillon and Cerdagne when he transferred the population of Hix, located on an indefensible [105] plain, to Puigcerdà in 1178, while attempting in vain to secure the movement of some settlers from Perpignan to Puig des Lépreux. When Afonso III of Portugal gave Melgaço a *foral* of the Numão-Trancoso pattern in 1258, the number of settlers is given (a very rare instance) as 350.⁽³⁷⁾ However, neither of these unusual explanatory or statistical references tell us anything about the actual settlement itself. The *Primera Crónica General* offers a description of the *repartimiento* of Zamora in the 870's which is probably far more appropriate to the contemporary thirteenth century in which it was written. Here the king climbs a hill adjacent to the town, names the site, selects the location of the primary church, delimits the lands belonging to the crown, and divides the remainder among those who had served him well on the campaign.⁽³⁸⁾ The techniques of managing the land division process and their relationship to the *collación* have not been studied in any detail until quite recently, and then only for towns conquered in the thirteenth century. The chief figure connected with the parceling of landed allotments was the *quadrillero*, first seen in the Cuenca-Teruel *fueros*. He had jurisdiction over any disputes concerning the ownership of a *heredad*. The basic principle involved in his decision centered

on who had first worked the land after conquest.⁽³⁹⁾ Since the *quadrillero* was also associated with the division of booty in each *collación* serving in the militia, he was the critical link between town conquest, land division and the militia. While no document clearly states this, the *quadrillero* must have held office from the outset of the campaign of conquest, and retained his position for a year or two in order to monitor settlement should a land division follow that conquest.

An interesting example of land division occurs following the conquest of Cáceres in April 1227. Cáceres represented a royal foothold in the highlands between the Tajo and the Guadiana Rivers in Leonese Extremadura. The town had been a vital Muslim obstacle in the path of the Christian conquest of Badajoz and Mérida. To a considerable extent, the army that won the city was the source from which Cáceres received its Christian population. There were not enough men in the conquering *hueste* to populate Cáceres and its extensive territories, but the soldiers who chose to stay and settle received the first grants of land. It was Alfonso IX's custom to take what land he wanted for his own use at the outset, leaving the remainder for the town council to divide.⁽⁴⁰⁾ But prior to any awards by the new *concejo*, the first blocks of land were distributed in the form of an *heredad de quadriella*, an allotment granted to an individual as his permanent possession, divided by the *quadrilleros* of the conquering army. The partition of these *quadriellas* became the first form of private property in the now Christian Cáceres. The new landholders' rights were rather complete, for the property was transmissible and alienable, except to [106] religious and military orders. The soldiers who wished to settle acquired a new status in addition to their military standing, that of *vecinos* of Cáceres. The remainder of Cáceres' undistributed land was offered to attract new settlers from other regions in a second set of grants called *particiones de concejo*.⁽⁴¹⁾

Two important connections between land division and military organization can be noted at this point: first, the priority in awarding the *heredades* to the warriors of the army that captured the town, which in the case of Cáceres included municipal forces; second, the function of the *quadrillero*. This figure has already been seen in the Cuenca-Teruel family of charters in the context both of land dispute settler and an administrative aide supervising the men of his *collación* especially as regards the division of booty. As land divider he also appears in the long charter of Cáceres and at two other towns in the Coria Cima-Coa group, Castello-Bom and Usagre. In all three of these towns, the *quadrillero* remained in control for a period of one year of those *heredades de quadriella* which were not distributed at the outset. Apparently these allotments remained separate from the Council's *particiones*. While it is not clear in the context why this was done, in all probability it allowed the members of the army a year to consider settling in the town, and the holdings were blended into the *particiones de concejo* after that time period.⁽⁴²⁾ In the *alfoz* surrounding Cáceres, the rural areas or *sexmos* were placed under the jurisdiction of the *sexmero* for division, and the unit referred to as *quiñón* or booty. Subsequently, the *sexmero* himself was replaced by the *aportellado*, the official in charge of the *sexmo* in municipal government. In much the same way, the citizen was the descendant of the soldier of the conquering *hueste*, with his land allotment taking the place of a share of booty.⁽⁴³⁾ Yet the same *fuero* that transformed the men of Cáceres from soldiers to settlers also provided for the reversal of the process, for as residents of the town and its *términos*, they were obligated to perform military service when needed. Claudio Sánchez-Albornoz has summed up this kind of cycle well: "Different men, different regimes, different attainments, but always, always, century after century, following battle, colonization, and after colonization, battle."⁽⁴⁴⁾

Within a decade on the other side of the Peninsula, a far more complex *repartimiento* than that of Cáceres was undertaken at Valencia. King Jaime deliberately forestalled any prior divisions of the region around the city, some of which were attempted by the municipal militias during the first assaults. The Conqueror wished to undertake a systematic division after the conquest.⁽⁴⁵⁾ Once in occupation of

this great city and its territories, Jaime did indeed authorize a thorough [107] and systematic redivision of the city which allowed for continued residence by those Muslims who wished to remain behind as well as lands and houses for members of the conquering army. Generous allotments were set aside for residents from both Aragonese and Catalan towns and even from those north of the Pyrenees, such as Montpellier. The councils of the town militias involved created *barrios* or districts in Valencia made up of settlers from particular towns.⁽⁴⁶⁾ Whether those *barrios* were further subdivided into *collaciones* such as existed in Teruel and other Cordilleran towns, we do not know. Certainly the creation of neighborhoods which would have assembled settlers from the army were themselves possible former neighbors from towns that had mustered the militias. Here, however, the complexity of a city like Valencia required major adjustments in the pattern not needed in smaller Cáceres. Moreover, any duplication of patterns from the towns already taken by Christian Aragon would have been further disrupted by Jaime's inability to fill the Valencian allotments completely with settlers from the particular towns. The same problem may have persuaded the Aragonese monarch to resort to the creation of aristocratic *señoríos* in lieu of new municipal *concejos* in establishing settlement on his Murcian frontier after 1266.⁽⁴⁷⁾

A resettlement and redivision challenge similar to Valencia occurred with the greatest urban conquest and occupation of the thirteenth century for Castile, Fernando III's capture of Seville in 1249. The excellent monograph on the conquest and division of the city by Julio González examines many of the areas noted previously for Cáceres. In the case of Seville, several months' time intervened between capture and settlement of the victors, in order to permit the Muslims to evacuate. A large part of the Islamic population elected to depart from Seville to dwell in the principality of Granada or in North Africa rather than live under Christian domination. Once land division commenced, Fernando established a *junta superior de partidores* to supervise the process of creating and apportioning the city's twenty-four new *collaciones*. Assisting in the distribution were a number of smaller *juntas de collaciones* established at the local level. The *quadrillero* again made his appearance as the individual responsible for land division within his particular *collación*. He was expected to swear an oath to the king that he would partition honestly the *heredamientos* placed in his hands. The *quadrillero* was rewarded for this service with a land holding in the olive groves and another in the grain fields, each with a value of two *cavallerías* (probably booty shares). The *heredamiento* in Seville gave twice as much [108] land to the *caballero* as to the *peón*, but either holding was complete with a house and a share in both the cereal and olive *heredades*.⁽⁴⁸⁾ The *repartimiento* of Seville was obviously the product of a system of land division which had matured considerably during the course of the Reconquest, as was that of Valencia, a system eliminating problems in advance which had had to be resolved on the site in the conquest of towns during the preceding decades.

The partition of Seville constituted a particularly good demonstration of the need to put the newly conquered town promptly on a sound military footing. Despite the nearly complete conquest of Andalusia, the large Muslim population base which remained required that Seville establish its organizational structure as soon as possible after conquest. This organization which governed the town also assembled its militia, and the sooner that militia could be put in the field, the better. Since soldiers had often received the first dwelling places in the town, part of the problem was resolved at the start. The *partidores* of Seville went beyond this point, however. Frequently original infantry units of the conquering army were gathered together on *heredamientos* along with their commanders both in the city and in its surrounding territories.⁽⁴⁹⁾ Moreover, these grouping of allotments were located at points strategic to the defense of the city, such as the *pueblos* of the *cillero real* at Tejada, Alcalá del Rio and Alcalá de Guadaira. It would be valuable to know how perfectly the military units of the occupying force were retained in the settlement of Seville, but the evidence is insufficient to establish a complete picture. In contrast with the conquest of Valencia, where Jaime I assigned various lots to the municipal

concejos of his army, the militias settling into Seville lost their unity of origin and were spread at random in the various districts of the city and countryside. Despite the existence, however, of much available information on the municipal settlers (who were the largest single component of Fernando III's army at Seville) and where they came from, the precise locations to which they were assigned remain obscure.⁽⁵⁰⁾

Given what we know concerning the partitions at Cáceres, Valencia and Seville, the *repartimiento* process in Murcia between 1257 and 1273 does not alter our picture to any great degree. Five separate partitions were needed, due to the complications engendered by the Murcian revolt and the alternate subjection of the city and its territories to Castilian, then Aragonese, and finally Castilian overlordship. The ultimate division established three different classes (*mayor, mediano, menor*) of *caballero* and of *peón*, and kept the *heredades* small so as to avoid any emergence of vast *latifundia*, which despite such efforts would one day [109] multiply in Andalusia. Moreover, Muslim land books were employed to assist the partitioning. The ubiquitous *quadrilleros* appear once more, named by the new settlers, the *collación* managers who divided the subsectors of Murcia and who sometimes used the drawing of lots to determine the land holders when the men of their district agreed.⁽⁵¹⁾ The number of partitions over so long a period seems to have prevented any simple allocation of settlers out of the assorted armies that took and retook Murcia. As a result we know little concerning their places of origin or of any pattern of original residence which could have imposed itself upon the *repartimiento*, if indeed any did. The *repartimiento* records at Jerez de la Frontera and at Lorca are even less informative.⁽⁵²⁾ The only other indications we can obtain are sporadic and occasional, such as the "barrio de Atienza" settled by the residents of that town who assisted in the conquest and settlement of Cuenca in 1177, the cluster of Léridan surnames in the settlement of Catí near Morella in 1239 on the Valencian frontier, and an *aldea* in Leonese Ledesma entitled "Quadreleros." One might also note the "unwelcome mat" laid down in the *Fuero de Plasencia* against accepting any settlers from Ávila.⁽⁵³⁾

The association of the military conquest of a town with the subsequent system of land holdings and their organization in that municipality is close in Leon, Castile and Aragon by the thirteenth century. While we have no clear evidence in this area for Portugal, there is no reason to believe that the Portuguese were proceeding differently. However, since much of the documented development does not appear until the later twelfth century, the termination of Navarrese growth by that time makes presumptions regarding the kingdom of Navarre less certain. Seville saw some units transplanted intact from the victorious *hueste* to the lands of the city, and the same may have been true at Cáceres and Valencia. The *quadrillero* played an important part in the transition from soldier to citizen, but outside his position as *heredad* divider in the Cuenca-Teruel charters, Cáceres, Castello-Bom, Usagre, Seville and El Espinar, we do not know as much about him as we would like. These towns could hardly have been unique in their procedures, yet other documents make little or no mention of the division of lands at the foundation or conquest of the site. On the other hand, it is unlikely that the patterns depicted above were created without precedent at the time of capture or settlement. We know that the territory of conquered towns was often divided up shortly after occupation. Since booty was apportioned at the level of the *collación* by the *quadrillero* in many places, it seems probable that land would be apportioned in the same manner, especially considering the number of concrete instances already cited. [110] Given the normal linkage of military and municipal organization, it can be inferred that by the later twelfth century, at least, this relationship must have influenced the layout of captured towns, the distribution of land, and the type of military force which the Spanish Christian townsmen put into battle.

Lands were not always gained permanently by the Christians; sometimes the *heredades* were lost through subsequent Muslim conquest. By the thirteenth century some *fueros* raise the question of losing one's lands in this manner. The charters which raised this issue resolved it in the simplest manner

possible. Córdoba, Carmona, Alicante and Lorca gave to former owners the ultimate right to any *heredades* lost to the Muslims and then retaken. Since lapse of time could blunt memories and expand claims, the *quadrilleros* could be very useful in resolving such problems, especially if they had been involved in the original division.⁽⁵⁴⁾ A somewhat ambiguous law added to the end of a number of Cuenca (but not Teruel) family of codes seems to deal with this issue, ruling that any holdings reoccupied in the wake of the conquests of a victorious *expeditio* or *hueste* are retained without obligation until the militia returns. This presumes some kind of reassessment of the land title at that point.⁽⁵⁵⁾ No account seems to be taken of those who might lose lands permanently by such misfortune. Possibly by the mid-thirteenth century, Islam no longer seemed to present that kind of threat.

The documents thus suggest that the towns had anticipated most of the organizational problems which might arise either on an expedition or in a local skirmish which required the assembly of the militia. Moreover, the balance struck between central control and small-unit administration fitted the needs of the municipal army and provided a workable organization to maintain direction on the battlefield. It might be argued that a fundamental error lay in carrying civil organization into military operations and that companies would have been more efficient based upon authentic military divisions rather than municipal districts. But, as long as the town militias faced nothing more formidable than the forces of another Christian town or a small or medium-sized Muslim raiding force, they could usually be equal to the occasion. Trouble came when the towns encountered the large expeditionary armies of the Almoravids or Almohads; however, such major invasion forces in the day-to-day experience of the towns were the exception, not the rule. Moreover, the small municipal armies, flexible and pragmatic creations of the frontier, represented by their organization a key ingredient in the formula of success for the Christian Reconquest. Their creative regrouping of settlers and [111] institutions to develop both expansive and defensive capabilities stand in marked contrast to Islamic Spain, where the town was not seen as a cohesive unit or institutional corporation. In Muslim lands, rather, the tribe and the clan with their attendant structures played the dominant role and institutional structures were difficult to impose on the part of the state.⁽⁵⁶⁾ To succeed in their drive into the central latitudes of Iberia, the Christian kingdoms needed to develop institutions and methodologies which could break free of the bases in the County of Barcelona, Jacan Aragon, Navarre, Old Castile, Asturias-Leon and Galicia. The new commercial centers which began to appear in the later eleventh and twelfth centuries in Catalonia and along the Santiago pilgrimage route were insufficient for the task by and of themselves. New structures had to be forged. The frontier towns were the product of the social, administrative and military forces thus released as well as the interaction of these forces. A civil and military symbiosis emerged as a natural result of this interaction, producing a hybrid form of municipality particularly well suited for frontier warfare.

The origins and development of the organizational framework of the municipal militias have been described here in their simplest form. If every militia assembled with every citizen armed and equipped to fight with each call to battle or military opportunity, without substantial regional variations, we would need to go no further. However, the service obligation was by no means this simple. There were many variations in the obligations of the militiamen in different areas, affecting frequency of service, the portion of townsmen who had to attend, the length of the campaign and the distance from home the militia could be taken. There were large classes of exemptions both from service and from tax payment if they served. Connected with both of these matters was the question of arms and armament. Weapons and equipment were a part of the military obligation in some areas, gained exemption from service in others, and had an integral part in municipal warfare. We move next to consider these matters.

Notes for Chapter 4

1. Sacristán y Martínez, *Municipalidades de Castilla y León, passim*. Carlé, *Del concejo medieval Castellano-Leones*, 229-55. Gautier Dalché, *Historia urbana de León y Castilla*, 41-48, 343-84. Font Rius, "Orígenes del régimen municipal de Cataluña," *passim*. Reilly, *Queen Urraca*, 314-51.
2. Torres Balbás, "La Edad Media," 97-104, 136-41. Font Rius, *Orígenes*, 90-91. Gautier Dalché, *Historia urbana*, 299-342. For the role of both the church and the fortified enclosure as a focus of towns in Europe in this period, see Ennen, "Les différents types de formation," 62:397-411.
3. Powers, "Frontier Competition and Legal Creativity," 52:465-87.
4. *FCfs*, 16:3-4. *FCmsp*, 16:1-6. *FTL*, 58,61-62. *FAlbL*, 418. *FCcv*, 2:6:1. *FTR*, 58-62. *FAlbR*, 23-24. *FP*, 167. *FAlz*, 6:1-6. *FAln*, 363-65. *FH*, ff. 49r-49v. *FZ*, 330. *FBa*, 400. *FI*, 398. *FAlr*, ff. 60v-61v. *FUb*, 34E. *MS8331*, 362. *FBe*, 501-02. *FVH*, 297-99. *Siete partidas*, 2:23:4. Valdeavellano, *Historia de España a la baja Edad Media*, 1:482-83.
5. *FCfs*, 30:7, 26-28. *FCmsp*, 30:7, 23-25. *FTL*, 426. *FAlbL*, 486-88. *FCcv*, 3:14:5, 17. *FTR*, 576, 586. *FAlbR*, 181, 188. *FP*, 498, 504. *FAlz*, 10:7, 26-28. *FAln*, 599, 616. *FH*, f. 82v. *FZ*, 615, 633-34. *FBa*, 675, 692-93. *FI*, 646, 663-64. *FAlr*, ff. 96r, 98r. *FUb*, 54G, 54V, 54X. *MS8331*, 696, 708. *FBe*, 900, 921-22. *FCO*, 112. *FCR*, 8:12. *FCM*, 310. *FCA*, 177. *FCB*, 108. *FU*, 179.
6. "Fuero de Benavente, 1164-83," 2:626. *FCfs*, 30:12, 25, 51. *FCmsp*, 30:11, 23, 48. *FTL*, 426,444. *FAlbL*, 486, 488, 492. *FCcv*, 3:14:8, 16, 31. *FTR*, 580, 585, 606. *FAlbR*, 182, 184, 189. *FP*, 501, 507, 522. *FAlz*, 10:12, 25, 51. *FAln*, 604, 615, 632. *FH*, ff. 83r, 85v. *FZ*, 619, 632, 656. *FBa*, 679, 691, 712. *FI*, 651, 662, 683. *FAlr*, ff. 96v, 98r, 100r. *FUb*, 54K, 54V, 54T'. *MS8331*, 699, 706-07, 724. *FBe*, 906, 920, 946. "Fuero de Alcalá de Henares," Sánchez, ed., 284. "El fuero de Sanabria," 13:286. "Fuero de Ledesma," 280. *Siete partidas*, 2:26:34.
7. Sinués Ruiz, *El merino*, pp. 191-213.
8. The advocates of such a position have usually been limited by a highly selective use of the evidence. Mayer, *Historia de las instituciones sociales*, 1:276-77. Ubieta, "La guerra en la Edad Media," 16:105. The case on behalf of the active participation of the *peones* which goes with the weight of the evidence has been made since the mid-nineteenth century. See Powers, "Townsmen and Soldiers," 46:641-43. This is the initial study on which the present chapter is based, although this article deals exclusively with Castile. A number of charters do indeed specify that the *peones* need not come. "Fuero de Fresnillo, 1104," 46-48. The Numão-Trancoso family in Portugal (starting in 1130) exempts the class (see Appendix A). "Fuero de Uclés, 1179," 2:518. Several members of the Évora family, while noting that *peones* must attend defensive musters under penalty of fine, points out that the portion of the *caballarii* that does not serve in a given offensive *fossadum* stays back in the town with the *peones*, who presumably do not have a *fossadum* obligation. These towns are Covilhã (1189), São Vicente da Beira (1195), Belmonte (1199), Teiseiras (1206), Penamacor (1209) and Sarzedas (1212) (see Appendix A).
9. "Fuero de León, (1020), 15:487. "Fuero concedido a Jaca por Sancho Ramírez (c. 1076)," 3-4. "Fuero de Argüedas, 1092," 10:57. "Fueros de Barbastro, 1100," 334. "Pedro concede carta de fueros a Caparroso, 1102," 371. "Pedro I concede los fueros a Santacara," 373. "Fueros de Tudela, Cervera y Galipiezo," 418. "Privilegio de D. Alfonso I el Batallador confirmando los privilegios de la ciudad de Barbastro," 357. "Los fueros de Jaca (1134-37)," 129-31. "Fuero de población de la villa de Los Arcos, 1176," 1:511. "(Foral de) Atouguia," 1:450-51. "Jaime I concede franquicias a Miranda de Ebro, (1236)," 246-47. "Carta de Jaime I a Jaca, 1249," 367.
10. "Fuero latino de Sepúlveda, 1076," 48. "Fuero concedido a Nájera," 2:79-85. "Fuero de

Carcastillo," 470-71. "Fuero de Estella," 87. "Fuero de Villavaruz de Río seco, 1181," 83. *FCfs*, 30:3. *FCmsp*, 30:3. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:2. *FTR*, 573. *FAlbR*, 180. *FP*, 494. *FAlz*, 10:3. *FAln*, 593. *FH*, f. 82r. *FZ*, 611. *FBA*, 672. *FI*, 641. *FAlr*, f. 95v. *FUb*, 54C. *MS8331*, 693. *FBe*, 895. *FCO*, 112. *FCR*, 8:13. *FCM*, 311. *FCA*, 176-77. *FCB*, 108. *FU*, 178-79. "(Foral de) Mortagua, 1192," 1:482. "(Foral de) Penacova, 1192," 1:483.

11. "Carta-puebla de Peñafiel, 942," 66:373. "Fuero de Astudillo, 1147," 241-43. "Fuero de Viguera y Val de Funes," 12. "Fuero de Castrojeriz, 1234," 38.

12. "El espéculo o espejo de todos los derechos," 3:7:14. *Las siete partidas*, 2:22:1, 5, 7, 26, and 2:26:28. A number of the contemporary chronicles mention the participation of footsoldiers in Reconquest battles. *CAI*, 92-93, 98-99. "Anales Toledanos I," 23:397. "Llibre dels feits del Rei En Jaume," Ch. 132. Desclot, "Crònica de Bernat Desclot," Ch. 47. *CPA*, 47.

13. "Alfonso VII confirma los fueros y usos de los infanzones y barones de Aragón," 1:92-94. "El fuero de Olite," 1:56-57. *FCO*, 388. *FCB*, 400. "El Rey Don Sancho rebaja la pecha de Mendigorria, 1208," 87.

14. The entire Numão-Trancoso family of charters requires this, save the towns of Numão, Moreira and Villafranca. *El fuero de Brihuega*, 122. "Sentencia del Rey D. Alfonso X, ordenando que el Obispo de Zamora no reciba por vasallos a los moradores del término de la villa de Toro, 1262," 1:201. "Acuerdo del concejo de la ciudad de Toro, 1280," 2:19-20. "Privilegio rodado de Alfonso X al concejo de Murcia, 10 agosto 1266," 1:35.

15. These distinctions began to be applied to the Mozarab Christians of Toledo in 1101, thus integrating them into the emerging social structure of the Castilian Reconquest town. "Carta de seguridad concedida a los mozárabes de Toledo, 1101," 45:460. Pescador, 33-34:146-47, 151-52. Martínez Ruiz, "La investidura de armas en Castilla," 1-2:208-09. "Texto castellano del ordenamiento de unas cortes de León," 119. See also Gama Barros, *História da administração pública*, 3:46-60.

16. *Fuero de Molina de Aragón*, 77. The Évora family produces a ten-sheep figure in the four earliest charters (Évora, Abrantes, Coruche and Palmela), but thereafter the figure is forty (see Appendix A). Pérez Prendes considers the creation of *caballeros* through property and wealth to be a Leonese concept, and rationalizes its appearance at Molina as a later addition to the surviving thirteenth-century manuscript of that *fuero*. "El origen de los caballeros de cuantía," 9:142-43. Its appearance in contemporary Portugal mediates against his caution, and would have provided him a stronger case, given the tie of the Évora charter to that of Ávila. *FA*, 169, 183, 187-89. *FCO*, 163, 175, 179. *FCR*, 7:8, 8:53, 8:56. *FCM*, 274, 351, 354. *FCA*, 165, 178, 182. *FCB*, 167, 180, 184. *FU*, 167, 180, 184-85. All seven Coria Cima-Coa charters permit the individual to purchase a mule to meet the same requirement, but give no *caballero* class advantages for a mule, possibly denoting a non-combatant wealthy class. Coria, Cáceres, Castello Bom and Usagre also eliminate the use of a pack horse for fulfilling the requirement. "Fernando III concede al concejo de Toro facultad para hacer caballeros de 40 (sic) maravedís, 1232, noviembre 3," 2:566-67. The contents of the charter clearly indicate four hundred. "Alfonso X de Castiella, a petición de los habitantes de la villas de Extremadura, desagracia a los de Cuéllar, 1264," 64. "Costumes e foros de Beja," 2:70. The Coria Cima-Coa group offers some contemporary measure of the fee, in that horses killed in defensive action are compensated at thirty *maravedís* each (ten at Alfaiates), indicating that a man of *caballero* rank could be worth as much as ten horses in Leonese Extremadura. For a brief discussion of the class in later medieval Córdoba, see Edwards, *Christian Córdoba*, 42-43, 144-46.

17. "Fuero del Castillo de Aceca, 1102," 45:462. "Carta de foral concedida a Azurara da Beira," 1:18. Carta de foral outorgada aos moradores de Sátão, 1111," 1:30. "Foral concedido aos povoadores de Tavares," 1:35. "Foral outorgado aos habitantes de Ferreira-de-Aves," 1:48-49. "Foral de Viseu, 1123,"

1:82. "(Foral de) Cernancelhe," 1:363. "D. Afonso Henriques dá carta de foral aos habitantes de Leiria," 1:234. "Carta a favor dos moradores de Arouce (Louzã)," 1:287. "Carta de foral concedida aos moradores de Sintra," 1:301. "(Foral de) Castello de Pena-Ruiva," 1:551. "(Foral de) Viseu, 1187," 1:460. "(Foral de) Pedrogam," 1:531. "Fuero de Yanguas, 1188," 4:88. Among the Portuguese towns, Azurara, Sátão, Tavares, Ferreira and Cernancelhe allowed three years for replacement, Leiria, Lousã and Pedrogam two and Viseu (1123) one year, extended to two years in Viseu (1187). Sintra allowed an exceptional five years for replacement. "FAlcalá de Henares," Sánchez ed., 285. *FA*, 190. *FCO*, 180. *FCA*, 182. *FCB*, 185. *FU*, 185. "Fernando III confirma y traslada el fuero de Toro dado por Alfonso IX, y concede uno relativo a los caballeros, 1 noviembre 1232," 2:564-65. "Fuero de los escusados o franquicias de Arévalo, 1256," 1:268. "Privilegio del Rey Alfonso X de Escalona, 5 de marzo de 1261," 1:180. "Libro del fuero real y franquezas de Madrid, 1262," 9:55.

18. *FCórdoba Lat*, 3:221. "Fuero de Carmona," 4. "Fuero de Alicante," 43. "Fuero de Lorca, 1271," 78. Pastor de Togneri, *Conflictos sociales*, 188-89. González, *Fernando III* 1:407. Carlé, "Boni homines y hombres buenos," (1964), 39-40:133-68. "Costumes de Garvão comunicados d'Alcácer," 2:80-81.

19. "Fuero de Escalona, 1130," 45:465. In Portugal the law appears first at Miranda da Beira in 1136, at Louzã in 1151, then is picked up by the Santarém family of charters in 1179, and appears outside of that family only at Pedrogam in 1206 and at Sabadelhe in 1220. "(Foral de) Miranda da Beira," 1:373. *FLouzã*, 1:287. *FPedrogam*, 1:531. "(Foral de) Sabadelhe," 1:584. For the Santarém family, see Appendix A. The Cuenca-Teruel and Coria Cima-Coa families indicated the existence of both classes of archers, as is also true of Alicante and Murcia in the later thirteenth century. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:4. *FTR*, 575. *FAlbR*, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 595-96. *FH*, f. 82v. *FZ*, 613. *FBa*, 674. *FI*, 644. *FAlr*, f. 96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 898. *FCO*, 112. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108. *FU*, 179. "Concesión a alicantinos, 1257," 52-53. "Privilegio a Murcia, 14 May 1266," 1:19-20. It would be interesting to know if this indicated some special Portuguese respect for battlefield firepower, or a special shortage of archers in western Portugal.

20. *FEscalona 1130*, 45:465. "Alfonso VII confirma los fueros y usos de los infanzones y barones de Aragón," 1:93. *FMolina*, 64. "Recopilación de los fueros de Toledo, (hacia 1166)," 45:475. "Carta de fueros otorgada al concejo de Zorita por el rey Don Alfonso VIII, 1180," *FZ*, 423. The newer edition of this 1218 grant suggests that the residence requirement may have been a part of the later confirmation of Fernando III rather than a part of Alfonso VIII's original grant. "Fernando III confirma el fuero de Zorita, 1218," 2:38.

21. *FCfs*, 1:6. *FCmsp*, 1:7. *FTL*, 8. *FCcv*, 1:1:6. *FTR*, 6. *FAlbR*, 6. *FP*, 2. *FAlz*, 1:7-8. *FAln*, 6. *FH*, f. 4r. *FZ*, 7. *FBa*, 7. *FI*, 4. *FAlr*, f. 6v. *FUb*, 2A. *MS8331*, 7. *FBe*, 8-9. *FVH*, 7. Huete and Zorita set the horse value at twenty *mencales* for the fortification exemption, Plasencia at ten. *FA*, 21. *FCO*, 30. *FCR*, 2:27. *FCM*, 47. *FCA*, 31. *FCB*, 32. *FU*, 32. *Fuero de Talamanca, 1223*, Mss 13094, f. 49v. El fuero de Uclés, c. 1227," 14:322. "Alfonso X el Sabio confirma los fueros extensos de Cuéllar, 1256," 43. "Concesión a burgueses, marineros y ballesteros alicantinos," 52-53. "Privilegio del Rey D. Alfonso X, concediendo a Valladolid," 1:225. "Privilegio rodado de Alfonso X a los pobladores de Murcia, 14 mayo 1266," 1:19-20. "Alfonso X concede tierras y exenciones en Requena, 1257," 166-67. "Carta del Rey D. Alonso X exortando a la paz al concejo de Escalona, mercedes, 1269," 1:254.

22. "Recopilación de los fueros de Toledo, c. 1166," 45:465. *FAlcalá*, 285. "El fuero de Atienza," 68:267. "Privilegio del Rey D. Alfonso X, concediendo a la ciudad de Burgos, 1256," 1:97-98. "Fuero de Ávila, 1256," 2:491. "Fuero de los escusados o franquicias de Arévalo, 1256," 1:266. "Privilegio del Rey D. Alfonso X, concediendo al concejo de Buitrago el fuero real, 1256," 1:93-94. *FCuéllar 1256*, 43. "Privilegio del Rey D. Alfonso X, concediendo a la villa de Peñafiel, 1256," 1:89-90. *Fuero de Trujillo*, Mss 430, ff.50r-50v. *Privilegio de Escalona 5Mar1261*, 1:178. "Privilegio del Rey Alfonso X,

reformando, a petición del concejo de Escalona, 23 de junio de 1261," 1:187. *Franquezas de Madrid*, 22Mar1262, 9:53. "Infante don Manuel confirma a Elche sus privilegios," 2:32. The most commonly cited period is eight days before Christmas until the approach of Lent, in the *Ordenamiento de 1256* charters of Alfonso X. Elche permits a leave of absence from the town at any time, as long as it does not exceed three months. The *Ordenamiento de 1256* group also stressed that substantial houses (*mayores casas*) were required, suggesting that some were abusing this requirement.

23. *FCfs*, 30:4. *FCmsp*, 30:4. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:3. *FTR*, 574. *FAlbR*, 180-81. *FP*, 495. *FAlz*, 10:4. *FAln*, 594. *FH*, f. 82r. *FZ*, 612. *FBa*, 673. *FI*, 642. *FAlr*, f. 95v. *FUb*, 54D. *MS8331*, 694. *FBe*, 896. *FA*, 284. *FCO*, 282. *FCR*, 4:24. *FCM*, 155. *FCA*, 281. *FCB*, 281. *FU*, 289. "Sancho el Sabio, rey de Navarra, concede fueros a Artajona, 1193," 249. "Fuero dado a la villa de Lárrega, 1193," 1:508. "Confirmación de los fueros de Mendigorriá, 1194," 28-29. "Fuero de Milmanda, 1199," 2:181. "Fuero concedido a Miranda de Arga," 10:270. *Los fueros de la Novenera*, Tilander, ed., 87. "FLedesma," 264-65. "El fuero de Llanes," 1:117. "FAlcalá de Henares," 287.

24. *FCfs*, 30:4. *FCmsp*, 30:4. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:3. *FTR*, 574. *FAlbR*, 180-81. *FP*, 495. *FAlz*, 10:4. *FAln*, 594. *FH*, f. 82r. *FZ*, 612. *FBa*, 673. *FI*, 642. *FAlr*, f. 95v. *FUb*, 54D. *MS8331*, 694. *FBe*, 896. *FA*, 284. *FCO*, 282. *FCR*, 4:24. *FCM*, 155. *FCA*, 281. *FCB*, 281. *FU*, 289. For the aged knight in Portugal, *FLouã*, 1:287, *FPedrogam*, 1:531 and the Santarém family (Appendix A). For widows, "Fueros de León y Carrión, 1114," 48-49. All of the Portuguese citations in this note also cover widows, and *FSintra*, 1:300-303 and *FPenacova*, 1:483 deal only with widows, not aging knights. *FCuéllar 1256* and *FCuéllar 1264*, 43, 63. *FArévalo 1256*, 1:267-68. *FEscalona 5Mar1261*, 1:179. *FMadrid 1262*, 9:54. *Ordenamiento para Reino de Extremadura, Alfonso X, 1264*, Mss 9-21-7, 4032, Núm. 4, f. 7.

25. "Fuero de Soria, 1120," 8:587. "Fuero de los Balbases, 1135," 145-47. "FEstella", 1:107. "Alfonso VIII exime de tributos, salvo de la obligación de ir en fonsado, a los que vivieren todo el año con casa poblada dentro de los muros de Sepúlveda, 1201," 12-13. *Costumbres de Lérida*, 48. *FViguera y Val de Funes*, 39-40. *Libro de los fueros de Castilla*, 153. *FCórdoba Lat*, 3:222. *FCarmona*, 6. *FAlicante*, 44. *FElche*, 32. *FLorca*, 76. "Fuero romanceado de Sepúlveda, 1300," 63. Estella, Viguera and the *Libro de los fueros* all require residence for a year and a day (a familiar phrase outside the Peninsula) of residence to earn the privileges of *vecino* status.

26. *FMolina*, 64-65. The Évora family in Portugal also makes these distinctions (see Appendix A). *FCfs*, 1:6, 31:3. *FCmsp*, 1:7, 31:3. *FTL*, 8. *FCcv*, 1:1:6, 3:15:2. *FTR*, 6. *FAlbR*, 6. *FP*, 2, 530. *FAlz*, 1:7-8, 10:69. *FAln*, 6, 647. *FH*, ff. 4r, 87v. *FZ*, 7, 673. *FBa*, 7, 727. *FI*, 4, 697. *FAlr*, ff. 6v, 101v. *FUb*, 2A, 55C. *MS8331*, 7, 735. *FBe*, 8-9, 970. *FVH*, 7, 543. *FA*, 21. *FCO*, 30. *FCR*, 2:27. *FCM*, 47. *FCA*, 31. *FCB*, 32. *FU*, 32. *Fuero de Guadalajara (1219)*, Keniston, ed., 17. "Fuero de Salamanca," 140. "FLedesma," 236. González, *Repartimiento de Sevilla*, 1:395. Clerical and magnate lands within the municipal *alfoz* maintained exemptions for their *peones* from such municipal jurisdiction.

27. Pastor de Togneri, *Conflictos sociales*, 188-89. Sánchez-Albornoz, "The Frontier and Castilian Liberties," 27-46.

28. *FA*, 169, 183, 187-89. *FCO*, 163, 175, 179. *FCR*, 7:8, 8:53, 8:56. *FCM*, 274, 351, 354. *FCA*, 165, 178, 182. *FCB*, 167, 180, 184. *FU*, 167, 180, 184-85. A recent argument has been advanced that this class avidly sought the knightly rank, an argument which seriously errs in overlooking the military burden carried by the class. See Arriaza, "Castilian Bourgeoisie and *Caballeros Villanos*," 63:517-36.

29. Powers, "Frontier Competition," 52:476-78. "Filauria y otros ocho, en representación de toda la 'collacio' de Melgar," 78-79. "Carta de población y franquicias de Bell-lloch," 1:20. "Fueros de Palenzuela, 1074," 27. *FSepúlveda 1076*, 47. "Fuero de Marañón," 2:121. *Fuero de Calatayud*, 37. *FAlbás*, 145-47. "Fuero de Daroca, 1142," 369. *FMolina*, 72, 91. "Martín Franco y su hermana Melina

donan al Cabildo de Salamanca la mitad de toda su heredad, 1156," 105. Starting in 1156, the Évora family in Portugal contains the term (see Appendix A). *Fuero de Alfambra*, 23. "Declaración real resolviendo algunas cuestiones de Zaragoza, 1180," 8:66. "Fueros dados por Raimundo II, obispo de Palencia," 188.

30. *FCfs*, 13:20, 16:3-4, 30:1. *FCmsp*, 13:22, 16:1-6, 30:1. *FTL*, 58, 60-61, 421, 426. *FAlbL*, 418, 478, 484. *FCcv*, 2:3:20, 2:6:1, 3:14:1. *FTR*, 58-62, 534, 569. *FAlbR*, 23-24, 172, 179. *FP*, 167, 492. *FAlz*, 4:107, 5:1-6, 10:1. *FAln*, 314, 363-65, 592. *FH*, ff. 49r-49v, 81v. *FZ*, 325, 330, 609. *FBa*, 331, 400, 670. *FI*, 334, 398, 639. *FAlr*, ff. 51r, 60v-61v, 95r. *FUb*, 31:2F, 34E, 54A. *MS8331*, 325, 362, 692. *FBe*, 417, 501-02, 893. *FVH*, 310, 366-67. *FCO*, 378. *FCR*, 5:23. *FCM*, 189. *FCA*, 379. *FCB*, 390. *FU*, 388.

31. López Ferreiro, *Historia de Santiago y su tierra*, 1:149. Mayer, *Historia* 2:248-53. Rau, *Sesmarías medievales portuguesas*, 27-42. Hernandez Pacheco, *El solar en la historia hispana*, 238-39. Lacarra, "Les villes-frontières," 69:218-19. "Fernando III otorga al concejo de Ávila un fuero, 1222," 2:202. "Fernando III concede al concejo de Uceda un fuero," 2:204. "Fernando III otorga al concejo de Peñafiel el fuero, 1222," 2:206. "Fernando III otorga al concejo de Madrid el fuero, 1222," 2:208.

32. Querol y Roso, *Las milicias valencianas*, 50. In fourteenth-century Barcelona the city district functioned as the basis of organizing the defense, although we lack any clear evidence on the development of that system prior to that time. Marsá, ed., *Onomástica Barcelonesa del siglo XIV*, 3-212. "Fuero de Santiago de Compostela, 1113," 1:138-47.

33. *FCfs*, 30:7. *FCmsp*, 30:7. *FTL*, 426. *FAlbL*, 486. *FCcv*, 3:14:5. *FTR*, 576. *FAlbR*, 181. *FP*, 498. *FAlz*, 10:7. *FAln*, 599. *FH*, f. 82v. *FZ*, 615. *FBa*, 675. *FI*, 646. *FAlr*, f. 96r. *FUb*, 54G. *MS8331*, 696. *FBe*, 900.

34. *FCfs*, 30:16. *FCmsp*, 30:14. *FTL*, 426. *FAlbL*, 487. *FCcv*, 3:14:10. *FTR*, 581. *FAlbR*, 182. *FP*, 503. *FAlz*, 10:16. *FAln*, 606. *FH*, f. 83v. *FZ*, 623. *FBa*, 682. *FI*, 654. *FAlr*, f. 97r. *FUb*, 54N. *MS8331*, 701. *FBe*, 910. *FVH*, 511. The *fueros* of Cáceres and Usagre, the *Espéculo* and the *Siete partidas* also charge the *quadrillero* with responsibility for booty division. *FCA*, 177. *FU*, 179. *Espéculo*, 3:7:13. *Siete partidas*, 2:26:12.

35. *FCfs*, 30:35. *FCmsp*, 30:32. *FTL*, 431. *FAlbL*, 489. *FCcv*, 3:14:23. *FTR*, 590. *FAlbR*, 185-86. *FP*, 512. *FAlz*, 10:35. *FAln*, 622. *FH*, f. 84v. *FZ*, 641. *FBa*, 699. *FI*, 670. *FAlr*, ff. 98v-99r. *FUb*, 54E'. *MS8331*, 713. *FBe*, 929. *FVH*, 524.

36. González, "Reconquista y repoblación," 195-97. Moxó, *Repoblación y sociedad*, 458-78.

37. "Concession accordée à l'évêque d'Urgell à la suite du transfert de la villa d'Hix à Mont Cerda, 1178," 62-63. "(Foral de) Melgaço," 1:684.

38. *PCG*, 2:379.

39. *FCfs*, 2:6, 9-10. *FCmsp*, 2:6, 9-10. *FTL*, 298. *FCcv*, 1:2:4, 6. *FTR*, 384-85. *FAlbR*, 126-27. *FP*, 607, 609. *FAlz*, 2:6, 9. *FAln*, 30, 33. *FH*, ff. 6v-7r. *FZ*, 21, 24. *FBa*, 32, 35. *FI*, 26, 29. *FAlr*, ff. 10v-11r. *FUb*, 8:1I-1J. *MS8331*, 28. *FBe*, 38, 41. *FVH*, 31, 34-35. Teruel and Albarracín add to this the right of the individual land disputant to challenge whether the *quadrillero* deciding the issue was the same *quadrillero* at the time of conquest. *MS8331* lacks the law on the first to work the land. One exception to this was the grant to any commander of a force which captured a town. That leader then selected any house which he chose, its furnishings and its land, a clear invitation for such a capable person to settle on the frontier. *FCfs*, 31:15. *FCmsp*, 31:11. *FTL*, 452. *FCcv*, 3:15:10. *FTR*, 622. *FAlbR*, 192-93. *FP*, 538. *FAlz*, 10:80. *FAln*, 655. *FH*, f. 88v. *FZ*, 682. *FBa*, 739. *FI*, 709. *FAlr*, ff. 102v-103r. *FUb*, 55K. *MS8331*, 744. *FBe*, 982-83. *FVH*, 549.

40. Floriano Cumbreño, "Cáceres ante la historia," 5:3-29. González, "Repoblación de la Extremadura

española," 3:245-47.

41. "Fuero latino de Cáceres," iv. Floriano, "Cáceres ante la historia," 6-8.

42. *FCA*, 89. *FCB*, 81. *FU*, 91. The *quadrillero* also played a role in dividing up the lands of El Espinar in 1297. "Cartas de población de El Espinar," 11:249, 287-90. Both Puyol and Blázquez grappled with the military versus civilian origins of the *quadrillero* at the turn of the century, without a great deal of success. Puyol, "Cartas de población de El Espinar," 11:287-90. Blázquez y Delgado, *Historia de la administración militar*, 63-65.

43. Floriano, "Cáceres ante la historia," 10. Hernández-Pacheco, *El solar*, 238-39.

44. Sánchez-Albornoz, *España, un enigma histórico*, 2:42.

45. "Llibre dels feits," Ch. 288.

46. *Llibre del Repartiment de Valencia*, 17-72, 323-435. Desamparados Cabanes Pecourt, "El 'Repartiment'," 2:11-21. The towns given areas of settlement were Barcelona, Calatayud, Daroca, La Rápida, Lérida, Montpellier, Tarassona, Tarragona, Tarazona, Teruel, Tortosa, Villafranca and Zaragoza. For an examination of the problems of resolving land claims in and around Valencia after conquest, see Burns, *Society and Documentation*, 211-14.

47. Torres Fontes, "Jaime I y Alfonso X, dos criterios," 2:329-40.

48. González, *Repartimiento de Sevilla*, 1:21-31, 241, 286, 2:120-22.

49. *Ibid.*, 2:122-26, 274-80, 285-87.

50. *Ibid.*, 1:237, 285.

51. Torres Fontes, *Repartimiento de la huerta y campo de Murcia*, 194-99.

52. Sopranis, *Historia de Jerez*, 43-54. Torres Fontes, *Repartimiento de Lorca*, 1-53.

53. Layna Serrano, *Historia de Atienza*, 81-83. Puig, *Historia breve y documentada de Catí*, 32. Martín Martín, *Documentos*, 175-77, 680. *FP*, 703.

54. *FCórdoba Lat*, 3:221. *FCarmona*, 5. *FAlicante*, 43. *FLorca*, 79.

55. *FCfs*, 43:2. *FCmsp*, 43:18. *FAln*, 819. *FBa*, 914. *FI*, 884. *FUb*, 95. *MS8331*, 772.

56. Guichard, *Al-Andalus*, 60-65, 134-38, 231-57, 338-556. For a useful summation of the theories contrasted and compared for both Christian and Muslim social and ethnic development, see: Glick, *Islamic and Christian Spain*, 135-64.

A SOCIETY ORGANIZED FOR WAR

James F. Powers

[112]

5 - THE CONDITIONS OF SERVICE AND THE WARRIORS' ARMS

The proclamation of an expedition did not mean that all town militias in a particular kingdom would automatically hasten to the king's side to render service. The size of such an army would have been quite large and its management unwieldy. Normally the king sent the notification of his undertaking to the municipalities near his line of march or in the general area he planned to campaign. This both reduced to a minimum the amount of time any given town would be required to keep its militia in the field and decreased the royal campaign costs. Since militias came great distances to render service, while others limited themselves to activity within their own territory, and yet others received extra pay for going beyond predetermined limits, royal planning had to take into account the obligations and exemptions of the many possible municipal armies which the king might draw upon for any given campaign.

Moreover, the towns contended with their own military problems at the local level. Were they going to muster the entire militia for every type of combat, large or small, distant or near? When it came to royal or noble expeditions, the *hueste-fonsado* involved the possibility of profit and loss. Positive aspects of royal service included the opportunity to acquire spoils, the chance to vanquish a town's own troublesome enemy, and the possibility for the *caballero* class to demonstrate their prowess on the battlefield. On the negative side, military service disrupted civil and economic life while forcing the municipality to assume extraordinary precautions for its own defense. For those townsmen not well versed in the art of war, military service could be a most unpleasant task. As the Reconquest [113] progressed, therefore, limitations on and exemptions from royal military service were increasingly sought and obtained. While the northern monarchies might seem to have been pursuing a contradictory policy of recruiting settlers for hostile frontiers only to exempt them from service upon arrival at their strategic locations, the contradiction was more apparent than real. Exemptions and limitations applied more to offensive warfare than to defensive endeavors, which mandated a response from the towns and failures to serve were vigorously fined. Thus the towns wanted to avoid being victimized by overly expansive policies for which they would have to provide much of the manpower by limiting their service requirements in offensive warfare. ⁽¹⁾

The kings, however, hoped for offensive military service, and so the exemptions and limitations often proved temporary in nature, and required royal acceptance of the type of restriction being sought. Adding to this consideration was the progressive depletion during the twelfth century of the Asturo-Cantabrian and Pyrenean population bases which supplied the resettlement of the Duero-Douro, Tajo-Tejo and upper Ebro Valleys in the north. While this scarcity could occasionally be replenished by intermittent infusions of colonists and crusaders from beyond the Pyrenees, the royal desire for continued frontier expansion would necessitate increasing efforts to make life in these towns more

attractive by lightening their military obligations. Thus in the *fueros* of the later Reconquest limitations and exemptions multiplied. The right of exemption from service was an important element insulating the townsmen from the burdens of war. Yet the kings had to be concerned, lest the exemptions and limitations so debilitate their potential forces as to negate the possibility of municipal participation entirely.⁽²⁾ In this way, the monarchy maintained a delicate balance between the exemptions and limitations which made life on the military frontier more attractive and endurable, and the need for sufficient numbers which made the towns viable military assets. Many towns received freedom from both the obligation to render military service and the tax levied in lieu of service.⁽³⁾ In addition, as the longer *fueros* of the later Reconquest make their appearance, both limitations and exemptions multiply in variety and become increasingly involved with the provision of weapons and equipment. This chapter will separate these elements of limitation, exemption and the contribution of arms, to observe their development and to calculate their effects on the evolution of the municipal militias.

I - Limitations on Warfare

Limitations, unlike exemptions which free individuals from service, deal with the residents of a town and its territories as a whole. [114] They prescribe conditions governing military service in such areas as frequency and duration of campaigns, territorial boundaries of municipal expeditions, restrictions concerning the identification of the commander under which the militia will serve, and the size of the levy to be expected from the town. Limitations were directed at assuring that no one town would be overtaxed in its military duties. There was wide variation in the types and extent of limitations. Although in some situations the mere placement of a population in a strategic zone was sufficient to attain the royal objectives, more often townsmen had to render military aid in some form in order to be of any use to the king or local noble. The balance struck among these factors varied from period to period and place to place. Accordingly, if the charter grantor badly needed to populate a key town on a vital sector of the frontier, the limitations on service could be very liberal, even total. If the grantor had any leverage in the situation, he would strive for a more rigorous militia requirement.

The most frequently cited limitation required service only when the king himself was present to lead the campaign. This proviso first appeared in the last half of the eleventh century in a variety of charters from Galicia to Aragon.⁽⁴⁾ By the end of the twelfth century charters requiring the presence of the king prior to the activation of the militia were awarded in all of the Christian kingdoms. Interestingly enough, no such stipulations were laid down during the reign of Queen Urraca of Leon-Castile, at least in her name.⁽⁵⁾ During the thirteenth century, Portugal maintained the limitation of serving with the king only with greatest frequency, suggesting that the king and the towns had a mutual interest in delimiting service once the Portuguese frontier with Islam had closed.⁽⁶⁾ Scattered but numerically significant references also exist in the municipal charters of thirteenth-century Castile, as well as in the *Fuero real* and in the *Espéculo*. The *Espéculo* further suggests that individuals might have been interpreting the need of the king's presence over-zealously, arguing that the king in a given instance might be old, sick, badly wounded, or engaged on too many fronts to be present *personally* at all military assemblages under his sponsorship. On these occasions, the militiamen ought to render service.⁽⁷⁾ A number of charter designate officials who could substitute for the monarch such as a count, castellan, *merino*, *señor*, *alcalde*, bishop or master of a military order.⁽⁸⁾ Sometimes the king was not mentioned at all and only his agent, usually the *señor*, was noted as the leader for the military service muster.⁽⁹⁾ Notwithstanding the presence of the king, one finds a strong indication in the Cordilleran *fueros* of eastern Castile, Navarre and Aragon that actual combat (*lid campal*) is also to be anticipated, not some kind of informal muster without a specific military objective.⁽¹⁰⁾

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The religious or political identification of the enemy as a specification in the obligation to do military service appears with comparative rarity in the charters, suggesting a pressing local or regional matter when it is in evidence. Nonetheless, it could be a factor. In Galicia a principle emerged in the reign of Fernando I by 1065 that musters dealing with Muslim forces (*Mauros, Paganos*) did not have the same time limitations on their service obligations as was the case with Christians, a law which reappears in the Portuguese *forais* of Anciaes (1137-39) and Sintra (1154). At Portuguese Covellinas (1195), Aragonese Sarnés (1197), Navarrese Guipúzcoa (1200) and Castilian Ocaña (1210) the attack of the *Sarraceni* provided the *only* justification for calling up the militia. A foreign (but not necessarily Muslim) invader was specified in the Portuguese towns of Banho (1152), Atouguia (1185-1211) and Marmelar (1194), while Sancta Cruz (1225) noted the opponent had to be "mouros aut malos christianos." The Navarrese towns of Artajona (1193), Lárraga (1193), Mendigorria (1194) and Miranda de Arga (1208) suspended the normal one man per household levy for defensive expeditions and required everyone to make a maximum effort. The Portuguese town of Sabadelhe insisted on service solely against its own enemies. Royal endeavors were directed against such limitations, and the *Fuero real* in its Castilian and Portuguese versions sought to make equivalent service against both Muslims and against non-Muslims.⁽¹¹⁾

The frequency of mustering the militia and the duration of its service attracted more widespread concern. In some towns, especially those of Navarre and Aragon, settlers enjoyed exemption from military service for a period after settlement which varied from one to seven years.⁽¹²⁾ In Portugal, the question of frequency of service surfaces repeatedly. On occasion frequency was dependent on the presence of the king, the state of the emergency or the identity of the enemy. Where a frequency limitation appears a once-a-year clause is the customary proviso.⁽¹³⁾ The charters in King Fernando III's reign offer some interesting thirteenth-century examples of frequency of limitation. Seeking to bolster his forces for the assault on Andalusia, Fernando imposed in 1222 a strong demand for service upon Ávila, Uceda, Peñafiel and Madrid, four towns then rather well behind the frontier to assure that their militias would remain in a state of readiness; their charters required them to serve on royal *fonsados* outside the kingdom (i.e. against the Muslim south) once a year; inside the kingdom they were liable at any time the king wished service. In the grants of Fernando III and his son Alfonso X to the towns closer to the frontier, the time limitation receives mention only in its more familiar context of once a year for all campaign service.⁽¹⁴⁾

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The charters also address the interesting question of the duration of the militia's military service. Here again, some limitation in time of military service must have been implicitly understood in all towns, although often not stated explicitly in the charter. Where the duration of service is specified, there are indications of regionalization in the evolution of the length of service, especially during the twelfth century. The earliest and most frequently cited time limitation for military service is one day, the militiamen departing from their homes and returning to them on the same day. This law occurs exclusively in Galicia and Portugal.⁽¹⁵⁾ Indeed, the one-day limit was the only one ever cited in Portugal, save at Cernancelhe in 1124 and Sabadelhe in 1220, where a three-day limit was set. This would explain the difficulty experienced by Bishop Diego Gelmírez in mustering the Santiago militia for the 1120 campaigns against Portugal, where he apparently had to pay them to secure the additional service time necessary.⁽¹⁶⁾ The Kingdoms of Navarre and Aragon also produced a frequently-cited service time limit of three days, which was often expressed by requiring the militiamen to bring bread for three days (i.e. carry supplies sufficient to feed themselves for that period). Possibly the kings of Aragon and Navarre fed their recruits beyond that time, but more likely that was the understood limit

for campaigning in the field. Four Leonese-Castilian towns (Sahagún, Burgos, Oviedo and Avilés) also note a three-day limit in their charters between 1084 and 1155, but the statements of the obligation made no note of supplies.⁽¹⁷⁾

During the central twelfth century a press towards lengthening this requirement emerges, especially in Leon and Castile. The chronicles of Alfonso VII and of Ávila, for example, discuss long expeditions undertaken by the towns of the Trans-Duero and the Tajo Valley (see Chapters One and Two) in which both mounted and foot soldiers participated which would have been impossible if a three-day limit were in force. Alfonso VII did establish a distinction between three-day local defense and castle service as against a three-month expeditionary requirement, but this was done for special nobles both honored and supplied by the king ("...illos seniores qui tenent illas honores regales..."). Alfonso I of Aragon had granted many of these same privileges to the settlers of the newly captured Zaragoza in 1119, but distinguished between the regal nobility who had the expeditionary obligation and the remainder of the settlers who had only the three-day requirement.⁽¹⁸⁾ The chronicles suggest that the militia in general acquired a longer expeditionary obligation during his reign, at least in such well-traveled militias as Ávila, [117] Segovia, Salamanca, Toledo and Talavera. The *fueros* unfortunately do not enlighten us very far regarding the precise timing of this evolution.

One early development occurs in 1166 when Alfonso VIII granted Olmos Castle to Segovia in exchange for two months' military service performed by the *Concejo* at his pleasure.⁽¹⁹⁾ By the thirteenth century the longer requirement had become widespread, listed at one month at Cáceres, Usagre and Cartagena, two to three months at San Justo, Brihuega and Talamanca, and three months at Plasencia, Torre de Tiedar, Seville and Sepúlveda. We even get our first indication that the requirement has become extended in Aragon and Catalonia. Jaime I called on Zaragozaan assistance to put down some rebellious Catalan nobles in 1274, and required them to bring "bread for three months." A series of general musters on a far larger scale issued by Jaime and his son Pedro II (Pere I) for many Catalan towns in 1275-76 and 1285 require the militias to come equipped and with bread for two, three and even four months, indicating that Castilian and Aragon-Catalan practice had remained parallel down to the later thirteenth century.⁽²⁰⁾ While Jaume did offer salaries and supplies for three months to the thousand knights and five thousand infantry who were to accompany his son Prince Pedro in a campaign to assist Alfonso X of Castile against the Muslims in November of 1275, no specific citation of municipal forces are listed for this expedition and all of my examples in Aragon-Catalonia where supplies are mentioned require townsmen to supply themselves.⁽²¹⁾

The towns took these limitations seriously; for example, in Fernando III's siege of Úbeda in 1233, the militias of Toro, Zamora, Salamanca and Ledesma departed before the city fell because their service terms had expired. Thus, Fernando took care to rotate the summoning of his militias over time for the siege of Córdoba three years later. Alfonso X's *Espéculo* also adopts a three-month obligation for the municipal militias. The monarch and the towns are supposed to work out the question of the mutual cost of supplies, as against the relative shares of booty, and the term is supposedly calculated from the arrival time of the militia at the place where the ruler has his assembly. Early departure constituted the equivalent violation to no service at all. One wonders how acceptable these concepts expressed in the *Espéculo* were to the militias, and how effective they ever became.⁽²²⁾

Related to time of service is the question of distance from home which a militia could be asked to serve. When royal pressure increased on the towns for extended terms of service, they sought a counter-limitation [118] by securing a geographical restriction to the vicinity of their town or their *frontera* for the performance of service.⁽²³⁾ A number of municipalities attempted to describe the territorial limits of their service obligation by listing the geographic boundaries beyond which they could not be compelled to go. The *forais* of S. Martha e Beduido and Souto specify service on their

side of the Douro River (20 to 40 kilometers), and a large majority of the Cidadêlhe family add the Minho River to the Douro as the region of operations (a zone approximately 100 by 150 kilometers). In the case of Arcos de la Frontera in 1268, the Guadalquivir River constituted the northern limit of military service (50 to 80 kilometers).⁽²⁴⁾ Indeed, the growth of this tendency in the later twelfth century may have prompted Fernando III to specify one expedition outside the kingdom in the *fueros* which he gave to Ávila, Uceda, Peñafiel and Madrid in 1222. The regular use of the municipal militias in the thirteenth-century Andalusian campaigns indicates that such a rule was applied with some consistency by the monarchy.⁽²⁵⁾ The only specific scale of distance offered on the national level occurs in Castile, in that part of the *Espéculo* which deals with the proper response to an enemy invasion. Here Alfonso X's jurists argue that anyone (including municipal militias) within a radius of one hundred *migeros* (c. 180 kilometers) of an incursion site ought to respond spontaneously to the needs of the kingdom. Although we cannot know to what extent this theory was based upon actual experience and expectation, certainly it offers a reasonable estimate of the potential of a militia range if not an operational certainty.⁽²⁶⁾ On the other hand, a number of towns specified political and human geography to demarcate their horizon of liability.⁽²⁷⁾

The last category of limitation is the partial muster, in which a predetermined fraction of the *vecinos* could be summoned to render military service, preventing the load from descending too often on the same individuals while assuring that a reserve force of combatants would be available if an enemy approached the town in the absence of the militia. The first reference to this practice occurs at Peñafiel in 942, but the reference to keeping a third part of the foot soldiers in the town should the "Mauris" approach is of questionable authenticity in a charter surviving only in a late copy. The 1104 *Fuero de Fresnillo*, also extant in a late copy, begins a lively twelfth century tradition for this law, when it demands that one-third of the *caballeros* join the royal *fonsado* when called, and charging members of that third a fee if they do not attend.⁽²⁸⁾ The emergence of this law may be tied to the now lost *Fuero de Salamanca* (see [119] [Chapter One](#)). Between 1121 and 1135 the one-third levy appeared in the charters of a number of towns in Navarre, Aragon, Castile and Portugal, then in two later Castilian citations at Uclés (1179) and Zorita de los Canes (1180). The Numão-Trancoso family in Portugal maintains the provision throughout the later twelfth and thirteenth centuries.⁽²⁹⁾ In a virtually contemporary development, a similar ratio law which specified that two-thirds of the knights should serve and one-third remain in the town could be found in the 1137 *fuero* given by Alfonso VII to Guadalajara, possibly derived from a no longer extant charter given to Ávila (see Chapter One). Later in the century the Portuguese family of Évora borrowed the Ávila format, causing versions of this provision to appear in some forty charters across the later twelfth and thirteenth centuries. Campomayor in Leonese Extremadura, also possibly a derivative of Ávila, has the provision included in 1260. In the early thirteenth-century version of the *fuero* of Viguera and Val de Funes, ratios of two-thirds of the knights and one-third of the footsoldiers serving are listed. Only Viguera tells us that those who serve in the partial muster were selected by drawing lots. A resident who was not drawn and who wished to serve could petition his fellow residents for permission join the expedition. Probably this was the system employed everywhere.⁽³⁰⁾

In addition to demonstrating how rapidly a law could spread across the frontier kingdoms in Iberia, the emergence of a partial muster law across so wide a front within a decade suggests that the kings of Aragon and Leon-Castile and the Count of Portugal had just begun to put heavy pressure on their municipalities for expeditionary military service. The load this placed on the townsmen doubtless helped create laws which distributed the service tasks. Another concern to be met was the comparative defenselessness of towns which had given their militias up for a royal expedition. Since Muslim forces similarly raided the towns and countryside, especially to discourage a major Christian expedition bent upon a particular campaign or siege, the towns were highly vulnerable with their militias away in the

field. Maintaining in each town a reserve at least capable of the defense of its walls and the harassing of unwanted visitors must have been a felt need. The *Chronicle of Ávila* offers two interesting situations which pertain to this problem. One appears in the very early and near legendary portion of the *Chronicle* and relates an incident where the militia was away on a raid (*cabalgada*) when the town was attacked by the Muslims. Some of the rural knights combined with a residual force from the town to overtake the Moorish raiders and defeat them. The second example describes an assault by the neighboring Christian [120] militias of Salamanca and Alba de Tormes while the main Abulense militia was engaged in the Las Navas campaign in 1212. The Abulense reserve drove off the Salamancans and their allies, again demonstrating the value of a partial muster.⁽³¹⁾ One finds other ratios of muster such as one-half, two-thirds, one-quarter, three-eighths and nine-tenths, but these are more scattered and unsystematic in their distribution. Presumably each locale worked out for itself the best it could regarding service ratios.⁽³²⁾

Two other laws eased the burden of the entire community to serve. One was the obligation that only one person per household rendered military service on any given occasion. This rule was established indirectly by the substitution concept in the Cuenca-Teruel, Coria Cima-Coa and Santarém families of charters, and by direct statement in several Navarrese *fueros* by the later twelfth century.⁽³³⁾ Another method required a simple numerical levy of the town which was drawn from the knightly class. Unfortunately, numerical levies rarely appear in the charters, hindering our ability to estimate the forces the average militia could field. In the families of charters, the Santarém group initiated in 1179 in Portugal does present numerical levies of sixty knights for the mounted foray called *caualgada*, while on the other side of the peninsula Alfonso II of Aragon established numerical levies for the *cavalcada* in his southern French dominions near Nice in 1176. The Catalan *carta puebla* of Pinell in 1198 also levies ten knights for the *cavalcadas exercitus*. In connection with the Santarém levy of sixty *militum*, The *Chronicle* of Afonso I of Portugal mentions the outstanding performance of sixty knights from Santarém which he levied for a battle at Alcácer in 1147.⁽³⁴⁾ The evidence is insufficient for any kind of valid sample of militia size, and is equally uncertain as an effective delimiter of service without any indication of the size of the towns in question. Even in the twenty-two members of the Santarém family, the individual towns must have varied considerably in size despite the almost constant levy of sixty.

The effectiveness of these limitations in lessening military encumbrances upon the townsmen is difficult to assess since no limitation appears in all charters of any kingdom. Rather, we are left with the impression that each form of limitation served as a localized point of negotiation between ruler and municipality instead of any principle of national policy universally applied in the Reconquest. The closest any ruler came to attempting such unification of policy arose in the pattern of charters issued by Alfonso X, and even his pursuit of the goal of uniformity proved inconsistent. Ultimately, the town sought the best package of limitations it could from a king, framed [121] within the restraints of their strategic position and the king's political, military and economic requirements.

II - Exemptions from Service

Exemptions gave to the individual what limitations gave collectively to the town, an opportunity to be free of military service under certain conditions. In general, they played a much larger role than limitations in alleviating the burden of warfare on the citizen. Exemptions exist in a variety of forms dating from the early Reconquest. This widespread incidence made them more important in the freeing of men from service than the town's corporate limitations.

The earliest and most basic form of exemption consisted in paying money in lieu of service, a stipend customarily called *fossateria* in Latin and *fonsadera* in the vernacular. It could be argued to have been a tax or equally a fine. In any case the large majority of the charters appear to leave the option of service

or payment to the individual, although there are occasional indications that the kings wished to have some control over which type of service an individual rendered. In some campaigns funds to finance the king's forces were more important than additional troops, even to the extent of fining militias which attempted to join his forces unbidden.⁽³⁵⁾ In all probability, no single form of exemption freed more individuals from military service in all of the peninsular Christian kingdoms than this fee. As fine or punishment the *fonsadera* will be examined more extensively in Chapter Eight.

Some secured exemption on the basis of their occupations. There were large categorical grants of exemption, for example, the footsoldier class was freed from offensive expeditions in the Numão and Évora families. More specialized exemptions went to the cathedral workers in Santiago in 1131, the French merchants of Toledo in 1136, the wine makers and bakers of Zaragoza in 1137, the tenant farmers and the smiths who make at least fifteen plowshares in the Coria Cima-Coa charters, the grain and grapevine guards in thirteenth-century Parga, Oviedo and Avilés, the vineyard workers in Navarrese Urroz in 1237, and the armorers, gilders and bridle makers of Toro in 1260.⁽³⁶⁾ In the occupational category, the clergy held a special place. At the national level, at least in Leon-Castile, a strong sense existed that bishops and archbishops ought to render military service at royal command, notwithstanding considerable episcopal resistance to the concept.⁽³⁷⁾ At the municipal level, [122] clergy often possessed exemption from military service and the fee in lieu of service. Alfonso VII defended this type of exemption on the grounds that they rendered a special spiritual service through ordination which paralleled military service and thus obviated it. The charter of Molina de Aragón demurred on the payment exemption should the cleric have a son or nephew in his household who was capable of military service, a curious statement a century after the reform papacy had launched its assault on clerical celibacy. On the other hand, Sanabria's clergy was obliged to send two of its number to act as chaplains during the *fonsado* campaign, a practice probably frequently used among the municipalities.⁽³⁸⁾

Women often possessed explicit exemption from military service. Where no such statement appears in charters, we can assume that these exemptions operated, for no references to females serving in municipal warfare exist, and the societal structure of the Reconquest towns would certainly not have encouraged that service.⁽³⁹⁾ However, once a woman married and became a part of a taxable household, problems arose if she became widowed since the military levy was usually taken on the basis of the household and women did not serve in the militia. Many town councils resolved the dilemma by formally exempting widows from either taxes or service.⁽⁴⁰⁾ A number of towns insisted that widows were liable for the *fonsadera* tax if they had a son in their household of military service age, unless he served with the militia. Presumably, at such time as a male child came of age, his obligation to serve would be balanced by his acquisition of his full inheritance and his status as new householder.⁽⁴¹⁾

Age was similarly a major consideration in the obligation to serve. The concept of exempting the young and the elderly from military service begins to appear in the charters in the early twelfth century, possibly as a response to the increase in pressures on the towns generated by the acquisition of the Tajo Valley. The elderly received the most frequent mention at the outset, and gained exemption from military service as a matter of course in many towns. This exemption was sometimes qualified if a son or nephew in the same household could be sent as a substitute. The few documents that cite a particular age one had to attain to gain the exemption give seventy as the figure, as in the *Siete partidas*, for example, which took care to recommend that elderly men be brought along on campaigns to take advantage of their experience and sage advice. Infirmity and substitution doubtless freed far more older men from service than this advanced age limitation.⁽⁴²⁾ Young males receive formal exemption as early as 1114 in the charters given to the [123] towns of Leon and Carrión, and more regularly after the

middle of the twelfth century. No universal agreement existed regarding the age of maturity, and citations anywhere from thirteen to twenty years can be found.⁽⁴³⁾

There is a large category of exemptions from military service based on personal reasons of a temporary nature. First, a *vecino* might not be in the town or its environs when the call for service went out. When this occurred the individual was usually freed from any fine for non-service, although Benavente, Milmanda and Llanes cite only a pilgrimage to Rome as meriting an exemption. Should absent citizens return in the wake of a muster, they were expected to attempt to overtake the militia and join it.⁽⁴⁴⁾ The lawmakers considered the possibility that one might be in the lands of the town but fail to hear the summons to the militia, or to hear of it too late to join the force at the customary meeting place. If this occurred, the matter was judged and validated. The time granted for getting to the assembly point varied, Viguera allowing a day and the Coria Cima-Coa charters a half-day.⁽⁴⁵⁾ The charters list illness at time of militia assembly as an excuse from service from 1164 (Estella) onward, but temporary physical incapacity to perform military duties must have constituted an unwritten excuse from the origins of militia service.⁽⁴⁶⁾

Family problems could create exemption situations. The charters of Leon and Carrión given by Urraca in 1114 granted an exemption rarely seen in the *fueros*, a one-year excuse from service or fine to those knights who had just been married, ironic in the light of the queen's recent and very troubled marriage.⁽⁴⁷⁾ Excuses involving family illness were more common. In the Navarrese towns of Estella and Viguera individuals could ignore the royal summons to military service if their wives were in labor or their parents were near death. More often the wife was the sole family member whose poor health might be cause for an exemption. Some of the Coria Cima-Coa towns freed men from service and fines if their wives were seriously ill, to remain home until their spouses recovered or passed away. Three fellow residents were to testify to the wife's condition, however.⁽⁴⁸⁾ A number of Leonese *fueros* indicated a concern for the widower, granting him exemption from service and fees. Benavente and Llanes presented the bereaved warrior a year's leave, while the Coria Cima-Coa family offered a token pause of fifteen days, even then withdrawing the privilege if there were children of inheritable age available to look after affairs at home.⁽⁴⁹⁾ *Caballeros* whose horses were sick or unavailable were excused from service and fees in both the Cuenca-Teruel and Coria Cima-Coa charters, and the Cuenca group added horses [124] which were attached to the guarding of nearby fortifications to the excusable situations. Should the knight wish to serve despite his temporary lack of a mount, there were laws governing the borrowing of a horse for campaigns, presuming the payment of a proper fee and the securing of the owner's permission.⁽⁵⁰⁾

Aside from payment in place of service, the most important exemption classification was the substitution of one individual's service for another. The occasional suggestion appears that one can simply hire a substitute, such as those individuals declared *caballeros* by means of meeting a certain standard of wealth in Cáceres and Usagre who can send another in their stead. However, laws dealing with this type of hireling proxy for combat service appeared so infrequently that it is difficult to establish how common a practice it may have been. However, the Cuenca-Teruel charters specifically prohibited a hired substitute.⁽⁵¹⁾ Far more important were excuses of substitution gained when a householder sent a member of his family to serve in his place in the militia. Although not substitution per se, widows frequently had the right to send a son to military service to avoid the fee as far back as the charter of Nájera in 1076, and by 1156 Molina in Aragon gave this right to the clergy who could also send a nephew as well as a son. The standard family substitution was that of the elderly householder who possessed the right to send a son or nephew who was a part of the uncle's household to serve in his place.⁽⁵²⁾ In some charters the householder did not need to be elderly in order to send a relative as a substitute, but the *fueros* cited restrictions. Householders could send nephews to the

militia, with the approval of the town *concejo*, without reference to their sons in the Coria Cima-Coa charters, providing that the nephew lived in their house for at least six months of the year, was twenty years old, and totally supported by the uncle. Sons and nephews could be sent in lieu of the householder if they were the heirs to his estate in Alcalá de Henares and Ledesma, the latter adding the sending of anyone as substitute who lived with the owner, shared his table and derived the bulk of his support from him.⁽⁵³⁾ These laws offer clear insights not only into the substitution process but also the means by which the household replaced the person who would be offering military service in the future. Thus, the exchange of responsibility between generations is underscored in the process.

The final category of military service exemptions constituted those exemptions granted in exchange for the contribution of weapons, equipment and supplies to the militia. The individual who possessed weapons, armament, animals and equipment and made some of these available to [125] his militia received one of the following rewards: excuses from military service, tax exemptions or booty shares (on booty shares, [see Chapter Seven](#)). Service excuses and tax exemptions are often difficult to differentiate, since the verb *excusar* was used in both cases. The ultimate intent was the same: the ample equipping and arming of a basic militia fighting force. Tax exemptions reduced the royal income to secure the materials, while excuses from service reduced the size of the militia forces. It is often ambiguous which option the monarchy is choosing to exercise. My own tendency is to assume that the exempted item was taxation unless reasonably clear indications point to service, instead.

The service excuse through the contribution of equipment appears to originate in the *Fuero de Sepúlveda* of 1076. Here the offering of a mail jacket and a helmet to a knight freed the contributor. Noteworthy also is the dual working of the principle in this law, as the service of one *caballero* or four *peones* frees the obligation of someone to contribute an ass to the militia, a proviso which also appears in the thirteenth century at Guadalajara where a knight's expeditionary service excused an animal contribution and at Alcalá de Henares where the *juez* can excuse three contributions of animals to the expedition.⁽⁵⁴⁾ The next example appeared in Portugal at Seia in 1136, where giving a yoked pair of animals secured an individual excuse from the *fossato*. Beyond a few isolated examples, the principle became best established in the Kingdom of Leon in the last half of the twelfth century, continuing into the thirteenth century even after the reunification with Castile in 1230. Nine Leonese towns received charters from the later twelfth through the mid-thirteenth century which have the principle of exemption from *fonsado* clearly stated or strongly implied, five of which have virtually identical lists of excuses to be acquired by the position held or the item contributed.⁽⁵⁵⁾ The Coria Cima-Coa group of seven charters in Leon and Portugal also discussed exemptions awarded for the contribution of equipment. The Benavente-Milmanda group contemporary with Coria Cima-Coa and the great concern over enumerating knightly as against infantry excuses in the Coria family strongly suggests that here as well it is service excuses rather than tax exemptions that absorb the attention of the redactors of the *fueros*. Coria differs from the Benavente group in specifying more categories of equipment to be contributed to the campaign, but otherwise they are similar.⁽⁵⁶⁾ It is evident that the excuses are specific to a particular campaign, and cannot be accumulated by individuals for a series of exemptions. The presumed advantage to the individual would be the acquisition of a group of persons dependent upon him for this relief of the obligation. The nature of the linkage is not clear, whether as family dependents, or as [126] members of a private entourage, or as possessors of a kind of economic connection to the individual who secured the excuses. None of these possibilities is clarified in the context.⁽⁵⁷⁾

The Castilian evidence indicates considerable ambiguity regarding excuses for equipment, since the normal tendency is to offer shares of booty in exchange for equipment contribution. When one encounters such excuses, it is natural to assume that it is the Leonese concept of exemption from service that rather than the Castilian tradition which presents itself, although the Castilian 1219 *Fuero*

de Guadalajara appears to grant both tax exemption and service excuse simultaneously.⁽⁵⁸⁾ While some of this ambiguity reappears in the unified Toledo pattern of charters under Alfonso X with the charter granted to Arévalo in 1256, a number of the other charters in that pattern clarify the point that it is taxes from which the *caballero* gains excuse, not service.⁽⁵⁹⁾ It could therefore be argued that the tendency to grant multiple excuses to fully equipped knights in some of these same charters in this pattern also indicates that those excuses related to taxes, not service, although this is not absolutely clear in the context.⁽⁶⁰⁾ In many of these Alfonsine charters, knights obtain the right to exempt persons tied to particular occupations. Since some of these individuals are women, taxes and not service constitute the item being exempted. The nature of their tasks varies, and includes bread suppliers, plowmen, millers, gardeners, shepherds, beekeepers, butlers and male and female child custodians.⁽⁶¹⁾ All of this suggests an emerging wealthy class of knights in the towns who not only gain tax exemptions for themselves by their military service with proper equipment, but also make tax exempt a large class of personal retainers and household staff members. Alfonso X must have felt the need to maintain a well-equipped mounted warrior class very keenly to have sacrificed this much revenue.

Limitations and exemptions thus had a substantial impact on leavening the drain on municipal and personal resources that could be occur in frontier warfare. Since weapons and equipment constituted the source of many of these personal exemptions, at least in Leon, and because the arms, armor and various kinds of military gear offered their own kind of insulation from the impact of war, these merit examination in our study of the conditions of service.

III - The Contribution of Arms and Equipment

The provision of war materials evolved as a topic of interest in the *fueros* from the eleventh century onward. While Spanish urban and military historians have often noted the importance of arms and equipment, [127] the most thorough examinations of armor and weapons evolution are comparatively recent and none of them focus exclusively on the Spanish kingdoms in the Central Middle Ages.⁽⁶²⁾ Towns were liable to supply requisition for the royal expeditions even in the Visigothic era, but gave little else to the armies of kings and nobles. The lack of good records obscures the slow evolution of the municipalities from supply depots to producers of militias until the later eleventh century, when Sepúlveda and Nájera refer to the use of armor and weaponry by their residents in 1076.⁽⁶³⁾ From this point a century of gradually increasing armament contribution either for one's self or for others develops, culminating in the Cordilleran charters in the late twelfth and thirteenth centuries. Much of this legislation simply requires the residents to be sufficiently armed without describing the items required.⁽⁶⁴⁾ Other towns require weapons of wood and of metal, again without any supplementary description.⁽⁶⁵⁾ By the later thirteenth century the list of arms and armament to be provided by the townsmen had become quite elaborate, indicative of the fully developed complexity of frontier warfare in its maturity.

How did the residents of towns come to acquire this growing array of battle gear? Some townsmen secured arms and armor from the king or their *señor* in exchange for battle service.⁽⁶⁶⁾ For a great expedition such as that mounted for the campaign of Las Navas, equipment was pooled and sold to those who lacked it.⁽⁶⁷⁾ Booty provided another common source, as noted in Chapter Seven. Once acquired, families carefully maintained their cache of weapons and equipment for the maintenance of their status and their possible economic gain through warfare. That a household maintained sufficient quantity to meet the foral requirements is revealed by a growing interest in the inheritance of arms and armor in the charters by the twelfth century. The sources reveal a particular concern that the horse, armor and basic battle gear of the knight be retained together as an inheritance for a surviving male heir, usually his eldest son. The Toledo-related charters establish this tendency especially well.⁽⁶⁸⁾

Some charters make it very clear that the horse, arms and armor are an impartible unit with regard to inheritance. ⁽⁶⁹⁾ The ordinances for Cuéllar, Extremadura and Madrid allow for the possibility of the deceased knight possessing more than the required equipment. If such is the case, the additional arms are to be formed into the required knightly ordinance and given to other male heirs, but they are not to be divided among non-combatants. The charters offer little information regarding the disposition of the arms and the horse should the *caballero* die without heirs. At Berrueco Pardo, they were [128] to be given to the Count of Urgel. The Coria Cima-Coa group of *fueros* require that they be offered in behalf of the deceased knight's soul, a euphemism which customarily means that they go to the Church. Presumably the town council arranged for their redistribution. ⁽⁷⁰⁾

The most fundamental method for assuring the provision of sufficient equipment in the case of *caballeros* lay in requiring the use of such materials as a part of securing knightly tax exempt status. Since the knights of the towns were not a hereditary nobility in the Central Middle Ages, they had to maintain their horse and their proper military regalia to continue to qualify for the social and economic advantages of the class. By the later twelfth century, the arms required of the knight were specified in detail. Alfambra (1174-76) offered the first specific list, including the horse, two saddles, padded jacket, helmet, lance and shield. The nearly contemporary population charter of Teruel included this same list without the saddles and the jacket. The Navarrese charters of Artajona (1193) and Mendigorriá (1208) listed shield and helmet as basic, while the early thirteenth-century version of Uclés added the sword for the first time and omitted the helmet. ⁽⁷¹⁾ The unified foral pattern derived from the Toledo group which Alfonso X pressed on Castile in the later thirteenth century gave an extended list, including lance, sword, shield, helmet and adding a linked male jacket over the quilted jacket with supplementary thigh and arm protection. ⁽⁷²⁾

A survey of the charters of the twelfth and thirteenth centuries yields a revealing story of the expansion in the variety of weapons and equipment together with an interesting pattern of social distinctions and regionalisms connected with the paraphernalia of battle. For instance, body armor, even the shield, appears most often in association with the *caballero* in the documents. Countering this impression are dueling laws such as those which appear in the Cuenca-Teruel *fueros* which indicate the use of armor and shields by *peones* and numerous artistic examples of unmounted armored figures bearing shields. ⁽⁷³⁾ Arguably both knights and footsoldiers employed an increasing variety of armor in the twelfth and thirteenth centuries, but the mounted warrior was the most consistently and the most elaborately vested in armor.

From the eleventh century onward, the *loriga*, a long leather jacket with sleeves covered with rings or scales of metal, was the basic piece of body armament. ⁽⁷⁴⁾ Variations of this hauberk-style light-armored jacket existed with sleeves to the elbow or sleeveless in design, variously called a *lorigón*, *loricula* or *loriguella*. The *Espéculo* among contemporary documents [129] offered the widest variety of descriptions. ⁽⁷⁵⁾ Similar materials made up the *almófar*, a hood to protect the head and neck, constructed as one piece with the *loriga* or attached to it. More elaborate *almófares* extended under the jaw and covered the mouth. The soldier customarily donned a coif (*cofia*) beneath the *almófar* to protect the skin and hair from abrasion. (See Plates 8, 9, 10, 12, 13, 14, 15, 26). ⁽⁷⁶⁾ Beneath the *loriga* the body was protected by a long sleeved quilted jacket called the *perpunt*. ⁽⁷⁷⁾

As the Reconquest pushed into Leonese Extremadura and Andalusia in the later twelfth and thirteenth centuries, additional types of armor, most of it pertaining to the knightly class, are listed, first in the Leonese *fueros* and then in those of Castile. The *brofunera* was the most commonly encountered piece of supplementary armor, designed to reinforce and protect the warrior's upper arms or thighs. ⁽⁷⁸⁾ The *Espéculo* and *Siete partidas* offer a listing of knightly armor which added some newer styles of mail

jackets, such as the *camisote* (where the sleeves extend over the wrist in contrast to a *loriga* where the sleeves reach only to the elbow), the *guardacores* (a sleeveless variety), and a *foja* (scaled jacket). Armor makers appear for the first time in a number of the municipal charters of the thirteenth century, beginning with Córdoba in 1241. *Siete partidas* recommended that armor be light for mobility, strong for effectiveness, and well finished in order to strike fear into the enemy.⁽⁷⁹⁾

The helmet, called a *galea* or *capillo*, was also a major piece of equipment for the militiamen, which could be worn by itself or over a mail coif depending on its size and the amount of protection it offered to the neck. Evolving from an earlier version made from leather, stout cloth or even palm leaves, by the eleventh century helmets consisted primarily of metal. In the medieval West the eleventh and early twelfth centuries favored a pointed conical cap reinforced by metal bands, but a more round-topped type emerged by the mid-twelfth century. A metal nose guard was occasionally attached extending from the headband. The thirteenth century witnessed the appearance of a pot-helmet which covered the entire head, with a small visor slot for vision. (See Plates 3, 8, 10, 12, 15, 26).⁽⁸⁰⁾ In Alfambra and the Cuenca-Teruel family of charters the possession of either the mail coif or the helmet was sufficient to meet knightly requirements, although the Romance version of Teruel required both. However, in two of the later Cuenca charters given to Baeza and Béjar and in all of the Toledo family given by Alfonso X only the helmet was mentioned.⁽⁸¹⁾

Shields completed the defensive armament of the militiaman. Wood [130] and leather constituted the primary materials of construction, although metal seems increasingly to have been used by the later thirteenth century. The municipal charters specified the possession of a shield for knightly status more frequently than any other piece of defensive armament. Its use by footsoldiers is clear from the surviving artistic evidence, although infrequently mentioned in the *fueros*, save in the dueling laws. (See Plates 1, 2, 3, 4, 10, 12, 14, 15, 16, 17).⁽⁸²⁾ The earliest and most common of the three primary types was circular and came in a variety of sizes. Representations of the shield in the visual arts show more of the variation in size, while in actuality it probably reached more often from the knees to the shoulders and was designed to protect the trunk of the body from missile and bladed weapons. One sees it both in Christian and Muslim hands although it is customarily thought to be Muslim in origin. A second type of Muslim shield, heart-shaped in form, appears in the thirteenth century. This type is depicted frequently in the Escorial *Cantigas* manuscript (T.I.1) and there were no indications of Christian use. The third style consisted of the familiar kite-shaped shield, introduced in all probability from France during the eleventh century. This shape was not unknown in the Muslim world, and like the circular shield is represented in a variety of sizes. Bruhn de Hoffmeyer argues that cavalry employed the kite-shaped shield while infantry used the circular one, but the pictorial evidence does not bear this conjecture out.⁽⁸³⁾

Offensive combat weaponry was not as differentiated as defensive armor between knightly and infantry arms, notwithstanding a tendency of the charters to distinguish between them. The lance exemplified this dual role rather well. It provided a basic piece of offensive equipment and consisted of a metal point attached to a long, stout wooden shaft standing taller than a man. When employed by a *caballero* it was often couched under the arm and used as a shock or contact weapon.⁽⁸⁴⁾ Military historians often regard it as an exclusively knightly weapon, but the municipal charters and the *Siete partidas* list it in the arsenal of infantrymen, as well. Contemporary manuscript illustrations and sculpture support infantry usage, where the *peón* utilized the lance as a rudimentary pike, possibly bracing the shaft end against the ground to withstand an opponent's charge. (See Plates 3, 4, 7, 14, 15, 19, 27).⁽⁸⁵⁾ The javelin, styled the *dardo*, provided an important variant on the lance, since it could be hurled at the enemy. In a number of the Cuenca (but not the Teruel) family of charters, as well as in the *Espéculo* and the *Siete partidas*, it was defined as an infantry weapon. Yet *caballeros* can be seen in a number of

manuscripts [131] grasping a long pointed shaft with their arms cocked ready to hurl. (See Plate 3). Either this device was some type of *dardo* or it may have been a special form of throwing lance. Such a weapon provided the combination of the firepower of the arrow with the weight of the lance, useful in light-armored combat.⁽⁸⁶⁾

The other most frequently cited knightly weapon in the municipal charters was the sword, which consisted of a two-edged blade extending from the hip to the ankle in length. The blade did not narrow appreciably until it approached its point. While the point did permit its occasional use as a thrusting device, in the Central Middle Ages knights used the sword primarily as a chopping weapon. The chronicles comment on its effect against mail, citing instances where a sword blade sliced through a mail coif and its under padding to crack the skull underneath.⁽⁸⁷⁾ While contemporary artistic examples offer numerous instances of unmounted warriors wielding a sword, the municipal charters and the Alfonsine codes tie it exclusively to the knight. (See Plates 2, 8, 10, 12, 13, 18, 19, 20, 21).⁽⁸⁸⁾

There was also a class of miscellaneous small arms, largely associated with the footsoldier. The charters noted a variety of daggers, knives and machete-type short swords (*cuchiellos*, *siculi*, *alfanges*, *bullones*) which constituted the prime contact weaponry of infantry after expending their lances and javelins. (See Plates 19, 22). While rarely depicted in combat usage, contemporary art illustrated their use in other situations (the Sacrifice of Isaac, for example). Iberia had been, indeed, the contributor of the long knife for thrusting called the *gladius* to the Roman arsenal. Several *fueros* also mentioned the *porra*, a club or mace. This could be formed entirely of wood or by a wooden handle joined to a metal head. Only Cuenca among the charters mentioned an iron mace, and the *porra* in other charters and the *Siete partidas* is described as a footsoldier's weapon.⁽⁸⁹⁾

The last category of offensive weapons, bows and crossbows, provided the basic firepower of the municipal militias. In contrast to France and the other Western European principalities, archery in the Iberian Peninsula was not the exclusive prerogative of the footsoldier.⁽⁹⁰⁾ While there existed some tendency to assign the weapon to the *peón* in the *Siete partidas*, numerous municipal charters refer to knightly archers, who receive twice the foot archer's booty shares from military service provided they maintained the skill and the minimum requirement of bow cords and arrows. (See Plates 1, 2, 3, 12, 23, 24, 25, 27).⁽⁹¹⁾ Indeed, in a number of towns archers constituted a special legal class. By 1136 they came to enjoy the [132] rights of knights in some of the Portuguese municipalities, especially those receiving *forais* of the Santarém group. This same awarding of *caballero* status appears occasionally in the Toledo family of Castilian charters beginning with those portions of the *Fuero de Escalona* which date from the later twelfth century.⁽⁹²⁾ Regarding the question whether the *caballero* archers of Aragon, Castile and Portugal fired their bows and crossbows from the mounted position, the evidence is ambiguous. The numerous depictions of mounted archers in the visual arts could be reflecting an iconographic tradition rather than illustrating reality, and the chronicles offer no instances of the Christian use of mounted archers. Even on the Muslim side, there were no sure indications that the native Hispano-Muslims of Al-Andalus possessed mounted archers. Cagigas believes that a group of Turkish archers called the *agzâz* had come to the Iberian Peninsula by the later twelfth century to fight at Alarcos and Las Navas, although it is unclear whether these archers were mounted. Jiménez de Rada has also left us the splendidly enigmatic description of the Parthian-like archers (*similis Parthis sagittarum*) who fought for the Muslims at Las Navas. In sum, the evidence that either side utilized mounted archers is inconclusive.⁽⁹³⁾

Some of the combat gear was in the exclusive dominion of the *caballero*, since the horse required a certain amount of riding equipment. The saddle was emphasized, and the charters of Coria, Cáceres, Castello-Bom and Usagre in Leonese Extremadura and Uclés, Alcalá de Henares and Sepúlveda in Castile made a particular point of mandating that the horse provided should not have been used in the

past with an *albarda* (packsaddle) or an *ataharrado* (croup strap), since these items were used by pack animals and were not proper for knight combat service. Other towns simply pressed for a horse bearing a saddle.⁽⁹⁴⁾ A number of the Castilian *fueros* as well as the Alfonsine codes mention the usefulness of a mail covering for the horse (*loriga de cavallo* or *brunia*) and grant booty shares for its provision in combat. (See Plates 11, 12). King Jaime found such armored horses valuable against the lighter Muslim cavalry, often saving them for a second assault after leading with unarmored horses.⁽⁹⁵⁾ Protecting the horse constituted a good investment for both ruler and knight; the king wished to maintain an ample supply of municipal cavalry and the *caballero's* very status depended on the animal.⁽⁹⁶⁾

The style of riding evolved significantly in the Central Middle Ages. Contemporary illustrations indicate that Christian knights rode in [133] the manner of the Berbers, styled *a la jineta*, a method which stressed the close bond of the rider and light fast horse, primarily the North African barb. The saddle was high seated with a large pommel and short leg-straps which kept the rider's knees bent, giving him maximum control of the horse. The saddle and straps provided spring to the legs to gain added momentum for hurling weapons. This riding style continued in use among the Muslims and many Christians throughout the central and later medieval periods. However, the later eleventh and early twelfth centuries witnessed the gradual penetration of a newer riding style which was popular in France and appeared in Hispania as a part of the general wave of French influence just prior to 1100. This method, called *a la brida*, developed in conjunction with the increased use of body armor and a stockier, more powerful horse. The saddle tended to be lower with a smaller pommel and longer leg-straps, allowing the rider to keep his legs straight. While losing some control of the horse and yielding maneuverability to the Muslim method, the *brida* method set the knight more firmly on the back of his horse. This posture aided the rider in resisting the onslaught of the enemy attack and in turn enabled him to drive home his lance from a firmer base. This permitted the possibility of the massed charge already a part of the feudal West which the crusaders would soon bring to the Near East.⁽⁹⁷⁾ The growing twelfth and thirteenth-century emphasis on armor in the municipal charters was no doubt affected by this change, although manuscript illustrations would indicate that both styles continued in use by Christian warriors to the end of the Middle Ages, and in equestrian circles both have been maintained to the present day.

Other campaigning equipment occasionally appears in the charters. Nájera obtained tax exemptions for those who contributed vehicles for transporting combat material. In many towns those who provided a field tent, especially if they themselves served, received excuses from military service which they could grant to others. This *tienda redonda* or round tent consisted of stout cloth, attached to a center pole by lines and staked at its bottom edge. (See Plate 26). Two poles could be placed together to form an elliptical tent. A number of illustrations of field tents exist, especially in King Alfonso's *Cantigas de Santa María* manuscript in the Escorial.⁽⁹⁸⁾ Finally, a chain receives mention in many charters. Such a chain usually included twelve attached collars used for containing prisoners on the return march from a campaign.⁽⁹⁹⁾ A curious piece of regionalism appeared in connection with the field tent and the prisoner [134] chain. Prior to the mid-thirteenth century the tent references appeared exclusively in the Leonese charters and always secured excuses from military service for the supplier, while the prisoner chain received citation only in the Castilian charters and gained a share of spoils for the provider. To be certain, the tent and its attached exemptions find their way to Castile in the age of Alfonso X. Prior to this, however, the argument from silence might seem to imply that Castile produced a hardy breed of militiamen who slept in the open on campaign, while the ruthless Leonese militias took no prisoners. A better explanation centers on the regional nature of militia obligations and the reasonable assumption that in each case the king or other authority provided the campaign needs which the militiamen did not.

IV - Conclusions

Thus, the town militias were summoned and their numbers determined by established regulations and agreed to by ruler and townsmen. A delicate balance of limitations, exemptions and the provision of equipment existed in each municipality aimed at avoiding undue hardship on the individual while maintaining the militia at serviceable strength. Our evidence is richer for Leon, Castile and Aragon than it is for Portugal, Navarre and Catalonia, and one can more safely generalize upon the practices of the Central Meseta than on those of the latter three areas. In the Meseta we find that the balance of limitations, exemptions and equipment contribution is especially developed in the Kingdom of Leon, where exemptions were more numerous, the knightly class emphasized, and the militias probably smaller. Castilian policy, on the other hand, utilized limitations and exemptions with more restraint. Equipment was amassed by granting shares of booty, not the exemptions which thinned the numbers on the battlefield, a policy which paid significant dividends for the Castilian kings. Their towns could be counted upon to produce larger levies, more footsoldiers and a more reliable combat force. The more rapid expansion of the Castilian frontier in its drive toward Andalusia must have owed at least some debt to this monarchical approach to town law. To the extent that Alfonso II and Jaime I used their Aragonese and Catalan town militias in the conquest of the Cordillera and of the Principality of Valencia, a similar benefit could be said to have accrued to Aragon. And if this is true, then the increasing appearance of Leonese municipal legal tendencies in Castile during the reign of Alfonso X suggests potential problems. In particular with regard to the kinds of service exemptions heretofore absent in the eastern Meseta kingdom along with a growing focus on knightly privileges, one is looking at policies which apparently inhibited the Leonese militias as an effective [135] military force. To see these same tendencies emerge in Alfonsine Castile may serve partially to explain the stagnation which overtook Alfonso X's expansion efforts when he chose to draw on Leonese traditions rather than those of Castile in formulating his municipal military policy.

Notes for Chapter 5

1. Some of the introductory material for this chapter was first published in my "Frontier Military Service and Exemption," 45:75-78.
2. ²Pescador, 33-34:185.
3. "Alfonso el Batallador otorga privilegios a los mozárabes traídos de Granada, 1126," 1:45. "Fuero de los pobladores mozárabes de Mallén," 504. In each of the two preceding cases Alfonso indicated a sensitivity toward the politically and religiously exposed individuals he had brought back from the expedition against Granada, keeping them out of combat with either Muslims or Christians. The remaining examples offer no explanation for the exemption in the context of the charter. "Fuero de Torrecilla de Cameros, 1197," 33:133. "Fuero de la tierra de Frieyra," 14:566. "Excusa de tributación a los moradores de Alcázar, 1208," 3:444. This was soon supplanted by the longer *fuero* in the Cuenca-Teruel format with an extensive body of military law. *FAlr*, ff. 95r-101r. "(Foral de) Campo, 1213," 1:566. "Excusa de tributación al concejo de Carrascosa," 3:733. "Alfonso X concede tierras y exenciones en Requena," 167. "Carta otrogada por Jaime I para la población de Sarreal," 1:447. "El concejo de Ávila concede a Velasco Velázquez, 1283," 461. This is merely a regional sampling of these exemptions.
4. "Forais de S. João da Pesqueira, Penella, Paredes, Linares et Anciães, 1055-65," 1:343-48. Here as with a number of the Portuguese citations, it is the emergency service, *appellitum*, which is being referred to. "Fuero condedido a Nájera," 2:79-85. "Fuero latino de Sepúlveda, 1076," 48. "Fuero condedido a Jaca (c. 1076)," 3-4. The same specification appears in the renewal of the Jacan charter by

Ramiro I (1134-37). "Los fueros de Jaca, (1134-37)," 129-34. Similarly, Ansiães retains this provision when its *foral* is renewed by Afonso I. "Confirmação dos foros de Ansiães," 1:188.

5. "Privilegio del rey don Alfonso VII otorgado en el año de 1124 de Burgos," 266. A strong case for dating this Burgos *fuero* after 1127 has been advanced. See Reilly, *Queen Urraca*, 189-90. "Privilegio de D. Alfonso I el Batallador confirmando los privilegios de la ciudad de Barbastro," 357. "Fueros de Tudela, Cervera y Galipiezo," 418. "Fueros y usages de los infanzones de Aragón concedidos después a los vecinos de Zaragoza, 1134," 93-94. "Fuero de Daroca, 1142," 362. "Carta de foral concedida aos moradores de Sintra," 1:301. "Fuero de Oviedo (1145?)," 114. See Chapter One, note 52 for the thirteenth century origins of this version. "Fuero de Carcastillo," 470-71. "Fuero de Estella," 87. "Fuero de Alhóndiga," 76-77. "Fuero de población de la villa de Los Arcos," 1:511. The restriction also appears in 22 members of the Santarém family from 1179 to 1277, where *appellitum* is the term. "Fuero de Villavaruz de Ríoseco," 83. "Carta de franquicias otorgada por Alfonso I, rey, a los habitantes de Puigcerdá, 1182," 1:234. "Fueros de Santander dados en 1187," 4:307. *FTL*, 7. *FTR*, 5. Only Teruel of all the charters in the Cuenca-Teruel family specifies the king alone. "Fuero de Urroz, 1195," 2:59. "(Foral de) Souto, 1196," 1:504. "Alfonso VIII confirma los fueros de Guipúzcoa," 3:225.

6. In addition to those charters of the Santarém family awarded in the thirteenth century which had this stipulation, there are a number of other Portuguese towns which cite it. "(Foral de) Valazim," 1:519. "(Foral de) S. Martha e Beduido," 1:523. "(Foral de) Souto, 1207," 1:535. "(Foral de) Ferreiros, Fontemanha e Valdavy," 1:546. "(Foral de) Favaios," 1:555. "(Foral de) Atouguia," 1:450-51. "(Foral de) Castello de Pena-Ruiva," 1:551. "(Foral de) Montemór Velho," 1:557. "(Foral de) Canedo," 1:562. "(Foral de) Ceides," 1:573. "(Foral de) Villa-Chan," 1:575. "(Foral de) Sabadelhe, 1220," 1:584. "(Foral de) Barqueiros," 1:597. "(Foral de) Sanquinhedo," 1:598. The Cidadêlhe family (see Appendix A) all have this provision, except Condado, Capeludos, Villa-Mean, Guilhado, Gouviães and Nuzedo. "(Foral de) Antela," 1:648. "(Foral de) Villa-Nova de Gaia," 1:663. "(Foral de) Codeçães," 1:676. "(Foral de) Ferreiros, 1258," 1:678. "(Foral de) Murça e Noura," 1:710. "(Foral de) Monforte de Rio Livre," 1:730.

7. "Alfonso VIII confirma una concordia entre la Orden de Santiago y el Concejo de Ocaña, 1210," 17:660, and "Noticia, sin fecha, sobre la concordia entre la Orden de Santiago y el Concejo de Ocaña," 17:662. "Fernando III concede a Frías el fuero, 1217," 2:16. "El fuero de la villa de San Emeterio," 76:239. "Fernando III confirma el convenio de Arévalo, 1219," 2:67. Privilegium de los fueros de Brioga (Brihuega), (c. 1223)," 8:420. *Fuero de San Justo, 1223*, MSS 13.094, f. 51v. "Pacto foral de Talamanca," 8:418. "Carta-puebla de Morella de Don Blasco de Alagón, 1233," 3:517-18. Morella was given the *Fuero de Sepúlveda* which contained this provision. "Fuero de la Puente de Deustamben," 411. "Los fueros de Villadiego," 137-38. "Fuero dado a la villa de Sahagún por Alfonso X, 25 april 1255," 2:230. "El Obispo de León y el Concejo de Mansilla llegan a un acuerdo, 1257," 20:740. "El Obispo de León y el Concejo de Castroverde establecen acuerdo," 20:744. "Fuero romanceado de Sepúlveda, 1300," 92. *Fuero real del don Alonso el Sabio*, 4:19:1-5. *Fuero real de Afonso X, o Sábio: Versão portuguesa*, 156-57. "El Espéculo o espejo de todos los derechos," 3:5:10. The *Fuero real* also fines militias who arrive unsummoned.

8. "Fuero de León, 1020," 15:487. "Fuero de Sahagún, 1085," 2:37. "Fuero de Carcastillo," 470-71. *Fuero de Alfambra*, 25. *FCfs*, 1:15-16. *FCmsp*, 1:17-18. *FCcv*, 1:1:11. *FP*, 7-8. *FAlz*, 1:18-19. *FAln*, 15-16. *FH*, f. 4v. *FBa*, 16-17. *FI*, 13. *FAlr*, f. 7v. *FUB*, 4A, 4B. *MS8331*, 12. *FBe*, 21. *FVH*, 17. *FCA*, 491. *FU*, 417. "(Foral de) Renalde," 1:537. "Cajón I, documento 5, Archivo municipal de Tarragona, 1211," 1:546. *Fuero de Torre de Tiedar, 1247*, MSS 13080, f. 77v.

9. "Fuero de Palenzuela, 1074," 276. The Numaão-Trancoso family in Portugal (see Appendix A) states the obligation this way, save for Valença (1217), which omits mention of the *señor*. "Fueros de Ribas de Sil, 1225," 2:570. "Fuero de Castrojeriz, 1234," 38. *El fuero de Brihuega*, 122. "Fuero de Fuentes de la Alcarria," 18:363.

10. *FSepúlveda 1076*, 48. *FJaca 1076*, 3-4. *FJaca 1137*, 129-31. *FBurgos 1124*, 266. *FZaragoza 1134*, 93-94. *FEstella 1164*, 1:87. "Fueros de San Vicente de la Sosierra," 4:208. "Fuero de Vitoria," 1:226. *FTL*, 7. *FTR*, 5. These are the only two charters in the Cuenca-Teruel family to have this provision. "Alfonso VIII concede fuero a la nueva Puebla de Arganzón, 1191," 3:97. "Fuero de Inzura," 56-60. "Fueros de Laguardia, 1208," 81. "Fuero de la Burunda," 85-86. "Fuero de Viana, 1219," 35:417. *CpMorella 1233*, 3:517-18. One Portuguese reference, while not employing the term *lid campal*, insists that the militia should not be mustered unless there was significant work to be done ("...quando forte opus fuerit"). "(Foral de) Setúbal," 1:634.

11. *FS. João da Pesqueira, Penella, Paredes, Linhares & Anciães*, 1:346. *FAnsiães 1137-39*, 1:188. *FSintra*, 1:301. "Carta de población de la villa de Sarnés," 2:507-08. *FGuipúzcoa*, 3:225. Guipúzcoa, recently taken from the Navarrese by Alfonso VIII, also specified a military obligation against Navarre, as well. *FOcaña 1210*, 660. "(Foral de) Covellinas," 1:494. "Carta de foral concedida aos moradores do Banho," 1:293. *FAtouguia*, 1:450-51. "(Foral de) Marmelar, 1194," 1:489. "(Foral de) Sancta Cruz, 1225," 1:601. "Sancho el Sabio, rey de Navarra, concede fueros a Artajona," 249. "Fuero dado a la villa de Lárraga," 1:508. "Confirmación de los fueros de Mendigorria, 1194," 28-29. "Fuero concedido a Miranda de Arga," 10:72. *FSabadelhe*, 1:584. *Fuero real*, 4:19:1-5. *Fuero real, versão portuguesa*, 156-57.

12. "Capitulos del fuero de Sobrarbe," 13:31-35. "Fuero de Cáseda," 475. "Fuero de Asín," 505. "Fuero de Marañón," 2:121. "El fuero de San Estebán de Luesia," 591. *FCO*, 280. *FCA*, 279. *FCB*, 279. *FU*, 287. *FMarmelar*, 1:489. *Fuero de Viguera y Val de Funes*, 49-50. "Carta de población de Cabanes," 1:409. "Carta de franquicias de Prats de Molló," 1:414. "Carta de población de Beniayxó y Tahalfazar," 1:426.

13. "Carta de población de Longares," 250. "FNájera," 2:84-85. "Fuero de Escalona, 1130," 45:465. *FSintra*, 1:301. "Recopilación de los fueros de Toledo, (hacia 1166)," 45:474-75. López Ferreiro, ed., *Fueros municipales de Santiago*, 1:36-38. The Numão-Trancoso family contains this law, except for Valença which omits it; the Évora family also contains the limitation (see Appendix A). "(Foral de) Bragança," 1:463. "Alfonso VIII excusa al concejo de Aceca de tributos, 1188," 2:882. "(Foral de) Penacova, 1192," 1:483. *FPena-Ruiva*, 1:551. The Cidadêlhe family in Portugal similarly contains the limitation (see Appendix A). "Fuero de Campomayor," 499-500.

14. "Fernando III otorga al concejo de Ávila un fuero, 1222," 2:202. "Fernando III concede al concejo de Uceda un fuero, 1222," 2:204. "Fernando III otorga al concejo de Peñafiel el fuero, 1222," 2:206. "Fernando III otorga al concejo de Madrid el fuero, 1222," 2:208. *FCórdoba Lat*, 3:221. "Fuero de Cartagena," 23-24. "Fuero de Carmona, (8 May 1252)," 4. "Fuero de Alicante," 42. "Fuero de Lorca, 1271," 78.

15. *FS. João, FPenella, FParedes, FLinhares, FAnsiães*, 1:346. "Foral de Guimarães, 1095-96," 1:2. "Foral outorgado a Constantim de Panóias," 1:5. "Fueros de Santiago, 1105," 3:62. *FAnsiães 1137-39*, 1:157. "Carta de foral concedida aos povoadores de Mesão-Frio," 1:290. *FSintra*, 1:301. "Carta de foral de Celeirós," 1:353. "(Foral de) Covas," 1:388. "Foral concedido aos moradores de Urros," 1:463. "(Foral de) Mortagua," 1:482. *FPenacova*, 1:483. "(Foral de) Soverosa, 1196," 1:501. "(Foral de) Abaças," 1:514. "(Foral de) Guiães," 1:520. "(Foral de) Rebordãos," 1:538. *FRibas de Sil*, 2:570. "(Forais de) Traseira, Paradela, Gouvinhas, Ordonho e Agrocovo, 1256," 1:666. "(Foral de) S. Mamede de Riba-Tua," 1:700. "(Foral de) Padornelos," 1:705.

16. "(Foral de) Cernancelhe," 1:364. *FSabadelhe*, 1:584. *Historia Compostellana*, 20:324-25. Reilly, *Queen Urraca*, 145.

17. *FJaca 1076*, 3-4. *FSahagún*, 2:37. "Fuero de Argüedas," 10:255. "Fueros de Barbastro, 1100," 334. "Pedro I concede carta de fueros de Caparros," 371. "Pedro I concede los fueros de Santacara," 373.

"Alfonso I de Aragón concede a los pobladores de Zaragoza los fueros de los infanzones de Aragón, 1119," 83. *FBurgos 1124*, 266. *FCarcasillo*, 470-71. *FBarbastro Alfonso I*, 357. *FTudela*, *FCervera y Galipiezo*, 418. "Las franquicias de Huesca," 135. "Alfonso VII confirma los fueros y usos de los infanzones y barones de Aragón," 93-94. *FJaca 1134-37*, 129-31. *FAvilés-Oviedo*, 114. *FEstella*, 1:87. *FViguera y Val de Funes*, 49. In the event of an enemy attack, the king expected the mounted nobility of Viguera to do military service with their own supplies for three days, and they were liable for six additional days sustained with royal supplies. Ramos y Loscertales, "Textos para el estudio del derecho aragonés," 5:406. The language in which the three-day supply of bread is couched has led some (e.g. Bard, *Navarra: The Durable Kingdom*, 48) to assume that the residents need not serve unless they had a sufficient bread supply. Estella has it "...ut non fuissent in hoste, nisi cum pane trium dierum;" a possible reading, but unlikely in the context of the other charters. In Caparroso, Santacara and Huesca, for example, it is clear the militiamen are to come with those supplies in hand. The probability is that they will pay whatever fine is assessed for failing to serve if they arrive at muster without the proper supplies.

18. "Alfonso VII confirma los fueros y usos de los infanzones y barones de Aragón," 93-94. "Alfonso I de Aragón concede a Zaragoza los fueros, 1119," 83-84.

19. "Alfonso VIII da el castello de Olmos al concejo de Segovia," 2:141-43.

20. *FCA*, 491. *FU*, 417. *FCartagena 1246*, 24. *FSan Justo*, f. 51v. *FBrihuega 1223*, 420. *FTalamanca*, 418. *FP*, 7. Plasencia possesses the most untypical charter in the Cuenca-Teruel group, and is the only one to specify a time limit on service. *FTorre de Tiedar*, f. 77v. González, *Repartimiento de Sevilla*, 2:138. *FSepúlveda 1300*, 92. "Jaime I comunica al concejo de Zaragoza, 15 julio 1274," 239-40. "Jaime I mandó exercitum civitatibus, 29 marzo 1275," 1150. "Orden del Rey Jaime por carta a las ciudades, 8 abril 1275," 1152. Each of these summons required a three-month supply, while the following required two. "Misit litteras dominus Rex Jacobus hominibus villarum, 13 junio 1275," 1158. The French threat of invasion in 1285 led Pedro to demand a four-month supply in a muster of over two hundred towns. "Misit litteras dominus Rex Petrus hominibus villis," Reg. 43, ff. 106r-108v, 118r-118v.

21. "Jaume I atorga al seu fill," 3:473.

22. *Crónica latina de los reyes de Castilla*, 107, 119. González, *Fernando III*, 1:319, 328. *Espéculo*, 3:5:4-6.

23. "(Foral de) Villa-Nova," 1:530. "Carta-puebla de Villagrassa," 8:73. *FCfs*, 1:15-16. *FCmsp*, 1:17-18. *FCcv*, 1:1:11. *FP*, 7-8. *FAlz*, 1:18-19. *FAln*, 15-16. *FH*, f. 4v. *FBa*, 16-17. *FI*, 13. *FAlr*, f. 7v. *FUb*, 4A, 4B. *MS8331*, 12. *FBe*, 21. *FVH*, 17. *FCA*, 491. *FU*, 417. *FSancta Cruz*, 1:601.

24. *FMartha e Beduido*, 1:523. *FSouto*, 1:535. For the Cidadêlhe family of *forais*, see Appendix A. Among those, Alijó, Condado, Capeludos, Villa-Mean, Guilhado, Gouviães and Nuzedo do not have the Minho-Douro restriction, and Penunxel cites only the Douro. "Privilegio del Rey Alfonso X, concediendo a los caballeros de linage que fueren a poblar a Arcos de la Frontera," 1:240.

25. *FÁvila 1222*, 2:202. *FUceda*, 2:204. *FPeñañiel 1222*, 2:206. *FMadrid 1222*, 2:208.

26. *Espéculo*, 3:5:16.

27. Palenzuela listed four towns (Palencia, Carrión, Burgos and Lerma) to the northwest, north and northeast as constituting the limit of service required from its knights and foot soldiers (a zone approximately 40 by 70 kilometers). Sahagún listed Valcácer to the northeast as its boundary, while Oviedo and Avilés drew a line to the southwest between Valcácer and Leon (80 to 100 kilometers). Puigcerdá had to fight only between Terranera on the south and the see of Urgel on the north; Treviño served between the Duero and the Roncesvalles Pass in the Pyrenees (c. 80 kilometers); Mendavia's

range covered the small wedge between the Ebro River and the Kingdom of Navarre. Three towns mentioned seaborne service assignments, with Ericeira in Portugal eliminating them, Cartagena in Castile having them count in lieu of land expeditions, and Colliure stating land limitations to the County of Roussillon and sea expeditions between Barcelona and Montpellier. *FSahagún*, 2:37. *FÁvilés-Oviedo*, 114. *FPuigcerdá*, 1:234. "Fuero otorgado por el Rey D. Alfonso X al concejo de Treviño," 1:47. "Fuero dado a Mendavia," 11:494. "(Foral de) Ericeira," 1:621. *FCartagena 1246*, 23-24. "Carta de franquicias de Colliure," 1:309.

28. *CPPeñañiel 942*, 66:373. "Fuero de Fresnillo," 46.

29. *FMarañón*, 2:121. *FCáteda*, 475. *FCarcastillo*, 470-71. *Fuero de Calatayud*, 37. "Fuero de Lara," 142. "Fuero de Uclés, 1179," 2:518. "Carta de fueros otorgada al concejo de Zorita por el rey Don Alfonso VIII, 1180," 418-19. For the Numão-Trancoso family, see Appendix A. Cáteda and Carcastillo are somewhat unclear in their wording, but in the context of the other charters their law falls into this pattern. All of these towns establish their ratios for the knights only, as the footsoldiers were often exempt from *fonsado* service. Only Cáteda and Lara seemed to apply the ratio to all residents.

30. "Fuero de Guadalajara (1137)," 108-09. For the Ávila-Évora family, see Appendix A. *FCampomayor*, 499-500. *FViguera y Val de Funes*, 12.

31. *CPA*, 18-19, 34-35.

32. Penela in Portugal and Toro, Alcalá de Henares and Villadiego in Leon-Castile had one-half; of the remaining Leonese-Castilian towns, Astudillo and Castrojeriz had two-thirds serving, Canales de la Sierra had one-quarter, Ledesma three of each eight knights, and Tajonar in Navarre had nine-tenths. "Carta a favor dos moradores de Penela," 1:193. "Fueros de Toro, 1222," 2:536. "Fuero de Alcalá de Henares," Sánchez, ed., 284. *FVilladiego*, 137-38. "Fuero de Astudillo," 241-43. *FCastrojeriz*, 38. "Fuero de Canales de la Sierra," 50:317-18, 54:196. "Fuero de Ledesma," 263. "Teobaldo I da a tributo a los de Taxonar (Tajonar), 1251 (?)," 221.

33. *FCfs*, 30:4. *FCmsp*, 30:4. *FTL*, 426. *FAIbL*, 485. *FCcv*, 3:14:3. *FTR*, 574. *FAIbR*, 180-81. *FP*, 495. *FAIz*, 10:4. *FAln*, 594. *FH*, f. 82r. *FZ*, 612. *FBa*, 673. *FI*, 642. *FAlr*, f. 95v. *FUb*, 54D. *MS8331*, 694. *FBe*, 896. *FA*, 284. *FCO*, 282. *FCR*, 4:24. *FCM*, 155. *FCA*, 281. *FCB*, 281. *FU*, 289. For the Santarém family, see Appendix A. *FLárraga*, 1:508. *FArtajona*, 249. *FMendigorría*, 28-29. *FMiranda de Arga*, 10:270.

34. For the Santarém family of *forais*, see Appendix A. In this group, Povos in 1195 omits the sixty-knight levy, and Aguiar in 1269 levies nine knights, possibly a mistaken substitution of IX for LX. "Carta puebla de Pinell, 1198," 24:593. "Carta pacificationis et transactionis quam fecit inclitus Ildefonsus, rex Aragonensium, cum consulibus et omni populo Nicensi (Nice, June, 1176)," 2:356. In this document the levies for several southern French towns are offered: Varro, 100; Cianam, 100; Rodanum, 50. "Annales D. Alfonsi Portugallensium regis," 157-58.

35. Navarrese Viana was freed of the *fonsadera* in 1275 because of recent combat damage suffered from a Castilian assault. "Perdone al concejo y moradores de Viana, 4 enero 1275," 1:203-04. Oviedo was freed from the tax-fine in 1256 by Alfonso X for exactly the opposite reason: he wanted only their military service. "Carta del Rey D. Alfonso X a favor de la ciudad de Oviedo, 1256," 1:101. The fee was occasionally assessed from non-combatants such as the herders of Femoselle near Zamora as a war tax for Andalusia. Pescador del Hoyo, *Archivo municipal de Zamora*, 191. The *Fuero real* insisted that militias which came without royal approval would be compelled to return and pay their fine, regardless. *Fuero real*, 4:19:1-5. *Fuero real, versão portuguesa*, 156-57.

36. For the Numão and Évora families, see Appendix A. "Fuero de Santiago de Compostela, 1113," 1:91. "Confirmación del fuero de los francos de Toledo, 1136," 45:427-32, 467. "Alfonso VII confirma

los fueros y usos de los infanzones y barones de Aragón, 1134," 92-94. *FA*, 111, 226. *FCO*, 110, 215. *FRCR*, 5:48, 6:14. *FCM*, 204, 243. *FCA*, 111, 217. *FCB*, 106, 217. *FU*, 119, 222. Cáceres and Usagre required that the smith make at least thirty plowshares. "Fuero de Parga," 16:653. *FAvilés-Oviedo*, 114. "Teobaldo I confirma a los collazos escancianos de Urroz, 1237," 186. Antonio Gómez de la Torre, *Corografía de Toro*, 105.

37. *Historia Compostellana*, 20:168-69. Reilly, *Queen Urraca*, 91-94. Fletcher, *Episcopate of the Kingdom of León*, 81-82.

38. "Privilegio concedido a los clérigos de Toledo por Alfonso VII, 1128," 45:463. "FNájera," 2:84-85. "Fuero de Soria, 1120," 8:586. The Numão-Trancoso family contains this provision (see Appendix A). *FMarañón*, 2:121. *FDaroca*, 366. "Posturas municipaes de Coimbra, 1145," 1:744. "Privilegio de Fernando II a Salamanca, 1167," 1:234-35. "Fuero de Salamanca," 206. "El fuero de Llanes," 1:116-18. Santiago and Haro list the fee exemption for clergy, only. "FSantiago, 1113," 1:147. "Alfonso VIII concede fuero al concejo de Haro," 2:804-06. *Fuero de Molina de Aragón*, 74. "El fuero de Sanabria," 13:286.

39. *FEstella*, 1:106. *FCfs*, 30:6. *FCmsp*, 30:6. *FCcv*, 3:14:5. *FP*, 497. *FAlz*, 10:6. *FAln*, 598. *FH*, f. 82v. *FZ*, 614. *FBA*, 675. *FI*, 646. *FAlr*, f. 96r. *FUB*, 54F. *MS8331*, 696. *FBe*, 899. *FCastrojerez 1234*, 38.

40. "Fueros de Santa Cristina," 222. "Fueros de León y Carrión, 1114," 49. "Alfonso VIII mejora ciertos fueros de Calahorra, 1181," 3:57. *FBrihuega 1256*, 188. *FFuentes de la Alcarria*, 18:395.

41. "FNájera," 2:84-85. All members of the Santarém family exempt widows unless they have sons in their household (see Appendix A). "FHaro," 2:804-06. *FViguera y Val de Funes*, 50. "FAlcalá de Henares," Sánchez, ed., 319. *FFuentes de la Alcarria*, 18:391.

42. *FLara*, 139-40. "Carta a favor dos moradores de Arouce (Louzã)," 1:287. Pedrogam received a nearly identically-worded law in 1206, in "(Foral de) Pedrogam," 1:531. The Santarém family also exempts the elderly (see Appendix A). By the later thirteenth century, Villa Nova d'Alvito in Portugal, while not citing age specifically, allows the lame and the blind to secure exemption if they secure certification from the town council, in "Costumes de Santarém comunicados a Villa Nova d'Alvito," 2:50. *FViguera y Val de Funes*, 50. *Siete partidas*, 2:19:3. Duran i Sanpere, "Defensa de la ciutat," 312-13. The Charter of Viguera specifies seventy as the age, while Duran i Sanpere places the Barcelona age at fifty-five. The remaining charters require an available substitute in the household. *FCfs*, 30:4. *FCmsp*, 30:4. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:3. *FTR*, 574. *FAlbR*, 180-81. *FP*, 495. *FAlz*, 10:4. *FAln*, 594. *FH*, f. 82r. *FZ*, 612. *FBA*, 673. *FI*, 642. *FAlr*, f. 95v. *FUB*, 54D. *MS8331*, 694. *FBe*, 896. "Fuero de Milmanda," 2:181. *FLlanes*, 1:117.

43. "FLeón y Carrión," 49. The ambiguous word here is *mancipium*, which could mean youth or servant in the context of exemption. The Santarém family insists males must be of age to free their mothers from taxes through service (see Appendix A). *FCfs*, 30:6. *FCmsp*, 30:6. *FCcv*, 3:14:5. *FP*, 497. *FAlz*, 10:6. *FAln*, 598. *FH*, f. 82v. *FZ*, 614. *FBA*, 675. *FI*, 646. *FAlr*, f. 96r. *FUB*, 54F. *MS8331*, 696. *FBe*, 899. "FAlcalá de Henares," Sánchez, ed., 319. *FBrihuega 1256*, 183. *FFuentes de la Alcarria*, 18:391. The Coria Cima-Coa family defines the age of coming to military manhood at twenty years. *FA*, 284. *FCO*, 282. *FRCR*, 4:24. *FCM*, 155. *FCA*, 281. *FCB*, 281. *FU*, 289. "Jaime I, rey de Aragón, preside Cortes en Villafranca, 24 junio 1218," 1:36-37. "Jaime I, rey de Aragón, reune Cortes en Barcelona, 21 diciembre 1228," 1:207. *FLedesma*, 264-65. "Fuero de los escusados o franquicias de Arévalo, 1256," 1:267-68. "Alfonso X el Sabio confirma los fueros extensos de Cuéllar," 43. "FVilla Nova d'Alvito," 2:48. *Siete partidas*, 2:19:3. Duran i Sanpere, "Defensa de la ciutat," 312-13. The age range is 13 at the *Cortes* of Villafranca, 14 at the *Cortes* of Barcelona and in the *Siete partidas*, 15 at Ledesma, 16 at Cuéllar, 18 at Arévalo and 20 at Alfaiates, Coria, Castel Rodrigo, Castello-Melhor, Cáceres, Castello-Bom and Usagre. Villa Nova did not specify an age of maturity, but rather noted that

the young heir of a knight should perform some task appropriate to his position to succeed to his father's position, a notion possibly derived from the spread of Roman law.

44. *FCfs*, 30:3, 31:2-3. *FCmsp*, 30:3, 31:2-3. *FTL*, 426, 448. *FAlbL*, 485, 493-94. *FCcv*, 3:14:2, 3:15:1-2. *FTR*, 573, 612, 614. *FAlbR*, 180, 190. *FP*, 494, 529-30. *FAlz*, 10:3, 10:68-69. *FAln*, 593, 645, 647. *FH*, ff. 82r, 87r-87v. *FZ*, 611, 672-73. *FBa*, 672, 727. *FI*, 641, 697. *FAlr*, ff. 95v, 101v. *FUb*, 54C, 55B-55C. *MS8331*, 693, 735. *FBe*, 895, 968, 970. *FViguera y Val de Funes*, 50. "Fuero de Benavente", 2:626. *FMilmanda*, 2:181. *FLlanes*, 1:117.

45. *FCfs*, 31:2. *FCmsp*, 31:2. *FTL*, 448. *FAlbL*, 493. *FCcv*, 3:15:1. *FTR*, 612. *FAlbR*, 190. *FP*, 529. *FAlz*, 10:68. *FAln*, 645. *FZ*, 672. *FBa*, 727. *FI*, 697. *FAlr*, f. 101v. *FUb*, 55B. *MS8331*, 735. *FBe*, 968. *FVH*, 543. "FAlcalá de Henares," Sánchez, ed., 286. *FViguera y Val de Funes*, 50. *FA*, 190a. *FCO*, 182. *FCR*, 3:55. *FCM*, 126. *FCA*, 184. *FCB*, 187. *FU*, 187. Alfaiates does not mention the time lag to reach the mustering point.

46. *FEstella*, 1:145. *FCfs*, 30:3, 31:3. *FCmsp*, 30:3, 31:3. *FTL*, 426, 448. *FAlbL*, 485, 493. *FCcv*, 3:14:2, 3:15:2. *FTR*, 573, 613. *FAlbR*, 180, 190. *FP*, 494, 529. *FAlz*, 10:3, 10:69. *FAln*, 593, 646. *FH*, ff. 82r, 87r-87v. *FZ*, 611, 673. *FBa*, 672. *FI*, 641. *FAlr*, ff. 95v, 101v. *FUb*, 54C, 55C. *MS8331*, 693. *FBe*, 895, 969. *FVH*, 543. *FBenavente*, 2:626. *FMilmanda*, 2:181. *FLlanes*, 1:117. *FViguera y Val de Funes*, 50. *FBrihuega 1256*, 188. *FFuentes de la Alcarria*, 18:395. *Siete partidas*, 2:19:3. The *Siete partidas* also add another excuse not foreseen in the *fueros*, that of being unable to serve due to the weather or the elements.

47. "FLeón y Carrión," 49.

48. *FEstella*, 1:145. *FViguera y Val de Funes*, 50. *FA*, 362. *FCO*, 281. *FCA*, 280, 344. *FCB*, 280, 352. *FU*, 288, 353. Alfaiates lacks the reference to the wife's death or recovery and Coria lacks the reference to the certification of the three witnesses.

49. *FBenavente*, 2:626. *FLlanes*, 1:117. *FA*, 283. *FCO*, 281. *FCR*, 4:24. *FCM*, 154. *FCA*, 280. *FCB*, 280. *FU*, 288.

50. *FCfs*, 30:62, 31:3, 43:17. *FCmsp*, 30:58, 31:3, 43:12. *FTL*, 448, 544. *FAlbL*, 493. *FCcv*, 3:14:36, 3:15:2, 4:13:12. *FTR*, 613, 780. *FAlbR*, 190, 235-36. *FP*, 527, 529. *FAlz*, 10:62, 10:69, 12:64. *FAln*, 639, 646, 815. *FH*, ff. 86v, 87r-87v, 112v. *FZ*, 666, 673, 840. *FBa*, 721, 727, 908. *FI*, 691, 697, 874. *FAlr*, ff. 101r, 101v, 126v-127r. *FUb*, 54E", 55C, 92. *MS8331*, 731, 735, 747. *FBe*, 959, 969. *FVH*, 539, 543. *FA*, 362. *FCA*, 344x. *FCB*, 352. *FU*, 353. *FAlfambra*, 35. "Foral de Seia," 1:177. The Évora-Ávila family includes such a law (see Appendix A). "FInzura," 58. "FLaguardia 1208," 81. "FBurunda," 85-86. "FViana, 1219," 417. "Fueros y privilegios de Aguilar, 1219," 159.

51. *FJaca 1076*, 3-4. *FEstella*, 1:87. *FCA*, 182. *FU*, 185. "FAlcalá de Henares," Sánchez, ed., 288. Alcalá required the permission of such a substitute. It may have been necessary in all cases involving hiring. *FCfs*, 30:4. *FCmsp*, 30:4. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:3. *FTR*, 574. *FAlbR*, 180-81. *FP*, 495. *FAlz*, 10:4. *FAln*, 594. *FH*, f. 82r. *FZ*, 612. *FBa*, 673. *FI*, 642. *FAlr*, f. 95v. *FUb*, 54D. *MS8331*, 694. *FBe*, 896.

52. "FNájera," 2:84-85. *FMolina 1156*, 74. *FBenavente*, 2:626. *FCfs*, 30:4. *FCmsp*, 30:4. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:3. *FTR*, 574. *FAlbR*, 180-81. *FP*, 495. *FAlz*, 10:4. *FAln*, 594. *FH*, f. 82r. *FZ*, 612. *FBa*, 673. *FI*, 642. *FAlr*, f. 95v. *FUb*, 54D. *MS8331*, 694. *FBe*, 896. *FMilmanda*, 2:181. *FLlanes*, 1:117.

53. *FA*, 284. *FCO*, 282. *FCR*, 4:24. *FCM*, 155. *FCA*, 281. *FCB*, 281. *FU*, 289. "FAlcalá de Henares," Sánchez, ed., 287. *FLedesma*, 264-65.

54. *FSepúlveda 1076*, 48. Unlike the basic military service requirement in this charter which is similar to that of the contemporary charters of Nájera and Jaca, no similar precedent exists for the contribution

principle, thus allowing for the possibility that this may have been added to the twelfth-century copy of Sepúlveda's Latin *fuero* which we possess. *Fuero de Guadalajara 1137*, 11. "FAlcalá de Henares," Sánchez, ed., 284. The contribution for service excuse concept reappears in the 1300 charter of Sepúlveda. *FSepúlveda 1300*, 91-92, with a rather more elaborate list of items to be contributed.

55. *FBenavente*, 2:626. *FMilmanda*, 2:181. *Fuero de Zamora*, 40. *FParga*, 16:652-53. *FLlanes*, 1:117. *FToro 1222*, 2:536. "Fueros dados a León por el rey Fernando III, 1230," 2:315. *FLedesma*, 264, 279. *FSanabria*, 13:286. Benavente and Sanabria clearly indicated that it was the *fonsado* service from which the excused were being freed, and Milmanda, Parga and Llanes are so similar in their wording that the same conclusion would have to be applied to them. Zamora, Toro, Leon and Ledesma possess excuse lists less similar to the other five towns, but the highly analogous wording to the other Leonese examples would seem to indicate that service exemptions must be the category under discussion. Yet in Laguna de Negrillos (c. 1205) it is *fonsadera* that citizens are exempted from in the *alcalde* grants and the tent contributions. "Fuero dado por Alfonso IX a la puebla de Laguna de Negrillos," 2:177.

56. *FA*, 111, 179-80. *FCO*, 110, 171-72. *FRC*, 6:14, 8:18. *FCM*, 243, 316. *FCA*, 117, 175. *FCB*, 106, 176-77. *FU*, 119, 176-177. The excuses tend to cover about half as many knights as *peones* in these charters. The *fueros* also distinguish between town residents (*vecinos*) and residents of the nearby countryside (*aldeanos*). Alfaiates, Coria and Castello-Bom permit the excuses to go only to *aldeanos*; Castel Rodrigo and Castello-Melhor allow town-dwelling knights to have excuses; Cáceres and Usagre prefer the excused to be *aldeanos*, but will accept *vecinos* if there is an insufficiency of *aldeanos* to claim them. Smiths who make a specific number of plowshares per year are also exempted from *fonsado* service. The number was fifteen in all of the charters save Cáceres and Usagre, where thirty were required. The same grantor of many of these *fueros*, King Alfonso IX of Leon, also gave Ledesma a charter which includes an ambiguous reference to excuses which were in all probability excuses from service, given the awarding of this principal to so many contemporary towns in Leon. *FLedesma*, 279-80.

57. One reference in Sepúlveda suggests the possibility of excuses being retained for later use, although offering no indication of the extent of time or the number which might be collected. *FSepúlveda 1300*, 92. "Et qui con los escusados se adobare fasta quanto oviere a aver, finquese en paz. Et se de su casa quisiere fazer su misión, a la venida aya todos sus escusados."

58. *Fuero de Guadalajara (1219)*, Keniston ed., 9. "Cavallero que oviere cavallo e armas de fust e de fierro e toviere casa poblada en la villa non peche e sea escusado." Since there would be little sense in having a fully equipped knight in a town if you exempted him from service, this is presumably a redundant way of stating the *caballero's* right to tax exemption.

59. *FArévalo 1256*, 1:267. "Privilegio del Rey D. Alfonso X, concediendo a la ciudad de Burgos, 1256," 1:97-98. "Privilegio del Rey D. Alfonso X, concediendo al concejo de Buitrago," 1:93-94. "Privilegio de Rey D. Alfonso X, concediendo a la villa de Peñafiel, 1256," 1:89-90. "Privilegio del Rey D. Alfonso X de Escalona, 5 marzo 1261," 1:178. "Libro del fuero real y franquezas de Madrid, 1262," 9:53. "Privilegio del Rey D. Alfonso X, concediendo a Valladolid," 1:225.

60. *FArévalo 1256*, 1:267. *Privilegio de Escalona 3-5-1261*, 1:178. *FValladolid*, 1:225. *FBa*, 916. *FI*, 885. *FUB*, 96. *MS8331*, 769. In these charters knights receive four such excuses when they serve in the king's expedition, except at Escalona where two are awarded.

61. *FBurgos 1256*, 1:97-98. *FBuitrago*, 1:93-94. *FPeñafiel 1256*, 1:89-90. *Privilegio de Escalona 3-5-1261*, 1:178. "Crónica del rey don Alfonso décimo," 66:10. *FMadrid 1262*, 9:53. *Ordenamiento para Reino de Extremadura, Alfonso X, 1264*, Mss 9-21-7, 4032, Núm. 4, ff. 6-7. "Alfonso X de Castilla, a petición de los habitantes de las villas de Extremadura, desagravia a los de Cuéllar, 1264," 62-64. *FValladolid*, 1:225. "Privilegio del rey D. Alfonso X, eximiendo a los caballeros fijosdalgo de Sevilla y

a los ciudadanos que tuvieran caballo y armas, del servicio de moneda," 1:293. "Privilegio del Rey D. Alfonso X, en que condonando a la villa de Aguilar de Campo," 1:314-15. The *ordenamientos* to Cuéllar, Aguilar and Extremadura include only bread providers. Sevilla covers young women, their *dueñas* and shield bearers.

62. Riquer, *L'arnès de cavaller*, 11-48. Bruhn de Hoffmeyer, *Arms and Armour in Spain*, *passim*. Palomeque Torres, "Contribución al estudio del ejército," 15:239-40.

63. "Forum Judiciorum," 9:2:6. "Fuero juzgo," 9:2:6. *FSepúlveda 1076*, 48. "FNájera," 2:84-85. Sepúlveda gave exemptions for helmets and link armor jackets to any knight who supplied them for others to wear in battle. Nájera required the *infanzón* ranked nobles resident in the *alfoz* of the town to provide weapons when they served in the supply and wood gathering *anubda*.

64. "FL León y Carrión," 49. "Fueros de Sobrarbe," 13:31-35. *FPena-Ruiva*, 1:551. *FLárraga*, 1:508. *FMendigorría*, 87. *FMiranda de Arga*, 10:270. "FAlcalá de Henares," Sánchez, ed., 284. *FCórdoba Lat*, 3:223. *FCórdoba Rom*, 3:213. *FCarmona*, 7. *FAlicante*, 46. *FLorca*, 81-82. *Repartimiento de Sevilla*, 2:138. *FArévalo 1256*, 1:267-68.

65. "FNájera," 2:84-85. *FBenavente*, 2:626. *FMilmanda*, 2:181. "Convenio del rey con los vecinos de Calatayud, 1208," 8:104. *FGuadalajara 1219*, 9. *FParga*, 16:652-53. *FLlanes*, 1:117. *FLedesma*, 279.

66. "FPalenzuela, 1074," 274-75. *FEscalona 1130*, 45:465. *FGuadalajara 1137*, 109-11. "Recopilación de los fueros de Toledo," 45:474-75. *FGuipúzcoa*, 3:225. "Fueros de población de Toledo dado a los muzárabes y castellanos, 1222," 314. *FCórdoba Lat*, 3:221. *FCarmona*, 4. *FAlicante*, 42-43. *FLorca*, 78.

67. Ximenius de Rada, "De rebus Hispaniae," 177.

68. *FEscalona 1130*, 45:465. *FGuadalajara 1137*, 109-11. "Recopilación de los fueros de Toledo," 45:475. "Fuero de Alba de Tormes," 337-38. *FToledo 1222*, 314. *FCórdoba Lat*, 3:221. *FCarmona*, 4. *FAlicante*, 42-43. *FLorca*, 78. *FBrihuega 1256*, 188.

69. *FGuadalajara 1219*, 9. "Privilegio otorgado por D. Alfonso X a Ávila, 1264," 2:492-93. *Ordenamiento de Extremadura*, 1264, Madrid, ff. 6-7. "Alfonso X a las villas de Extremadura, desagracia a los de Cuéllar, 1264," 62-63. "Provisión del Rey D. Alfonso X a Madrid, Sevilla, 27 agosto 1264," 1:64. *FValladolid*, 1:226-27. *FFuentes de la Alcarria*, 18:391. *Ordenamiento que hizo el Rey D. Alonso en el Corte de León; Este es el Fuero de los fijosdalgo*, MSS 1.3081, ff. 267-68. "Fuero viejo de Castilla," 1:293.

70. "Fuero de Berrueco Pardo," 77-78. *FA*, 55. *FCO*, 70. *FCR*, 4:9. *FCM*, 141. *FCA*, 77. *FCB*, 71. *FU*, 79.

71. "FPalenzuela, 1074," MyR, 274-75. Palenzuela had the earliest reference to such equipment, but survives only in a later confirmation by Alfonso X. Without any other contemporary support for this early instance, one tends to assume that it is a later addition. *FAlfambra*, 36. *FZorita 1180*, 421, where only saddle and arms are specified. The Cuenca-Teruel group listed the sword, lance and occasionally the shield as knightly weapons, but used booty shares rather than tax exemptions as the stimulus to assure that the knight brought these items to combat. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 426. *FAlbL*, 485. *FCcy*, 3:14:4. *FTR*, 575. *FAlbR*, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 595. *FH*, ff. 82r-82v. *FZ*, 613. *FBA*, 674. *FI*, 643. *FAlr*, ff. 95v-96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 897. However, Teruel and Albarracín have a separate law specifying the possession of the shield, helmet, lance and sword to secure the exemptions. Possibly this was understood in the Castilian members of the family as well. *FTL*, 10. *FTR*, 8. *FAlbR*, 7. *FArtajona*, 249. *FMendigorría*, 87. Artajona and Mendigorría free the knight from the contribution of forced hospitality (*hospitem*, *huépedes*) for their contribution. *FGuadalajara 1219*,

9. "Fuero de Uclés, c. 1227," 14:334. *FLedesma*, 264. "FAlcalá de Henares," Sánchez, ed., 285. "Fuero latino de Cáceres," iv-v.

72. "FÁvila, 1256," 2:491. *FArévalo 1256*, 1:266. *FCuéllar 1256*, 43-44. *FBurgos 1256*, 1:97-99. *FBuitrago*, 1:93-95. Some kind of breast-plate and a Muslim *adarga* shield substitutes for the mail jacket here. *FPeñañiel 1256*, 1:89-91. *Fuero de Trujillo*, MSS 430, f. 50r. "El fuero de Atienza," 68:267-68. *Privilegio de Escalona 3-5-1261*, 1:178, 180. *FMadrid 1262*, 9:53, 55. *Ordenamiento de Extremadura, 1264*, ff. 6-7. "Alfonso X a las villas de Extremadura, desagrava a los de Cuéllar, 1264," 62-64. *FValladolid*, 1:225. "Infante don Manuel confirma a Elche sus privilegios," 32. *Privilegio de Sevilla*, 1:293. *Privilegio de Aguilar de Campo*, 1:314-15. Not all taxes must have been included in the knightly exemption, since this class also received exemption from the *martiniega* land tax (collected presumably on March 20, the feast of St. Martin of Braga) whenever they served that year in the royal expedition in all of these charters.

73. *FCfs*, 22:13. *FCmsp*, 22:13. *FTL*, 224. *FAlbL*, 447. *FCcv*, 3:6:7. *FTR*, 249. *FAlbR*, 81. *FAlz*, 8:66. *FAln*, 481. *FZ*, 462. *FBa*, 537. *FI*, 535. *FAlr*, ff. 78v-79r. *FUb*, 43\ . *MS8331*, 464. *FBe*, 697-98. *FVH*, 496-97. See cover illustrations and Plates 2b and 2d.

74. Sánchez-Albornoz offers a 1034 reference to this word in his "El precio de la vida en el Reino de Asturleonés," 2:845. The 1076 charter to Sepúlveda starts a long series of municipal references to the *loriga*. *FSepúlveda 1076*, 48. *FEscalona 1130*, 45:465. "Recopilación de los fueros de Toledo," 45:475. "Annales D. Alfonsi Portugallensium regis," 157-58. *FAlfambra*, 33. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:4. *FTR*, 575. *FAlbR*, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 597. *FH*, f. 82v. *FZ*, 613. *FBa*, 674. *FI*, 645. *FAlr*, f. 96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 898. *FA*, 180, 352. *FCO*, 172. *FCR*, 8:18, 41. *FCM*, 316, 339. *FCA*, 175, 336. *FCB*, 177, 343. *FU*, 177, 345. "Renovación de fuero de Yanguas despues del año 1192," 4:89. *FZamora 1208*, 40. *FToledo 1222*, 314. "Fueros que dió a Molina el Infante D. Alfonso," 47. *FCórdoba Lat*, 3:221. *FCarmona*, 4. *Falicante*, 42-43. *FLorca*, 78, 81. *FLedesma*, 279-80. "Fuero viejo de Castilla," *Códigos españoles*, 1:293. *FÁvila 1256*, 491. *FCuéllar 1256*, 43. *FArévalo 1256*, 1:266. *FAtienza*, 68:267. *FTrujillo*, f.50. *FBurgos 1256*, 1:97-98. *FBuitrago*, 1:93-94. *FPeñañiel 1256*, 1:89-90. *Privilegio de Escalona 3-5-1261*, 1:178. *FMadrid 1262*, 9:53. *FValladolid*, 1:225. *FFijosdalgo*, ff. 267-68. *Espéculo*, 3:7:14. *Siete partidas*, 2:23:8, 2:26:28. *FSepúlveda 1300*, 91-92. Menéndez Pidal, *Cantar de mio Cid*, 2:736-38. Bruhn de Hoffmeyer, *Arms and Armour*, 170-78. De Riquer, *L'arnès*, 18-20, who notes that the Castilian word *loriga* was replaced in Catalan sources by *asbergo* or *ausberg* save possibly for horse armor. For body armor in Al-Andalus, see Nicolle, *Early Medieval Islamic Arms and Armour*, 62-66, 77-80.

75. *FAlfambra*, 33. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:4. *FTR*, 575. *FAlbR*, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 597. *FH*, f. 82v. *FZ*, 613. *FBa*, 674. *FI*, 645. *FAlr*, f. 96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 898. *FA*, 180. *FCO*, 172. *FCR*, 8:18. *FCM*, 316. *FCA*, 175. *FCB*, 177. *FU*, 177. "Fueros que dió a Molina," 47. *FSepúlveda 1300*, 91-92. *Espéculo*, 3:7:14. Bruhn de Hoffmeyer, *Arms and Armour*, 170-78.

76. *FSepúlveda 1076*, 48. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:4. *FTR*, 575. *FAlbR*, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 597. *FH*, f. 82v. *FZ*, 613. *FBa*, 674. *FI*, 645. *FAlr*, f. 96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 898. While Teruel, Albarracín and Iznatoraf employed the term *almófar*, the remainder of the Cuenca group use the variants *elmo* and *yelmo* in this place. *FCO*, 172. *FCA*, 175. *FCB*, 177. *FU*, 177. Menéndez Pidal, *Cid*, 2:458-61. Bruhn de Hoffmeyer, *Arms and Armour*, 176-79.

77. Sánchez-Albornoz, "El precio de la vida," 2:845. *FAlfambra*, 36. *FÁvila 1256*, 491. *FCuéllar 1256*, 43. *FArévalo 1256*, 1:266. *FAtienza*, 68:267. *FBurgos 1256*, 1:97-98. *FBuitrago*, 1:93-94. *FPeñañiel 1256*, 1:89-90. *Privilegio de Escalona 3-5-1261*, 1:178. *FMadrid 1262*, 9:53. *FValladolid*, 1:225. *FSepúlveda 1300*, 91. *Espéculo*, 3:7:14. *Siete partidas*, 2:23:8. Alvar, "Estudio lingüístico y

vocabulario," 772.

78. *FCO*, 172. *FCA*, 175. *FCB*, 177. *FU*, 177. *FAlz*, 8:66. *FAln*, 481. *FH*, f. 82v. *FZ*, 462, 613. *FBa*, 537. *FI*, 535. *FAlr*, ff. 78v-79r. *FUb*, 43. *MS8331*, 464. *FBe*, 697-98. Huete and Zorita include *brofuneras* in the section on booty shares, while Alcaraz, Alarcón, Zorita, Baeza, Iznatoraf, Alcázar, *MS 8331* and Béjar cite it in connection with dueling equipment for both knights and foot soldiers. *FÁvila 1256*, 491. *FCuéllar 1256*, 43. *FArévalo 1256*, 1:266. *FAtienza*, 68:267. *FTrujillo*, f.50. *FBurgos 1256*, 1:97-98. *FBuitrago*, 1:93-94. *FPeñañiel 1256*, 1:89-90. *Privilegio de Escalona 3-5-1261*, 1:178. *FMadrid 1262*, 9:53. *FValladolid*, 1:225. *FSepúlveda 1300*, 91. *Espéculo*, 3:7:14. *Siete partidas*, 2:26:28.

79. *FCórdoba Lat*, 3:223. *FCórdoba Rom*, 3:213. *FCarmona*, 7. *FAlicante*, 46. *FLorca*, 82. Gómez de la Torre, *Corografía de Toro*, 105. "Carta de Alfonso X concediendo al concejo de Ciudad Rodrigo," 1105. *Espéculo*, 3:7:14. *Siete partidas*, 2:23:8, 2:26:28.

80. Bruhn de Hoffmeyer, *Arms and Armour*, 170-72. De Riquer, *L'arnès*, 20-22. Alvar, "Estudio," 695. Corominas, 1:655-56. Menéndez Pidal, *Cid*, 2:533.

81. *FAlfambra*, 33, 36. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 10, 426. *FAlbL*, 485. *FCcv*, 3:14:4. *FTR*, 8, 575. *FAlbR*, 7, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 597. *FH*, f. 82v. *FZ*, 613. *FBa*, 674. *FI*, 645. *FAlr*, f. 96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 898. *FCO*, 112, 172. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108, 177. *FU*, 179. *FArtajona*, 249. *FMiranda de Arga*, 10:270. *FMendigorría*, 87. *FLedesma*, 279-80. "FAlcalá de Henares," Sánchez, ed., 285. "Fueros que dió a Molina," 47. *FÁvila 1256*, 491. *FCuéllar 1256*, 43. *FArévalo 1256*, 1:266. *FAtienza*, 68:267. *FTrujillo*, f.50. *FBurgos 1256*, 1:97-98. *FBuitrago*, 1:93-94. *FPeñañiel 1256*, 1:89-90. *Privilegio de Escalona 3-5-1261*, 1:178. *FMadrid 1262*, 9:53. *FValladolid*, 1:225. *Espéculo*, 3:7:14. *Siete partidas*, 2:26:28.

82. "FPalenzuela, 1074," MyR, 276. "Annales D. Alfonsi Portugallensium regis," 157-58. *FMolina 1156*, 84-85. *FAlfambra*, 33, 36. *FCfs*, 22:13, 30:5. *FCmsp*, 22:13, 30:5. *FTL*, 10, 224, 426. *FAlbL*, 447, 485. *FCcv*, 3:6:7, 3:14:4. *FTR*, 8, 249, 575. *FAlbR*, 7, 81, 181. *FP*, 496. *FAlz*, 8:66, 10:5. *FAln*, 481, 595. *FH*, ff. 82r-82v. *FZ*, 462, 613. *FBa*, 537, 674. *FI*, 535, 643. *FAlr*, ff. 78v-79r, 95v-96r. *FUb*, 43, 54E. *MS8331*, 464, 695. *FBe*, 697-98, 897. *FVH*, 496-97. *FCR*, 8:18. *FCM*, 316. *FArtajona*, 249. *FMiranda de Arga*, 10:270. *FMendigorría*, 87. "Carta de población de Salvatierra, 1208," 8:99. *FUclés c.1227*, 14:334. *FLedesma*, 264, 279-80. "FAlcalá de Henares," Sánchez, ed., 285. "Fueros que dió a Molina," 47. *FCampomayor*, 499-500. "Costumes de Garvão comunicados d'Alcácer," 2:80-81. *FÁvila 1256*, 491. *FCuéllar 1256*, 43. *FArévalo 1256*, 1:266. *FAtienza*, 68:267. *FTrujillo*, f.50. *FBurgos 1256*, 1:97-98. *FBuitrago*, 1:93-94. *FPeñañiel 1256*, 1:89-90. *Privilegio de Escalona 3-5-1261*, 1:178. *FMadrid 1262*, 9:53. *FValladolid*, 1:225. *FSepúlveda 1300*, 91. *Espéculo*, 3:7:14. *Siete partidas*, 2:26:28.

83. Bruhn de Hoffmeyer, *Arms and Armour*, 179-85. De Riquer, *L'arnès*, 22-23. Nicolle, "Islamic Arms and Armour," 97-106. Neuvonen, "Los arabismos del español en el siglo XIII," 10:130-31. Riaño, *Industrial Arts in Spain*, 88-90. Menéndez Pidal, *Cid*, 2:651-55. The *Fuero de Ledesma* specified the hide of a horse, ox, mule or ass for a leather shield. *FLedesma*, 246.

84. Bruhn de Hoffmeyer, *Arms and Armour*, 168-69. De Riquer, *L'arnès*, 23-26. Menéndez Pidal, *Cid*, 2:728-29. For interesting views of the lance in East-West combat, see Nicolle, "The Impact of the European Couched Lance," 10:6-40. González, *Repartimiento de Sevilla*, 1:175.

85. "FPalenzuela, 1074," 276. "Annales D. Alfonsi Portugallensium regis," 157-58. *FMolina 1156*, 84-85. *FAlfambra*, 33, 36. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 10, 426. *FAlbL*, 485. *FCcv*, 3:14:4. *FTR*, 8, 575. *FAlbR*, 7, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 595. *FH*, ff. 82r-82v. *FZ*, 613. *FBa*, 674. *FI*, 643. *FAlr*, ff. 95v-96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 897. *FA*, 181. *FCO*, 173. *FCR*, 8:18, 8:51. *FCM*, 316, 349. *FCA*, 176. *FCB*, 178. *FU*, 178. *CPSalvatierra*, 8:99. *FUclés*, 14:334. *FAlba de Tormes*, 292. *FSalamanca*,

95. *FLedesma*, 264, 279-80. "FAlcalá de Henares," Sánchez, ed., 285. "Fueros que dió a Molina," 47. "Fuero de Badajoz," Diego Suárez de Figueroa, ed., *Historia de la ciudad de Badajoz* (Badajoz, 1916), 73-74. *Costumes d'Alcácer*, 2:80-81. *FÁvila 1256*, 491. *FCuéllar 1256*, 43. *FArévalo 1256*, 1:266. *FAtienza*, 68:267. *FTrujillo*, f.50. *FBurgos 1256*, 1:97-98. *FBuitrago*, 1:93-94. *FPeñafiel 1256*, 1:89-90. *Privilegio de Escalona 3-5-1261*, 1:178. *FMadrid 1262*, 9:53. *FValladolid*, 1:225. *FSepúlveda 1300*, 91. *Espéculo*, 3:7:14. *Siete partidas*, 2:23:7, 2:26:28.
86. *FCcv*, 3:14:4. *FP*, 496, here called a *razcona*. *FAlz*, 10:5. *FAln*, 595, here called a *pediero*. *FH*, ff. 82r-82v. *FBa*, 674, here called an *escato*. *FI*, 643. *FAlr*, ff. 95v-96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 897. *Espéculo*, 3:7:14. *Siete partidas*, 2:23:7, 2:26:28. Corominas, 1:348-49, 2:110-11. Bruhn de Hoffmeyer, *Arms and Armour*, 170.
87. González, *Repartimiento de Sevilla*, 1:175. Bruhn de Hoffmeyer, "From Medieval Sword to Renaissance Rapier," 2:5-25. Bruhn de Hoffmeyer, *Arms and Armour*, 160-68. De Riquer, *L'arnès*, 25. Menéndez Pidal, *Cid*, 2:658-68. *PCG*, 2:404, 517-18.
88. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:4. *FTR*, 575. *FAlbR*, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 595. *FH*, ff. 82r-82v. *FZ*, 613. *FBa*, 674. *FI*, 643. *FAlr*, ff. 95v-96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 897. *FUclés*, 14:334. *FLedesma*, 264. "FAlcalá de Henares," Sánchez, ed., 285. *FÁvila 1256*, 491. *FCuéllar 1256*, 43. *FArévalo 1256*, 1:266. *FAtienza*, 68:267. *FTrujillo*, f.50. *FBurgos 1256*, 1:97-98. *FPeñafiel 1256*, 1:89-90. *Privilegio de Escalona 3-5-1261*, 1:178. *FMadrid 1262*, 9:53. *FValladolid*, 1:225. *Espéculo*, 3:7:14. *Siete partidas*, 2:26:28. Most of the Cuenca-Teruel family do permit the *peón* to use the sword in a duel. *FCfs*, 22:13. *FCmsp*, 22:13. *FTL*, 224. *FAlbL*, 447. *FCcv*, 3:6:7. *FTR*, 249. *FAlbR*, 81. *FBa*, 537. *FI*, 535. *FUb*, 43. *MS8331*, 464. *FBe*, 697-98. *FVH*, 496-97.
89. Bruhn de Hoffmeyer, *Arms and Armour*, 168. Corominas, 1:965. *FCfs*, 22:13, 30:5. *FCmsp*, 22:13, 30:5. *FCcv*, 3:6:7. *FP*, 496. *FAlz*, 10:5. *FAln*, 595. *FH*, ff. 82r-82v. *FZ*, 613. *FBa*, 674. *FI*, 643. *FAlr*, ff. 95v-96r. *FUb*, 43, 54E. *MS8331*, 695. *FBe*, 897. *FVH*, 496-97. *FAlba de Tormes*, 292. *FSalamanca*, 95. *Siete partidas*, 2:23:7, 2:26:28.
90. Virtually all medieval military historians agree on this point. Probably the best explanation for the lack of interest by the northern European feudality in acquiring archery skills can be seen in the twelfth and thirteenth century romances. Here a strong disdain for missile weapons as unchivalric and a distaste for oriental mounted archer cavalry as encountered on the Crusades can be noted, possibly laced with a small degree of fear. Hatto, "Archery and Chivalry: A Noble Prejudice," 35:40-54.
91. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:4. *FTR*, 575. *FAlbR*, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 595-96. *FH*, f. 82v. *FZ*, 613. *FBa*, 674. *FI*, 644. *FAlr*, f. 96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 898. *FCO*, 112. *FCR*, 8:13. *FCM*, 311x. *FCA*, 177. *FCB*, 108. *FU*, 179. "Privilegio en que el rey (Jaime I) sanciona los estatutos de Daroca, 1256," 35-36. The requirement was two cords for archers mounted and unmounted in all places, along with thirty arrows or bolts in Daroca, sixty in the Coria Cima-Coa family, and one hundred for foot and two hundred for knights in the Cuenca-Teruel charters. The *Espéculo* required one hundred and fifty arrows of both classes and gave both the same booty share in exchange. *Espéculo*, 3:7:14. *Siete partidas*, 2:23:7, 2:26:28.
92. At Murcia and Jérez they seem to have been a class separate from both *caballeros* and non-archer *peones*. "Privilegio rodado de Alfonso X a los pobladores de Murcia, 14 mayo 1266," 1:19-20. Soprani, *Historia de Jérez*, 43-54. "(Foral de) Miranda da Beira, 1136," 1:373. *FLouzã*, 1:287. For the Santarém family, see Appendix A. *FPedrogam*, 1:531. *FSabadelhe*, 1:584. The later Portuguese collections of municipal customs note that archers should possess bows and demonstrate their ability with the weapon to maintain their status. *Costumes d'Alcácer*, 2:80-81. "Costumes e foros de Beja," 2:66. "FEscalona," 45:465. *Falicante*, 52-53. The Muslim archers of Viseo prior to its capture by

Fernando I in 1055 had a formidable reputation for the penetration power of their arrows which was picked up by a number of Christian chronicles. Supposedly their arrows could pierce a shield and then three thicknesses of mail, and Fernando had his soldiers reinforce their shields with wooden planks to counter the effect of the Muslim arrows. *Crónica Najerense*, 97-98. *Historia Silense*, 188-89. Lucas de Túy, *Chronicon Mundi*, 348. Ximinius de Rada, *De rebus Hispaniae*, 125. Whether this had any impact on the high regard of the future kings of Portugal for archers and their status remains a matter of conjecture.

93. Cagigas, *Los Mudéjares*: 207. Ximinius de Rada, "De rebus Hispaniae," 185. *PCG*, 2:701. Huici Miranda, *Estudio sobre la campaña de las Navas*, 102-03. I hope in the near future to examine this problem in greater detail in a published study.

94. "Flatino Cáceres," v. *FCO*, 179. *FCA*, 182. *FCB*, 184. *FU*, 185. "Alcalá de Henares," Sánchez, ed., 285. *FUclés*, 14:334. Alcalá and Uclés also required spurs. *FSepúlveda 1300*, 91. *FMolina 1156*, 77. *FAlfambra*, 36, which demanded two saddles. *FZorita 1180*, 421. *FTL*, 10. *FTR*, 8. *FAlbR*, 7. "Fuero de la villa de Palenzuela, 1220," 218. A male horse was specified here. *FLedesma*, 264.

95. *FTL*, 426. *FAlbL*, 485. *FTR*, 575. *FAlbR*, 181. *FCórdoba Lat*, 3:223. *FCórdoba Rom*, 3:213. *FCarmona*, 7. *FAlicante*, 46. *FLorca*, 81-82. *FArévalo 1256*, 1:267. *Privilegio de Escalona 3-5-1261*, 1:179. *FMadrid 1262*, 9:54. *FValladolid*, 1:225. *FSepúlveda 1300*, 92. *Espéculo*, 3:7:14. *Siete partidas*, 2:26:28. "Llibre dels feits del Rei En Jaume," 153-54.

96. The minimum cost of a horse varied from town to town. From the late twelfth century through the later thirteenth century these minimums varied from twelve to thirty *maravedís*. *FAlfambra*, 36, 30 m.. *FTL*, 10, *FTR*, 8, *FAlbR*, 7, all 200 *solidos*. "Alcalá de Henares," Sánchez, ed., 285, 20 m.. *FUclés*, 14:334, 12 m.. "Flatino Cáceres," v, 15 m.. "Fernando III confirma y traslada el fuero de Toro dado por Alfonso IX, y concede uno relativo a los caballeros, 1232," 2:564-65, 20 m.. *FMolina 13c*, 47, 20m.. *FÁvila 1256*, 491. *FCuéllar 1256*, 43. *FArévalo 1256*, 1:266. *FAtienza*, 68:267. *FTrujillo*, f.50. *FBurgos 1256*, 1:97-98. *FBuitrago*, 1:93-94. *FPeñañiel 1256*, 1:89-90. *Privilegio de Escalona 3-5-1261*, 1:178. *FMadrid 1262*, 9:53. *FValladolid*, 1:225. Of this latter group, Ávila's minimum was 20 mvds., and the remaining towns were set at 30 mvds..

97. Menéndez Pidal, *Cid*, 2:582-84. Jaime Oliver Asín, "Origen árabe de 'rebato,' 'arrobda,' y sus homónimos," 15:372-89. Gonzalo Menéndez Pidal, *Los caminos en la historia de España*, 42-43. Garca Gómez, "Armas, banderas, tiendas de campaña," 32:170-73. For a basic evolution of scholarly thought with regard to the stirrup, the couched lance and the feudal charge, see: White, *Medieval Technology and Social Change*, 1-38. Bachrach, "Charles Martel, Mounted Shock Combat, the Stirrup, and Feudalism," 7:47-75. Nicolle, "The Impact of the European Couched Lance," 10:6-40.

98. "FNájera," 2:85. *FBenavente*, 2:626. *FA*, 180. *FCO*, 172. *FCR*, 8:18. *FLaguna de Negrillos*, 2:177. *FCM*, 316. *FCA*, 175. *FCB*, 177. *FU*, 177. *FMilmanda*, 2:181. *FZamora 1208*, 40. *FAlba de Tormes*, 337-38. *FParga*, 16:652. *FLeón 1230*, 2:315. *FLedesma*, 279-80. *FArévalo 1256*, 1:267. *Privilegio de Escalona 3-5-1261*, 1:179. *FMadrid 1262*, 9:54. *FSanabria*, 13:286. *FValladolid*, 1:225. *FSepúlveda 1300*, 91-92. Coria, Castello-Bom, Cáceres and Usagre stipulated that the supplier should add twenty cords for the support of the tent, while Sanabria described its tent as a *tienda cabdal*, indicating that the size of the tent should be substantial. Alba de Tormes did not put the tent in a campaign context, but placed it in a category with the horse and arms of a knight as items which should be inherited collectively by a son from a father. Alvar, "Estudio," 797. Menéndez Pidal, *Cid*, 2:866-67. Among the examples in Escorial T.I.1, *Cantigas* 28 and 165 are representative.

99. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:4. *FTR*, 575. *FAlbR*, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 597. *FH*, f. 82v. *FZ*, 613. *FBa*, 674. *FI*, 645. *FAlr*, f. 96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 898. *FUclés*," 14:329. Alarcón specified a chain of 200 links without mentioning collars, and Uclés noted neither links nor collars. In all of the *fueros* of the Cuenca-Teruel family a booty share was given for the contribution of a chain, while at Uclés a fee of three *maravedís* was given.

A SOCIETY ORGANIZED FOR WAR

James F. Powers

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6 - THE MILITIA IN DEFENSE AND ON CAMPAIGN

A municipal militia was marshaled for a variety of purposes. When it passed through the gates of the town to meet the challenges beyond, its objective might be the siege of another town or fortress, a booty-gathering foray, an attack upon hostile forces within its own boundaries, or union with a large royal expedition of which it would constitute only a small part. A myriad of terms exists to define these various activities, and the charters and chronicles are not always consistent in their usage. This spectrum of service opportunities can be divided into two basic categories: defensive and offensive.

I - The Militias in Defense

In the performance of defensive tasks the municipalities made their greatest contribution to the monarch. The frontier towns constituted through their settlement pattern and their military preparedness a defense in depth. As strong points scattered along the frontier of the Iberian Christian kingdoms, they buffered the rear areas against Muslim attack. The towns gave warning of an approaching enemy force, harassed it on the march and, on occasion, defeated it in battle with their militias. Moreover, the militias remained on alert for the smaller Muslim raiding forays, styled *rebatos* and *arrobdas*, thwarting their assaults whenever possible. These towns absorbed much of the impetus of the Muslim military effort, adding many impediments to enemy campaigning. In the process of making this manifold contribution, [137] they eased the burden of the monarchs they served as well as providing security for their own daily life.

Defensive operations were not an easy category of military endeavor, since most of the ordinary advantages sought in combat had to be relinquished. The attacking force usually possessed initiative, planning and surprise. Small raiding forays often evaporated before the town could organize a resistance force, while a large army usually proved beyond the capacity of a single municipality to contain. The defenders had a better knowledge of the terrain, the incentive of defending their own lands, and the hope that the invaders would make a serious mistake. Since the townsmen needed to protect their families, possessions, crops and livestock while maintaining permanent settlement on an exposed frontier, the offensive capabilities of the invaders had to be countered. Survival meant a mastery of the techniques of defensive warfare, and this challenge faced the towns from the moment of their establishment. Moreover, it was a need to be met largely by their own resources.

The municipal defensive capability developed especially in the eleventh and twelfth centuries which provided the context to bring it to maturity. During this period the striking penetration of the Trans-Duero and Portugal by Fernando I and Alfonso VI opened frontier areas to settlement while exposing the populators to Muslim counterattack. Prior to this time, the efforts of such settlements had focused

upon passive measures of defense which sought adequate fortification and the protection of livestock. The Aragonese and Navarrese determination to encroach upon the lands of Muslim Zaragoza in the upper Ebro Valley produced a similar capability for those towns in the later eleventh and early twelfth centuries. The contemporary southward thrust of the Counts of Barcelona largely devoted itself to the acquisition of Tarragona, a program in which small municipal settlements do not appear to play a large role. In Leon and Castile, however, the age witnessed the municipal efforts to organize militias which could take more active measures in striking back at an enemy expedition. These town efforts to contribute to their own defense attracted the attention of the chroniclers by the twelfth century, and their achievements in this endeavor probably assumed greater significance in the long run than their record on offensive expeditions. Among the most memorable of these defensive parries by the towns were those against Christian opponents, particularly Salamanca's stand against Fernando II's army at Salvatierra de Tormes in 1162 and the sharp repulsion of the Leonese invading force into Castile by the militia of Ávila in 1217.⁽¹⁾

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The defensive system of the Peninsula and especially of the municipalities evolved steadily from its first appearance in the eleventh-century charters through the more systematic formulations stated in the Alfonsine codes of the later thirteenth century, the *Espéculo* and the *Siete partidas*. As it developed this system displayed both active and passive attributes. The active process of assembling a force to seek out and destroy the invading enemy was covered by the term *apellido*. From its origins as a generic term for warning, *apellido* had by the later eleventh century come to signify the military force mustered by the towns to deal with the danger heralded by that warning. In contrast to musters directed toward military activity initiated by the town, i.e. offensive endeavors, this situation required rapid assembly under the impending threat of enemy attack. The forces summoned by the *apellido* were expected to meet the enemy expedition in the field, to defeat it if possible, or harry its progress if that force proved too large. The passive side of defense consisted in the maintenance of an efficient warning procedure and a reliable system of walls and towers. Moreover, townsmen were enjoined to exercise great vigilance and extreme caution when an enemy invading force was in the region. The nature of the frontier induced a continual wartime mode of living which must have exerted a relentless price in stress.⁽²⁾

Apellido service clearly dealt with two types of military musters. Either some kind of invading or raiding force had entered the surrounding countryside (alfoz) of the town and required an immediate counterattack, or a royal force of some size sought a regional muster to deal with a large scale attack, an announcement which anticipated a contingent from the town to swell the king's ranks. In either incidence of imminent military danger, the law compelled those citizens with militia responsibilities to assemble in the plaza of the town or to seek out the standard of the town council wherever it might be located. The development of the active defensive posture that the word *apellido* suggests begins to appear in the later eleventh century. Excluding the charter of Peñafiel of 942 in which it is probably a later interpolation, the Leonese-Castilian kings begin to utilize the term with the charters granted by Fernando I to a number of Portuguese towns by 1065, followed by the charters given by Alfonso VI to the Castilian towns of Palenzuela (1074), Nájera (1076) and Sepúlveda (1076). Aragonese evidence starts with Pedro I's charter to Barbastro in 1100. Catalan sources indicate no use of the term whatsoever, and defensive obligation is probably presumed under the terms of *hoste* and *cavalgada*.⁽³⁾ By the end of the twelfth century the Navarrese monarchy, reacting to the pressures exerted by neighboring Castile and Aragon, compelled a number of towns to go beyond the one soldier per householder rule for offensive [139] expeditions, dispatching all able-bodied men with arms to the *apellido*.⁽⁴⁾ By the end of the thirteenth century, the Alfonsine codes offer a full statement of the defensive necessities of the realm and the obligation of the municipal militias to respond to those

needs. In the chronicle of Alfonso X, written in the early fourteenth century, the term *apellido* has evolved into a verb form to describe the assembly of forces to deal with Muslim raids for 1269.⁽⁵⁾

The emergency nature of the service summoned by the *apellido* caused exemptions from it to be far rarer than those of offensive service by an overall ratio of more than seven to one in Leon, Castile, Navarre and Aragon. The infrequency of exemption from the obligation to respond to the *apellido* suggests that the peninsular monarchs anticipated the rendering of this service from most towns. Municipal self-defense and the security of its region were fundamental to the towns' own interests as well as that of the kingdom. In Portugal, where the survival rate of municipal charters is higher than in the rest of Iberia, *apellido* appears in the charters to a far greater extent than requirements for offensive service until the later twelfth century. The Portuguese towns often imposed limitations upon defensive service reminiscent of the sort identified with offensive service elsewhere. Some localities required that the militia would return within a day of its departure;⁽⁶⁾ others stipulated the presence of the king;⁽⁷⁾ yet others required that the enemy be Muslim to justify a defensive muster.⁽⁸⁾ The only other specification which appears with regard to the *apellido* in the shorter citations occurs in the Aragonese and Navarrese charters and stipulates that the king must be preparing for an actual battle to justify the defensive call, lest the town militia be drawn unnecessarily from its own defensive zone.

The *apellido* summons manifested itself in either audible or visual signals, portending the need of hasty preparations and urgent assembly of forces. This warning was sounded in the town and its *alfoz* by bells, horns, drums or any other instruments which could be heard at a distance, or visually by bonfires. The warning call applied to all obligated persons within earshot or who came in contact with another bearing the news. It applied throughout the entire territory under the town's control, *villa* and *aldea*, and on occasion to a region of towns. The Cuenca-Teruel and Coria Cima-Coa families of charters allow the resident twenty-four hours to locate the assembly area and take themselves there, but speed was encouraged. The Coria group urged knights to hasten at the gallop and footsoldiers at the run to the standard. The Cuenca-Teruel charters set the distance at that which could be walked in twenty-four hours, while the Coria Cima-Coa set the requirement at twelve hours.⁽⁹⁾ The almost [140] universal requirement that the *peones* respond to the *apellido* distinguishes this service notably from the offensive forms of assembly, where footsoldiers often enjoyed exemption or simply went unmentioned. The implicit philosophy behind such a distinction saw defense as the ultimate responsibility in the face of the gravest kind of frontier threat, a threat which all citizens must meet, regardless of class.

The Muslim raid on Talavera of 1182 generated an *apellido* with many of the typical elements. Taking advantage of some cloudy October days during the harvest season, an Almohad force under Ibn Wânúdin moved up the road from Córdoba toward the central Tajo Valley. It met and captured a Christian scouting party, whose leader fled the skirmish to spread the warning to the region. The Muslim force bore down upon the town of Talavera and placed the municipality under siege, establishing themselves in a fortified camp in high ground outside the city. The Talaveran response may have been rusty, since, according to the Muslim chronicler, the only Muslims that these townsmen had seen in several decades were prisoners of war, but the defense alert promptly generated counter forces in an attempt to drive the besiegers from their position. The castle garrisons and settled areas of the vicinity joined with the Talaveran defensive forces to attempt to dislodge the Muslims, but paid heavily for their failure with casualties and loss of military gear as the Córdobaans stood their ground. Finally, after the Muslims laden with their booty began their return to the south, a priest gathered a force of all able-bodied Talaveran men which overtook the Muslim force, defeating the rear guard and recapturing the Muslim booty. The Muslim army regrouped and retaliated, overrunning the Talaverans and their booty. More than enough knights, footsoldiers and even some non-combatant Jews were captured to assist the Cordobese in carrying their loot back to Aldalusia.⁽¹⁰⁾ Thus, the *apellido*, while mustering a militia mildly out of practice in defending itself, roused a force sufficient to defend the region. Though

the Christians suffered ultimate defeat, Talavera itself did not fall, and the Muslim force had no opportunity to push beyond Talavera to Toledo or the towns of the Jarama-Manzanares valley to the north. It is interesting that much of this day to day frontier conflict by the municipalities was reported more frequently in the Muslim chronicles than in the Christian accounts. The monkish Christian chroniclers of the twelfth century paid little heed to the emerging municipalities. The Muslims who had to face them in combat had better reasons to remember.

Once the militia had been mustered to resist the invader, the urgency of the situation and the numbers of the enemy determined organization, [141] tactics and the length of the campaign. As noted in Chapter Five, many towns retained a reserve force held back from offensive and defensive expeditions to garrison their walls and the fortified places of the region. While militiamen must have experienced more than sufficient difficulties in readying themselves on short notice, towns often expected their mustered contingents to provide provisions for themselves.⁽¹¹⁾ The official in charge of the *apellido* force drew a substantial fine in the Coria Cima-Coa towns if the forces he mustered took provisions from the residents of the surrounding countryside (*aldeas*) or if he brought along any unauthorized guests who did so. This must have struck the twelfth-century mind as a kind of military junket so popular with twentieth-century legislators.⁽¹²⁾ The charters do not elaborate the tactical organization for the defense, causing one to assume that march order and battle techniques conformed to those used in offensive warfare. The true difference between the offensive *fonsado* and the emergency force convoked by the *apellido* lay not in the manner in which each fought, but the causes for summoning the militia at the outset. If this difference imposed itself on battlefield operations, the influencing factors were largely the hasty organization of troops, the lack of pre-combat planning, and a understrength militia due to the suddenness of the call.

Excuse from the *apellido*, when permitted, required an important personal reason to avoid a fine. The most common excuses were absence from the town, failing to hear the warning sounded, and illness. Knights also gained excuses if their horses were injured, ailing, had recently died, or were otherwise unavailable.⁽¹³⁾ The Coria Cima-Coa charters, revealing a suspicion toward knights who employed one of the equine exemptions, applied severe sanctions against an individual who tried to substitute another animal for a horse, attempted to give his horse to another person for the duration of the *apellido* call, or misstated the true condition of his mount.⁽¹⁴⁾ This same group of charters freed smiths who had made a specified number of plowshares, hired hands (*madieros*), and residents who had dwelled in the town for less than a year.⁽¹⁵⁾ Failure to appear for the *apellido* muster or to qualify for either an excuse or an exemption saw the offender fined. Little information regarding the right of appeal for such fines appears in the charters, but the Cuenca-Teruel charters granted their residents three days to contest the fine after the militia had returned from the field. Failure to appeal within this three-day limit made the fine automatic.⁽¹⁶⁾

Not all of the municipal charters state the amount of the fine that [142] they assess for missing the *apellido*, but Table 8-1 in Chapter Eight provides a list of the charters that do list the assessed amount. This same table compares these fines with the fines assessed for missing offensive expeditions, offering an interesting parallel between the experience of Castile and Aragon as against that of Portugal and Leon. Residents of the Portuguese and Leonese towns faced a greater likelihood of being fined for missing the *apellido* than one of the offensive musters, especially the peones. This underlines the heavy stress placed on the townsmen for defensive activity in the two western kingdoms, and may signal a more constant level of raiding from Muslim invaders attacking through the Alentejo and Leonese Extremadura. It may also suggest that the Portuguese and Leonese monarchies envisioned a less imaginative role for the town militias. Castile and Aragon fined vigorously for missing the offensive assemblies, and clearly expected their towns to pursue the initiative with their militias. Presumably, the

defense would take care of itself.

The militia's ability to attack the enemy in the field comprised a vital part of the defensive protection of a town, but not its totality. The municipality depended equally upon its passive measure of defense, i.e. its surveillance system and its hard shell of fortifications, should the militia face an opponent too powerful to be attacked in the field or encounter defeat in that effort. The scouts and guards maintained by the towns assured that there would be ample warning time to prepare for possible resistance. These passive agencies of defense probably existed far earlier in the Reconquest than did the active capability, constituting the basic reason why townsmen could claim a section of the frontier as their own land.

One term occasionally cited in connection with the passive defense of towns was *anubda*, a term which has generated a good deal of scholarly debate concerning its meaning. The interpretative spectrum varies from the view that it signified a requirement for labor in the construction of fortifications analogous to *castellaría* (Puyol y Alonso and Palomeque Torres), to the notion that it was a mounted guard duty for livestock analogous to the *rafala-esculca* (Pescador), or the idea that it was a general service of watch duty (Loscertales and González). González makes the most convincing case in behalf of *anubda* being a form of vigilance service, primarily seen in Castile until the thirteenth century.⁽¹⁷⁾ Further investigation indicates that the origins of the term lie in the Rioja region on the frontier between Navarre and Castile beginning in the last half of the eleventh century, and that it tended to function as a co-equivalent term to *apellido*, although connoting by its emphasis on vigilance [143] a more passive means of defense. The widespread development of *apellido* service in Leon may have obviated the use of such a term, although *anubda* appears periodically in Portuguese *forais* where *apellido* was common.⁽¹⁸⁾

Passive defense entailed protection of two basic areas, the town itself, and its surrounding territory, the limits of which were marked by its boundary stones. The protection of this terrain required constant surveillance. To provide this, the residents kept watches in small fortifications and towers situated at key positions. The kings often granted castles to assist in the surveillance of their region.⁽¹⁹⁾ Sentries (*velas*, *vigías* and *talaeros*) manned these positions during the day when visibility was good. The night sentries were sometimes called *ascuchas* (listeners) when ears supplemented eyes as detectors of the unusual. Mounted sentinels termed *arrobdas* roamed the town's alfoz seeking any signs of potential rebatos (sudden strikes by the Muslims).⁽²⁰⁾ In all of this watchfulness, protection of the municipality's resources, its population, its livestock and its crops, remained the chief objective. All of these lay open to a sudden foray, but the charters indicated special concern for crops and animals. Grain and cattle guards drew exemption from military service in Oviedo and Avilés, while receiving booty shares in many others.⁽²¹⁾

Sheep and cattle rustling, a favorite enterprise of both Christian and Muslim frontiersmen, drew the attention of a number of the municipal charters. Townsmen who pursued enemy rustlers had claim on some of the animals retaken, the amount depending on how far the chase had carried them from the town. The municipalities came to base a considerable portion of their economies on the livestock industry, and thus cattle and sheep stood high on the priority list of spoils. Clearly a need for elaborate precautions existed to protect the territorial boundaries. Should the security measures detect a raiding party, fires provided a useful means of spreading the alarm; the igniters strove to make their signal fires smoke for daytime signaling, and to flame brilliantly for night-time visibility.⁽²²⁾ Once the alfoz resounded and glowed with the signals of alarm, this triggered the defensive muster of the militia, transforming passive surveillance into active defense.

When all else failed, the municipality relied upon the hard shell of its walls, which were except in the event of an extended and unrelieved siege or a surprise penetration, invulnerable to an enemy assault. The fortifications increased the effectiveness of the defenders by a substantial factor, since fewer

individuals were needed to defend a wall effectively than were required to assault it. Much municipal legislation dealt with the town walls, including their construction, maintenance and repair.⁽²³⁾ Such an [144] interest made good sense, given the keenness of both Muslim and Christian armies to destroy walls in order to break resistance or curtail the ability of residents to remain settled in that particular area. From the famous destruction of Leon's town walls by the Cordoban army in 993, the fortification smashing spree of Emir cAlì ibn-Yúsusuf against the Manzanares towns in 1109, and Archbishop Gelmirez's use of his Galician militias to destroy the walls of some of the troublesome local nobility near Santiago in 1121 and 1130, ample indications of the value of walls appear in the chronicles. Shortly after their establishment towns like Ciudad Rodrigo eagerly sought to gird themselves in stone. On occasion, wall-building had to be restricted, as was the case when Bishop Ramiro and King Sancho the Strong of Navarre curbed the aggressive construction of internal barriers by the hostile *barrios* of deeply divided Pamplona in 1222.⁽²⁴⁾ Towns derived the not inconsiderable resources required for wall building and maintenance through taxation, then apparently paying residents who performed fortification service a salary drawn from these revenues. Only the determination to increase the knightly class for the assault on Andalusia seems to have persuaded the Leonese and Castilian monarchs to exempt that class from the payment of these fortification taxes.⁽²⁵⁾

Deliberate damage to the municipal fortifications could be heavily fined, as Viguera did with a five hundred *sueldo* amercement for breaking a wall, sixty for harming a gate and ten for damaging any other aperture in the walls.⁽²⁶⁾ Heavy fining in these instances suggests that malicious damage to the municipal defenses placed the charge of traitor upon the perpetrator, for the walls constituted the only salvation for towns such Coimbra (1117), Huete (1172) and Santarém (1184) when they had to endure their long sieges.⁽²⁷⁾ When the threat of such serious assaults arose, the residents of the countryside could find shelter with their livestock within the fortifications, forcing the enemy to mount a siege in order to control the area and tie down the garrison. Should the invader fail to detach some of the strength of his expeditionary force to provide a containment force, he became liable to a rear assault from the town's militia. Undertaking a formal siege cost time and casualties while obviating other objectives which the expedition might have been pursuing. Sieges had a high failure rate (witness the numerous Muslim attempts to retake Toledo), and expeditions which squandered their resources in time and energy in these operations stood the risk of returning empty-handed. Thus, every walled town on a line of march presented a dilemma in its balance between opportunity and frustration.

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The town walls fulfilled their function only when properly manned. The charters of Teruel and Albarracín offer particularly detailed accounts of their watch procedures. Sentinels (*velas*) received salaries, carried heavy responsibilities and were policed by an overseer (*sobrevela*). Each tower along the walls required two sentinels, with fines established in those instances when the sentinels failed to appear. The overseer checked the drowsiness of his charges with periodic challenges, with fining again the penalty for failure to respond within three calls. The sentinels kept their stations from sunset to the matins mass, facing fines for late arrival or premature departure. The functionary known as the *janitor* or *portero* retained custody over the gates of the town. His tasks included the closing and the opening of the gates at the prescribed times (usually sunset and sunrise). He was fined heavily for procedural violations and awarded a share of booty since he could not serve on campaigns.⁽²⁸⁾

Two occasions seemed exceptionally threatening to the municipalities: harvest time and after the militia had departed on campaign. These periods offered the greatest probability of an enemy raid or a surprise siege. The harvest presented an enticing target for raiders, while the campaign season saw the town's military resources fully committed in the field. To diminish this risk many towns never permitted more than a portion of their militia to take to the field at one time, as is especially noteworthy in the

Salamanca-Numão and Ávila-Évora patterns of charters. The chroniclers' accounts of both Muslim and Christian styles of siegecraft indicated a decided preference for surprise, attack in bad weather or at night, and the frequent employment of fire as both a weapon of surprise and of extended siege. For all of these the town had to ready its defenses. With the militia absent, special concern manifested itself regarding night-time security and the movements of strangers in the municipality.

Sunset brought the closing of the gates, marked by the clashing of cymbals or the ringing of bells which announced the commencement of night security rules. At this point strangers lacking a proper reason for remaining within the town overnight were expelled. If the regular juez and the *alcaldes* commanded the departed militia, the *concejo* appointed an interim juez and two *alcaldes* to govern the town. In addition to the tower guards, the town placed sentinels in each parish (*collación*) and *barrio*. The *sobrevelas* patrolled the streets, exchanged passwords with the various sentries, and coordinated the surveillance in their area. The law required anyone moving in the streets of the town after sunset [146] to carry a light. The violators faced immediate arrest and incarceration.⁽²⁹⁾ In the Cuenca-Teruel charter towns, those apprehended for this reason faced the juez the following day. If the offender were a resident, he was liable to be stripped and beaten, then released; should the offender prove to be a stranger, the juez ordered him executed.⁽³⁰⁾

Fire loomed as a matter of grave concern. In any medieval town it constituted a serious hazard, but on the Iberian frontier fire saw frequent usage as a tactic of surprise attack, sometimes being ignited by a conspirator within the municipal walls. The outbreak of a conflagration initiated hasty emergency procedures designed to contain and extinguish the blaze before it raged through many districts of the town. While the fire absorbed the complete attention of the residents, the same conspirator or his confederates would throw open the gates to an awaiting enemy force. The juez and the *alcaldes* cast anyone suspected of planning such a scheme out of the town, or imprisoned them until the concejo and the militia returned from the campaign. For this reason the charters urged the townsmen to assure themselves that individuals were guarding the town gates before devoting their entire concern to any fire that broke out, whatever the cause. The *Fuero de Plasencia* hints at the reviving classicism of the era by making a very pointed analogy to the fall of Troy in advising this precaution. The charters recommended the same procedures be followed during the grain harvest in August.⁽³¹⁾ Defense of the town was a life or death matter on the Iberian frontier, thus harsh penalties were a necessity to strengthen internal discipline.

The municipalities thus combined their active and passive measures of defense to procure the overall protection of their territory and walls. The militia summoned by the *apellido*, coordinated with the fortifications and augmented by the vigilance of the residents, proved a combination indispensable to the protection of the town and its inhabitants. When the varied tasks and duties were performed efficiently, an enemy expedition could cross the deep frontier zone only with considerable effort and care. If the Christian towns, like the crusader castles of the Near East, did not form an impenetrable wall to Muslim invasion, they at least served as a defense in depth to entangle, delay and on occasion overcome the enemy expedition. More important, this system strengthened municipal resistance to the steady harassment of frontier raiding, enabling the townsmen to carve out a permanent place on the Iberian frontier.

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II - The Militias in Offensive Warfare

The towns possessed a respectable defensive capability from at least the eleventh century onward. An offensive capability, i.e. tactical and strategic military activity planned and initiated by the municipalities and including long-distance campaigns with prolonged fighting, emerged somewhat later, having come within the capacity of the towns in the twelfth century. The chronicles begin to

discuss the urban militias in this role as early as the reign of Alfonso VII of Leon-Castile (1126-57), and the charters of the late twelfth century are the first to concern themselves with the problems created by campaigns of long duration. The towns give indications of this offensive role both in the campaigns undertaken at their own volition and in campaigns where they served as a part of forces organized by the king and his representatives. In both categories the militias grew in size and in capability during the twelfth and thirteenth centuries.

A survey of the municipal charters and the royal codes indicates two fundamental types of warfare: large-scale pitched battles and smaller skirmishes and raids. The *Siete partidas* defines the first category as a conflict between large armies with organized divisions. These batallas (as the code defines them) presupposed battle signals in the maneuvering of units and the maintaining of a reserve force by both commanders.⁽³²⁾ Townsmen formed a part in this type of combat at least as early as the campaigns of Rodrigo Gonsalvo against Seville during Alfonso VII's reign, and were similarly in evidence at Alarcos (1195) and Las Navas de Tolosa (1212). On such occasions the militias drew placement in one of the three forward wings, probably being reformed into larger infantry and cavalry blocs with other militias. The Santarém charters indicate that the Portuguese kings redivided all knights exceeding the basic levy of sixty into their expeditionary force as they saw fit.⁽³³⁾ Commanders tended to retain a large reserve, usually consisting of cavalry, to be committed at the critical moment when victory hung in the balance.

Commanders directed these *batallas* primarily through signals and standards, the only means of controlling the movements of a large army once action had commenced. Much of this may have been learned in the many decades of experience acquired in fighting Muslim armies, which employed such techniques. Battle standards appear in the Mozarabic manuscripts from the tenth century onward. The charter of Molina de Aragón (1152-56) first noted concern among the urban *fueros* regarding who should bear the town standard. Leonese charters demonstrated a strong tendency to grant military [148] service excuses for standard bearers, giving them four excuses in the Castello-Rodrigo, Castel Melhor and in the city of Leon, eight in Sanabria, and twelve in the Benavente-Milmanda group. In the Cordilleran charters of Castile and Aragon, Alfabra and the Cuenca-Teruel towns, municipal officers granted more compensation for any lost lance with some kind of standard attached to it.⁽³⁴⁾ The municipal concern for protecting the standards grew more noticeable with the *fuero* of Córdoba in 1241, which required that the city officials retain possession of the standard in the field, guarded by twelve well armed knights who had mail for themselves and for their horses. Fernando III's charters to the Extremaduran towns in 1250 specified that the *juez* ought to bear the standard. The Alfonsine codes shared this concern, knowing that units and even entire armies would flee the battlefield if a cowardly standard-bearer ran with a *concejo* or royal standard. By the same token, enemy standards garnered large rewards for anyone who captured them, broke them, or brought them down in some way.⁽³⁵⁾ Given the crucial role which standards played on the battlefield, the *Espéculo* made a point of suggesting that they be kept out of the hands of the reckless and the accident-prone.

The municipalities had been providing knights for the expeditionary armies since the eleventh century. In the swift-striking engagements of the Iberian frontier, the mobility and shock characteristics of these warriors proved indispensable. The twelfth and thirteenth centuries witnessed an increased utilization of footsoldiers, a resource especially drawn from the towns. Exact numerical levies are rare in the records of this age, but one interesting example exists for the militarily active town of Ávila in the reign of Alfonso X. In a year when they paid a half *fonsadera* fee and therefore sent half of their normal full levy, seventy knights and five hundred footsoldiers joined with the king's army at Leon.⁽³⁶⁾ If this levy was in any way typical, it indicates that by the thirteenth century the forces sent by the towns were primarily infantry. The Alfonsine code cautions commanders to learn well the capabilities and limitations of such troops. Battles such as Las Navas taught the lesson of mixing infantry and

cavalry to secure the advantages of both, while the *Partidas* conversely urged commanders to attempt the separation of the enemy's foot and horse by the use of cavalry flank attacks. The authors of the code recognized the infantry's ability to hold high ground, and by advising leaders to strike at the enemy footsoldiers in open country where cavalry possessed the advantage, they were clearly suggesting that open country was the very place to avoid for one's own unprotected infantry. The [149] *Siete partidas* also recommends attacking enemy infantry with the sun and wind at one's own back, indicating that the authors knew of standard ancient tactical advice for the exploitation of the elements.⁽³⁷⁾

In addition to the great combats or *batallas*, many smaller kinds of frays made up the more frequent and typical combat expectations of the municipal militias. These smaller scale raids, far more frequent in their daily life than the grander *batallas*, provided the training ground where the militias could sharpen their fighting skills. The municipal documents use a variety of terms to describe them, among the most common are: *lid*, *facienda*, *rebato*.⁽³⁸⁾ Some charters defined such minor encounters by their nearness to the town of its supportive fortifications, as *cerca de villa* or *cerca de castillo* as at Sahagún. By far, the most widely used term was *lid*, which described any conflict from a small cavalry skirmish to a small battle. The *Siete partidas* divided these smaller conflicts into well-planned battles which involved some prearrangement of forces by the commanders (*faciendas*) and unplanned skirmishes (*lides*).⁽³⁹⁾ *Lid* was also cited as a word meaning duel, and the eleventh century fuero of Sepúlveda distinguished duels from combats against the enemies of the municipality by the term *lid campal*. The term enjoyed wide usage in northeastern Castile, the Rioja and Aragon in the late eleventh century, spreading over Castile and Leon in the twelfth. Córdoba, Carmona, Alicante and Lorca restricted such conflicts exclusively to engagements with the Muslims.⁽⁴⁰⁾ These smaller engagements, whatever the name, could be both the principal concern of an urban expedition or one of the several minor battles it fought in the course of a long, collaborative expedition. Either way such conflicts provided the prime portion of the combat experience which the municipal militiaman could expect in his lifetime of frontier military service.

The city officials customarily held the command of the militia at least until the municipal muster joined a larger force. The royal representative, the *señor*, led the militia in the Cuenca-Teruel charter towns, assisted by the *juez* and the *alcaldes* of the various parishes (*collaciones*). Those who challenged the right of these officers to command hazarded the risk of stiff penalties for conspiracy. At the same time the knights of the Santarém charter towns of Portugal maintained their privilege of selecting the *alcaldes* who would lead their mounted raids (*cavalgadas*) on the expedition.⁽⁴¹⁾ Córdoba, Carmona, Alicante and Lorca put the *juez* in charge of the expeditionary force, while Túy and Fuentes de la Alcarria marched out beneath the standard of their bishop and archbishop, respectively. Usagre specified service under the direction of the Master of Santiago, instead.⁽⁴²⁾

The men in command bore responsibility in turn for the selection of [150] vital functionaries needed for the campaign. The militia required reconnaissance while on the march, and the commanders thought it particularly important to select good scouts (*atalayeros*). Individuals had to possess healthy horses to qualify for the position, for which they received fees drawn from the sale of booty taken on campaign. In the Santarém towns of Portugal, the king and the towns agreed each to provide one half of the scouts for their joint expeditions. Given the popularity of ambush and surprise in Iberian warfare, good scouts played an essential role in any commander's plans; without their services the militia moved blindly in the field, especially when it penetrated enemy territory. For sizable expeditions the municipality utilized herdsmen (*pastores*) and watchmen (*guardadores*) both to care for the militia's pack animals and for any four-footed booty rustled while on campaign (at least in the charters from the cattle-raising territories adjacent to the Iberian Cordillera). These guards, like the scouts, received salaries for the performance of these duties. To discourage the theft of their charges, the *Siete partidas* recommended

that the guards be chosen especially for their trustworthy qualities and that they be paid early and well. The municipal councils could also require that these animal custodians provide bondsmen to vouch for their honesty. Eligible residents of the towns seem to have coveted the positions of scout and cattle guard, and the Cuenca-Teruel charters required that the municipal officials distribute such posts equally among the districts of the town.⁽⁴³⁾

The spiritual, physical and material needs of the campaign likewise required attention. Clerics obtained a salary for joining the expedition as chaplains in Sanabria, and probably in most other towns as well. Surgeons (*maestros de las llagas*) and doctors (*físicos*) drew fees for rendering medical assistance to the wounded, the fee dependent on the severity of the wound.⁽⁴⁴⁾ The material support of the militia belonged in the hands of the *quadrilleros*, individuals selected by the residents from each district to keep track of animals, meat provision and booty during the campaign. The temptations to embezzlement implicit in this position caused the municipal officials to insulate themselves from the threat by remunerating the office well and by punishing derelictions of duty with severity. *Quadrilleros* ought to possess the qualities of loyalty, good judgment and patience as the authors of *Siete partidas* saw it, if anything a tacit understatement of the job requirements.⁽⁴⁵⁾

Supply became an increasingly complicated problem for townsmen, particularly during the extended campaigns of the Cordilleran militias of Castile and Aragon. The forays of one, two or three days common [151] during the eleventh and early twelfth centuries must have been simple affairs from the point of view of logistics, but in extending the campaign time into weeks and even months the question of provisions became critical. The methods of supplying provisions varied from place to place. In eleventh-century Palenzuela, for example, the king's señor provided the necessary food for campaigns. The Navarrese and Aragonese charters of the early twelfth century required the militiamen to bring an amount of food sufficient for three days. On occasion towns not serving gave supplies to those who were.⁽⁴⁶⁾ In most cases the militiamen seem to have provided for themselves on the march. The Cordilleran charters of Cuenca-Teruel discuss the possibility of hunting as a supplement to the meat diet, and charge the *alcaldes* with the responsibility for portioning the game properly among the *collaciones* and *sexmos* of the militia. These charters also allow for the distribution of meat from the animals taken as booty in the campaign. The *Siete partidas* established stern penalties, including imprisonment with short rations, for those who recklessly or gluttonously squandered valuable provisions.⁽⁴⁷⁾

With the increasing supply needs, pack animals became all the more valuable. Moreover as the campaign progressed, the militia suffered its share of casualties, laying yet greater stress upon the available beasts of burden. The ill, the wounded, the aged prisoners and even the corpses of the dead required animals for transportation back to the town. The *quadrilleros* took charge of assigning animals from the available pool for these purposes, risking a fine if they failed in their responsibilities. This same area of logistical management required that the *quadrilleros* supervise the animal tenders, who acquired additional charges in the form of animal booty taken on the campaign. Any guards who mistreated the bestias in his care could be replaced and deprived of his fee, and they were also responsible for paying for any animals they lost.⁽⁴⁸⁾ Thus the military expeditions supplied themselves by bringing what they could from their home base, by requisitioning victuals and animals from any towns or villages which owed them, and finally by hunting and foraging. The municipal officials saw to it that their part in this process was handled smoothly and equitably.

The municipal officials did not necessarily lead the militia in combat. Even if they maintained some kind of overall responsibility, they usually provided small unit commanders if major conflicts loomed during the course of a campaign. The selection of commanders (*caudillos*) imposed the always challenging task of defining leadership and recognizing it in the potential commander. The Alphonsine

Siete partidas took the view that qualities of leadership were innate and developed most readily by [152] the well born and highly positioned. Nevertheless, it recommended intelligence as a particular consideration in awarding command positions. The *Espéculo* added loyalty and good judgment as the marks of leadership, while pointing out that bad leaders performed in a disloyal manner, permitted discord among the followers through their dilatory and weak-willed style, and indicated bad judgment in battle which led to their consistently being defeated. This society had little use for losers.⁽⁴⁹⁾

Siete partidas established the criteria for both cavalry and infantry commanders. The code required that the mounted *adalid* should be an experienced horseman and warrior, approved by other veteran commanders for his potential ability. Beyond this, it assigned rather general qualities to such a leader: intelligence, strength, prudence and loyalty. In discussing the qualifications of the infantry commander, the *almocadén*, Alfonso's *Partidas* offered greater specification. The *almocadenes* charged with his selection sought an experienced infantryman for the position. His superiors weighed his bravery, strength, swiftness in driving toward an objective, loyalty and ability to command respect among the *peones*. Even a potential infantry commander's skill in giving medical treatment was taken into account. One senses here the imposition of a realistic set of qualifications for leadership at the footsoldier's level, since aristocratic criteria were removed from consideration. Upon the appointment of the new *almocadén*, he obtained good clothing and a lance with his own pennant affixed to serve as a position marker for campsite and battlefield.⁽⁵⁰⁾ How often the authorities actually applied these ideal standards to individual instances remains unknown. Alfonso's codes tended to be rather practical on military matters, and one infers that leaders sought these desirable characteristics in their commanders on the basis of much unpleasant experience in combat.

Intelligence information was of major concern on the march, especially in enemy territory. This included information regarding the terrain as well as the enemy likely to be encountered. The scouts had the task of doing much of this work but they were not the only sources of information, as the Cuenca-Teruel charters would indicate. Anyone who brought information regarding a Muslim force or movement of troops to the expeditionary force could expect a reward, provided that victory resulted when the *hueste* acted on this knowledge. In addition, those who were sent to gather intelligence by spying directly on the enemy could receive, at the direction of the royal *señor* or the *alcaldes*, half of the booty gained in action resulting from their reports.⁽⁵¹⁾ Notable in both these examples is the business-like approach of paying only for results, and not merely for information. [153] Bounty hunting also proved useful as a source of intelligence, instigated by the commanders' keen interest in reducing the military expertise on the Muslim side. Leading the *concejo* to the whereabouts of an Islamic commander gained the informer ten *maravedís*, with five more for personal identification of the individual. Once taken into custody, the *concejo* had complete latitude in dealing with Muslim *adalides*, including the right to execute such leaders, unless the king advanced a significant fee to secure possession of them.⁽⁵²⁾ Bounties like these would hardly have been paid out of the limited *concejo* funds unless intelligence information held great value for the municipal militias.

At the same time that the expedition commanders sought intelligence information regarding the position and the number of the enemy, they had to attend to their own security. The *Siete partidas* offered some general counsel for an army on the march. Standards and banners served to keep the different components of the army in order and inform the leader of the location of each of his units. The code recommended an extended line of march as against scattered columns marching abreast, a precaution necessitated not only by security but by the nature of the peninsular medieval roads.⁽⁵³⁾ By the mid-twelfth century it had become customary to divide large armies into forward and rear components. The charters referred to the forward division as the *algara* while *Siete partidas* described it as the *delantera*. The *algara*, a term derived from the Arabic for foray or raid, seems to have consisted of the best warriors of whom most if not all were knights. The sources described the *algara*

as mobile and capable of acting as an independent raiding force as well as being detached for a variety of smaller sorties with limited objectives. Should the *algara* encounter a larger enemy body, try to force an impeded passage, or undertake the siege of a fortification or town, it could then be rejoined by the larger rear guard to reinforce the total attacking force.⁽⁵⁴⁾

The *zaga* constituted the rear guard or reserve. Here again in the terminology employed, one sees evidence of likely Muslim influence, since *zaga* found its origins in Arabic, where it means rear guard. The *zaga* usually comprised the slower moving *peones*, who played an important part in large pitched battles and sieges but otherwise handicapped the raiding activity of the advanced force. The *Siete partidas* also noted that the difficulties connected with fighting a large force approaching from the rear demanded a larger protective buffer in that quarter.⁽⁵⁵⁾ The municipal sources cited the use of this rear guard initially in Portugal, where it appears at Tomar, Pombal and Germanello during the [154] reign of Afonso I. The Santarém family from 1179 mandated that the municipal knights from these towns could not join the *zaga* in a royal military expedition, but should join the forward *delanteira*. The Cuenca group of charters included a discussion of the separation of the *algara* and the *zaga*, indicating an even division of troops between the two forces with remnants staying in the rear. Curiously, Aragonese Teruel and Albarracín lack this law. Ávila's chronicle records an interesting example of the joining and rejoining of the knights to the *zaga* by its own militia at the siege of Jaén in 1245-46.⁽⁵⁶⁾ To reinforce security, scouts and sentinels patrolled the flanks and front of the line of march as the militia advanced. Pack trains required similar protection, and the proximity of grass and water had to be considered in addition to security. Dangers threatened the return march from enemy territory to an even greater extent than the initial penetration. The warriors, intoxicated with victory and their guard lowered, moved more slowly as they bore homeward with their spoils. They stood highly vulnerable to surprise attack, especially in the case of stragglers. The *Partidas* might well have added that an army moving in enemy territory long enough to collect booty had also permitted the enemy sufficient reaction time to rally an emergency force and commence pursuit, as the classic instance of Sancho the Hunchback and his Abulense militia so amply testified in 1173.⁽⁵⁷⁾

While on campaign any militia stood in fear of ambush (*cetada*), a tactic which enjoyed considerable popularity on both sides of the frontier areas of difficult passage, such as passes, marshes, ravines or any place where the formation of the *hueste* into battle order could not be done quickly, provided the most likely ambush situations. The *Siete partidas* advised the avoidance of such dangerous places, if possible; lacking that option, commanders sent forces to secure the problematic area prior to the arrival of the forward elements. Should the initial probing force find the position already in enemy hands and no other alternative route available, the forward elements awaited the arrival of the *zaga*, joining with it to force passage by a pitched battle. Ambushes also served to cut an army off from its base or point of origin if launched against the rear; preventing that possibility constituted another good reason for maintaining a large *zaga*. Yet the *Siete partidas* cautioned against over-concentration to face a sudden attack, reminding commanders that such strikes might be a feint. Excessive troop concentration mustered at one place to meet a feint invited a more serious assault from another direction. In the final analysis, [155] the best defense against the relaxation in security which might provoke an ambush lay in maintaining a constant state of readiness while on the march. Thus, should the enemy stage a sudden assault, the reaction would be reflexive and instantaneous.⁽⁵⁸⁾

The municipal charters and the Alfonsine codes offer detailed comment on the proper methods of encampment. Leaders should locate such camps near water and grass, away from high ground and marshes, and contoured to the land forms. The commander and his chief unit leaders moved with the forward element of the army to select the proper site, post guards, and plant the unit standards to locate the various elements of the expeditionary force. Within the campsite they established paths, leaving a cleared area in the center for rapid muster, even digging a ditch around the camp if they anticipated a

long stay. The *Siete partidas* advocated dispatching scouts to secure the region and keeping the mounted warriors on horseback until the *zaga* had arrived at the site. Guards remained with the baggage train until it was safely sheltered in the camp.⁽⁵⁹⁾ The Cuenca-Teruel *fueros* tell us that the towns viewed the encampment as any place the militia stopped for the night or to make bread, calling such a place a *posada*. Once settled, the juez and the *alcaldes*, accompanied by the records clerk, toured the entire camp noting the location of tents, men, animals and equipment. The next morning they took account of any items missing, and if someone had fled the camp during the night he was presumed to be a deserter to the enemy. All the men in the immediate *posada* area were held responsible for any of their party who were missing, sharing their punishment on the grounds that they should have prevented the departure. The policy probably served to keep desertions and their potential security threats to a minimum.⁽⁶⁰⁾ In the absence of other information in the sources, one infers that the various units gathered in the central assembly area in the morning and resumed the fixed order of march. The charters also note the process of redistributing the various *posadas* into the *algara* and *zaga* divisions after encampment.⁽⁶¹⁾ The smaller militia expeditions may have utilized few or none of the above procedures, but the increasing participation of the municipal armies in large-scale campaigns necessitated the adoption of rules to control the mustering of considerable numbers.

The *Siete partidas* also mentioned a number of battlefield formations which have the appearance of being drawn from a military handbook such as Vegetius rather than the accumulation of reconquest experience. The wedges, echelon arrangements, flanking squadrons, rounded and hollow squares therein described, seem well beyond the discipline [156] of the militias and there are no chronicle references to their use by the royal army.⁽⁶²⁾ The lines of infantry and cavalry into which the militias were doubtless reformed most certainly sufficed for the vast majority of pitched battles in which the municipal militias participated.

Aside from field battles and raiding forays, the contemporary chroniclers pay particular note to the performance of the municipal militias during sieges, especially the great Andalusian investments of Fernando III.⁽⁶³⁾ Militias probably utilized assault engines beyond the rudimentary level of simple catapults, slings, rams and ladders only when their armies formed a part of a larger royal force, despite the recommendation in the *Siete partidas* that the king keep siege equipment scattered in the frontier towns. The sources record at least three instances where townsmen assisted in building such devices: the Compostelanos at Tabeirós in 1126, the Aragonese militiamen at the siege of Burriana in 1223, and the Castilian militias at Jaén in 1245-46.⁽⁶⁴⁾ The *Siete partidas* describes an elaborate procedure for undertaking an investment on a large scale which includes the most basic elements of medieval siegecraft: besieging a town or fortification with positions no closer than could be maintained without being forced to move back with a consequent loss of morale; blocking all entrances to the objective; constructing fortified encampments for extended sieges; and undertaking consumption or destruction of the enemy's crops before his eyes. Both the *Espéculo* and the *Siete partidas* recommended precautions against the *espolonada*, the sudden defensive sally from the besieged town which sought to catch the besiegers by surprise.⁽⁶⁵⁾ Possibly the municipal armies participated in these procedures of the long siege when they combined themselves with a large royal *hueste*, but in their own campaigns sudden investment and surprise penetration enjoyed more favor. The sources do not indicate that the towns had the capability of conducting a long siege when dependent solely upon their own resources.

Since the municipalities took numerous precautions to prevent entrance into the town by stealth and surprise, we must assume that the townsmen favored these same techniques when attacking fortified places themselves. Lacking the staying power that gives substance to a truly prolonged siege, they valued the swift move and the heroic act which could force a decision quickly. Knights and infantrymen therefore received rich shares of booty for leading an assault upon a key gate or tower,

especially if they were the first to enter that structure.⁽⁶⁶⁾ A Christian leader (*adalid*) received a house of his choosing in any town he captured, while a Muslim *adalid* serving with the Christians received [157] not only this prize but also a guarantee of the safety of all his blood relatives in the captured town.⁽⁶⁷⁾ As long as the municipal militias concentrated on small objectives these techniques sufficed. The great sieges of Lisbon, Alcácer do Sal, Córdoba, Valencia, Jaén and Seville necessarily involved the collaborative effort of king, nobility, military orders and town militias. Heroic deeds still had their place, but surprise and bold entry rarely won such complex objectives by themselves.

To this point discussion has centered on offensive enterprises of a relatively large scale, or, at least, activity intended to result in some formal type of combat: battles, skirmishes, sieges. A large area of offensive warfare existed for which pitched battles constituted a secondary consideration or even something to be avoided. Raids and forays best designate this category, of which several varieties are to be found in the sources. Some of these have relevance to the towns and their militias.⁽⁶⁸⁾

Among the raiding terms, *algara* suggests the largest-scale force. Corominas defines this as a brusque incursion into enemy territory or as a name given collectively to troops assembled for that purpose. Palomeque accepts the definition provided by *Siete partidas*: a foray organized to overrun the countryside, plundering, ravaging and stealing that which can be seized with little effort. The term also appears in the *Chronica Adefonsi Imperatoris* in relation to municipal warfare, where it is used to denote a large expedition, almost in the sense of *hueste*.⁽⁶⁹⁾ *Algara* assumes a very limited meaning when it is found in the major Castilian and Aragonese *fueros*. In these it appears as the name assigned to the mobile forward section of a militia on the march, that part which separated from the *zaga* and which the *Partidas* calls the *delantera*. In the light of these various usages, it can be concluded that the *algara* was a large, long-range raiding body second only to the full-scale expedition in size. As the municipalities began to participate in these large expeditions, they adopted the term for their own use. While the *algara* may have been employed as an independent unit prior to 1100, the twelfth-century towns viewed it as a component detached from an expeditionary force to collect booty and relieve supply needs. By the thirteenth century the *Partidas* recommended that preparations for the *algara* include the provision of lightly armed men who knew the terrain, careful planning to avoid over-taxing the mounts, and once dispatched the use of the *zaga* to give rear guard protection, security and a locale for depositing booty.⁽⁷⁰⁾ By the thirteenth century, then, the *algara* seems to have been used more closely in coordination with the main body of the expeditionary force than any other form of raid.

[158]

Another term for raiding activity which had far broader usage and application is the *cavalgada* or *cabalgada*. The origins of its use in the Peninsula began with Carolingian mounted military service into Catalonia in the ninth century.⁽⁷¹⁾ After that, the use of *cavalgada* became so widespread and so variable that it defies tight definition. Depending on the context in which it is found, *cavalgada* can mean a large expedition or a small raid; include or exclude footsoldiers; and vary in its mission from large-scale devastation to mere combat patrolling. By the thirteenth century, the municipal charters of all of the peninsular kingdoms have cited the *cavalcata-cavalgada* as a form of military service, covering at least three different kinds of musters: the large *hueste*-style expedition, the *algara* large raid, and the swift, brief strike.⁽⁷²⁾ The formal definition given in the *Partidas*, which Palomeque basically accepts, fails to distinguish *cavalgada* sufficiently from *algara* to justify a separate term, save that the code defines two kinds of *cavalgada*, open and secret, which assist in pinning down its late thirteenth-century definition. The open *cavalgada*, the larger of the two, allows the pitching of tents and the igniting of campfires, and permits engaging in combat with an enemy squadron after having accomplished its basic mission. The secret *cavalgada* maintains a smaller size and seeks to avoid discovery and enemy contact. The covert force undertakes rapid raiding, movement by night and the

use of low terrain to obviate the danger of being silhouetted on the horizon. It required adequate numbers of scouts, guards and patrols and the bypassing of any threat of battle with the enemy.⁽⁷³⁾

Another term cited in some of the charters is the *almohalla* or *almofalla*. Palomeque and Corominas offer a description of it as a word of Arabic origin. The *Partidas* code does not use the word, and *almofalla* appears most frequently in the Leonese Coria Cima-Coa group of charters, with two exceptions: the charters of Burgos (1167) and of Brihuega (1256), both in Castile. The Burgos charter gives little in the way of identification for *almofalla* save as a guard for those who were engaged in the building of a castle. However, the Coria group and Brihuega imply a long expedition, usually under royal auspices, thus analogous to *hueste*.⁽⁷⁴⁾ This equivalence to *hueste* is important because it places the Coria Cima-Coa family in approximation to the expeditionary tradition of the Castilian and Aragonese militias.

The *corredura* is yet another term for the small, swift raid, literally a running over of the countryside. Clearly a cavalry raid, it appears closer to the secret *cabalgada* than any other combat force. *Correduras* intended to be havoc-spreading, living from the supplies it gathered prior to its departure. Like the secret *cabalgada*, the *corredura* emphasized concealment and [159] avoided contact with an enemy military force at all costs. Only the charters of Cáceres and Usagre employ the term, although its inclusion in the *Siete partidas* indicates that *corredura* belongs to Castilian as well as Leonese Extremaduran tradition.⁽⁷⁵⁾

Muslim tactics appear to have dominated this style of raiding warfare in which the municipal militias participated. The early dominance of Islam in the eighth and ninth centuries, the continual warfare between Christian and Muslim towns and fortresses, and the climatic and geographic factors which affected both sides certainly controlled the manner in which each side fought, if not the institutions which produced the fighting units. Towns might not be able to launch many of the larger military expeditions single-handedly, but the hit-and-run raids (*golpes de mano*) characteristically employed by the Muslim forces cost less to outfit yet were fruitful in the gathering of combat spoils. Once raids and forays became predominant as a means of warfare, the Christian municipal militias could profit from their Muslim neighbors who were the masters of such tactics. The vocabulary for this kind of warfare is heavily Arabic, as words such as *rebato*, *almofalla* and *algara* would indicate.⁽⁷⁶⁾ The hot, dry summer climate of the Atlantic and Mediterranean coasts as well as that of the Meseta favored the lightly armed, mounted warrior and the rapid execution of military operations. The increase of French influence and the expansion of Christian-controlled territory encouraged the larger expeditionary approach increasingly utilized by the peninsular monarchs during the Central Middle Ages, generating a combat style which appeared more massive, less mobile and more contact-oriented. However, all indications point to the continuing existence of the earlier style of offensive combat missions on the part of the towns.

The horse influenced significantly the form of this warfare because its use made possible the quick strike on offense and the extended patrolling and scouting for defense. The scope of cattle raiding and booty seizures required the horse's extensive capabilities. Its need for grass, fodder and water fortunately paralleled that of the animals gathered and defended by the militia. These needs nonetheless determined the routes of raiding and expedition and the rate at which distances could be covered. The ancient military authority Vegetius discusses varieties of horses and their foraging capabilities, and distinguishes between the survival capabilities of stable-raised and range horses, but offers no distance estimate for horses by themselves. He does suggest a one-day drill march of infantry and cavalry to cover twenty *millia passuum* (c. 30 kilometers), but this says nothing regarding the capability of horse and foot separately. [160] John Slaughter has made a useful summary of evidence from both medieval Iberian and modern sources concerning the range of horses. His evidence indicates that with ample

grain and periodic rest horses could cover forty to forty-eight kilometers a day.⁽⁷⁷⁾

Another factor previously overlooked is that Iberian horses of the Reconquest were of two dominant breeds, the North African Barb and the Spanish Barb. The first had come into the peninsula with the Muslim invasions of the eighth century, and the second emerged as the resultant combination of that breed with the Iberian Celtic horse. Both of these breeds continue to be raised by the Horse of the Americas Research Ranch in Porterville, California, and Mr. Jeff Edwards, Rancher and Researcher of that establishment has offered me his observations (pers. com. 3 March 1985) regarding the speed and endurance of the modern survivors of these horses. Both the Barb and the Spanish Barb are famed for their endurance which exceeds that of Northern European breeds. Both breeds can survive on grass alone (and indeed have to be trained to eat grain). They eat available grass at a rate of intake based on their current exertions, but no more.

For the combat conditions of the Meseta, Barbs seem to have possessed superior qualifications in their well-developed digestive, circulatory, skeletal and respiratory systems. Based on modern endurance tests, Mr. Edwards affirms that these breeds could make fifty miles a day indefinitely on a grass diet with sufficient residual strength to engage in combat. For limited periods they might be capable of one hundred miles a day. Other breeds might be faster (the Barb's normal fast trot seems to be near eight miles an hour) but none more likely to come back again day after day to make the mileage. Adding grain to the Barb's diet (assuming he is trained to eat it) will hasten his recovery time after an extended run, but does not provide a nutritional necessity. Allowing for biological alterations in the modern versions of the Barb and Spanish Barb and adjusting somewhat for Mr. Edwards's justifiable pride in his breeds, fifty kilometers a day under combat conditions appears a conservative estimate of mounted raiding capability based on our sources ancient and modern.

Comparing this estimate to the territories controlled by a town, one can establish some idea of the challenge faced by the militia. While there is often a lack of information regarding the size of the total *alfoz* for a given town, some of the Cuenca-Teruel charters defined a line affecting booty rates for the rustling of livestock, increasing the share of booty beyond that line. Two placenames, probably transhumant grazing sites, which can be identified, [161] Villora and Iniesta, are sixty and seventy-five kilometers respectively to the southeast of Cuenca. Alarcón also offers a number of modern identifiable placenames (Villora, Iniesta, the Rus River, Palomares, Olmeda, Atalaya and Rubio) which vary from ten to forty kilometers in all directions. This would place normal defense and booty taking activities within a day to a day-and-a-half ride from Cuenca and Alarcón. Furthermore, the one hundred *migeros* (*millia*, c. 150 kilometers) cited by *Espéculo* as the range a town was responsible to defend in case of enemy invasion would have constituted a four-day ride. The normal scope of mounted raiding probably included the same radius. Long expeditions were unlikely to have maintained that rate of movement. The speed of the livestock booty, the infantry forces and growing fatigue of animals and men would certainly have slowed the mounted warriors, especially on the return trip.⁽⁷⁸⁾

Thus, the municipal contribution through its defensive and offensive capabilities was unquestionably substantial. The Reconquest generally advanced not by a series of magnificent triumphs, although these occur at intervals, but by numerous small victories. The Christian kings lost most of the major battles prior to the thirteenth century, yet they pressed southward at a relentless pace. The localized forays and skirmishes staged by the municipalities against the Muslims, supplemented periodically by the occasional *huestes* under royal leadership, found their greatest vindication in this long-term progress of the Christian advance. Municipal defenses provided stability in hard times while their offensive flexibility and initiative rendered incalculable value to the peninsular monarchs in the expansion of the frontier and the subsequent holding of terrain.

Notes for Chapter 6

1. The first indications of vigorous defensive counterstrokes against invading Muslim forces appear during Alfonso VII's reign in Leon-Castile. *CAI*, 88, 110-12. This activity and that which follows in the later twelfth century will be centered in the defense of Toledo and the Tajo Valley, New Castile, the Lower Iberian Cordillera and the Portuguese Alentejo. Many of our best accounts of these events come from the Arabic sources. *IIM*, 2:21, 28-29, 39-40, 49-51. *AMC*, 17:22-24, 32-35. "Relation d'un raid d'Abû Yûsuf Yacqûb au Portugal," 28:64-65. "Relation de l'expédition," 28:66-67. *CPA*, 32, 35-36. "Anales Toledanos I," 23:393, 398. González, *Regesta de Fernando II*, 50-52. Fernando III's concern for the security of Toledo and its defense remained active as late as 1222. "Fernando III concede al Arzobispo Don Rodrigo Jiménez de Rada ... Toledo, 1222," 1:7.
2. Valdeavellano, "Apellido," 1:284-85. *El fuero de Brihuega*, 137-38. Valdeavellano, "El 'apellido': Notas sobre el procedimiento," 7:67-69. The first reference offers the conventional definition of an army mustered by a defensive warning call; the second describes a warning required of one man before he can legally attack another in Brihuega; and the third recounts a use of the term to summon residents to certain types of legal cases which required their presence, rather rare in the municipal charters.
3. "Forais de S. João da Pesqueira, Penella, Paredes, Linares, Anciães, 1055-65," 1:346. "Fueros de Palenzuela, 1074," 1:26. "Fuero concedido a Nájera," 2:84-85. "Fuero latino de Sepúlveda, 1076," 48. "Fueros de Barbastro, 1100," 334. "Pedro I concede carta "Princeps namque," 88-89.
4. "Fuero dado á la villa de Lárraga, 1:508. "Sancho el Sabio, rey de Navarra, concede fueros a Artajona, 1193," 249. "Confirmación de los fueros de Mendigorria, 1194," 28-29. "Fuero concedido a Miranda de Arga," 10:270. *Fuero de Viguera y Val de Funes*, 50.
5. "El Espéculo o espejo de todos los derechos," 3:5:1-3, 11. *Siete partidas*, 2:19:4-7, 2:26:24-26. "Crónica del rey don Alfonso décimo," 66:14.
6. "S. João da Pesqueira, Penella, Paredes, Linhares & Anciães," 1:346. "Foral de Guimarães, 1095-96," 1:2. "Foral outorgado a Constantim de Panóias," 1:6. "Confirmação dos foros de Ansiães," 1:188. "Carta de foral concedida aos povoadores de Mesão-Frio," 1:290. "Carta de foral de Celeirós," 1:353. (Foral de) Covas," 1:388. "(Foral de) Soverosa, 1196," 1:501. "(Foral de) Abaças," 1:514. "(Foral de) Guiães," 1:520. Sabadelhe had advanced to a three-day limit for the apellido by 1220. "(Foral de) Sabadelhe," 1:584.
7. This first appears in the Santarém family (see [Appendix A](#)), followed by a series of early thirteenth-century references. "(Foral de) Valazim," 1:519. "(Foral de) Villa-Nova," 1:530. "(Foral de) Renalde," 1:537. "(Forais de) Ferreiros, Fontemanha e Valdavy," 1:546. "(Foral de) Canedo," 1:562. "(Foral de) Ceides," 1:573. *FSabadelhe*, 1:584. "(Foral de) Barqueiros," 1:597. "(Foral de) Sanquinhedo," 1:598. "(Foral de) Alijó," 1:605. One Castilian fuero of 1217 reflected this same view. "Fernando III concede a Frías el fuero, 1217," 2:16.
8. "FAnsiães," *DMP*, 1:188. "Carta de foral concedida aos moradores do Banho," 1:293. "Carta de foral concedida aos moradores de Sintra," 1:301. "(Foral de) Covellinas," 1:494.
9. *FSepúlveda* 1076, 48. *El fuero de Avilés*, 114. See Chapter One, note 52 for the probable thirteenth-century dating of this charter. "Alfonso II confirma los antiguos fueros y costumbres de Jaca, 1187," 72. "Fueros de Medinaceli," 440-41. *FCfs*, 31:1. *FCmsp*, 31:1. *FTL*, 447-48. *FAlbL*, 493. *FCcv*, 3:15:1. *FTR*, 612. *FAlbR*, 189-90. *FP*, 529. *FAlz*, 10:67. *FAln*, 644. *FH*, f. 87r. *FZ*, 671. *FBa*, 726. *FI*, 696. *FAlr*, ff. 101r-101v. *FUb*, 55A. *MS8331*, 735. *FBe*, 964-66. *FVH*, 542. *FA*, 190a, 342. *FCO*, 182, 336. *FCR*, 3:55. *FCM*, 126. *FCA*, 184-85. *FCB*, 187, 335. *FU*, 187-88. *FViguera-Val de Funes*, 50. "Arrendamiento hecho por el concejo de Nora á Nora," 154. "Los fueros de Villadiego," 137-38. "Privilegio en que el rey (Jaime I) sanciona los estatutos de Daroca, 1256," 35. *Siete partidas*, 2:19:4,

2:26:24.

10. IIM, 2:49-51.

11. *FViguera-Val de Funes*, 50.

12. *FA*, 391. *FCO*, 328, 369. *FCR*, 8:24, 65. *FCM*, 322, 363. *FCA*, 321, 371. *FCB*, 327, 379. *FU*, 330, 380.

13. *FCfs*, 31:1-3. *FCmsp*, 31:1-3. *FTL*, 447-48. *FAIbL*, 493-94. *FCcv*, 3:15:1-2. *FTR*, 612-14. *FAIbR*, 189-90. *FP*, 529-30. *FAlz*, 10:67-69. *FAln*, 644-47. *FH*, ff. 87r-87v. *FZ*, 671-73. *FBa*, 726-27. *FI*, 696-97. *FAlr*, ff. 101r-101v. *FUb*, 55A-55C. *MS8331*, 735. *FBe*, 964-70. *FVH*, 542-43. *FA*, 362. *FCA*, 344. *FCB*, 352. *FU*, 353. Alfaiates, Cáceres, Castello-Bom and Usagre permitted absences from the apellido if the wife was ill, assuming three vecinos would attest to the fact. "Fuero de Alcalá de Henares," Sánchez, ed., 286.

14. *FA*, 189. *FCO*, 179. *FCR*, 8:56. *FCM*, 354. *FCA*, 182. *FCB*, 184. *FU*, 185.

15. *FA*, 111, 226, 280. *FCO*, 110, 225, 280. *FCR*, 5:48, 6:14. *FCM*, 204, 243. *FCA*, 117, 217, 279. *FCB*, 106, 217, 279. *FU*, 119, 222, 287.

16. *FCfs*, 31:10. *FCmsp*, 31:6. *FTL*, 450. *FAIbL*, 494. *FCcv*, 3:15:5. *FTR*, 616. *FAIbR*, 191. *FP*, 533. *FAlz*, 10:75. *FAln*, 652. *FH*, f. 88R. *FZ*, 677, but nine days permitted to appeal here. *FBa*, 734. *FI*, 704. *FAlr*, f. 102r. *FUb*, 55F. *MS8331*, 739. *FBe*, 976. *FVH*, 545.

17. Puyol y Alonso, *Orígenes del Reino de Leon*, 205-09. Palomeque Torres, "Contribución al estudio del ejército," 15:225-29. Pescador, 37-38:99-124. Loscertales, "Anubda," 1:228. M. E. González, "La anubda," 39-40:13-15, 34-39.

18. "Fuero de Cuevacardiel," 122-23. "Fueros y privilegios de las villas sujetas a la ciudad de Burgos, 1073," 257. *FPalenzuela*, 26. "FNájera," 2:79-85. "Fuero concedido a Santa María de Dueñas," 16:627. "Fuero de Villaespasa y Rucepos," 125. "Fuero de Logroño," 335. *Fuero de Miranda de Ebro* (c. 1099), 47. "Fuero de Fresnillo, 1104," 46-48. "Fuero de Escalona, 1130," 45:465. "Fuero de Lara, 139-42. "Fuero de Salamanca," 148. "Fueros de San Vicente de la Sosierra," 4:205. "Alfonso VIII concede fuero a Navarrete," 3:125. "Alfonso VIII concede a Santo Domingo de la Calzada el fuero," 3:404. "Alfonso VIII concede fuero a Pampliega," 3:465-67. "Alfonso VIII concede fuero a Frías," 3:641. "Alfonso VIII concede a Medina de Pomar el fuero," 3:646. *FCA*, 413. *FU*, 435.

19. "Carta de foral concedida aos habitantes de Mós, Afonso I, 1162," DMP, 1:365. "Alfonso VIII da el castello de Olmos al concejo de Segovia, 1166," González, Alfonso VIII, 2:141-43. "(Foral de) Rebordãos, Sancho I, 1208," *MPH-LC*, 1:538. *FViguera-Val de Funes*, 49, 78. González, *Fernando III*, 1:341. "Privilegio rodado de Alfonso X concediendo a Lorca los Castillos y villas de Puentes y Felí, 1265," Juan Torres Fontes, ed., *Repartimiento de Lorca* (Lorca, 1977), 57-60. "Alfonso X concedan a los vecinos de Orihuela, para defenderlo contra los moros, 1268," Vicente Martínez Morellá, ed., *Cartas de los Reyes de Castilla a Orihuela, 1265-1295* (Alicante, 1954), 34. "Alfonso X al concejo de Lorca concesión del castillo de Cella, 1277," Torres Fontes, *Repartimiento de Lorca*, 86-87. Juan Torres Fontes, *Repartimiento de la Huerta y Campo de Murcia en el siglo XIII* (Murcia, 1971), 65-84.

20. *FCfs*, 30:1. *FCmsp*, 30:1. *FTL*, 426. *FAIbL*, 484. *FCcv*, 3:14:1. *FTR*, 569. *FAIbR*, 179. *FP*, 492. *FAlz*, 10:1. *FAln*, 592. *FH*, f. 81v. *FZ*, 609. *FBa*, 670. *FI*, 639. *FAlr*, f. 95r. *FUb*, 54A. *MS8331*, 692. *FBe*, 893. *FCO*, 112. *FCR*, 8:12. *FCM*, 310. *FCA*, 177. *FCB*, 108. *FU*, 179. *FViguera-Val de Funes*, 78. Jaime Oliver Asín, "Origen árabe de 'rebato,' 'arrobdá,' y sus homónimos," *BRAH* (1928), 74:496-98.

21. *Fuero Avilés-Oviedo*, 114. *FSalamanca*, 146. "Fuero de Uclés, 1179," González, *Alfonso VIII*, 2:520. Guards failing to resist cattle thieves with sufficient vigor had to pay the owners for the lost

animals.

22. *FCfs*, 31:16. *FCmsp*, 31:12. *FTL*, 452. *FCcv*, 3:15:11. *FTR*, 623. *FAlbR*, 193. *FP*, 532. *FAlz*, 10:81. *FAln*, 656. *FBa*, 740. *FI*, 710. *FAlr*, f. 103r. *FUb*, 55L. *MS8331*, 745. *FBe*, 984. *FVH*, 550. *FCA*, 253. *FU*, 259. *Siete partidas*, 2:26:24. Oliver Asín, *Origen*, 74:309-10.

23. "Fuero de León, 1020," 15:490-91. "Fueros de Villafria, Orbaneja y San Martín," 3:379. *FMiranda de Ebro*, 75. "Confirmation de coutumes de Perpignan," 1:60. "Alfonso VIII concede al concejo de Toledo la renta, 1196," 3:155-57. "El fuero de Llanes," 1:115. Ballesteros y Beretta, *Alfonso X el Sabio, 1064. Código de las costumbres escritas de Tortosa*, I:1:1, III:11:1-12. "Crónica del Rey Alfonso Dcimo," 66:21. "Fuero romanceado de Sepúlveda, 1300," 63. Pescador, 37-38:92-93.

24. *PCG*, 2:446. *CAI*, 79-80. Lomax, *The Reconquest of Spain*, 76-77. Gautier-Dalché, "Islam et Chrétienté en Espagne," 47:191. "Historia Compostellana," 20:314-16, 322, 520. *PGC*, 2:674. "Nueva carta de composición para le pacificación de los habitantes de los barrios de Pamplona," 183-85.

25. *FCfs*, 1:6. *FCmsp*, 1:7. *FCcv*, 1:1:6. *FP*, 2. *FAlz*, 1:7-8. *FAln*, 6. *FH*, f. 4r. *FZ*, 7. *FBa*, 7. *FI*, 4. *FAlr*, f. 6v. *FUb*, 2A. *MS8331*, 7. *FBe*, 8-9. *FVH*, 7. "Fuero latino de Cáceres," iii-vi.

26. *FViguera-Val de Funes*, 79.

27. "Chronica Gothorum," 26-27. *CAI*, 77-78. *ISS*, 204-17. *AMWM*, 4:203-04, 210-11. *IIM*, 2:70-73.

28. *FTL*, 129-32. *FAlbL*, 432-33. *FTR*, 137-40. *FAlbR*, 44-45. The charter of Molina de Aragón divided the watch service year into two portions, with the first extending from Easter to St. Michael's feast at the end of September, and the second from then to the succeeding Easter. *Fuero de Molina de Aragón*, 153.

29. *FCfs*, 30:1. *FCmsp*, 30:1. *FTL*, 426. *FAlbL*, 484. *FCcv*, 3:14:1. *FTR*, 569. *FAlbR*, 179. *FP*, 492. *FAlz*, 10:1. *FAln*, 592. *FH*, f. 81v. *FZ*, 609. *FBa*, 670. *FI*, 639. These last two omit the light-carrying requirement. *FAlr*, f. 95r. *FUb*, 54A, also omitting the carried light. *MS8331*, 692. *FBe*, 893. *FCO*, 236. *FCR*, 8:70. *FCM*, 368. *FCA*, 239. *FCB*, 234. *FU*, 245. *Costumbres de Lérida*, 45. Some caution in such arrests was called for, in that the charter of Castello-Melhor laid a stiff 100 mrs. fine on any overseer arresting an alcalde under this provision.

30. *FCfs*, 30:1. *FCmsp*, 30:1. *FTL*, 426. *FAlbL*, 484. *FCcv*, 3:14:1. *FTR*, 569. *FAlbR*, 179. *FP*, 492. *FAlz*, 10:1. *FAln*, 592. *FH*, f. 81v. *FZ*, 609. *FBa*, 670. *FI*, 639. *FAlr*, f. 95r. *FUb*, 54A. *MS8331*, 692. *FBe*, 893.

31. *FCfs*, 30:1. *FCmsp*, 30:1. *FTL*, 426. *FAlbL*, 484-85. *FCcv*, 3:14:1. *FTR*, 570-71. *FAlbR*, 179-80. *FP*, 492. "...et por esta manera fue troya destroyda." *FAlz*, 10:1. *FAln*, 592. *FH*, ff. 81v-82r. *FZ*, 609. *FBa*, 670. *FI*, 639. *FAlr*, ff. 95r-95v. *FUb*, 54A. *MS8331*, 692-93. *FBe*, 893.

32. *Siete partidas*, 2:23:27.

33. *CAI*, 93-95. *CPA*, 32. Ximenius de Rada, "De rebus Hispaniae," 185. "Carta de Alfonso VIII al Papa Inocencio III," 168. *PCG*, 2:700. For the Santarém family of forais, see [Appendix A](#).

34. *FMolina de Aragón*, 84. *FCR*, 8:18. *FCM*, 316. "Fuero de Benavente, 1200," 2:626. "Fuero de Milmanda," 2:181. "Fueros de Toro, 1222," 2:536. "Fuero de Parga (Coruña), (1225)," 16:652-53. "Fueros dados a León por el rey Fernando III, 1230," 2:315. *FLlanes*, 1:117. "El fuero de Sanabria," 13:286. *Fuero de Alfambra*, 33. *FCfs*, 30:31. *FCmsp*, 30:28. *FTL*, 427. *FAlbL*, 489. *FCcv*, 3:14:20. *FTR*, 588. *FAlbR*, 185. *FP*, 509. *FAlz*, 10:31. *FAln*, 618. *FZ*, 637. *FBa*, 695. *FI*, 666. *FAlr*, f. 98v. *FUb*, 54A'. *MS8331*, 710. *FBe*, 925. *FVH*, 521.

35. *FCórdoba Lat*, 3:223. *FCórdoba Rom*, 3:213. "Fuero de Carmona," 7. "Fuero de Alicante," 46. "Fuero de Lorca, 1271," 81-82. *Espéculo*, 3:5:13-15. *Siete partidas*, 2:23:9, 12-15.

36. *CPA*, 47. The only other numerical levy which appears with any frequency occurs in the Portuguese Santarém family (see [Appendix A](#)) where sixty knights are required. No infantry number is mentioned.

37. *Siete partidas*, 2:23:7.

38. *Siete partidas*, 2:23:27. *FSalamanca*, 194. *FCO*, 112. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108. *FU*, 179.

39. "Fuero dado a la villa de Sahagún por Alfonso X, 1255," 2:230-31. *Siete partidas*, 2:23:27.

40. *FSepúlveda* 1076, 48. "El fuero concedido a Jaca por Sancho Ramírez, c. 1076," 3-4. "Fuero de Argüedas," 10:255. *Fuero Avilés-Oviedo*, 114. "Alfonso VIII concede fuero a la nueva puebla de Arganzón," 3:97. *FA*, 183. *FCO*, 177. *FCR*, 8:54. *FCM*, 352. *FCA*, 180. *FCB*, 182. *FU*, 182. *FCórdoba Rom*, 3:213. *FCarmona*, 7. *FLorca*, 82. *FAlicante*, 46, uses *baraiá* in this context.

41. *FCfs*, 1:15-16, 30:9-10. *FCmsp*, 1:17-18, 30:9-10. *FTL*, 7, 426. *FAlbL*, 486. *FCcv*, 1:1:11, 3:14:6. *FTR*, 5, 579. *FAlbR*, 181-82. *FP*, 7-8, 490. *FAlz*, 1:18-19, 10:9-10. *FAln*, 15-16. *FH*, ff. 4v, 83r. *FZ*, 617-18. *FBa*, 16-17, 677-78. *FI*, 13, 648-49. *FAlr*, ff. 7v, 96v. *FUb*, 4A-4B, 54I-54J. *MS8331*, 12, 698. *FBe*, 21, 903-04. *FVH*, 17.

42. *FCórdoba Lat*, 3:223. *FCórdoba Rom*, 3:213. *FCarmona*, 7. *FAlicante*, 46. *FLorca*, 81-82. "FTúy," 370. "Fuero de Fuentes de la Alcarria," 18:363. *FU*, 417.

43. "Fuero de Marañón," 2:119-22. *FMolina de Aragón*, 83-84. "Fuero de Uclés, 1179," 2:520. For the Santarém group, see [Appendix A](#). *FCfs*, 30:7-9, 17, 26-28. *FCmsp*, 30:7-8, 15, 23. *FTL*, 426. *FAlbL*, 486-88. *FCcv*, 3:14:5-6, 10, 17. *FTR*, 576-78, 581, 586. *FAlbR*, 181, 183, 188. *FP*, 498, 503-04. *FAlz*, 10:7-9, 17, 26-28. *FAln*, 599-601, 608-616. *FH*, ff. 82v-83v. *FZ*, 615-17, 624, 633-34. *FBa*, 675-77, 683, 692-93. *FI*, 646-48, 655, 663-64. *FAlr*, ff. 96r-97r, 98r. *FUb*, 54G-54H, 54\, 54V-54X. *MS8331*, 696-98, 701, 708. *FBe*, 900-902, 911, 921-22. *FVH*, 510, 517-18. *FCO*, 112. *FCR*, 8:12. *FCM*, 310. *FCA*, 177. *FCB*, 108. *FU*, 179. *FViguera-Val de Funes*, 78. *FSalamanca*, 146. "Ordenamiento de Alfonso X al concejo de Murcia, 1267," 1:42-43. *Siete partidas*, 2:23:18,22, 2:26:12.

44. *FSanabria*, 13:286. *FMolina de Aragón*, 128. *FCfs*, 30:25. *FCmsp*, 30:23. *FTL*, 426. *FAlbL*, 488. *FCcv*, 3:14:16. *FTR*, 585. *FAlbR*, 184. *FP*, 507. *FAlz*, 10:25. *FAln*, 615. *FZ*, 632. *FBa*, 691. *FI*, 662. *FAlr*, f. 98r. *FUb*, 54V. *MS8331*, 706-07. *FBe*, 920. *FVH*, 516. The *Fuero real* required certification for doctors and surgeons by their colleagues in the villa, plus an *ortorgamiento* of the *alcaldes* and a *carta testimonial* from the *concejo*. *Fuero real del don Alonso el Sabio*, 4:16:1. *Fuero real de Afonso X, o Sábio: Versão portuguesa*, 151-52.

45. ⁴⁵*FCfs*, 30:16-19. *FCmsp*, 30:14-17. *FTL*, 426. *FAlbL*, 487. *FCcv*, 3:14:10-11. *FTR*, 581-82. *FAlbR*, 182-83. *FP*, 503. *FAlz*, 10:16-19. *FAln*, 606-09. *FH*, ff. 83v-84r. *FZ*, 623-26. *FBa*, 682-85. *FI*, 654-57. *FAlr*, ff. 97r-97v. *FUb*, 54N-54P. *MS8331*, 701-03. *FBe*, 910-13. *FVH*, 510-12. *Siete partidas*, 2:26:12.

46. *FPalenzuela*, 19. *FBarbastro*, 334. *FViguera-Val de Funes*, 50. "Fuero de Pignero," 150.

47. *FCfs*, 30:35, 35:7. *FCmsp*, 30:32, 35:7. *FTL*, 431, 463. *FAlbL*, 489. *FCcv*, 3:14:23, 4:4:4. *FTR*, 590, 665. *FAlbR*, 185-86, 202. *FP*, 512. *FAlz*, 10:35, 11:55. *FAln*, 622, 707. *FH*, ff. 84v, 95v. *FZ*, 641, 741. *FBa*, 699, 799. *FI*, 670, 768. *FAlr*, ff. 98v-99r, 109v. *FUb*, 54E', 61G. *MS8331*, 607, 713. *FBe*, 929. *FVH*, 524, 589. *Siete partidas*, 2:28:9.

48. *FCfs*, 30:17-19. *FCmsp*, 30:15-17. *FTL*, 426. *FAlbL*, 487. *FCcv*, 3:14:10-11. *FTR*, 581-82. *FAlbR*, 183. *FP*, 503. *FAlz*, 10:17-19. *FAln*, 608-09. *FH*, ff. 83v-84r. *FZ*, 624-26. *FBa*, 683-85. *FI*, 655-57. *FAlr*, ff. 97r-97v. *FUb*, 54\-54P. *MS8331*, 701-02. *FBe*, 911-13. *FVH*, 510-12.

49. *Espéculo*, 3:6:1. *Siete partidas*, 2:23:4.

50. *Siete partidas*, 2:22:1, 5.

51. *FCfs*, 30:11, 31:17. *FCmsp*, 30:10, 31:13. *FTL*, 426, 452. *FAlbL*, 486. *FCcv*, 3:14:7, 3:15:12. *FTR*, 579, 624. *FAlbR*, 182, 193. *FP*, 500, 540. *FAlz*, 10:11, 82. *FAln*, 603, 657. *FH*, ff. 83r, 89r. *FZ*, 618, 683. *FBa*, 678, 741. *FI*, 650, 711. *FAlr*, ff. 96v, 103r. *FUb*, 54J, 55M. *MS8331*, 698, 747. *FBe*, 905, 987. *FVH*, 551. The monetary reward in the first case was customarily five maravedis, but at Plasencia the fee was fifteen, with no stipulation of victory required.

52. *FCfs*, 31:18-19. *FCmsp*, 31:14-15. *FTL*, 452. *FCcv*, 3:15:12. *FTR*, 625. *FAlbR*, 193. *FP*, 541. *FAlz*, 10:83-84. *FAln*, 657. *FH*, f. 89r. *FZ*, 684-85. *FBa*, 742-43. *FI*, 712-13. *FAlr*, f. 103r. *FUb*, 55N-\. *MS8331*, 747. *FBe*, 988. *FVH*, 551. Teruel and Albarracín paid one hundred solidos derived from the residents of the countryside, who may have seen themselves as the chief victims of such leaders. Alarcón, Zorita and Paris Arsenal MS 8331 add renegades to the bounty list, with Alarcón and 8331 accepting the heads of these men in lieu of live bodies.

53. *Siete partidas*, 2:23:14, 17.

54. Valdeavellano, "Algara," 1:479. Menéndez Pidal, *Cantar de mio Cid*, 2:795. Corominas, 1:120. *CAI*, 31-33. *FCfs*, 30:13-15. *FCmsp*, 30:12-13. *FCcv*, 3:14:9-10. *FP*, 502. *FAlz*, 10:13-15. *FAln*, 605-06. *FH*, f. 83v. *FZ*, 620-22. *FBa*, 680-82. *FI*, 652-54. *FAlr*, f. 97r. *FUb*, 54LM. *MS8331*, 700. *FBe*, 907-09. *Espéculo*, 3:6:8. *Siete partidas*, 2:23:17, 29.

55. Corominas, 4:795. The *Espéculo* calls the rearward force the *recua*, 3:6:8. *Siete partidas*. 2:23:17. *AMC*, 17:36, 79, 143. Muslim experience may not be the only source for the *zaga*. Vegetius, the late Roman military writer, similarly called for a rear guard to protect baggage and prevent attacks from the rear while an army was on the march. Flavius Vegetius Renatus, *De re militari*, 3:6. It has been established that Vegetius was a source for the contemporary works of Juan Manuel, and was presumably available to the drafters of the *Siete partidas*, as well. Castro y Calvo, *El arte de gobernar*, 41, 52-54, 64.

56. "(Foral de) Thomar," 1:388. "(Foral de) Pombal," 1:398. "(Foral de) Germanello," 1:433. *FCfs*, 30:13-15. *FCmsp*, 30:12-13. *FCcv*, 3:14:9-10. *FP*, 502. *FAlz*, 10:13-15. *FAln*, 605-06. *FH*, f. 83v. *FZ*, 620-22. *FBa*, 680-82. *FI*, 652-54. *FAlr*, f. 97r. *FUb*, 54LM. *MS8331*, 700. *FBe*, 907-09. *CPA*, 45-46.

57. *Siete partidas*, 2:23:18, 22. *IMM*, 2:4-6. *AMC*, 1-3. *AMWM*, 4:162. *ISS*, 227-32.

58. *Siete partidas*, 2:23:17-18, 30. Vegetius, *De re militari*, 3:6.

59. *Espéculo*, 3:6:7-9, 3:8:2-8, is more general with regard to these procedures than the *Siete partidas*, 2:23:19-21. The latter in turn shows indications of deriving some of its guidelines from Vegetius, *De re militari*, 3:6.

60. *FCfs*, 30:12. *FCmsp*, 30:11. *FTL*, 426. *FAlbL*, 486. *FCcv*, 3:14:8. *FTR*, 580. *FAlbR*, 182. *FP*, 501. *FAlz*, 10:12. *FAln*, 604. *FH*, ff. 83r-83v. *FZ*, 619. *FBa*, 679. *FI*, 651. *FAlr*, ff. 96v-97r. *FUb*, 54K. *MS8331*, 699. *FBe*, 906. Some of the later charters in the Cuenca group urge that the alcaldes pitch their tents close to that of the juez to show municipal solidarity and to facilitate the calculation of the royal fifth of booty. *FAln*, 821. *FBa*, 916bc. *FI*, 885. *FUb*, 96. *MS8331*, 766.

61. *FCfs*, 30:13-15. *FCmsp*, 30:12-13. *FCcv*, 3:14:9-10. *FP*, 502. *FAlz*, 10:13-15. *FAln*, 605-06. *FH*, f. 83v. *FZ*, 620-22. *FBa*, 680-82. *FI*, 652-54. *FAlr*, f. 97r. *FUb*, 54L-54M. *MS8331*, 700. *FBe*, 907-09.

62. *Siete partidas*, 2:23:16. Vegetius, *De re militari*, 3:19-20.

63. "Historia Compostellana," 20:132-33, 443-45. *CAI*, 113-17. *CPA*, 41-42, 44-46. Ximinius de Rada, *De rebus Hispaniae*, 202-03, 205. *PCG*, 2:745-46, 751. *Crónica latina de los reyes de Castilla*, 107, 116-17, 123. "Llibre dels feits del Rei En Jaume," Ch. 53, 170-71, 211, 218. *Crónica del Alfonso X*,

66:6, 54. Muntaner, "Crònica de Ramon Muntaner," Ch. 10. The *Espéculo* discusses the role of municipal concejos at sieges, 3:5:6.

64. *Siete partidas*, 2:23:24-26. "Historia Compostellana," *ES*, 20:443-45. *Llibre dels feits*, Ch. 70-71. *PCG*, 2:745-46.

65. *Espéculo*, 3:7:6. *Siete partidas*, 2:23:23, 27.

66. *FCfs*, 30:29-30. *FCmsp*, 30:26-27. *FTL*, 426. *FAlbL*, 488-89. *FCcv*, 3:14:18-19. *FTR*, 587-88. *FAlbR*, 184-85. *FP*, 508. Plasencia adds to gates and towers "entre dos azes." Az can mean either encampment or wing of a battle formation. In the context this probably means any other strategically important place. This phrase also exists in all the members of the Leonese Coria Cima-Coa charters, suggesting the Leonese influence in the Plasencia fuero. *FAlz*, 10:29-30. *FAln*, 617. *FZ*, 635-36. *FBA*, 694. *FI*, 665. *FAlr*, ff. 98r-98v. *FUB*, 54Y-54Z. *MS8331*, 709-10. *FBe*, 923-24. *FVH*, 519-20. *FA*, 181. *FCO*, 173. *FCR*, 8:51. *FCM*, 349. *FCA*, 176. *FCB*, 178. *FU*, 178. *Espéculo*, 3:7:2. *Siete partidas*, 2:27:7-8.

67. *FCfs*, 31:15. *FCmsp*, 31:11. *FTL*, 452. *FCcv*, 3:15:10. *FTR*, 622. *FAlbR*, 192-93. *FP*, 538. *FAlz*, 10:80. *FAln*, 655x. *FH*, f. 88v. *FZ*, 682. *FBA*, 739. *FI*, 709. *FAlr*, ff. 102v-103r. *FUB*, 55K. *MS8331*, 744. *FBe*, 982-83.

68. Palomeque Torres offers a particularly rich discussion of these terms and their etymological origins in, "Contribución al estudio del ejército," 15:222-25. The value of this survey is somewhat limited by his acceptance of the definitions of the *Siete partidas* without reference to the considerably different understanding which can sometimes be found in the municipal fueros. Also see Oliver Asín, *Origen*, 74:354-78, and Pescador, 37-38:99-127.

69. Corominas, 1:120. Palomeque, "Contribución," 15:222-23. *Siete partidas*, 2:23:29. *CAI*, 32-33, 92-93, 146-48. The use of *hueste* to describe long expeditionary campaigns appears rarely in this chronicle, and did not become standard in Castilian documents until the later twelfth century.

70. *FCfs*, 30:16,22. *FCmsp*, 30:14, 20. *FTL*, 426. *FAlbL*, 487-88. *FCcv*, 3:14:10, 13. *FTR*, 581, 583. *FAlbR*, 182-83. *FP*, 503, 505. *FAlz*, 10:16, 22. *FAln*, 606, 612. *FH*, f. 83v. *FZ*, 623, 629. *FBA*, 682, 688. *FI*, 654, 660. *FAlr*, ff. 97r-97v. *FUB*, 54N, 54S. *MS8331*, 701, 706. *FBe*, 910, 916-17. *FVH*, 514-15. *Siete partidas*, 2:23:29.

71. Lewis, *Southern French and Catalan Society*, 313. Font Rius, *Instituciones medievales españolas*, 55-59.

72. *FBarbastro* 1100, 334. "Privilegio de D. Alfonso I el Batallador confirmando los privilegios de la ciudad de Barbastro," 357. "Fuero de los pobladores mozárabes de Mallén," 504. *FThomar*, 1:388. *FAlfambra*, 25. *FCfs*, 26:14-15, 30:1, 33:21. *FCmsp*, 26:10-11, 30:1, 33:19. *FTL*, 257, 426, 460. *FAlbL*, 454, 484. *FCcv*, 3:10:10, 3:14:1, 4:2:9. *FTR*, 272, 569, 643. *FAlbR*, 90, 179, 198. *FP*, 308, 492, 664. *FAlz*, 9:10-11, 10:1, 11:34. *FAln*, 549, 592, 685. *FH*, ff. 75r, 81v, 93r. *FZ*, 551, 609, 717. *FBA*, 619-20, 670, 776. *FI*, 613, 639, 747. *FAlr*, ff. 89r, 95r, 107v. *FUB*, 50G-50I, 54A, 59J. *MS8331*, 527, 692, 590. *FBe*, 815-16, 893, 1024. *FVH*, 575. *FCO*, 388. *FCA*, 380. *FCB*, 400. *FU*, 389. *FViguera-Val de Funes*, 50. *FParga*, 653-54. *FLedesma*, 268. "Carta de franquicias otorgada por Alfonso I, rey, a los habitantes de Puigcerdá, 1182," 1:234. "Privilège pour les habitants de Thuir," 1:71. "Carta de paz entre Jaca y Aísa, 1215," 251-52. "Carta de población de Villalba," 1:345. "Los consejeros y los prohombres de Jaca, (1238?)," 334-36. "Homenaje prestado á D. Jaime por los vecinos de Sadava," 8:135. *Llibre dels feits*, Ch. 212. *FBrihuega*, 160. *Espéculo*, 3:6:0, 3:6:6.

73. *Siete partidas*, 2:23:28. Palomeque, "Contribución," 15:222. Valdeavellano, "Cabalgada," 1:609, defines it as a striking raid breaking off from an *algara*, largely a definition drawn from the charter of

Cuenca.

74. Palomeque, "Contribución," 15:225. Corominas, 1:155. "Concede al concejo de Burgos un fuero, 1167," 2:167-68. *FA*, 179, 391. *FCO*, 171, 369. *FRCR*, 8:18, 24. *FCM*, 316, 322. *FCA*, 175, 371. *FCB*, 176, 379. *FU*, 176, 380. *FP*, 186. Plasencia is a Castilian town with strong Leonese influence in its fuero. *FBrihuega*, 160. Cáceres and Usagre occasionally intermix *almofalla* with *oste* (the local cognate for *hueste*) in their laws.

75. *FCA*, 461, 464, 469, 488. *FU*, 484, 486, 491, 509. *Siete partidas*, 2:23:28-29. Palomeque, "Contribución," 15:223. Menéndez Pidal, *Cid*, 2:454-55. There are other terms often confused as municipal military operations, such as the wood-gathering party called *azaría* and the cattle guard escort entitled *rafala* or *esculca*. They are not primarily military and therefore will not be discussed here. See Palomeque, "Contribución," 15:224, 244. Pescador, 37-38:99-127. Bishko, "Peninsular Background of Latin American Cattle Ranching," 32:508.

76. Oliver Asín, *Origen*, 74:354, 375-78. Lévi-Provençal, *Histoire de l'Espagne musulmane*, 3:59-66. Corominas, 3:1028.

77. John E. Slaughter, "De nuevo sobre la batalla de Uclés," *AEM* (1974-79), 9:396-97. Flavius Vegetius Renatus, *Digestorum Artis Mulomedicinae Libri*, Ernest Lommatzsch, ed. (Leipzig, 1903), 3:6-7. *De re militari*, 1:27. Useful for their discussion of the pasturing and grazing needs of horses are: Rudi Paul Linder, "Nomadism, Horses and Huns," *Past and Present* (1981), 92:3-19, and Denis Sinor, "Horse and Pasture in Inner Asian History," *Oriens Extremus* (1972), 19:171-83. Bernard S. Bachrach, "Animals and Warfare in Early Medieval Europe," 714-26, has thirty kilometers as his estimate, an estimate I believe to be somewhat conservative. However, his research is based on equine nutrition, and offers an interesting approach to the problem.

78. *FCfs*, 31:16. *FCmsp*, 31:12. *FTL*, 452. *FCcv*, 3:15:11. *FTR*, 623. *FAIbR*, 193. *FP*, 532, 539. *FAln*, 656. *FBe*, 984. All of these towns list a number of placenames, but they often cannot be identified or are accidental borrowings from the Cuenca or Teruel fueros. Plasencia lists Ciudad Rodrigo (seventy kilometers to the north, two-days ride) and the Tajo River (thirty kilometers to the south, one day). *Espéculo*, 3:5:16. Vegetius discusses varieties of horses and their foraging capabilities, and distinguishes between the survival capabilities of stable-raised and range horses, but offers no distance estimate for horses by themselves. Flavius Vegetius Renatus, *Digestorum Artis Mulomedicinae Libri*, 3:6-7. He does suggest a one-day drill march of infantry and cavalry to cover twenty millia passuum (c. thirty kilometers), but this says nothing regarding the capability of horse and foot separately. *De re militari*, 1:27. Useful for their discussion of the pasturing and grazing needs of horses are: Linder, "Nomadism, Horses and Huns," 92:3-19, and Sinor, "Horse and Pasture in Inner Asian History," 19:171-83. Bachrach, "Animals and Warfare," 715-18.

A SOCIETY ORGANIZED FOR WAR

James F. Powers

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7 - SPOILS AND COMPENSATIONS: MUNICIPAL WARFARE AS AN ECONOMIC ENTERPRISE

The *Primera crónica general* contains a passage that describes the assembly of Alfonso VIII's expedition for the campaign which climaxed at the battle of Las Navas de Tolosa in 1212. This account tells of the Castilian municipal contingents collecting their weapons, armor and horses to prepare for their part in the strategic thrust into Andalusia. As the expedition makes ready, the chronicler pauses momentarily to reflect upon the antiquity of the townsmen's battle gear and their willingness to share these items with those in need. Weapons won as booty and long employed by their ancestors have found their way into the hands of these militiamen to be used once more against the Muslim, and the chronicler marvels at this parallel lineage of men and equipment.⁽¹⁾ In so doing, he touched upon one of the most vital processes by which the towns maintained their position in the warfare of the Iberian frontier.

The importance of military ordnance taken as booty was a constantly recurring theme in the annals of the twelfth- and thirteenth-century municipal militias throughout the Peninsula. It was a vital element in the intensified raiding by the towns begun in the reign of Alfonso VII. The documents list with evident relish the taking of captives, military equipment, livestock and assorted items of movable property from the Muslims.⁽²⁾ The chroniclers also note examples of booty lust contributing to the failure of campaigns, as with the militia of Salamanca (c. 1138), the Abulense militia under Sancho the Hunchback in 1173, as well as the futile pursuit of booty by the Muslims in 1177 while their brethren at Cuenca received no relief from Alfonso VIII's siege.⁽³⁾ Indeed, the taking [163] and dividing of booty provided the climax of all successful warfare. Spoils constituted a focal point of municipal military activity and a powerful incentive for going forth to battle. The militiamen's desire to take prizes and their concern for the proper disposition of this material have drawn the interest of historians seeking to assess the economic impact of booty on the towns. Nicolás Tenorio has gone so far as to describe these municipal warriors as mercenaries.⁽⁴⁾ This is a dubious and misleading assertion for it overlooks the need for the military equipment incumbent upon the town in fulfilling its military role as well as the particular nature of its economic needs. Booty was an valuable source of the very military materials which made defense and campaigning possible. On one occasion Ávila received permission to stage a special raid against Guliena to equip its militia for service in Alfonso VIII's *hueste*.⁽⁵⁾ The municipalities found these procedures useful if their expanding populations were to maintain the capability of arming and arraying themselves both to defend their own territory and to assist the king. These skills were increasingly needed, as well, to balance the economies of the livestock-raising towns of the Meseta and Iberian Cordillera.

During the twelfth century, evidence points clearly to the growing significance of warfare in the life of the towns, especially in Portugal, Leon, Castile and Aragon. Precise indications of this development are demonstrated in the increasing concern demonstrated by the makers of the municipal charters in three areas closely related to booty. The first is the royal demand to collect the one-fifth tax on the spoils of war, a tax the Christian rulers inherited from the Muslim practice of laying aside a portion of the gains of the *jihad* for Allah. Such demands indicate that booty indeed existed to be taxed, a situation only possible if the towns were successfully engaged in warfare.⁽⁶⁾ The second indication is the emerging concern for the proper exchange of prisoners of war, another by-product of combat.⁽⁷⁾ The third indication is the demand for indemnification for personal, equestrian and equipment losses sustained in war, this to be remunerated from the profits of that war *prior* to the ruler taking his fifth tax.⁽⁸⁾ Yet despite the indications of these interests throughout Christian Iberia in the twelfth century, our best and most developed institutional law regarding spoils division is concentrated in the charters of Cordilleran Castile and Aragon, secondarily in the *fueros* of Leonese Extremadura, and finally in the Alfonsine codes of the later thirteenth century. A tentative conclusion drawn from this imbalance of evidence for the whole of Iberia is that the Leonese, Castilian and upper Aragonese towns relied on warfare and its resultant booty to a far greater degree by the later thirteenth century than Portugal and Catalonia did. The best [164] way to test such a hypothesis is to explore the growing institutionalization of spoils collection in Castile and Aragon, and to examine the sources of the drive that produced it.

Two principal sources existed for division as the result of military service: the fines and taxes which the residents paid for exemption from service, and the captives and spoils of combat. Of these two sources, the second classification necessitated by far the more careful attention from the municipal government. This problem required the development of an informal quartermaster's office, which was set up for the purpose of dividing the captured spoils at the end of each campaign. The Cuenca-Teruel group became the first charter family to describe the system which had evolved for the division of booty, to be followed by the Coria Cima-Coa charters from Leonese Extremadura shortly thereafter. While the origins of the booty division system in the municipalities are unclear, these later documents demonstrate that its primary objective sought to assure that the gains of the battlefield were shared equally and that no man profited unfairly by the labors of another. The laws indicate also the centrality of position that booty has come to occupy in these upland livestock towns by the thirteenth century.

The *quadrillero* emerges most frequently as the official in charge of booty division in these towns.⁽⁹⁾ He kept written accounts of all booty captured and bore responsibility for any lost or unaccountable items. In the advanced Castilian *fueros* the *concejo* drew the *quadrilleros* equally from the various *collaciones* of the town to insure close local supervision of the partitioning. Any matters that the *quadrillero* could not handle were appealed to the *alcaldes* and the higher officials in the municipal government. The *quadrilleros* also worked in conjunction with the *adalides*, cavalry unit leaders who commanded many of the separate raids. Being aware of the booty taken in combat while they led their forces, they conveyed this information to the *quadrillero* and later consulted with him in arranging the final partition. Both the *quadrilleros* and the commanders risked punishment for any unlawful interference in the proper distribution of spoils.⁽¹⁰⁾ The legists intended penalties as effective curbs against dishonesty, braced by the fact that the positions of *alcalde*, *quadrillero* and *adalid* also carried with them prestige sufficient to make the average officeholder think twice before yielding to the temptation of malfeasance.

In assembling the booty for distribution the municipality relied on those who had participated in the campaign to bring forward all items not yet given up to the officials. On the appointed day everyone [165] who had captured spoils during the recent engagement brought them to the plaza for auctioning and distribution, including all livestock, clothing, gold, silver and arms. The *concejo* then arranged to have such material guarded until its disposition was complete. The towns saw booty as community

property, regardless of who had taken it from the field. townsmen who went to war had everything at risk: their lives, their property, even their honor. This strong community bond required that profits of war remain the common possession of all until they could be auctioned or distributed, and the shares divided. Failing to follow these rules meant punishment to the individual involved.⁽¹¹⁾ The responsible officials also withheld a portion of the booty from distribution in order to reward acts of heroism, to permit those who found material on the battlefield to claim rights upon their discovery, and similar situations; but the bulk of the spoils went into the process of general division.⁽¹²⁾

In Castile the *concejo* traditionally held an auction or *almoneda* (at least in the Castilian portion of the Cuenca family) for the disposal of captured articles. In Leon, we lack the evidence that this kind of auction played a part in booty distribution, although there are indirect indications that such was the case. One can only assume that some similar process operated to secure adequate division. In the Coria Cima-Coa charters, the *concejo* sets the size of the shares based on the number of warriors who departed on the expedition. Otherwise, both kingdoms held to similar principles of sharing the booty and of holding back a sufficient amount for compensations and rewards. The authors of *Siete partidas* recommend that the authorities make a careful calculation of the men and their equipment (on which individual shares are to be based) by having individuals pass through a gate of the town, or between two men holding lances when in the field, while officials check their equipment. Anyone refusing to pass in review in this fashion lost his share, unless he enjoyed an exceptional reputation sufficient to persuade his comrades to accept his refusal. The towns clearly assumed the principle that only the participants who came properly equipped had a direct right to a share of booty or its revenue value.⁽¹³⁾

The Castilian charters and the *Sietepartidas* cite a number of regulations concerning auctions. Auctions were to be proclaimed widely throughout the territory of the town, so that all citizens would be aware of the event. Plasencia held such auctions on Fridays, while the other towns listed no particular day. The towns demanded the presence of the *juez* at all auctions before they could be considered to have any legal basis. Nevertheless, some auctions must have been held illegally, because the sources also required that someone purchasing [166] an item of booty there had to pay four times the amount initially bid to secure it. The auctioneer (*corredor*) and the clerk (*notario* or *escribano*) had to swear an oath of office before undertaking their tasks, and any cheating on their part was severely punished. The auctioneers had to display all items effectively, obtain the highest bid possible, and then have the price recorded by the clerk, along with the name of the bidder. In the ideal circumstances envisioned by the redactors of the charters at least, all of this information, as well as the date and place of purchase, was to be placed in a sealed statement and given to the bidder. The *Siete partidas* writers viewed the ultimate purpose of the auction as being the appraisal and liquidation of booty and the minimizing of fraud in its distribution. This attitude reflected as well the thinking of the municipalities as revealed in their charters.⁽¹⁴⁾

Prior to the auction, the officials heard claims by persons regarding particular items of booty thought to be theirs and petitions of individuals seeking a share in the upcoming division process, clearing these cases before proceeding with the auction. Should the *quadrilleros* or *adalides* mistakenly give away some item in this process, the receiver retained it without cost and the offending official paid the person wrongfully deprived of it a fine worth twice the value of the object lost.⁽¹⁵⁾ Once the auction had begun, individuals offered bids for the various articles which had been gathered in the plaza. To maximize profits and assure that top prices would be paid towns offered the privilege of short term credit to residents during the course of the auction. The clerk kept a record of the sale and the citizen had to produce a bondsman (*fiador*), who secured the debt and assured the *concejo* of the bidder's ability to pay. Once accomplished, the person acquired the object. The time limit for payment was usually nine days, and failure to meet such an obligation imposed a double payment or possible imprisonment. The bondsman then paid the debt. Should this occur, the bidder had incurred a quadruple

fine: payment of a double penalty to both the bondsman and to the *concejo*.⁽¹⁶⁾ The *adalid* or the *quadrillero* had also to meet a nine-day limit for supplying all of the items in the booty inventory to the buyers without being sanctioned, and the towns deemed this same nine-day period sufficient to conclude all of the remaining unfinished business of the auction. No new claims could be filed after that time, and if an individual had retained a piece of booty beyond that point without others having detected the fact, the nine days also functioned as a statute of limitation for him.⁽¹⁷⁾

Once the spoils were converted to specie through the auction, a well established priority in the claims upon the division of booty was put into effect. The municipal charters applied the following arrangement of [167] priorities almost universally. First in line came those requiring compensation for bodily injury or the death of a relative, followed by those indemnifying the injury or loss of an animal, and finally the loss of possessions in the field. Next, the officials of the *concejo* received their stipends for their military duties, the amount of which was frequently adjusted to the value of the booty gathered on the expedition. The performers of special acts of heroism and valor then received their rewards. At this point municipal officials apportioned aside the royal or princely share, the *quinto*, approximately one-fifth of the remaining total booty but subject to some variation. Occasionally a small amount was granted to the Church. At the end, the remaining total was divided by the total number of shares to be distributed, and this percentage constituted the ordinary townsmen's reward for his military contribution.

During the early twelfth century compensations for personal injury and death, loss of one's horse, and the destruction of one's possessions on the battlefield appeared throughout the Peninsula in the municipal law as that aspect of booty division first effectively delineated in the charters.⁽¹⁸⁾ By the end of the twelfth century, the Cuenca-Teruel and Coria Cima-Coa charters present personal medical compensation amends for battle injuries, supplemented in the later thirteenth century by the lists in *Espéculo* and the *Partidas* (See Table 7-1).⁽¹⁹⁾ The wounded were supposed to receive an animal from the booty to carry them home. The *Partidas* further demanded that a mount be hired if none had been captured in this kind of case.⁽²⁰⁾ Moreover, the *Espéculo* urges the indemnification of wounds as a first priority to encourage those who have fallen victim to injury so that they will still seek combat and derive pleasure from war, itself an interesting insight into the contemporary legal mind. The two Alfonsine codes list a death benefit for *caballeros* and *peones* as well, to be bequeathed to their heirs as specified by the dying warrior or by his will. If death overtook the militiaman before he could make such provisions, the *Espéculo* granted one-half of the death benefit to the Church, while the *Partidas* altered this ecclesiastical windfall to one-third.⁽²¹⁾

The amends seen in Table 1 suggest a number of attitudes regarding warfare and its inherent risks.

TABLE 1

WOUND COMPENSATIONS

Kind of wound	Cuenca ^a	Teruel ^b	Coria ^c	Especulo	Siete partidas
Broken body bones	20	20	--	12	12
2 pierced skin surfaces	10	10	4	10	10
1 pierced skin surface	5	5	2	5	5
Head w/o hair cover	--	--	--	12	10
Head w/ lost bone	--	--	4	10	10
Head w/hair cover & no lost bone	--	--	--	5	5
Lost eye	--	5	20	100	100
Damaged nose	--	5	20	100	100
Lost hand	--	5	20	100	100
Lost foot	--	5	20	100	100
Lost ear	--	5	20	40	40
Lost arm or leg above joint	--	--	--	120	120
Lost thumb	--	--	10	50	50
Lost finger	--	--	10	10--40	10--41
Biting teeth	--	--	10	50	40
Other crippling wound	--	--	--	100	100
Death benefit - knight	--	--	--	150	150
Death benefit - peón	--	--	--	75	75

^aCuenca includes all charters in group except Teruel and Albarracín.

^bTeruel includes Teruel and Albarracín.

^cCoria includes all the Leonese Extremaduran charters.

All amounts are in *maravedís*.

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For one, the compensations are notably higher in the royal codes as against the municipal charters, where a basis for comparison exists. This could indicate inflationary trends from the later twelfth century when the foral families first appear to the later thirteenth century when Alfonso X authorized the compilation of the codes. However, the Cuenca group includes charters given initially throughout the thirteenth century to various towns, and there is little variance in the fees over that time. Rather, this may suggest largess at the theoretical level of the codes and a somewhat more parsimonious reality in the tight economies of the municipalities. Second, pride plays an obvious role as seen in the great concern for visible disfigurement. Wounds to the head that hair cannot be grown to cover receive a double fee; front teeth are indemnified at a higher rate than other teeth in the *Partidas*; noses and eyes receive an understandably high fee, and ears held value for their function and beauty and because mutilated ears could be a sign to some of a dishonoring punishment (see [Chapter Eight](#)). The greatest fees went to injuries that caused permanent disability, including the lost opportunity to earn future booty in combat. Possibly to encourage the marginally disabled to return to active participation in the

militia, the Coria Cima-Coa charters awarded an extra share of booty to the afflicted residents willing to wear their mail jackets again and doubled that share if they carried arms. The only proviso required that the force that gained their service had to number at least one hundred knights, to assure the ample booty-gathering resources necessary to support this generosity.⁽²²⁾

Since the horse stood as the indispensable symbol of the knight's elevated social and political status in the towns, there was understandable concern over its loss notable in the municipal charters. Among the lost possessions which qualified for compensation, the horse attracted by far the most attention. From the early twelfth century the charters demonstrate a willingness to pay the knight the full value of his horse if lost in the line of duty.⁽²³⁾ By the later twelfth century the charters begin to contain monetary replacement values for the lost horse, and also discuss at greater length the manner in which the horse is to be indemnified by the town. The compensation fee varied considerably among the towns which cite a specific sum in their *fueros*, setting generally higher levels in Castile than in Leon (see Table 7-2).⁽²⁴⁾ The municipalities customarily graded wounded animals according to the gravity of the wound, although Alcalá offered a flat five-*meticales* stipend. The Cuenca-Teruel group judged the severity of the injury on the following scale: horses with broken bones unable to walk drew twenty *maravedís*; horses with fractures but able to walk, ten *maravedís*; those with other wounds, five *maravedís*. The Coria Cima-Coa group adjusted their rates on the basis of wounds which penetrated the animal's body or limb and pierced to the other side. These towns gave four *maravedís* for such a double-surfaced injury and two for a wound with only one lesion, while Cáceres and Usagre gave six *maravedís* and [170-71] three for the same injuries.⁽²⁵⁾ Towns granted compensation on occasion for other animals lost in connection with warfare, the highest being given by the Cuenca-Teruel family for asses, which received the same awards as horses, while most other animals carried twenty *maravedís* or less under these conditions.⁽²⁶⁾

MUNICIPAL HORSE VALUATIONS AND COMPENSATIONS

For the municipal charters listed below, the first price (when stated) is the minimum value of the horse required to gain a knightly tax exempt status. The second price (when available) is the maximum figure for compensation of a horse lost in combat.

Laguardia (1165)	--	100
Antoñana	--	
Bernedo	--	100
Inzura	--	
Laguardia (1208)	--	100
Burunda	--	
Viana	--	100
Aquilar	--	

Alfambra	30	60
Cáceres	15	
Cuenca	50	60
Castello-Bom	--	
Teruel	200	200
Usagre	--	
Albarracín	200	--
Palenzuela	--	
Plasencia	10	60
Viguera y Val/Funes	--	
Alcaraz	50	60
Alcalá de Henares	20	
Alarcón	50	60
Uclés	12	
Huete	20	--
Molina de Aragón	20	
Zorita	20	100
Ávila	20	
Baeza	50	60
Cuéllar	30	
Iznatoraf	50	40
Atienza	30	
Alcázar	50	60
Escalona	30	
Úbeda	50	60
Trujillo	30	
Ms8331	50	60
Burgos	30	
Alfaiates	--	(10)50†
Buitrago	30	
Coria	--	30
Peñafiel	30	
Castel Rodrigo	--	30
Madrid	30	
Castello-Melhor	--	30
Valladolid	30	
Villaescusa de Haro	50	

†Alfaiates notes the two figures in different parts of the charter.

All values are in the coinage of the realm: Aragonese *solidos-sueldos*, Castilian *aureos-maravedis*,

Portuguese *morabitanos*.

The Navarrese charters of Laguardia, Antoñana, Bernado, Inzura, Buranda, Viana and Aguilar gave the above figure for a male horse, half of it for a mare.

Sánchez-Albornoz offers a table of horse values derived from tenth century documents. The value therein varies between forty to sixty *sueldos*.

The Cortes of Jérez in 1268 set a sale price of 200 *maravedís* for a good riding horse (*caballo*) and 100 for a good work horse (*rroçin*).

Compensation often required the meeting of certain conditions set by the town. The *Siete partidas* thought it advisable to establish the condition of all animals and equipment before departing for the field to avoid fraudulent claims for compensation at the conclusion of hostilities. The code warned against delaying to accomplish this survey if it took a substantial military risk thereby, and one doubts that the municipal militias often took time to undertake such a procedure.⁽²⁷⁾ When the time for booty division was at hand, the towns doled out their precious resources with some care. Any wounded animal had to be examined by one to four (the figure varies from town to town) residents of the municipality or comrades in a man's military group. These had to swear [172] that the animal had not been harmed by its master deliberately, had not been injured prior to the departure of the militia, and that the injury had been sustained in line of duty and not in unauthorized skirmishing or hunting.⁽²⁸⁾ Various time limits involved in the compensation process had also to be heeded. First, the owner had to present the injured animal to the *juez* and the *alcaldes*, in the Cuenca-Teruel charters within a three-day time limit. Moreover, if the demise of the horse were imminent, the town officials took the animal from the owner and placed it under observation in one of the municipal corrals for a period of time. In the Coria Cima-Coa Leonese charters and at Uclés the *concejo* allotted nine days before making a further judgment, while in the Cuenca-Teruel towns, the *Espéculo* and the *Siete partidas* argued for a more cautious thirty days. Should the horse regain its health or its injuries heal properly, the town granted no compensation. Otherwise the owner received the stipulated fee.⁽²⁹⁾ Finally, in deciding the value of the animal the *concejo* offered the normal stipend for a dead horse only if the owner had purchased it over a year before its death. Within a year of purchase the owner could expect the price he had paid for it instead of the official compensation award.⁽³⁰⁾

Any equipment lost on campaign merited a compensation award or replacement from the spoils, assuming the individual had not lost the item thorough his own fault, but Alfambra alone offered a list of fees indemnifying most of this equipment.⁽³¹⁾ In the other *fueros*, however, only the lance receives individual attention. In the Cordilleran charters, a lance lost in battle received a two-*maravedí* indemnity if it had a standard attached and had been lodged in the body of a Muslim, or one *maravedí* if these conditions did not apply. In the Leonese Extremaduran charters, two *maravedís* were granted for a more valuable lance, one *maravedí* for one of lesser value.⁽³²⁾ As in the case of both personal injuries and wounded animals, the towns did not make distinctions between knights and footsoldiers in the compensation of equipment. This egalitarian approach is an interesting indicator, at least in the later twelfth and early thirteenth centuries, that the social divisions had not yet begun to widen. Moreover, it demonstrates a strong sense of community intensified by the combat hardships borne by all *vecinos*. These communities based their judgments on needs rather than on status.

One of the primary ways by which the king could profit from the bellicosity of his municipalities consisted in calling for a share of their spoils. The Muslims had traditionally collected such a tax in Islamic Spain, and the Christian rulers of the north soon came to draw upon the same principle. The peninsular monarchs began discussing taxation of the booty collected by towns in the later eleventh

century, and by the mid-twelfth century a number of [173] towns in Aragon, Castile and Portugal had this obligation placed in their charters. The king customarily requested one-fifth of the spoils (as did the Muslim rulers) accumulated on any given campaign or action. The *fueros* which discuss the ordering of the awards granted before the division of booty state unanimously that the royal share came after all other indemnities had been paid, but the royal codes argued that the presence of the king at the battle or in the main force from which raiding detachments sallied forth entitled him to receive his part of any resultant booty prior to further distribution.⁽³³⁾ The great charter families of the later twelfth century elaborate the manner of taking the royal *quinto* and the restrictions on this process. They continue to assert the priority of indemnities over the royal tax in order of assessment. The Coria group owed no payment if their expedition failed to take any Muslim prisoners, and the Santarém *forais* exempted the unit commanders (*adaliles*) from the tax. Daroca, Alfambra, Uclés exempted finished garments (as distinct from bolts of cloth) and food from the royal *quinto*, while the Cuenca-Teruel charters exempted only food. The *Siete partidas* would ultimately accept the exclusion of finished garments from the fifth, noting that "the king should not obtain clothing meant for another."⁽³⁴⁾ The *Siete partidas* noted that the king could yield his *quinto* if he wanted to provide extra incentive for a campaign, that all defensive activity in the case of a full-scale invasion justified exemption, as exemplified by Alfonso X's freeing Lorca from paying the *quinto* during the Murcian uprising in 1265. All spies, sentinels and scouts enjoyed exemption of the burden. Otherwise, the king anticipated one fifth of all movable goods taken as spoils, whatever the form of action in which it had been taken.⁽³⁵⁾

The towns deviated from the fixed rate of one-fifth for the royal share of booty in special circumstances. Footsoldiers serving on guard duty in Uclés had their tax reduced from a fifth to a seventh. The charter of Marañón established the precedent for the booty tax rate of one-fifth for knights who served alone and one-seventh for infantry alone. To this the Cuenca group of charters added a one-sixth rate for knights and infantry serving together. The tax assessment for the balance of these two elements established its basis from the point at which the troops took their supplies.⁽³⁶⁾ The responsibility for the collection of these taxes in the field fell upon the battlefield commanders, the *adalides*, and the *alcaldes* of the municipality, who turned over the collected resources to the *juez*, who in turn gave the proceeds to the royal representative. The Alfonsine charters stressed that this tax share of booty should be assessed [174] in the field immediately after combat, but accepted the principle that circumstances might require that the revenues be drawn from the proceeds of the auction after the campaign. In turn, Alarcón, Baeza, Iznatoraf, Úbeda and the recipient of the Paris Arsenal manuscript sought to facilitate the collection of the king's *quinto* by having the *alcaldes* and the *juez* encamp close to each other in the field.⁽³⁷⁾

Once the indemnifications and compensations had been paid and the ruler's share set aside, the *concejo* then moved to those who had made special contributions of equipment, of animals, and of their own skills and deeds, as well. Many of these rewards were based on receiving a share of the booty taken on the campaign. Ordinarily, a resident could receive such shares only by personal attendance in the militia during the action which achieved the spoils. Those ordered to stay behind constituted exceptions to this rule, and on occasion a share of booty was set aside for the Church. Beyond these arrangements, the only variations in dividing the shares were the awards from contributing arms, equipment and animals, and the premiums paid for acts of exceptional valor.⁽³⁸⁾

The Cuenca-Teruel *fueros* tended to repay the individual for his contribution of equipment by shares of booty as against the Leonese practice of granting exemptions. First, however, the towns set minimum equipment regulations for knights to assure their combat readiness at the outset of the campaign. These Castilian charters demanded that their knights bring a lance, a sword and a shield if they did not want to forfeit one-half of their booty share. The *peón* had to bring a lance, a throwing spear or a club. The

Coria Cima-Coa charters demanded a mail jacket or a helmet from their knights, while infantry weapons received no mention.⁽³⁹⁾ Extra booty shares were apportioned for those residents who gave equipment beyond the required items. A mail jacket drew a half-share in the Cordilleran charters and a full share in the Alfonsine charters; a helmet or mail hood brought its contributor a one-quarter share; shoulder and thigh armor received a quarter share in Leonese Extremadura and a half share in the Castilian Cordilleran charters and in the Alfonsine codes; the combination of a mailed jacket with some type of headgear usually drew an entire share together, but only three-quarters share separately. The Alfonsine codes offered a full share for several combinations of body armor and helmet which did not appear in the municipal charters. Finally, a chain for prisoners gained a resident a full share in the Cuenca-Teruel charters and a fee of one *morabetino* in Uclés.⁽⁴⁰⁾ Booty division underlined the importance of the provision of equipment: [175] the equipment was indemnified against loss, and its use could profit an individual whether he served or not.

The earliest interest shown in the contribution of animals for fees appears in Aragon, Navarre and Portugal, dealing with horses and asses, and indicating one rate for daytime use and an additional surcharge if the borrower retained the animal overnight. In these instances, it appears that the borrower and not the town may have paid the fee. The basic rate listed in the Navarrese charters from 1165 to 1219 was: a horse, six *solidos* per day with an overnight surcharge of twelve *solidos*; an ass, six *solidos* a day and three additional for overnight. The Portuguese Évora family cited only horse rentals, which cost a ram for the first day, and thereafter six *solidos* by day and an additional *solido* for overnight. Aragonese Cetina, Alfambra and Viguera also had rental rates for horses, which were listed at seven *solidos* a day at Cetina, five *solidos* at Alfambra and Viguera.⁽⁴¹⁾ In the Cuenca charters, shares as well as user fees receive mention. Giving a horse to a knight to do battle in the *cavalgada* raid earned a share of booty for the lender. Even if the knight did not participate in the action which won the spoils, the owner of the horse he borrowed received some award as decided by the *adalid*. Cuenca-Teruel also set a fixed flat rate of two *maravedis* for a horse given with a saddle, and one for the horse alone. The *Siete partidas* granted a half-share for the contribution of a horse or other animal, suggesting that the municipal generosity on this matter may have been diluting the value of booty shares excessively in the view of Alfonso X.⁽⁴²⁾

Archers came under a special category of consideration for extra shares of booty, in that they brought not only special equipment to the militia but also a particular talent. The willingness of the urban knightly class to acquire this skill constituted a noteworthy tradition in the Leonese-Castilian lands not common to the knightly class in the rest of Western Europe. Once trained, the knight gained an extra amount of booty while rendering an indispensable service: the contribution of missile projection to a totally mounted raiding party. For bringing his skills in the field with the militia, the knight archer received a full extra booty share in the Cuenca-Teruel charters, one-half share in the Coria Cima-Coa charters, and two shares in the Alfonsine codes. The foot archer gained one half of that which the knight received in each of these documents. The equipment required to qualify for such remuneration varied in these sources. In the Castilian-Aragonese Cordillera the knight had to provide bow, cords and two hundred arrows, while the *peón* had the same requirements but needed only one hundred [176] arrows. In Leonese Extremadura both classes required the identical bows, cords and sixty arrows. The *Espéculo* and the *Partidas* mandated a bow, cords, a belt, a quiver and one hundred to one hundred fifty arrows. These sources always refer to the archer by the Latin *sagittarius* or the vernacular *ballestero* or *saetero*. The knight's weapon is always called *arcubalista-ballesta*, while in the Cuenca-Teruel charters the foot archer's weapon is referred to both as an *arco* or *ballesta*. Knightly archers provided the important element of firepower to the mobile raiding *algaras* and *correduras* of the frontier.⁽⁴³⁾

The hope of booty did more than secure men and equipment for the battlefield. It gave them the incentive to excel. The *Siete partidas* sums up the carrot-and-stick approach succinctly: The

extraordinary act merits a reward for the valorous individual, but the brave deed is often a matter of opportunity. This opportunity, if seized, merited a reward but similarly deserved punishment if unjustifiably shunned.⁽⁴⁴⁾ Booty constituted the chief enticement to act positively under such conditions, and the documents reveal a number of laws designed to bring about such an end. From the beginning of a campaign through its conclusion, those who had rendered special service to the militia could expect due repayment from the booty taken on that campaign.

The bearer of intelligence information received a reward if his information proved useful. The interceptor of a Muslim message who brought the content of this communication to the *concejo* obtained an award of five *maravedís* if a victorious encounter followed. In the same Cuenca-Teruel family of charters persons sent out by the royal *señor* and the *alcaldes* to gather intelligence could secure as much as one-half of the booty captured if their information led to a successful conflict, surely a remarkable example of enrichment through daring.⁽⁴⁵⁾ Crucial acts of heroism similarly merited consideration at the time the spoils were divided. The Leonese Extremaduran charters awarded the knight or *peón* who first broke through the gateway of a castle or town any booty lying near the place of forced entry. The charters of the Castilian and Aragonese Cordillera gave a Muslim prisoner as a slave to that soldier who performed this same act of valor, the slave to be shared if more than one forced entry at the same time. The Alfonsine codes listed large monetary awards along with property and slaves granted for forcing a gateway, awards more generous than the towns could afford. At the same time the royal codes pointed out that these spectacular deeds proved more valuable when accomplished by courageous boldness than by stealth.⁽⁴⁶⁾

People also secured a reward for bringing a Muslim commander (*adalid*) to the *concejo*. The Cuenca-Teruel family paid ten [177] *maravedís* to those accomplishing such a capture, while offering five *maravedís* for bringing back the decapitated head of one of these leaders. Coria, Castello-Bom, Cáceres and Usagre, on the other hand, simply paid ten *maravedís* to anyone who brought back the head of an enemy leader. If these renegades constituted a potential future menace, the Castilian charters allow the town officials to forego any royal fees gained from turning them over to the king by executing such captives while the towns had them in their custody.⁽⁴⁷⁾ Should the Muslim captain survive capture, the king maintained the first option to select any such chieftain, garrison commander or other important officials whom the municipal militias obtained, provided the monarch offered to pay a fee of one hundred *maravedís* to the town in exchange for the valued captive.⁽⁴⁸⁾ References also appear citing premiums paid to those who unhorsed an enemy cavalryman on the battlefield. The Leonese Extremaduran charters show less generosity, permitting the knight or *peón* anything in the grounded warrior's possession except the horse. The Castilian Cordilleran charters grant the horse itself to the victor if the enemy knight has been blocking a gateway to a castle or town; otherwise, if the deed had been accomplished outside the primary area of the battle where the victor had pursued his opponent, the winner has the choice of a shield, sword or saddle. In the case of Castile and Aragon, this law offers one of the critical occasions when a *peón* might change his social status by the acquisition of a horse through combat heroism.⁽⁴⁹⁾

The salary of municipal officials and functionaries who participated in the campaign and who possessed sufficient importance to merit monetary compensation was provided by another allotment drawn from the proceeds of combat. Municipal officials who served with the militia could receive payment both in money and in booty shares, and occasionally both. In the Cuenca-Teruel charter, the *juez* received two shares of booty in the Castilian *fueros* and six shares in the Aragonese.⁽⁵⁰⁾ The Cuenca-Teruel charters also gave the *juez* a monetary fee on top of the shares, graded to the amount of booty taken and the number of shares to be partitioned.⁽⁵¹⁾ The *alcaldes* received fees, shares or a combination of both, depending on the town and its charter pattern.⁽⁵²⁾ *Quadrilleros*, the parish dividers

of booty, obtained a normal share plus an extra share of booty in the Cuenca-Teruel charters.⁽⁵³⁾ Town officials, such as the gatekeeper (*portero* or *janitor*), whose duties required that they remain behind when the militia sallied forth into the field received a share for supporting the military effort by the nature of their office.⁽⁵⁴⁾

The combat leaders and other functionaries also received a salary for their efforts in behalf of the militia. The combat commander (*adaliid*) received an extra share in Uclés, the Cuenca-Teruel towns, most of the towns in the Coria Cima-Coa group, and in the *Siete partidas*. The [178] Cuenca-Teruel family notes that this is to be reduced to one share if more than one person had held command position during the expedition.⁽⁵⁵⁾ In addition, the Castilian *fueros* maintained a provision for an *adaliid* who led the militia into a town and captured it. The commander was then granted the choice of a house and its attached properties, and if he were a Muslim fighting for the Christians, he received in addition a pledge of safety for all of his kin in that town.⁽⁵⁶⁾ The scouts (*atalayeros*) received the same pay as the *alcaldes* in both the Castilian-Aragonese cordillera and in Leonese Extremadura, although they gained an extra fee if their duties carried them beyond a predetermined boundary from the town. The *Siete partidas* recommends that they also be awarded any booty item that they find as an incentive to compensate for the risky nature of their work.⁽⁵⁷⁾ Guards usually received a sheep for faithful rendering of their militia duties in the Cuenca-Teruel charters. The Alfonsine charters recommend that they, like the scouts, be paid first to assure their trustworthiness.⁽⁵⁸⁾

Administrative, medical and religious officials also gained rewards. The town clerks of the Cuenca-Teruel charters who kept the records of the militia both during the campaign and during the auction that followed received a fee for their services, if the militia had gained any booty, as well as a Muslim prisoner, assuming any had been captured. However, in Teruel, Albarracín, and later in Córdoba, Carmona and Lorca the clerk receives a booty share, as well. Some of the later Cuenca charters (Alarcón, Baeza, Iznatoraf, Alcázar and Úbeda) award the clerk a share when extra shares were given to the town, but normally the clerk did not participate in share division in the Cordilleran charters.⁽⁵⁹⁾ The *fueros* note fees for medical officers and surgeons (*maestros de llagas* and *ciruganos*). At Molina de Aragon one is reminded of the country doctor of an earlier day receiving pay in both money and kind. The doctor garnered twenty *sueldos*, thirty loaves of bread, five measures of wine and a sheep for tending a wound to the head where bones protruded. If a lance broke two skin surfaces (thus requiring two bandages), he mended it for ten *sueldos*. All other wounds required a compensation of five *sueldos*. In the Cuenca-Teruel charters, the set fee was twenty *mencales-sueldos* for broken bones requiring splints, ten for the wound involving two skin surfaces, five for all others.⁽⁶⁰⁾ The Castilian Cordillera towns granted chaplains a Muslim prisoner when any were captured, although the chaplains had to have served with the militia in the field to receive the award.⁽⁶¹⁾ If by some chance the militia fails to set aside the proper payments prior to the completion of the division, the *Siete partidas* [179] provided for the creation of a commission to make *ad hoc* decisions on paying them. The commission was to consist of men with the characteristics of *quadrilleros* to assure just decisions, and its number is to be uneven to avoid the possibility of tie votes.⁽⁶²⁾

The question of prisoner exchange and the rights of men captured by the enemy also remained as a potentially serious complication which could affect the number of shares and the amount of booty available for division. Prior to the mid-twelfth century, prisoners of war could anticipate extermination or slavery as the routine result of their misfortune in falling into enemy hands. The mid-twelfth begins to signal a change of view in the charters of Aragon and Castile, where a strong trend emerges stressing the obligation to attempt redemption of Christian captives. They achieved this end through maintaining Muslim captives whom they used to trade for their Christian counterparts.⁽⁶³⁾ By the thirteenth century, the Cordilleran charters and those of Leonese Extremadura, among others, reflect the view that captives

of the enemy have a right to redemption by their fellow Christian townsmen if it is possible to do so. The Alfonsine codes echo this sentiment and specify in some detail the rights possessed *in absentia* by such captives. The *Siete partidas* eloquently distinguishes the *prisionero* who is merely serving a term in the prison of his co-religionists from the hapless *cautivo*, who has come into the possession of the Muslim enemy without protections or set length of term. The urgency to free an individual from this "worst of all misfortunes" is clear. It is equally clear that booty plays an important role in meeting that obligation.⁽⁶⁴⁾ The rights of captives included the protection of their property while they remained in prison, continued possession of that property for at least four years after capture, and the right to make a valid will. Not until the captive died in captivity could his relatives take his property to settle his estate. However, captives could forfeit their rights for redemption if they failed to resist capture or did not seize their freedom once ransomed.⁽⁶⁵⁾

The Castilian-Aragonese Cordillera addresses the question of captive rights most directly, indemnifying all equipment and animals that the captive lost as the result of capture. The *concejo* then selected a Muslim prisoner of similar rank (knight for knight, infantryman for infantryman) from the municipality's enemy captives and traded him for the lost Christian townsman. If division of the Muslim prisoners had already taken place when the town became aware of the imprisoned status of one of its citizens, anyone who sold a Muslim prisoner to another citizen wishing to trade that prisoner for a Christian captive received a bonus of ten *maravedís* from the booty receipts. In similar circumstances the charter of Viguera obligated the purchaser of a Muslim prisoner [180] to render him up for trading, giving the former owner a set fee of one hundred twenty *sueldos*. To assist the trading process with fiscal support, the Cuenca-Teruel group deducted the Muslim traded for a Christian from the king's *quinto*, while Toledo, Córdoba, Carmona, Alicante and Lorca freed the owners of the Muslim from the *portago* commercial tax when they were traded. If the expedition captured no Muslims to use for trading, the *Siete partidas* authorized the seizing of booty receipts to acquire the ransom funds.⁽⁶⁶⁾

The Coria Cima-Coa charters offer a far less clear mandate in Extremadura to re-secure a captive from Muslim hands. To be sure, these towns allot one share in every eleven for potential captive redemption, but no directive compels the militia to yield Muslim prisoners for Christian ones; rather, the new owners of these Muslim captives received fiscal incentives from the allotted shares to give their Islamic prisoners over for Christian redemption. The towns authorized the offering of a thirty *maravedí* fee prior to division to the individual who captured a Muslim (insuring a floor value prior to the competitive risk of auction), and up to one hundred *maravedís* after division. Once the Muslim had been purchased after the auction, one and one-half times the auction price was allowed to persuade the new owner to release him for trade. Alfaiates evidenced concern that some unscrupulous person might secure the lower pre-division price by pressing a redemption on the relatives of a recent Christian captive while making a windfall profit on the sale of the Muslim prisoners in the bargain. By and large, the writers of the Extremaduran charters preferred to let relatives of the captives take their own initiative, aided by the financial bonuses to free the necessary Muslim negotiating pawns. While these towns made it possible to inflate the set fee with two additional animals from the booty to induce the owner of a Muslim captive to sell, the *alcaldes* risked voiding the entire arrangement by pressing the owner too hard. Should the relatives or friends of the Christian captive make any money in actualizing the ransom, that profit had to go to the original owner of the Muslim who made the trade possible. If it proved impossible to complete a Muslim-for-Christian trade, the original owner reclaimed his Muslim slave and the family received another Muslim prisoner, or the best animal in the booty herd, as compensation for their human loss.⁽⁶⁷⁾

The commercial and cultural interchange that accompanied military hostilities produced an official able to move in both worlds and equipped to negotiate the ransom and exchange of prisoners. [181] This figure, called either the *alfaunque*, *axea*, *exea* or *requero*, appears in the Cuenca-Teruel and Coria

Cima-Coa groups of charters as well as in the *Siete partidas*. The Alfonsine code lays down the important qualifications which such intermediaries ought to possess: stable property owners relatively free from greed (a self-flattery clearly indicating that they had something to do with framing this statute); since they would be functioning in two different worlds, they would need to speak vernacular Spanish and Arabic, familiarity with both cultures, and courage and strong faith. The *alfaunque* could be commissioned by the king or an individual town and possessed wide latitude in authority during his mission. The *Siete partidas* urged that he be well paid, and the municipal *fueros* appear to have met that standard. The *alfaunque* received a commission of one tenth of the ransom money he handled as well as one *maravedí* for each Christian-Muslim captive exchange he arranged. He was also free to ransom a captive on his own volition for payment from the relatives upon his return. The *alfaunque* considered himself free to return this captive if the anticipated funds proved unavailable.⁽⁶⁸⁾

Some disagreement exists concerning *alfaunque* procedures between the Cuenca-Teruel charters and the *Siete partidas*. On one hand, the royal code has him carry a royal pennant, take direct routes to the places of captivity, avoid Christian armies lest he accidentally or deliberately be able to render military information to the enemy, and carry no unnecessary merchandise with him to clutter his mission with mundane business matters. He faced stiff penalties if he lost funds, mistreated captives or delayed unnecessarily in freeing them. It seems clear from the Cordilleran *fueros*, on the other hand, that the *alfaunque* had a complex mission of commerce, mercenary enterprise and mercy. The ransomer led a rather special expedition called a *requa*, intended to be as peaceful as the *fonsado* was bellicose. He held total responsibility for any fiscal losses sustained in the journey, had the power of justice over any other individuals accompanying him on the *requa*, and kept careful records of all transactions. The *requa* apparently included herds of animals moving across the frontier, for which the *alfaunque* received a fee based on the number of animals he had in custody. Once the *alfaunque* had secured his captives, he also received a *maravedí (solido)* per day per captive to feed his human charges if he had to keep them in his own house. Conversely, disloyalty to the *concejo* that hired him could mean his death.⁽⁶⁹⁾

Some situations which governed the division of spoils required special attention. Among the most frequently cited was the problem that arose when one part of the militia won a victory and claimed sole possession [182] of the booty thereby won. The Chronicle of Ávila offers an early instance of this in Count Raymond of Burgundy's era when the Count ruled in behalf of the early victors, a view that came to represent standard municipal policy. While the Cuenca-Teruel charters bespeak of a need for the more fortunate in battle to share with those less successful, in some instances, especially when the militia mustered for defense, the clear right to the resultant booty went to the direct participants in an action if they constituted a forward element which achieved success before the rear guard reached the battle site to assist the winners.⁽⁷⁰⁾ Skirmishers who won booty in sallies and frays connected with the siege of a town or castle customarily received exclusive claim to the booty they captured on the grounds that they rendered a considerable contribution to the eventual defeat of the enemy. In cases where uncertainty existed concerning the number of participants in an action, the *Siete partidas* states that anyone within the visual range of those known to have participated in the action ought to receive a portion. In another instance, when a force pursuing an enemy squadron remained in the field overnight, its participants retained such booty as they could gain in these circumstances. One occasion where a victorious party had to share the booty with others who may not have fought is delineated in both the *Espéculo* and the *Siete partidas* relating to the case of coordinated ambushes, where one side had agreed in advance to hold back their attack better to effect the achievement of surprise. These scattered exceptions to the normal division of booty appear in the royal codes, but not in the municipal documents. Nonetheless, they are likely to represent standard procedures.⁽⁷¹⁾

Booty questions also arose regarding the continual stealing of cattle between the Christian and Muslim towns of the frontier. These Christian cattle rustlers were usually entitled to an portion of the Moorish livestock they had seized. Leonese Extremadura offered a rather generous fifth of the captured animals to the rustlers while the Castilian-Aragonese Cordillera awarded one thirtieth of the captured sheep and cattle inside the boundaries of the town, and one-tenth beyond the boundaries.⁽⁷²⁾ If the rustlers penetrated an enemy fortress or town to obtain their animals, they could keep all that they gathered.⁽⁷³⁾ The Cordillera towns also awarded fees for Muslim prisoners, horses and mules taken in these circumstances, five *maravedís* in each case on the Castilian side and one *maravedí* for men and horses, one-half a *maravedí* for mules, on the Aragonese side.⁽⁷⁴⁾ Cáceres and Usagre indicated their concern that the theft of animals might lead by accident or design to the theft of the town's own flocks and herds by fining any legitimate militia muster under an [183] *adalid* one *maravedí* a head for seizing municipal animals while on defensive patrol.⁽⁷⁵⁾

An even further complication revolved around material which had belonged to the townsmen or their neighbors and had been lost to enemy raiding. If a Muslim foray captured booty, and then in turn they were routed by the militia which recaptured the lost material, the general principle prevailed that these items should be returned to their owners. On occasion this meant a fee to the finder, as when the *Espéculo* recommends that a horse returned to its owner within a year of its loss should secure a reward of one *maravedí*. Beyond a year, presumably the finder retained the horse. In the case of human booty recovered, recaptured Christian, Muslim and Jewish prisoners formerly living in Christian Castile were to be restored to their families and goods. Should any of the retaken Muslims not wish to return, their captors dealt with them as though they were Muslim prisoners of war.⁽⁷⁶⁾ In retaking a town, former property owners could enter a claim even after four years. Some of the Castilian charters derived from Cuenca call for restraint in occupying former properties until the army which regained them had returned. In the event of disputes in land ownership under these circumstances, the *quadrilleros* became the arbitrators and awarded lands to those who first worked them.⁽⁷⁷⁾ As an encouragement to turn booty in when one came upon it in the wake of battle, in Castile the finder was awarded a quarter of its value after it was held for nine days. In León, the finder received one *maravedí* for anything he found.⁽⁷⁸⁾

The codifiers of the *Espéculo* and the *Siete partidas* implicitly assume that the taking of booty had limits in combat. The Alfonsine codes recommend that booty not be collected and divided until at least nine days (in the *Espéculo*) or later three days (in the *Siete partidas*) after the battle, so that no one would forget that the primary objective following a victory was the pursuit of the enemy. Pillaging was not to commence while the battle or siege was still in progress. The *Espéculo* points out that this giving way to greed constituted a kind of robbery, tempted men to hide items from their comrades and from the king, and offered the enemy an opportunity for counterattack which could jeopardize the entire enterprise.⁽⁷⁹⁾ Furthermore, the monarch assumed the right to choose the military objectives and determine the amount of looting permitted in the siege of a town. If residents of a municipality received the protection of their property or permission to leave with their movable goods, the warriors were to honor these terms under threat of punishment from the king. Towns destroyed by a victorious Christian army [184] had to be restored to an approximation of their original state once they were captured. Even the casual plundering of a watering place drew punishment at Viguera.⁽⁸⁰⁾ Unbridled lust for booty which lost sight of community interests and the basic objective of victory went sharply against the grain of municipal and royal tradition, despite the importance of spoils in the municipal economy and the military system of Castile.

The municipal documents of Leon-Castile and Cordilleran Aragon indicate the importance of spoils. For one, the acquisition of booty contributed to the towns' ability to fight. It placed the military

ordnance needed to perform active combat in the hands of townsmen. Moreover, spoils division assured the municipal warrior a continuing supply of arms and equipment to replace and upgrade the weaponry of past campaigns. In the municipal willingness to share spoils in order to insure against irreparable losses, we see one of the finest demonstrations of the militia as a community enterprise, binding its citizens together in mutual endeavor and concern. Booty also served as a limited insurance against combat risks, including the loss of life, animals and equipment, which faced the militiaman as he departed through the gates of the town. The loss of his life could leave his family without a breadwinner and possibly a male heir. For a knight, the death of his horse could seriously affect his future social and political status. The destruction of scarce and expensive combat gear could end his future ability to return to the field. No prudent individual would therefore undertake so formidable a risk unless compensation and profit tempered the danger. Compensation for loss, human, animal and material, was assured by the town so that the knight and footsoldier might go forth to battle with confidence.

Secondly, the extent of the law devoted to the question of booty division in the best developed charter families of Upper Aragon, Castile and the Leonese-Portuguese Extremadura suggests that warfare and its resultant booty constituted a regular part of the daily life of the towns. In the light of that realization another follows closely: booty greatly affected the economy of these frontier towns. Ubieta Arteta and Gautier-Dalché have attempted general assessments of the economic impact of this warfare on the frontier towns, but nothing more clearly indicates the critical role played by booty than the extensive and detailed concern for its management shown in these *fueros*.⁽⁸¹⁾ That such matters occupied the attention of the municipal charters and the Alfonsine codes to the extent that they did strongly underlines a potential dependency on warfare and its profits as a supplement to the narrow livestock economy of many of these Meseta towns. The citizen could return from combat enriched, sometimes substantially enriched, [185] as the result of his battle prowess. Horses and other valuable animals could alter one's social status, while new equipment could enhance one's established position in the town. A Muslim laborer, a well-made shield, a small flock of sheep, all these could affect the position and creature comforts one enjoyed in the municipality. For the participant his share of the auctioned booty proved an assured dividend even if the expedition or patrol had not bestowed a chance for profitable heroism or a lucky find. To the lower economic classes the opportunity for fees gained by performing smaller tasks such as guard duty had their economic value.

One also suspects that the townsmen were not alone in their appreciation of the commercial value of booty, and may not even have been its prime beneficiaries. The history of warfare is replete with camp-followers, sutlers and traders who peddle goods to soldiers and purchase booty from them. Individuals in possession of sufficient liquid wealth could doubtless strike good bargains at the municipal auctions in the paraphernalia of combat, where one militia's glutted booty collection could be marketed in a town with a less successful campaigning season a few kilometers away. Some of this clearly fed an arms trade which did not necessarily respect the Christian and Muslim frontier. The municipal charters begin to legislate against arms trading with the Muslims in the mid-twelfth century, and by the age of the Cuenca-Teruel and Coria Cima-Coa charters, stiff penalties awaited those who defied these restrictions. In the Cordilleran charters the sanctions against trading arms with other Christians, carrying lighter fines, are interestingly located in the section of those codes which deal with the Jews, rather than in the military laws which follow in a few folios. The prohibitions against selling arms to the Muslims bear much higher penalties and are directed at Christian, Muslim and Jewish citizens. These latter laws are located in the earlier, more commercial section of the codes.⁽⁸²⁾ These considerations may also underlie the watchful legislation governing the *alfaques* who had opportunities for such arms operations as they migrated back and forth across the frontiers during the course of their prisoner exchanges.

The mentality behind this foral legislation is that of a society balancing a variety of loyalties, to community, to church, to region and to king. It was a society of individuals who were not necessarily professional soldiers, whose day to day dependence on their skills and intellect was both enriched and threatened by war, and who did not embrace the too often assumed chivalric and crusading ideals that imposed themselves on the writing of medieval military history. The necessity of fighting bred a hard-headedness [186] into these hard working *vecinos*, who saw a need to legislate war's impact on their lives and to make some effort to share the profits and damages which it arbitrarily imposed upon them.

The charters also point to a more gradual process at work on the frontier, the tendency to reinforce the emerging social divisions. Certainly the equality of damage compensations suggest that hardships should weigh without social considerations, and social mobility continued through entry into lower aristocracy of the urban knightly class by the acquisition of a horse. Nonetheless, the increasing array of knightly equipment made the transition from *peón* to *caballero* gradually less likely. Battle situations greatly favored the knight in the acquisition of booty, and the knight's ability to join the fast-moving mounted raiding parties provided opportunities for spoils the unmounted militiaman never encountered. Even more interesting, since the weapons themselves provided tax advantages and the entrée to combat profits, the accumulation of weaponry and equipment over time allowed individuals to gain control over groups of their fellow residents by either providing these valuable items for others at a cost or securing for them an exemption from combat, or taxes, or both. A large arsenal of military gear acquired by a family built up during decades of frontier combat permitted them to exercise influence over others as well as to maintain their ability to secure new supplies as the Reconquest progressed. The unified format of Alfonso X's charters based on the Toledo pattern stress the knight's ability to accumulate and display the military paraphernalia of his rank and the exemptions to be thus acquired by them. This emphasis suggests that the social and economic lines had already begun to harden.

What does this tell us regarding those areas outside of Upper Aragon, Castile and the Leonese-Portuguese Extremadura? To be sure, the townsmen of Portugal, Navarre and Catalonia fought and acquired booty. Certainly this booty underwent some form of division that resulted in profit for municipal residents. One must be cautious in arguing from a lack of informative charters what the role of booty must have been in these territories. Yet it is difficult to avoid the conclusion that booty, whatever amount of it may have been generated by their warfare, simply did not exert the same influence in Portugal and Catalonia that it did in Upper Aragon, Castile and Leon. On occasion the king-count of the Crown of Aragon offered salaries to participants of campaigns, obviating the need of booty.⁽⁸³⁾ The seas on which they bordered provided a lively maritime economy which would have distracted them from any serious dependence on frontier booty. Because they lacked a livestock economy, the extension of grazing areas and the protection of [187] flocks meant little to the coastal economies, and the rustling of animal booty was of marginal interest. No evidence exists to demonstrate that they chose to institutionalize booty acquisition and division in the manner of the towns of the central peninsula. Rather, it was the towns of the Cordillera, the Meseta, Extremadura and Andalusia that this practice typified, glorified and ultimately severely limited.

Notes for Chapter 7

1. *PCG*, 2:691.
2. *CAI*, 32-33, 92-95, 98-99, 126-32. "Anales Toledanos I," 23:397-98. *CPA*, 23-24. "Carta de Arnaldo Amalarico," 174. IIM, 2:41, where the militias of Santarém and Lisbon are discussed in a Muslim source. Muntaner, "Crònica de Ramon Muntaner," Ch. 13.
3. *CAI*, 95-97. IIM, 2:4-6, 28-29. *AMC*, 17:1-3, 14.
4. Dufourcq and Gautier-Dalché, *Histoire économique et sociale*, 79-82. Grassotti, "Para la historia del botín," 39-40:68-72. Tenorio, "Las milicias de Sevilla," 17:223-24.
5. *CPA*, 37.
6. "Fuero de Nájera, 1076," 2:84-85. "Foral concedido aos habitantes de Coimbra, 1111," 1:32. "Foral outorgado aos habitantes de Soure," 1:33. "Fuero de Cáseda," 475. "Fuero de Carcastillo," 470-71. "(Foral de) Numão, 1130," 1:370. "Fuero de Marañon," 2:119-22. "Foral de Seia," 1:177-78. "Fuero de Daroca, 1142," 362-63. "Fuero de Peralta," 549. "Carta de foral concedida aos moradores de Sintra," 1:301. "D. Afonso Henriques faz doação de Barcelos," 1:321. "(Foral de) Thomar," 1:388. "Foral outorgado aos habitantes de Monsanto," 1:421. "(Foral de) Pombal," 1:398. The fifth tax is mentioned throughout the Santarém family in Portugal (see Appendix A). "(Foral de) Germanello," 1:433. "Fuero de Uclés, 1179," 2:518. "Carta de población de Pinell, 1207," 1:307.
7. *Fuero de Calatayud*, 37. "Fuero de Guadalajara (1137)," 108-11. *FDaroca*, 366-67. "Fuero de Escalona, 1130," 45:465. García-Gallo dates this part of Escalona's *fuero* in the later twelfth century.
8. *FCarcastillo*, 470. *FCalatayud* 37. *FGuadalajara 1137*, 108. "Fuero de Yanguas, 1145," 4:84. The entire family of the Ávila-Évora charters contain a horse indemnification law (see Appendix A). *Fuero de Alfambra*, 21, 33. *FUclés 1179*, 2:519. "Fuero de Medinaceli," 441, 443.
9. *FCfs*, 30:16. *FCmsp*, 30:14. *FTL*, 426. *FAlbL*, 487. *FCcv*, 3:14:10. *FTR*, 581. *FAlbR*, 182. *FP*, 503. *FAlz*, 10:16. *FAln*, 606. *FH*, f. 83v. *FZ*, 623. *FBa*, 682. *FI*, 654. *FAlr*, f. 97r. *FUB*, 54N. *MS8331*, 701. *FBe*, 910. *FCO*, 112. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108. *FU*, 179. Only Cáceres and Usagre cite the *quadreleros* in this process, as the remainder of the Coria Cima-Coa group leave this task in the hands of the *alcaldes* assisted by the *adalids*. *Las siete partidas*, 2:26:12-13, 32.
10. *FCfs*, 30:17, 64-65. *FCmsp*, 30:15, 60-61. *FTL*, 426, 445. *FAlbL*, 487, 493. *FCcv*, 3:14:10, 37. *FTR*, 581, 609-10. *FAlbR*, 182-83, 189. *FP*, 503, 527. *FAlz*, 10:17, 64-65. *FAln*, 607-08, 641-42. *FH*, ff. 83v, 86v-87r. *FZ*, 624, 668-69. *FBa*, 683, 723-24. *FI*, 655, 693-94. *FAlr*, ff. 97r, 101r. *FUB*, 54\, 54G"-54H". *MS8331*, 701, 733. *FBe*, 911, 961-62. *FVH*, 510, 541. *FCO*, 112. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108. *FU*, 179. In the Coria family, the *alcalde* had the primary responsibility for booty division, but he could delegate it to the lesser officials.
11. *FCfs*, 30:36, 43:17. *FCmsp*, 30:33, 43:12. *FTL*, 432, 544. *FAlbL*, 489-90. *FCcv*, 3:14:23, 4:14:12. *FTR*, 591, 780. *FAlbR*, 186, 235. *FP*, 513. *FAlz*, 10:36, 12:64. *FAln*, 623, 815. *FH*, ff. 84v, 112v. *FZ*, 642, 840. *FBa*, 700, 908. *FI*, 671, 874. *FAlr*, ff. 99r, 126v. *FUB*, 54F', 92. *MS8331*, 714, 747. *FBe*, 930. *FVH*, 525. *FA*, 378. *FCO*, 112, 357. *FCR*, 8:13, 22. *FCM*, 311, 320. *FCA*, 177, 361. *FCB*, 108, 370. *FU*, 179, 370.
12. In the case of battles fought in the vicinity of the town, the rent collectors and hired workers of a landlord were expected to turn in any booty they found to their landlord, who presumably brought such materials to the proper officials to make his claim. *FCfs*, 3:29, 38:9. *FCmsp*, 3:29, 38:9. *FTL*, 301, 500.

FCcv, 1:3:19, 1:7:9. *FTR*, 414, 709. *FAlbR*, 139, 213. *FP*, 409, 413. *FAlz*, 2:60, 11:106. *FAln*, 85, 750. *FH*, ff. 14r, 101v. *FZ*, 76, 779. *FBa*, 83, 846. *FI*, 82, 808. *FAlr*, ff. 18r, 115v. *FUb*, 10:8A, 65I. *MS8331*, 161, 643. *FBe*, 104. *FVH*, 81, 625.

13. *FCfs*, 30:5-6, 61. *FCmsp*, 30:5-6, 57. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:4-5, 35. *FTR*, 575. *FAlbR*, 181. Teruel and Albarracín lack any reference to the auction, although referring to many of the other laws that are covered in the Cuenca group by the auctioning process. *FP*, 496-97, 526. *FAlz*, 10:5-6, 61. *FAln*, 595, 598, 638. *FH*, ff. 82r-82v, 86v. *FZ*, 613-14, 665. *FBa*, 674-75, 720. *FI*, 643, 646, 690. *FAlr*, ff. 95v-96r, 101r. *FUb*, 54E-54F, 54D". *MS8331*, 695-96, 730. *FBe*, 897, 899, 957-58. *FVH*, 539. The indirect Leonese evidence consists in the requirement that those excused from military service obligations in these towns had to pay a double pledge to make a credit bid on an item at auction, suggesting that those who had rendered military service had preferential rights over the items in such auctions, i.e. spoils. *FA*, 181, 378, 384. *FCO*, 173, 357, 361. *FCR*, 8:22-23, 50. *FCM*, 320-21, 348. *FCA*, 176, 361, 365. *FCB*, 178, 370, 374. *FU*, 178, 370, 374. The process of spoils division in the Leonese towns involved the casting of lots for the right to select items of booty. *Fuero de Viguera y Val de Funes*, 5. "El espéculo o espejo de todos los derechos," 3:7:14. *Siete partidas*, 2:26:27-28.

14. *FCfs*, 16:53, 30:61. *FCmsp*, 16:54, 30:57. *FCcv*, 2:6:34, 3:14:35. *FP*, 186-89, 526. *FAlz*, 6:55, 10:61. *FAln*, 409, 638. *FH*, ff. 55v, 86v. *FZ*, 371, 665. *FBa*, 447, 720. *FI*, 443, 690. *FAlr*, ff. 67v, 101r. *FUb*, 38G-38H, 54D". *MS8331*, 399, 730. *FBe*, 570, 957-58. *FVH*, 407, 539. *Siete partidas*, 2:26:32-34.

15. *FCfs*, 30:49-50. *FCmsp*, 30:46-47. *FTL*, 444. *FAlbL*, 491-92. *FCcv*, 3:14:29-30. *FTR*, 602-03. *FAlbR*, 188. *FP*, 521. *FAlz*, 10:49-50. *FAln*, 630-31. *FH*, f. 85v. *FZ*, 655. *FBa*, 710-11. *FI*, 681-82. *FAlr*, ff. 99v-100r. *FUb*, 54R'-54S'. *MS8331*, 722-23. *FBe*, 943-45. *FVH*, 532-33. *FA*, 181. *FCO*, 173. *FCR*, 8:51. *FCM*, 349. *FCA*, 176. *FCB*, 178. *FU*, 178. Disputants acquired the use of an animal or a money fee until the matter was resolved in the Leonese Extremaduran charters. *Siete partidas*, 2:26:13, 32. The Alfonsine code permitted individuals to choose articles from the collected booty prior to the auction if that item was deducted from their share.

16. *FCfs*, 30:43-44. *FCmsp*, 30:40-41. *FTL*, 439-40. *FAlbL*, 490-91. *FCcv*, 3:14:27. *FTR*, 597-98. *FAlbR*, 187. *FP*, 518. *FAlz*, 10:43-44. *FAln*, 626-27. *FH*, f. 85r. *FZ*, 648-49. *FBa*, 705-06. *FI*, 676-77. *FAlr*, ff. 99r-99v. *FUb*, 54M'-54N'. *MS8331*, 718-19. *FBe*, 937-38. *FVH*, 529. *Espéculo*, 3:8:8. *Siete partidas*, 2:26:32. On occasion, the pledging of objects was allowed, as in the case of a particularly valuable sword at Viguera, *FViguera y Val de Funes*, 25.

17. *FCfs*, 30:52-54, 64-65, 31:14. *FCmsp*, 30:49-51, 60-61, 31:10. *FTL*, 444-45, 452. *FAlbL*, 492-93. *FCcv*, 3:14:32, 37, 3:15:9. *FTR*, 603-04, 609-10, 621. *FAlbR*, 188-89, 192. *FP*, 523, 527, 537. *FAlz*, 10:52-54, 64-65, 79. *FAln*, 632-33, 641-42, 654. *FH*, ff. 86r-87r, 88v. *FZ*, 657-59, 668-69, 681. *FBa*, 713-15, 623-24, 738. *FI*, 684-86, 693-94, 708. *FAlr*, ff. 100r-101r, 102v. *FUb*, 54U'-54V', 54G"-54H", 55J. *MS8331*, 725, 733, 743. *FBe*, 947-50, 961-62, 981. *FVH*, 535, 541, 548. The later Cuenca-pattern towns of Plasencia, Alcaraz, Alarcón, Zorita, Baeza, Iznatoraf, Alcázar, Úbeda, the Arsenal manuscript and Béjar extend the period of liability for the hidden item to three nine-day periods.

18. "Fueros de León y Carrión, 1114," 49. *FCarcastillo*, 470. *FCalatayud*, 37. From 1166, the Évora charter family contains such an indemnity law (see Appendix A). *FUclés 1179*, 2:519. *FCfs*, 30:20. *FCmsp*, 30:18. *FTL*, 487. *FAlbL*, 426. *FCcv*, 3:14:12. *FTR*, 582. *FAlbR*, 183. *FP*, 505. *FAlz*, 10:20. *FAln*, 610. *FH*, f. 84r. *FZ*, 627. *FBa*, 686. *FI*, 658. *FAlr*, f. 97v. *FUb*, 54Q. *MS8331*, 703. *FBe*, 914. *FVH*, 513. *El fuero de Brihuega*, 160. *Espéculo*, 3:7:11. Ramos y Loscertales, *El cautiverio en la Corona de Aragón*, 117-20.

19. *FCfs*, 30:24. *FCmsp*, 30:22. *FTL*, 426. *FAlbL*, 488. *FCcv*, 3:14:15. *FTR*, 584. *FAlbR*, 184. *FP*, 507. Plasencia offered 5 mrs. for broken bones, 4 mrs. for the wound that punctured two surfaces, and 2 mrs.

for the one-surface wound. *FAlz*, 10:24. *FAln*, 614. *FZ*, 631. *FBa*, 690. *FI*, 661. *FAlr*, f. 98r. *FUb*, 54U. *MS8331*, 706-07, which add 10mrs. for a leg or arm wound which requires a splint. *FBe*, 919-20. *FVH*, 516. *FA*, 181. *FCO*, 173. *FCR*, 8:50. *FCM*, 348. *FCA*, 176. *FCB*, 178. *FU*, 178. *Espéculo*, 3:7:11. *Siete partidas*, 2:25:2-3.

20. *FCfs*, 30:19. *FCmsp*, 30:17. *FTL*, 426. *FAlbL*, 487. *FCcv*, 3:14:11. *FTR*, 582. *FAlbR*, 183. *FP*, 503. *FAlz*, 10:19. *FAln*, 609. *FH*, f. 84r. *FZ*, 626. *FBa*, 685. *FI*, 657. *FAlr*, ff. 97r-97v. *FUb*, 54P. *MS8331*, 702-03. *FBe*, 913. *FVH*, 512. *FA*, 181. *FCO*, 173. *FCR*, 8:50. *FCM*, 348. *FCA*, 176. *FCB*, 178. *FU*, 178. *FViguera y Val de Funes*, 5. *Siete partidas*, 2:25:5.

21. *Espéculo*, 3:7:11. *Siete partidas*, 2:25:2-3.

22. *FA*, 352. *FCR*, 8:41. *FCM*, 339. *FCA*, 336. *FCB*, 343. *FU*, 345. It should be noted, nonetheless, that the coin of the realm was devalued seven times between 1268 and 1285. Carlé, "El precio de la vida en Castilla," 15:135-36.

23. *FGuadalajara 1137*, 108. *FYanguas 1145*, 4:84. *FMedinaceli*, 441. *FAlfambra*, 21. The entire family of the Ávila-Évora charters contain a horse indemnification law (see Appendix A).

24. "Fuero de Cetina," 24:591. "Fuero de Laguardia, 1164," 1:222. *FAlfambra*, 21, 36. "Fuero de Bernedo," 1:232. "Fuero de Antoñana," 1:229. *FCfs*, 1:6, 30:23. *FCmsp*, 1:7, 30:21. *FTL*, 9, 10. *FCcv*, 1:1:6, 3:14:14. *FTR*, 6, 8. *FAlbR*, 7. *FP*, 2, 506. *FAlz*, 1:7-8, 10:23. *FAln*, 6, 613. *FH*, f. 4r. *FZ*, 7, 630. *FBa*, 7, 689. *FI*, 4, 660. *FAlr*, ff. 6v, 97v-98r. *FUb*, 2A, 54T. *MS8331*, 7, 706. *FBe*, 8-9, 918. *FVH*, 7, 515. *FA*, 169, 183. *FCO*, 163. *FCR*, 7:8. *FCM*, 274. "Fuero latino de Cáceres," v. *FCA*, 165. *FCB*, 167. *FU*, 167. "Fuero de Inzura," 56-60. "Fueros de Laguardia, 1208," 81. "Fuero de la Burunda," 85-86. "Fuero de Viana, 1219," 35:417. "Fueros y privilegios de Aguilar, 1219," 159. *FViguera y Val de Funes*, 5. "Fuero de Alcalá de Henares," Sánchez, ed., 285, 308. "Fuero de la villa de Palenzuela, 1220," 218. "El fuero de Uclés, c. 1227," 14:334. *FLedesma*, 264. "Fueros que dió a Molina el Infante D. Alfonso," 47. "Fuero de Ávila, 1256," 2:491. "Fuero de los escusados o franquicias de Arévalo, 1256," 1:266. "Alfonso X el Sabio confirma los fueros extensos de Cuéllar," 43. "Privilegio del Rey D. Alfonso X concediendo a la ciudad de Burgos, 1256," 1:97-98. "Privilegio del Rey D. Alfonso X concediendo al concejo de Buitrago," 1:93-94. "Privilegio de Rey D. Alfonso X, concediendo a la villa de Peñafiel, 1256," 1:89-90. *Fuero de Trujillo*, MSS 430, f. 50r. "El fuero de Atienza," 68:267. "Privilegio del Rey D. Alfonso X de Escalona, 5 marzo 1261," 1:178. "Libro del fuero real y franquicias de Madrid, 1262," 9:53. "Privilegio del Rey D. Alfonso X concediendo a Valladolid," 1:225. "Cortes de Jerez de 1268," 1:72-73. "Llibre dels feits del Rei En Jaume," Ch. 220, where the king call for a new supply of horses, none to be valued over 100 *morabetins*. Sánchez-Albornoz, "El precio de la vida en el Reino de Asturleonés," 2:845-47.

25. *FAlcalá*, 310. *FCfs*, 30:24. *FCmsp*, 30:22. *FTL*, 426. *FAlbL*, 488x. *FCcv*, 3:14:15. *FTR*, 584. *FAlbR*, 184. *FP*, 507. Plasencia formed an exception, for its rates were five, four and two *maravedís*, respectively. These awards were far closer to those customary in the Coria Cima-Coa group. *FAlz*, 10:24. *FAln*, 614. Alarcón omitted the two surface wound fee. *FZ*, 631. *FBa*, 690. *FI*, 661. *FAlr*, f. 98r. *FUb*, 54U. *MS8331*, 706-07. *FBe*, 919-20. *FVH*, 516. *FCO*, 112. *FCR*, 8:12. *FCM*, 310. *FCA*, 177. *FCB*, 108. *FU*, 179. A number of thirteenth-century charters in Leon and Castile continued the earlier tendency of compensating horses without citing a particular figure. *FCórdoba Rom*, 3:213. "Fuero de Campomayor," 501. "Fuero romanceado de Sepúlveda, 1300," 92.

26. Alfambra gave twenty *morabetinos* for a work horse, ten *morabetinos* for a mule, five *morabetinos* for an ox, and four *morabetinos* for an ass. *FAlfambra*, 21. *FCfs*, 30:23. *FCmsp*, 30:21. *FTL*, 9. *FCcv*, 3:14:14. *FTR*, 6. *FAlbR*, 6-7. Teruel and Albarracín do not state the amount of the awards they give to animals not horses or asses, merely that these animals are to be indemnified. *FP*, 506. Plasencia placed a fifteen *maravedís* maximum on awards for asses. *FAlz*, 10:23. *FAln*, 613. *FZ*, 630. *FBa*, 689. *FI*, 660.

FAlr, ff. 97v-98r. *FUB*, 54T. *MS8331*, 706. *FBe*, 918. *FViguera y Val de Funes*, 14, giving one *sueldo* for an ox or an ass. The 1268 Cortes at Jérez established general prices for many animals at that time: mule, 70 *maravedís*; asses, 30 to 7 *maravedís*; cattle, between 9 and 5 *maravedís*; sheep, 5 *maravedís*; goats, between 18 and 5 *maravedís*; pigs, between 10 and 1 *maravedís*. *Cortes de Jérez de 1268*, 72-73. *Espéculo*, 3:7:12. It should be taken into account with all of these compensation figures that the *maravedí* was devalued to three-fifths of its 1187 value by 1223, and that the inflation of Alfonso X's reign caused seven devaluations of the coin of the realm between 1268 and 1285. See: Pastor de Togneri, *Conflictos sociales*, 239, and Carlé, "El precio de la vida," 15:135-36.

27. *Siete partidas*, 2:25:4-5.

28. *FCfs*, 31:5-8. *FCmsp*, 31:4. *FTL*, 9, 450. *FAlbL*, 494. *FCcv*, 3:15:4. *FTR*, 6, 615-16. *FAlbR*, 6-7, 190-91. *FP*, 532. *FAlz*, 10:71-73. *FAln*, 648-50. *FH*, ff. 87v-88r. *FZ*, 675. *FBA*, 729-32. *FI*, 699-701. *FAlr*, f. 102r. *FUB*, 55D. *MS8331*, 737-38. *FBe*, 792-93. *FVH*, 544. *FA*, 392. *FCO*, 112, 364. *FCR*, 7:18, 8:12. *FCM*, 284, 310. *FCA*, 177, 372. *FCB*, 108, 380. *FU*, 179, 381. *FAlcalá*, 308. *Espéculo*, 3:7:12. The Leonese fueros stressed the consultation of *alcaldes* and *adalides* in the assessing of wounded animals.

29. *FCfs*, 31:9-10. *FCmsp*, 31:5-6. *FTL*, 9, 450. *FAlbL*, 494. *FCcv*, 3:15:5. *FTR*, 6, 616. *FAlbR*, 6-7, 191. *FP*, 532. *FAlz*, 10:74-75. *FAln*, 650-51. *FH*, f. 88r. *FZ*, 676-77. *FBA*, 733-34. *FI*, 702-03. *FAlr*, f. 102r. *FUB*, 55E-55F. *MS8331*, 739. *FBe*, 974-75. *FVH*, 545. *FCO*, 112. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108. *FU*, 179. *FAlcalá*, 326. *Espéculo*, 3:7:12. *Siete partidas*, 2:25:5.

30. *FCfs*, 31:7-8. *FCmsp*, 31:4. *FTL*, 450. *FAlbL*, 494. *FCcv*, 3:15:4. *FTR*, 616. *FAlbR*, 191. *FP*, 532. *FAlz*, 10:73. *FAln*, 649-50. *FH*, ff. 87v-88r. *FZ*, 675. *FBA*, 731-32. *FI*, 700-01. *FAlr*, f. 102r. *FUB*, 55D. *MS8331*, 737-38. *FBe*, 973. *FVH*, 544. *FA*, 169. *FCO*, 163. *FCR*, 7:8. *FCM*, 274. *FCA*, 165, 484. *FCB*, 167. *FU*, 167, 505. *FAlcalá*, 326. *Espéculo*, 3:7:12. *Siete partidas*, 2:25:5. *FViguera y Val de Funes*, 5. *Viguera* authorized the substitution of a booty share for its compensation award. On the defensive *apellido*, Cáceres and Usagre preferred that the compensation be made from the booty of that particular conflict.

31. *FAlfambra*, 33. *FCfs*, 30:32-33. *FCmsp*, 30:29-30. *FTL*, 428-29. *FAlbL*, 489. *FCcv*, 3:14:21. *FTR*, 589. *FAlbR*, 185. *FP*, 510. *FAlz*, 10:32-33. *FAln*, 619-20. *FH*, f. 84r. *FZ*, 638-39. *FBA*, 696-97. *FI*, 667-68. *FAlr*, f. 98v. *FUB*, 54B'-54C'. *MS8331*, 711. *FBe*, 926-27. *FVH*, 521-22. *Espéculo*, 3:7:12. *Siete partidas*, 2:25:5. The *Alfambra* list indemnifies a mail jacket with long sleeves (*loriga*) at fifty *solidos*, a shorter jacket (*lorigon*) at twenty-five *solidos*, a shield at ten *solidos*, a mail hood at five *solidos* and a sword at ten *solidos*. The tenth-century prices for these items ran at approximately ten *sueldos* for a shield, one hundred *sueldos* for a highly decorated sword, thirty *sueldos* for a decorated helmet and sixty *sueldos* for a mail jacket. Sánchez-Albornoz, "El precio de la vida," 2:845.

32. *FAlfambra*, 33. *Alfambra* also compensated the lance at ten *solidos* with a standard and five *solidos* without one. *FCfs*, 30:31. *FCmsp*, 30:28. *FTL*, 427. *FAlbL*, 489. *FCcv*, 3:14:20. *FTR*, 588. *FAlbR*, 185. *FP*, 509. *FAlz*, 10:31. *FAln*, 618. *FZ*, 637. *FBA*, 695. *FI*, 666. *FAlr*, f. 98v. *FUB*, 54A'. *MS8331*, 710. *FBe*, 925. *FVH*, 521. *FA*, 181. *FCO*, 173. *FCR*, 8:51. *FCM*, 349. *FCA*, 176. *FCB*, 178. *FU*, 178. "Fuero de Badajoz," 73-74, grants three *maravedís* for the more valuable lance.

33. For an example of a Muslim fifth taken from Christians, see Ibn-Abi-Zarc, *Rawd al-qirtâs*, 1:110. *FNájera*, 2:84-85. *FCoimbra 1111*, 1:32. *FSoure 1111*, 1:33. *FCáseda*, 475. *FCarcastillo*, 470-71. *FNumão*, 1:370. *FMarañon*, 2:119-22. *FSeia*, 1:177-78. "Fuero del Castillo de Oreja, 1139," 45:470. *FDaroca*, 362-63. *FPeralta*, 549. *FSintra*, 1:301. *FMolina*, 83. *FBarcelos*, 1:321. "Alfonso VIII concede fuero a los habitantes de Ocaña, 1156," Consuelo Gutiérrez de Arroyo, ed., *AHDE* (1946), 17:658. *FThomar*, 1:388. An indemnification law exists throughout the Évora family (see Appendix A). *FMonsanto*, 1:421. *FPombal*, 1:398. *FAlfambra*, 19, 21, 38. *FGermanello*, 1:433. *FUclés 1179*, 2:518-

20. The fifth tax is mentioned throughout the Santarém family in Portugal (see Appendix A). *CpPinell*, 1:307. "Carta de fueros otorgada al concejo de Zorita por el rey Don Alfonso VIII, 1180," 420. *Espéculo*, 3:7:7. *Siete partidas*, 3:14:12. Ávila received exemption from the *quinto* tax when the king was not present, "Alfonso VIII concede al concejo de Ávila los términos que indica, 1205," 3:360, and renewed by Enrique I, 1215, "Concede y confirma al concejo de Ávila," 3:693-94.

34. *FDaroca* 1142, 363. *FAlfambra*, 19. *FUclés* 1179, 2:520. *FCfs*, 30:20, 36. *FCmsp*, 30:18, 33. *FTL*, 426, 432. *FAlbL*, 487, 489-90. *FCcv*, 3:14:12, 23. *FTR*, 582, 591. *FAlbR*, 183, 186. *FP*, 505, 513. *FAlz*, 10:20, 36. *FAln*, 610, 623. *FH*, ff. 84r-84v. *FZ*, 627, 642. *FBa*, 686, 700. *FI*, 658, 671. *FAlr*, ff. 97v, 99r. *FUb*, 54Q, 54F'. *MS8331*, 703, 714. *FBe*, 914, 930. *FVH*, 513, 525. *FA*, 169, 183. *FCO*, 163, 175-76, 388. *FCR*, 7:8, 8:53. *FCM*, 274, 351. *FCA*, 165, 178-79, 380. *FCB*, 167, 180-81, 400. *FU*, 167, 180-81, 389. This includes a *quinto* on rustled livestock in the Coria group, although on that class of booty Castel Rodrigo and Castello-Melhor limited their tax to one tenth. *FBrihuega*, 160. *Siete partidas*, 2:26:19.

35. *Siete partidas*, 2:26:5-8, 19. "Privilegio de Alfonso X al concejo de Lorca, eximiéndoles del quinto de las cabalgadas, 1265," 68. The municipal charters seldom reflect these last exemptions for intelligence personnel. The king did raise his percentage of the spoils to fifty percent if he had been the total supplier of resources for a particular campaign.

36. *FMarañon*, 2:120. *FCfs*, 30:20, 30:58. *FCmsp*, 30:18, 54. *FCcv*, 3:14:12, 34. *FP*, 505, 526. *FAlz*, 10:20, 58. *FAln*, 610, 636. Alcaraz and Alarcón both list a sixth for all combinations. *FH*, ff. 84r, 86r-86v. Huete levies a sixth for combined forces and infantry alone, a fifth for knights alone. *FZ*, 627, 663. *FBa*, 686, 718. *FI*, 658, 688. *FAlr*, ff. 97v, 100v. Alcázar levies a sixth for all combinations. *FUb*, 54Q, 54A". Úbeda limits the royal tax to Muslim prisoners and captured animals. *MS8331*, 704, 728. In this manuscript, the infantry alone pays a seventh, knights and infantry together pay a seventh, knights alone a fifth. *FBe*, 914, 954. *FVH*, 513, 537-38.

37. *FCfs*, 30:60. *FCmsp*, 30:56. *FTL*, 444. *FAlbL*, 492. *FCcv*, 3:14:35. *FTR*, 608. *FAlbR*, 189. *FP*, 526. *FAlz*, 10:59-60. *FAln*, 637, 821. *FH*, f. 86v. *FZ*, 664. *FBa*, 719, 916. *FI*, 689, 885. *FAlr*, ff. 100v-101r. *FUb*, 54", 96. *MS8331*, 729, 766. *FBe*, 956. *FVH*, 539. *Espéculo*, 3:7:1, 7-9. *Siete partidas*, 2:26:5-7, 19.

38. *FCfs*, 30:2, 6. *FCmsp*, 30:2, 6. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:1, 5. *FTR*, 572. *FAlbR*, 180. *FP*, 493, 497. *FAlz*, 10:2, 6. *FAln*, 593, 598. *FH*, ff. 82r-82v. *FZ*, 610, 614. *FBa*, 671, 675. *FI*, 640, 646. *FAlr*, ff. 95v-96r. *FUb*, 54B, 54F. *MS8331*, 693, 696. *FBe*, 894, 899. *FA*, 181, 378. *FCO*, 173, 357. *FCR*, 8:22, 50. *FCM*, 320, 348. *FCA*, 176, 361. *FCB*, 178, 370. *FU*, 178, 370.

39. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:4. *FTR*, 575. *FAlbR*, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 595. *FH*, ff. 82r-82v. *FZ*, 613. *FBa*, 674. *FI*, 643. *FAlr*, ff. 95v-96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 897. *FA*, 352. *FCO*, 112. *FCR*, 8:13, 41. *FCM*, 311, 339. *FCA*, 177, 336. *FCB*, 108, 343. *FU*, 179, 345.

40. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:4. *FTR*, 575. *FAlbR*, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 597. *FH*, f. 82v. *FZ*, 613. *FBa*, 674. *FI*, 645. *FAlr*, f. 96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 898. *FCO*, 112. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108. *FU*, 179. *Espéculo*, 3:7:14. *Siete partidas*, 2:26:28. *FUclés* 13C, 14:329.

41. *FCetina*, 24:591. *FLaguardia*, 1164, 1:222. *FAlfambra*, 21, 36. *FBernedo*, 1:232. *FAntoñana*, 1:229. *FInzura*, 56-60. *FLaguardia* 1208, 81. *FBurunda*, 85-86. *FViana*, 35:417. *Faguilar*, 159. *FViguera y Val de Funes*, 5. For the Évora family, see Appendix A. *FCampomayor*, 500. Cetina levied one *solido* by day and six for overnight for horses, for asses six per day and three overnight. An ox garnered a *solido* per day for its owner.

42. *FCfs*, 30:62, 43:17. *FCmsp*, 30:58, 43:12. *FTL*, 544. *FCcv*, 3:14:36. *FTR*, 780. *FAlbR*, 235-36. *FP*, 527. *FAlz*, 10:62, 12:64. *FAln*, 639, 815. *FH*, ff. 86v, 112v. *FZ*, 666, 840. *FBa*, 721, 908. *FI*, 691, 874. *FAlr*, ff. 101r, 126v-127r. *FUb*, 54E", 92. *MS8331*, 731, 747. *FBe*, 959. *FVH*, 539. *Siete partidas*, 2:26:28.
43. *FCfs*, 30:5. *FCmsp*, 30:5. *FTL*, 426. *FAlbL*, 485. *FCcv*, 3:14:4. *FTR*, 575. *FAlbR*, 181. *FP*, 496. *FAlz*, 10:5. *FAln*, 595-96. *FH*, f. 82v. *FZ*, 613. *FBa*, 674. *FI*, 644. *FAlr*, f. 96r. *FUb*, 54E. *MS8331*, 695. *FBe*, 898. *FCO*, 112. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108. *FU*, 179. For a discussion of the mounted archer and his potential battlefield role, see Chapter Five.
44. *Siete partidas*, 2:27:1-6.
45. *FCfs*, 30:11, 31:17. *FCmsp*, 30:10, 31:13. *FTL*, 426, 452. *FAlbL*, 486. *FCcv*, 3:14:7, 3:15:12. *FTR*, 579, 624. *FAlbR*, 182, 193. *FP*, 500, 540. *FAlz*, 10:11, 82. *FAln*, 603, 657. *FH*, ff. 83r, 89r. *FZ*, 618, 683. *FBa*, 678, 741. *FI*, 650, 711. *FAlr*, ff. 96v, 103r. *FUb*, 54J, 55M. *MS8331*, 698, 747. *FBe*, 905, 987. *FVH*, 551.
46. *FCfs*, 30:30. *FCmsp*, 30:27. *FTL*, 426. *FAlbL*, 489. *FCcv*, 3:14:19. *FTR*, 588. *FAlbR*, 185. *FP*, 508. *FAlz*, 10:30. *FAln*, 617. *FZ*, 636. *FBa*, 694. *FI*, 665. *FAlr*, f. 98v. *FUb*, 54Z. *MS8331*, 710. *FBe*, 924. *FVH*, 520. *FA*, 181. *FCO*, 173. *FCR*, 8:51. *FCM*, 349. *FCA*, 176. *FCB*, 178. *FU*, 178. *Espéculo*, 3:5:7. *Siete partidas*, 2:27:7-8. The Lorca group of charters makes clear, however, that the castle or town taken belongs to the king. *FCórdoba Lat*, 3:223. *FCórdoba Rom*, 3:213. "Fuero de Carmona," 7. "Fuero de Alicante," 46. "Fuero de Lorca, 1271," 82.
47. *FCfs*, 31:18-19. *FCmsp*, 31:14-15. *FTL*, 452. *FCcv*, 3:15:12. *FTR*, 625. *FAlbR*, 193. *FP*, 541. *FAlz*, 10:83-84. *FAln*, 657. At Alarcón twenty mrs. were offered for the head of a renegade, but a battle leader was not mentioned. *FH*, f. 89r. *FZ*, 684-85. The five mrs. for the head is omitted at Zorita. *FBa*, 742-43. *FI*, 712-13. *FAlr*, f. 103r. *FUb*, 54N-54\'. *MS8331*, 747, which offers ten mrs. for the head while omitting reference to a live captive. *FBe*, 988. *FVH*, 551. *FCO*, 181. *FCA*, 183. *FCB*, 186. *FU*, 186.
48. *FGuadalajara 1137*, 110. *FMolina*, 83. *FUclés 1179*, 2:520. *FCfs*, 30:34. *FCmsp*, 30:31. *FTL*, 430. *FAlbL*, 489x. *FCcv*, 3:14:22. *FTR*, 590. *FAlbR*, 185. *FP*, 511. *FAlz*, 10:34. *FAln*, 621. *FH*, ff. 84r-84v. *FZ*, 640. *FBa*, 698. *FI*, 669. *FAlr*, f. 98v. *FUb*, 54D'. *MS8331*, 712. *FBe*, 928. *FVH*, 523.
49. *FCfs*, 30:29. *FCmsp*, 30:26. *FTL*, 426. *FAlbL*, 488. *FCcv*, 3:14:18. *FTR*, 587. *FAlbR*, 184-85. *FP*, 508. *FAlz*, 10:29. *FAln*, 617. *FZ*, 635. *FBa*, 694. *FI*, 665. *FAlr*, ff. 98r-98v. *FUb*, 54Y. *MS8331*, 709. *FBe*, 923. *FVH*, 519. *FA*, 182. *FCO*, 112, 174. *FCR*, 8:13, 8:52. *FCM*, 108, 350. *FCA*, 176-77. *FCB*, 108, 179. *FU*, 178-79. The *Espéculo* awards the same choice of sword, shield or saddle to the knight that the Leonese *fueros* offer, 3:7:5. Pastor de Togneri, *Conflictos sociales*, 188-89.
50. *FCfs*, 30:39. *FCmsp*, 30:36. *FTL*, 436. *FAlbL*, 490. *FCcv*, 3:14:25. *FTR*, 594. *FAlbR*, 186. *FP*, 515. *FAlz*, 10:39. *FAln*, 624, 821d. *FH*, f. 84v. *FZ*, 645. *FBa*, 703, 916d. *FI*, 674, 885. *FAlr*, ff. 99r, 129v. *FUb*, 54I', 96. *MS8331*, 717, 767. *FBe*, 933. *FVH*, 526-27. *FCórdoba Lat*, 3:220. *FCórdoba Rom*, 3:212. *FCarmona*, 3. *FLorca*, 77. *FLedesma*, 269. Some of the later Castilian members of the family allowed for occasions when "the standard of the town" could receive as many as twelve shares, and in such instances the *juez* was to receive an unspecified portion of those shares, while half went to the *concejo*. Córdoba, Carmona and Lorca also granted the *juez* a share of booty. Ledesma gave the *juez* one-quarter of the booty, from which the king's *quinto* was probably taken.
51. *FCfs*, 30:57. *FCmsp*, 30:53. *FTL*, 444. *FAlbL*, 492. *FCcv*, 3:14:33. *FTR*, 607. *FAlbR*, 189. *FP*, 525. *FAlz*, 10:57. *FAln*, 635. *FH*, f. 86r. *FZ*, 662. *FBa*, 717. *FI*, 687. *FAlr*, f. 100v. *FUb*, 54Z'. *MS8331*, 727. *FBe*, 953. *FVH*, 537. *FSepúlveda 1300*, 92-93. The rate on the sliding scale was four *maravedís* when much booty was seized, two *maravedís* for light booty, and nothing when the militia came up empty handed. In Teruel and Albarracín the rate was four *maravedís* if any booty was taken, otherwise none.

Sepúlveda granted a large one hundred *maravedís* to the *juez* in lieu of a booty share.

52. *FCfs*, 30:57. *FCmsp*, 30:53. *FTL*, 444. *FAlbL*, 492. *FCcv*, 3:14:33. *FTR*, 607. *FAlbR*, 189. *FP*, 525. *FAlz*, 10:57. *FAln*, 635, 821d. *FH*, f. 86r. *FZ*, 662. *FBa*, 717, 916d. *FI*, 687, 885. *FAlr*, ff. 100v, 129v. *FUb*, 54Z', 96. *MS8331*, 727, 767. *FBe*, 953. *FVH*, 537. *FCórdoba Lat*, 3:220. *FCórdoba Rom*, 3:212. *FCarmona*, 3. *FLorca*, 77. *FA*, 181, 381. *FCO*, 173, 360. *FCR*, 8:23, 8:50. *FCM*, 321, 348. *FCA*, 176, 364. *FCB*, 178, 373. *FU*, 178, 373. The *alcaldes* normally obtained shares at Córdoba, Carmona and Lorca and received them when extra allotments were granted to the municipal standards at Alarcón, Baeza, Iznatoraf, Alcázar and Úbeda. Otherwise, the *alcaldes* received the same sliding scale of fees granted to the *juez* in the Cuenca-Teruel group, while in Leonese Extremadura, they were paid based on the number of shares allotted from the booty. These Leonese towns tolerated a maximum of four *alcalde* fees for any one expedition. In the Coria Cima-Coa family, the rate for *alcaldes* was four *maravedís* and an ox for fifty to one hundred shares in an expedition, two *maravedís* for fifty shares or less. Cáceres listed a maximum of three *alcalde* fees to an expedition.

53. *FCfs*, 30:56. *FCmsp*, 30:52. *FTL*, 444. *FAlbL*, 492. *FCcv*, 3:14:33. *FTR*, 606. *FAlbR*, 189. *FP*, 525. *FAlz*, 10:56. *FAln*, 634. *FH*, f. 86r. *FZ*, 661. Huete and Zorita award the *quadrillero* four *maravedís* in lieu of the extra share. *FBa*, 717. *FI*, 687. *FAlr*, f. 100v. *FUb*, 54Y'. *MS8331*, 727. *FBe*, 952. *FVH*, 537. The Alfonsine codes recommended that they be paid first before the booty was divided to ease temptations on their honesty. *Espéculo*, 3:7:13. *Siete partidas*, 2:26:12.

54. *FCfs*, 30:2. *FCmsp*, 30:2. *FTL*, 132, 426. *FAlbL*, 433, 485. *FCcv*, 3:14:1. *FTR*, 140, 572. *FAlbR*, 45, 180. *FP*, 493. *FAlz*, 10:2. *FAln*, 593. *FH*, f. 82r. *FZ*, 610. *FBa*, 671. *FI*, 640. *FAlr*, f. 95v. *FUb*, 54B. *MS8331*, 693. *FBe*, 894.

55. *FUclés 13C*, 14:329. *FCfs*, 30:40, 59. *FCmsp*, 30:37, 55. *FTL*, 437, 444. *FAlbL*, 490, 492. *FCcv*, 3:14:26, 34. *FTR*, 595, 608. *FAlbR*, 186, 189. *FP*, 526. *FAlz*, 10:40, 59. *FAln*, 625, 637. *FH*, f. 86v. *FZ*, 646, 664. *FBa*, 704, 719. *FI*, 675, 689. *FAlr*, ff. 99r, 100v. *FUb*, 54J', 54B". *MS8331*, 717, 729. *FBe*, 934, 955. *FVH*, 528, 539. *FA*, 181. *FCO*, 173. *FCR*, 8:50. *FCM*, 348. *FCB*, 178. Cáceres and Usagre lack this law. *Siete partidas*, 2:26:28, which also awards the standard bearer two shares.

56. *FCfs*, 31:15. *FCmsp*, 31:11. *FTL*, 452. *FCcv*, 3:15:10. *FTR*, 622. *FAlbR*, 192-93. *FP*, 538. *FAlz*, 10:80. *FAln*, 655. *FH*, f. 88v. *FZ*, 682. *FBa*, 739. *FI*, 709. *FAlr*, ff. 102v-103r. *FUb*, 55K. *MS8331*, 744. *FBe*, 982-83.

57. *FCfs*, 30:8-9. *FCmsp*, 30:7-8. *FTL*, 426. *FAlbL*, 486. *FCcv*, 3:14:6. *FTR*, 577-78. *FAlbR*, 181. *FP*, 498. *FAlz*, 10:8-9. *FAln*, 600-01. *FH*, ff. 82v-83r. *FZ*, 616-17. *FBa*, 676-77. *FI*, 647-48. *FAlr*, ff. 96r-96v. *FUb*, 54H. *MS8331*, 697-98. *FBe*, 901-02. *FA*, 181. *FCO*, 112, 173. *FCR*, 8:12, 50. *FCM*, 310, 348. *FCA*, 176-77. *FCB*, 108, 178. *FU*, 178-79. In all of the Leonese towns except Cáceres and Usagre, the boundary was the Tajo-Tejo River, and the fees were two *maravedís* for knights beyond the river and one *maravedí* on the near side, and one-half of that for infantry scouts. In Cáceres and Usagre the river cited was the Guadiana and the fee was three *maravedís* one and one half *maravedís* for knights, and again one half of that for foot. *Siete partidas*, 2:26:10-11.

58. *FCfs*, 30:26-28. *FCmsp*, 30:23. *FTL*, 426. *FAlbL*, 488. *FCcv*, 3:14:17. *FTR*, 586. *FAlbR*, 188. *FP*, 504. *FAlz*, 10:26-28. *FAln*, 616. *FZ*, 633-34. *FBa*, 692-93. *FI*, 663-64. *FAlr*, f. 98r. *FUb*, 54V, 54X. *MS8331*, 708. *FBe*, 921-22. *FVH*, 517-18. *Espéculo*, 3:7:10. *Siete partidas*, 2:26:12.

59. *FCfs*, 16:28, 30:51. *FCmsp*, 16:30, 30:48. *FTL*, 84, 444. *FAlbL*, 423, 492. *FCcv*, 2:6:19, 3:14:31. *FTR*, 89, 606. *FAlbR*, 30, 189. *FP*, 89, 187, 522. Plasencia omits mention of the Muslim prisoner for the clerk. *FAlz*, 6:32, 10:51. *FAln*, 388, 632, 821d. *FH*, ff. 52v-53r, 85v. *FZ*, 348, 656. *FBa*, 424, 712, 916d. *FI*, 419, 683, 885. *FAlr*, ff. 64v, 100r, 129v. *FUb*, 35B, 54T', 96. *MS8331*, 380, 724, 767. *FBe*, 537, 946. *FVH*, 387, 534. In the Castilian charters the fee was forty *maravedís*, while in Teruel and Albarracín it

was one hundred *solidos*. *FCórdoba Lat*, 3:220. *FCórdoba Rom*, 3:212. *FCarmona*, 3. *FLorca*, 77. *Siete partidas*, 2:26:33-34 simply advises that the clerk's salary be agreed upon in advance. *Siete partidas* also allots the auctioneer a booty share, while the *Fuero de Plasencia* gives him four *dineros* from the money receipts for animal sales and another two from the sale of Muslim prisoners.

60. *FMolina*, 128. *FCfs*, 30:25. *FCmsp*, 30:23. *FTL*, 426. *FAlbL*, 488. *FCcv*, 3:14:16. *FTR*, 585. *FAlbR*, 184. *FP*, 507. Plasencia is the sole exception to this fee scale, offering four, two and one *maravedís*, for the respective classes of wounds. *FAlz*, 10:25. *FAln*, 615. *FZ*, 632. *FBa*, 691. *FI*, 662. *FAlr*, f. 98r. *FUb*, 54V. *MS8331*, 706-07. *FBe*, 920. *FVH*, 516. This law offers the same monetary compensations to those who receive those wounds, leaving one to conjecture whether this was a coincidence or whether the compensation given to the wounded was intended to meet exactly the medical fee for the repair of the wound.

61. *FCfs*, 30:51. *FCmsp*, 30:48. *FCcv*, 3:14:31. *FP*, 522. *FAlz*, 10:51. *FAln*, 632. *FH*, f. 85v. *FZ*, 656. *FBa*, 721. *FI*, 683. *FAlr*, f. 100r. *FUb*, 54T'. *MS8331*, 724. *FBe*, 946. *FVH*, 534.

62. *Siete partidas*, 2:26:13.

63. *FCalatayud* 44. *FDaroca*, 366-67. *FEscalona 1130*, 45:466. García-Gallo dates this part of the charter from the later twelfth century. Ramos y Loscertales, *El cautiverio*, 121-23.

64. *FCfs*, 30:32-33. *FCmsp*, 30:29-30. *FTL*, 428-29. *FAlbL*, 489. *FCcv*, 3:14:21. *FTR*, 589. *FAlbR*, 185. *FP*, 510. *FAlz*, 10:32-33. *FAln*, 619-20. *FH*, f. 84r. *FZ*, 638-39. *FBa*, 696-97. *FI*, 667-68. *FAlr*, f. 98v. *FUb*, 54B', 54C'. *MS8331*, 711. *FBe*, 926-27. *FVH*, 521-22. *FA*, 119x. *FCO*, 125. *FCR*, 8:14. *FCM*, 312. *FCA*, 132. *FCB*, 123. *FU*, 134. *FViguera y Val de Funes*, 5. *FUclés c1227*, 14:329. *Costumbres de Lérida*, 49. *Fori Antiqui Valentiae*, 223-24. *Espéculo*, 3:7:11. *Siete partidas*, 2:25:2, 2:29:1. Hospitals to house Muslim prisoners for such trade appeared in a number of towns, including Teruel and Uclés. "Miguel de Santa Cruz arrienda a los Hermanos de la Caridad de Teruel, 1200," 1:185-87. Caruana Gómez, "Organización en los primeros años," 10:92-93. "El concejo de Uclés establece una limosna, 1227," 422-23.

65. *Siete partidas*, 2:29:4-6, 8-9.

66. *FCfs*, 1:23, 30:21, 29-30. *FCmsp*, 1:25, 30:19, 29-30. *FTL*, 410, 426, 428-29. *FAlbL*, 476, 487, 489. *FCcv*, 1:1:18, 3:14:13, 21. *FTR*, 521, 583, 589. *FAlbR*, 169, 183, 185. *FP*, 22, 505, 510. Plasencia granted the former owner one and one-half times the auction price of the Muslim, a compensation more in line with Leonese practice. Moreover, a four-month maximum was placed on the trading negotiations before the former owner had the option to reclaim his Muslim slave. *FAlz*, 1:26, 10:21, 32-33. *FAln*, 22, 611, 619-20. *FH*, f. 84r. Huete omits much of this law. *FZ*, 628, 638-39. Zorita lacks the law giving ten *maravedís* to the owner. *FBa*, 24, 687, 696-97. *FI*, 18, 659, 667-68. *FAlr*, ff. 9r-9v, 97v, 98v. *FUb*, 6, 54R, 54B', 54C'. *MS8331*, 21, 705, 711. *FBe*, 30, 915, 926-27. *FVH*, 23, 514, 519-20. *FViguera y Val de Funes*, 5. "Fueros de población de Toledo dado a los muzárabes y castellanos, 1222," 314. *FCórdoba Lat*, 3:220. *FCarmona*, 4. "Fuero de Alicante, 1252," 42. *FLorca*, 77. *Siete partidas*, 2:25:2.

67. *FA*, 119, 181. Alfaiates lacks the two animal offering. *FCO*, 125, 173. *FCR*, 8:14, 8:50-51. *FCM*, 312, 348-49. Castel Rodrigo and Castello-Melhor added another price inflation, allotting an increase in the fee to those holding the Muslim prisoner based on the number of nights the militia had been away on campaign when that prisoner had been captured. *FCA*, 132, 176. *FCB*, 123, 178. *FU*, 134, 178. The late thirteenth-century law of Portuguese Beja also reveals a strong opposition to the *alcaydes* pressing members of a successful *caualgada* to yield up their booty unless they will to do so. "Costumes e foros de Beja," 2:61.

68. *FCfs*, 41:2. *FCmsp*, 41:3. *FTL*, 507. *FCcv*, 4:11:3. *FTR*, 731-32. *FAlbR*, 221. *FP*, 682. Plasencia

does not mention the fee for the trade, but does increase the fee if the journey had to be made in wartime or took the *alfaqueque* beyond the Guadiana. *FAlz*, 12:24. *FAln*, 777. *FH*, f. 106r. *FZ*, 805. *FBa*, 869. *FI*, 825. *FAlr*, f. 119v. *FUb*, 70A. *MS8331*, 661. *FVH*, 645. *FCO*, 392, 394. *FCR*, 8:49. *FCM*, 347. *FCA*, 400. *FCB*, 402, 404. *FU*, 409. Only Coria, Cáceres, Castello-Bom and Usagre cite the ten per cent fee with the extra commission for a trade, but Coria and Castello-Bom (along with Castel Rodrigo and Castello-Melhor) also offer a pro-rated fee based on the cost of ransom, one-half *maravedí* for twenty *maravedís* or less and one *maravedí* for more than twenty. *Siete partidas*, 2:30:1-3. A useful review of this ransoming process can be found in, Brodman, "Municipal Ransoming Law," 60:318-30.

69. *Siete partidas*, 2:30:2-3. *FCfs*, 40:14, 41:2. *FCmsp*, 40:15, 41:3. *FTL*, 505, 507. *FCcv*, 4:10:9, 4:11:3. *FTR*, 718, 730-32. *FAlbR*, 217, 221. *FP*, 454, 682. *FAlz*, 12:15, 12:24. *FAln*, 766, 776-77. *FH*, ff. 103v, 106r. *FZ*, 797, 805. *FBa*, 862, 869. *FI*, 820, 825. *FAlr*, ff. 117v, 119v. *FUb*, 68J, 70A. *MS8331*, 650, 660-61. *FVH*, 639, 645.

70. *CPA*, 18-19. *FCfs*, 31:4, 43:17. *FCmsp*, 31:4, 43:12. *FTL*, 449, 544. *FAlbL*, 494. *FCcv*, 3:15:3, 4:13:12. *FTR*, 614, 780. *FAlbR*, 190, 235. *FP*, 531. *FAlz*, 10:70, 12:64. *FAln*, 648, 815. *FH*, ff. 87v, 112v. *FZ*, 674, 840. *FBa*, 728, 908. *FI*, 698, 874. *FAlr*, ff. 101v-102r, 126v. *FUb*, 55D, 92. *MS8331*, 736, 747. *FBe*, 971. *FVH*, 543.

71. *Espéculo*, 3:7:6. *Siete partidas*, 2:26:18, 2:26:25-26, 2:27:7-8.

72. *FCfs*, 31:16. *FCmsp*, 31:12. *FTL*, 452. *FCcv*, 3:15:11. *FTR*, 623. *FAlbR*, 193. Teruel and Albarracín word this differently, making no distinction concerning the boundaries but awarding a thirtieth of the sheep and a tenth of the cattle. *FP*, 532. Plasencia gives ten sheep from a flock, one head of livestock from a herd. *FAlz*, 10:81. *FAln*, 656. *FBa*, 740. *FI*, 710. *FAlr*, f. 103r. *FUb*, 55L. *MS8331*, 745. *FBe*, 984. *FVH*, 550. *FA*, 169. *FCO*, 163. *FCR*, 7:8. *FCM*, 274. Castel Rodrigo and Castello-Melhor offer a tenth instead of a fifth. *FCA*, 165, 253. *FCB*, 167. *FU*, 167, 259.

73. *FCfs*, 31:16. *FCmsp*, 31:12. *FTL*, 452. *FCcv*, 3:15:11. *FTR*, 623. *FAlbR*, 193. *FP*, 539. *FAlz*, 10:81. *FAln*, 656. *FH*, ff. 88v-89r. *FZ*, 682. *FBa*, 740. *FI*, 710. *FAlr*, f. 103r. *FUb*, 55L. *MS8331*, 745-46. *FBe*, 985-86. *FVH*, 550. *FCA*, 253. *FU*, 259.

74. *FCfs*, 31:16, 43:17. *FCmsp*, 31:12, 43:12. *FTL*, 452, 544. *FCcv*, 3:15:11, 4:13:12. *FTR*, 623, 780. *FAlbR*, 193, 236. *FP*, 539. *FAlz*, 10:81, 12:64. *FAln*, 656, 815. *FH*, f. 112v. *FZ*, 840. Huete and Zorita lack the prisoner, horse and mule law. *FBa*, 740, 908. *FI*, 710, 874. *FAlr*, ff. 103r, 127r. *FUb*, 55L, 92. *MS8331*, 745. *FBe*, 984. *FVH*, 550. If a horse was captured during an offensive *hueste*, it secured the captor two *maravedís* or the saddle, a law missing in the Paris Arsenal manuscript, at Béjar and at Villaescusa de Haro.

75. *FCA*, 448. *FU*, 471.

76. *Espéculo*, 3:7:16-17. *Siete partidas*, 2:29:10.

77. *FCfs*, 2:6, 2:9-10, 43:2. *FCmsp*, 2:6, 2:9-10, 43:18. *FAln*, 30, 33, 819. *FBa*, 32, 35, 914x. *FI*, 26, 29, 884. *FUb*, 8:1F, 8:1J, 95. *MS8331*, 28, 772, which lacks the law favoring the person who first worked the land. *FVH*, 31, 34-35. *Siete partidas*, 2:29:10.

78. *FCfs*, 31:12. *FCmsp*, 31:8. *FTL*, 452. *FCcv*, 3:15:7. *FTR*, 619. *FAlbR*, 192. *FP*, 535. *FAlz*, 10:77. *FAln*, 653. *FH*, f. 88v. *FZ*, 679. *FBa*, 736. *FI*, 706. *FAlr*, f. 102v. *FUb*, 55H. *MS8331*, 741. *FBe*, 979. *FVH*, 546. *FCO*, 112. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108. *FU*, 179.

79. *FA*, 183. *FCO*, 112, 177. *FCR*, 8:13, 8:54. *FCM*, 311, 352. *FCA*, 177, 180. *FCB*, 108, 182. *FU*, 179, 182. *FBadajoz*, 74. *Espéculo*, 3:7:2-4. *Siete partidas*, 2:26:1-4, 15.

80. *FViguera y Val de Funes*, 5. *Siete partidas*, 2:26:19, 2:29:10.
81. Ubieto Arteta, *Ciclos económicos*, 81-86, 95-99, 109-12, 129-141. Gautier-Dalché, *Historia urbana de León y Castilla*, 385-99.
82. "Recopilación de los fueros de Toledo, (hacia 1166)," 45:479. *FCfs*, 13:4, 29:19. *FCmsp*, 13:4, 29:27. *FTL*, 413, 425. *FAlbL*, pp. 477, 483. *FCcv*, 2:3:4, 3:13:19. *FTR*, 526, 563. *FAlbR*, pp. 170, 178. *FP*, 151, 349. *FAlz*, 4:91, 13:28. *FAln*, 295, 586. *FH*, ff. 44r, 80v-81r. *FZ*, 311, 603. *FBa*, 314, 665. *FI*, 315, 636. *FAlr*, ff. 48v-49r, 94r-94v. *FUb*, 30:7C, 53C'. *MS8331*, 309, 569. *FBe*, 397, 885-86. *FVH*, 295. *FA*, 257. *FCO*, 234. *FCR*, 8:63. *FCM*, 361. *FCA*, 237. *FCB*, 232. *FU*, 243. *FToledo 1222*, 315-16. "El Papa Gregorio IX concede que los moradores de Quesada puedan comerciar con los moros," 4. *FCórdoba Lat*, 3:222. *FCarmona*, 6. *FAlicante*, 44. *FLorca*, 80.
83. "Jaume I atorga al seu fill, 20 novembre 1275," 3:473.

A SOCIETY ORGANIZED FOR WAR

James F. Powers

[188]

8 - MILITARY JUSTICE AND FRONTIER SECURITY

Military justice offers an opportunity to observe one last facet of the municipal militias' impact upon the towns they served. Military punishments ran the gamut from lesser and greater fines through temporary loss of privileges up to exile, juridical mutilation and even death. Such grim subjects hold our interest because the fines, restrictions and punishments imposed for misdeeds connected with military service yield important insights into the psychology of an exposed and dangerous frontier situation. The laws of military justice embrace every aspect of militia activity: the citizen's obligation to serve when summoned; to conform to certain norms in the conduct of a campaign; to observe properly the practices vital to the security of the town; and to distribute equitably any booty taken as the result of battle. The municipal charters of Leon, Castile and Aragon render the bulk of the information, the product of their more active militia tradition. These sources can be supplemented by the great Alfonsine codes of the later thirteenth century, the *Fuero real*, the *Espéculo* and the *Siete partidas*.

The severity of military justice as compared to that available under civil law remains a topic of periodic discussion, made more vivid for us in the recent critiques of military conduct in the Vietnamese conflict or in the Australian film *Breaker Morant* which makes some telling analogies to that conflict in its own examination of the Boer War. Certainly warfare both appears to magnify the wrongness of an act unacceptable to a particular society, while at the same time multiplying the situations in which these acts are likely to occur, thus deadening our sensitivity to the increased level of violence. Another important [189] factor is the frontier. Two contrasting societies in conflict along their borders can generate sufficient violence to provoke the descriptive word "savage", as is the case with the English wars against the North American Indians which saw the non-Western opponent as "savages", here probably confusing both its primitive and its fierce connotations. Francis Jennings has argued that this frontier savagery is largely contained in the eye of the beholder, and may have involved fierce (and primitive as well, for that matter) conduct at least as frequently on the European side as the Indian. The Christian and Muslim conflict in Iberia similarly operated in a frontier situation, described alternatively as a "crusade" or "jihad", sufficiently violent in its nature to convince at least two Spanish scholars that frontier legal traditions were exceedingly harsh.⁽¹⁾

It remains difficult to factor into the military justice of the Iberian militias the impact of the continual conflict along this frontier, save to argue that this incipient violence on a daily basis probably intensified the scale of punishments in the hope of maintaining the norms of society under such pressure while deterring the most unacceptable of battlefield violations. It is significant that the sanctions examined in the present study were executed by Christians against Christians, not against differing religious groups on opposite sides during a battle. To best understand the municipal and royal perceptions of military misconduct and the levels of seriousness of these infractions, this survey will proceed from lesser sanctions and punishments to greater ones, seeking patterns in the correspondence

of the violations and levels of punishment.

Small monetary levies are the least severe forms of sanction and offer a good starting place. The *fueros* give indication of special concern regarding the assembly of the municipal militia and the presence of those who offer service. In one sense, wartime taxes and fines constitute a form of fiscal support for the military enterprise, lying within the option of the individual and carrying no stigma for offering payment in lieu of service. Kings often preferred the funds to service and negotiated with towns for payment.⁽²⁾ In another way, however, these levies can be seen as a kind of military sanction, since those who pay these fees do so because they take no active part in the war effort, and need to compensate those who do make such a contribution. Indeed, specific occasions existed when the taxes levied for absence from the military muster were divided among the militiamen who did serve.⁽³⁾ The unpopularity of rendering service periodically surfaced. Jaime I, for example, told of the difficulty he found in holding his troops together even with punishments he personally [190] meted out, so great was their desire to return to their harvests during the campaign to retake Murcia. There is at least one Portuguese instance of assigning military service as a punishment for antisocial conduct in the community.⁽⁴⁾

Table 3 indicates the fee in lieu of service exacted for both offensive (*fonsadera* for *fonsado*, *hueste*, *cavalgada*, *exercitus*) and defensive campaigning (*apellido*) across three centuries of those municipal *fueros* which cite a specific fee.⁽⁵⁾ The table indicates that the levy ran from one to ten *maravedís* (with a few higher exceptions), tended to be double for knights as against *peones*, and seemed to tax offensive and defensive absence with rough equality. The amount of tax, levy or fine here is roughly at the same level for minor infractions committed in military situations (i.e. ten or fewer *maravedís*). The larger exceptions, although not always specifically noted in the text, are in all probability a collective fee taken from the entire town rather than from individuals.

Within the range of most of the non-service levies listed in Table 8-1 (one to ten *maravedís*), a number of smaller fees existed which could more clearly be defined as fines, exacted in connection with military activity. *Quadrilleros* who failed to provide animals to carry the ill, wounded or aged during campaigns forfeited one *maravedí* per day for each person who was inconvenienced thereby. Watchtower guards in Teruel and Albarracín who failed to respond to calls from below while on duty paid a levy of two *maravedís*, and five *maravedís* if they began their watch late or left early. Gatekeepers in the same towns paid five *maravedís* if they opened the gates during the night without proper authorization. All of these violations presumed no harm to anyone as a result, and were simple violations of everyday security procedures. Indeed, a watch supervisor (*sobrevela*) who covered for a sleeping sentry owed a thirty-*maravedí* fine to the town and lost his office for good. Similarly, if a gatekeeper allowed a criminal to pass through the gate, that *portero* paid the same thirty-*maravedí* fine to the town, lost his office, and owed double damages to any party harmed by his action.⁽⁶⁾ Christian raiders who accidentally seized the animals of fellow residents during their rustling raids owed a fine of five *maravedís* for each horse or mule so taken in Calatayud, and one *maravedí* for each ox, cow or ass.

TABLE 3

FEES CHARGED FOR MISSING APELLIDO AND FONSA DO MUSTERS

	TOWN APELLIDO FONSA DERA			
	KNIGHT	FOOT	KNIGHT	FOOT
Peñafiel (942)	--	--	10	5
Canales (1054)	--	--	2 sheep	2 sheep
Valdesaz (1064)	5	5	--	--
Nájera (1076)	--	--	5	2.5
Sepúlveda (1076)	61 collective	61 collective	61 collective	61 collective
Caparroso (1102)	--	--	unit of wheat	unit of wheat
Santacara (1102)	--	--	unit of wheat	unit of wheat
Fresnillo (1104)	--	--	3 sheep	--
Ferreira-de-Aves (1113-20)	10	10	--	--
Carcastillo (1129)	--	--	5	2.5
Cáseda (1129)	--	--	2	1
Castrotorafe (1129)	--	--	16	--
Numão (1130)	--	--	10	--
Calatayud (1131)	--	--	1	--
Marañón (to 1134)	--	--	1	--
Lara (1135)	--	--	10	10
Guadalajara (1133-37)	--	--	10	--
Leiria (1142)	5	--	--	--
Molina de Aragón (1152-56)	5	2.5	--	--
Cetina (1151-57)	--	--	5	1
Freixo (1155-57)	1	1	--	--
Estella (1164)	--	--	60	60
Toledo (c. 1166)	--	--	10	--
Escalona (later 12th C.)	--	--	10	--
Trancoso Family (1157-)	--	--	5	--
Évora Family (1166-)	10	5	5	--
Alfambra (1174-76)	--	--	10	5
Pancorbo (1176)	--	--	2	2
Zorita (1180)	--	--	3	--
Villasila (1180)	--	--	2	2
Villamelandro (1180)	--	--	2	2
Calahorra (1181)	--	--	1	1
Urros (1182)	1	1	--	--

Haro (1187)	--	--	2	2
Jaca (1187)	3	3	--	--
Bragança (1187)	--	--	3	--
Cuenca Family (c. 1190-)	2	1	2	1
†Alarcón	2	1	2	--
†Baeza	2	1	1	--
†Iznatoraf	2	1	1	--
†Alcázar	2	1	2	--
†Úbeda	2	1	1	--
†MS 8331	2	1	1	--
Teruel Family (c. 1190-1220)	5	2.5	5	2.5
Coria Cima-Coa (c. 1195-)	4	2	--	--
†Alfaiates	20	20	--	--
†Cáceres	10	5	--	--
†Usagre	10	5	--	--
Gulina (1192)	--	--	6	6
Odieta (1192)	--	--	5	5
Marmelar (1194)	5	5	5	5
Salinas (1194)	--	--	2	2
Molinaseca (1196)	100	100	--	--
Inzura (1201)	--	--	7	7
Albelda (1205)	--	--	2	2
Souto (1207)	--	--	3	3
Rebordãos (1208)	--	--	1	1
Deza (-1214)	--	--	2	2
Ibrillos (-1214)	--	--	2	2
Abelgas (1217)	1 sheep	1 sheep	1	1
Toledo (1222)	--	--	10	--
Alcalá (1223)	2	--	--	--
Ribas de Sil (1225)	1 sheep	1 sheep	--	--
Santa Cruz (1225)	1	1	--	--
Viguera y Val de Funes (c. 1230)	--	--	5	3
Ledesma (13th C.)	10	--	10	--
Pignero (1232)	--	--	10	10
Córdoba (1241)	--	--	10	--
Carmona (1252)	--	--	10	--
Alicante (1252)	--	--	10	--
Daroca (1256)	15	5	15	5
Brihuega (1256)	2	1	--	--

Mansilla (1257)	--	--	1	1‡
Campomayor (1260)	10	5	5	--
Torralba (1264?)	--	--	2	2
Lorca (1271)	--	--	10	--
La Riba (1279)	--	--	1	0.5‡
Fuentes de la Alcarria (1280- 99)		1	--	--

† Member of a larger fuero family with fees differing from norm.

‡ Fee levied on amount of property, not social class.

All fees in *solidos-maravedís*.

A general levy of ten *maravedís* is assessed in the Cuenca-Teruel charters for the same offense.⁽⁷⁾ In one interesting instance regarding animals, a wartime situation removed an occasion of fining. Ordinarily if the owner of a mare left her to graze in municipal territory in the same meadow as a stallion, the owner of the male received a stud fee of one *maravedí*, but military danger to the town permitted mare owners such a promiscuous placement of their animal without fine, since animals needed to be left in all manner of emergency locations.⁽⁸⁾

Ten *maravedís* constituted the fine for minor infractions related to campaigning and to the collection and distribution of booty. *Alcaldes* who failed to bring their own supplies when mustering a defensive *apellido* in the rural districts of the municipality paid a nominal (for an *alcalde*) ten *maravedí* fine if they attempted to live off the district.⁽⁹⁾ The Cuenca-Teruel towns levied the same fine against individuals who failed to yield booty found on the battlefield, and against commanders who tried to shave some of the royal fifth tax on booty before handing it over to the royal representative. Any disgruntled participants in the division [194] of booty who shouted "robber" or the like at some decision regarding their share had to pay a ten *maravedí* fine and forfeit the booty share for their loss of control.⁽¹⁰⁾

With a couple of small exceptions, the next tier of fine payments began at sixty *maravedís* exacted against wrongdoing of a substantial nature.⁽¹¹⁾ The Alfonsine *Espéculo* singles out three areas of special concern: disloyalty and deception against the expedition; killing or wounding one's comrades and provoking fights with them while on campaign; and stealing, hiding themselves during combat or perpetrating any act which harms their own military force.⁽¹²⁾ Viguera penalizes an individual sixty *maravedís* who steals from the home of a militiaman absent on military service. Wounding a fellow militiaman on campaign also cost sixty *solidos* in three Portuguese towns, and a hundred *maravedís* in the *Espéculo* if it led to the loss of a limb. Killing a Muslim captive on campaign cost the murderer one hundred *maravedís* in Sepúlveda.⁽¹³⁾ Beyond this level the levies soar. Individuals who leave their unit in combat whether to hide, as an act of cowardice, or to undertake premature gathering of spoils, face a four hundred *maravedí* fine in the Cordilleran *fueros*. Taking advantage of a military crisis to plan or participate in a conspiracy against the *juez*, *alcaldes* or the town *concejo* draws a five hundred *maravedí* fine in the same towns, a levy also exacted by Viguera for rendering serious damage to the town walls.⁽¹⁴⁾

In a number of instances, the town charters and the Alfonsine codes mandated the doubling of a normal fine or the restoration of a double value for an object. This applied when items of booty were illegally kept or when failing credit pledges after the auction were not met. Town officials were liable for a

number of fines during the setting up and administering of the booty auction, when they could be sanctioned for distributing shares improperly or wrongly collecting the military tax.⁽¹⁵⁾ Questioning a *fonsadera* assessment produced a doubling of that fee at Aguilar de Campó, and disputing an *alcalde's* ruling during a *fonsado* or *apellido* doubled the normal fine for that transgression in the Coria Cima-Coa charters for non-nobles and quadrupled it for knights.⁽¹⁶⁾ The Alfonsine codes give multiples of fines of three, four, six, eight and even nine times for infractions where in similar instances the municipal charters content themselves with set fines. Such instances include unjustifiable loss of a captive's property by official captive redeemers (*alfaqueques*), *quadrilleros* who mishandle booty division, and instances of booty theft and royal fifth tax embezzlement by officials who possessed community and royal trust.⁽¹⁷⁾ These fine multiples in the royal codes along with the often high level of fines in the municipal [195] codes strongly suggest the great potential disruption caused by cheating in the division of the spoils of war. Judging by the frequency of repetition of the sanctions, these efforts may not have been completely effective in dissuading such temptations. Most statutes of limitation in the charters allow brief time periods within which an individual is liable for the levy. For example, in the Cuenca-Teruel family of charters, the fee for non-attendance at the defensive muster had to be collected within three days of the return of the militia from that muster, or else no assessment could be taken.⁽¹⁸⁾ Even sanctions against the more serious crime of taking unauthorized booty had time limits. If an individual seized items from warfare and failed to render them to the booty division process, the municipal officials had twenty-seven days to prove that this had occurred and to deal with the thief. If no steps had been taken by that time, the perpetrator retained the things he had purloined without future levy of fine or other punishment.⁽¹⁹⁾

Beyond fining, monetary penalties existed through the deprivation of the share of booty one would normally have earned from the expedition. Scouts who failed to perform their duty well lost their stipend. The *Espéculo* recommends that an entire group of warriors should lose their collective shares if they failed to cooperate with a larger group in an ambush (fearing that the larger body would gain more by striking first) with resultant loss of spoils to the king. Those who insulted the booty dividers in the Cuencan towns similarly lost their shares of booty.⁽²⁰⁾ The Cuenca-Teruel charters mandated this same punishment for campsite theft and an unauthorized second registration for an extra booty share, while the Coria Cima-Coa *fueros* laid down this sanction for those who fled skirmishes in the field. In all of these charters, mutilation of the guilty parties was combined with share loss to underline the grievous nature of the transgression.⁽²¹⁾

Municipal officials bore a good deal of responsibility for the smooth operation of the military and security activities in the town, and should they violate the procedures in some manner, in addition to fines and the other assorted punishments available they could lose their present offices and their right to hold future office permanently. Careless gatekeepers and watch supervisors stood this risk in Teruel and Albarracín, as did *quadrilleros* and auctioneers caught in fraudulent booty division throughout the Cuenca-Teruel family and the Alfonsine codes.⁽²²⁾ At the same time a number of laws protected officials in their performance of their military duties. In the Cuenca-Teruel charters anyone who became disorderly in [196] response to an official decision regarding spoils division was fined and deprived of his share. The Coria group went further, permitting an *alcalde* or battle leader to wound a disruptive person without fear of fine during the division of booty. Similar guarantees of immunity protected the watch supervisors of Teruel and Albarracín who rounded up unidentified persons in the streets of those towns after dark.⁽²³⁾ The anti-conspiracy laws have already been noted. With all of this, the municipal authorities thus possessed a reinforcement to their authority to parallel the increase in their responsibilities during wartime and its aftermath.

Imprisonment occurs as a punishment for military offenses with comparative rarity in the municipal charters, but more frequently in the Alfonsine codes. This suggests that the towns could not afford to give over municipal space to incarceration facilities beyond rather short term needs. Indeed, all municipal examples of imprisonment occur in discussing the town security procedures while the militia was in the field. During militia operations or anytime during the harvest season, the town felt particularly exposed and intensely sensitive to the possibility of attack. For that reason, officials viewed offenses against security procedures with much gravity. Individuals in the towns with Cuenca-Teruel charters had to carry a light through the streets of the town after the sunset closing of the gates for the purpose of visibility and ready identification. Failure to obey the requirement resulted in a night in jail, prior to being brought before the representatives of the *concejo* on the following day. This "jail" may have constituted little more than retention in open space in some kind of stocks. Authorities in these towns could also imprison suspected arsonists in the same manner during tense periods of heightened militia activity. Lérida also required a light in the streets at night, but merely fined the transgressor.⁽²⁴⁾ These measures extended to those who wished to leave the town for the surrounding countryside in the Coria Cima-Coa charters.⁽²⁵⁾ The *Siete partidas* also recommended temporary imprisonment in irons and fetters for the duration of the campaign as a sanction against those who refused to follow orders, those who fomented discord on campaign, and as a third offense punishment for those who recklessly consumed provisions while in the field. This kind of imprisonment often functioned as a temporary holding action until more serious steps could be taken to punish a transgressor.

In contrast to the records for fines, the more serious violations and their punishments find no accounting until the later twelfth century. Among the more serious legal sentences is exile, a kind of outlawry depriving the individual of his legal protections, which in municipal law drives the resident [197] from his town and its surrounding *alfoz* and in a royal code expels the individual from the entire realm. Exile from the kingdom tended to be the result of major battlefield failures, such as not serving in the face of a major emergency, cowardly flight from combat, abandoning a standard during a conflict or failing to pick a fallen one up when the opportunity arose, neglecting to care properly for a major siege engine resulting in the failure of a siege, dishonoring a combat leader, causing an uprising over booty division in combat, or stealing some of the booty if one were a combat leader.⁽²⁶⁾ Excessive pillaging and scavenging for booty while active combat continued could result in outlaw status in both town and kingdom. The charter of Parga of 1225 alludes to virtual "free companies" of raiders under renegade *alcaldes*, mandating exile for those who damage the region and refuse to be brought under control.⁽²⁷⁾ Unwarranted flight from the battlefield, which caused serious harm to the militia or the royal army, similarly merited exile.⁽²⁸⁾ The Cuenca-Teruel charter towns also exiled an individual convicted of robbing the house of a warrior while the victim was rendering his military service, while the Coria Cima-Coa towns of Leonese Extremadura exiled citizens for lying to secure an unjust indemnification for a horse lost in combat and those who slept on guard or scouting duty.⁽²⁹⁾ While outlawry and exile appear on the surface to be an exceedingly harsh punishment, the fluidity of the Reconquest allowed individuals to move from town to town rather easily, or even from kingdom to kingdom within the Peninsula. They often forfeited their properties in the former area of residence, but with their horse and military gear intact, a new start might be undertaken in another place.⁽³⁰⁾

to modern minds a more striking punishment is the practice of judicial mutilation. This form of sanction, inhuman as it appears to us today, had a long ancient and medieval background, giving psychological and symbolic overtones which made its use seem natural to the time. A variety of grades and types of mutilation existed to fit different crimes, some temporary and others permanent in their effect. This kind of punishment did not primarily aim at cruelty as an end in itself, but rather as a reminder to all who saw the punished culprit that he had committed a serious violation against community interests. Mutilation brought a form of forced repentance on the individual, and induced

emotional satisfaction in the minds of those troubled by such crimes in their midst. Crown and facial hair offered the possibility of both temporary and permanent disfigurement. Should the *concejo* wish to cause an individual temporary disgrace, he could be sentenced to have his head or beard (or both) [198] shaved (Latin *tondere*, vernacular *desquilar* or *trasquilar*). The Cuenca-Teruel charters contain laws which fine any person who performs this act on another without just cause. Compared to more serious mutilations, the fines are small, although the guilty shaver had to assist in managing the house of the victim until his hair grew back.⁽³¹⁾

By itself this shearing of the prideful male hair and beard in the manner of a sheep constituted a potent penalty. The Cid and other heroes swore by their beards and the shearing must have induced an intense humiliation. However, shaving was often paired with the cutting of the ears in the Cuenca-Teruel Cordilleran *fueros* (for theft at the military campsite or for fraudulently attempting to obtain an extra booty share) and with exile in the Leonese Extramaduran charters (for lying regarding a horse indemnity or falling asleep on guard and scouting duty). These last charters also applied this sanction without exile for fleeing from a battle.⁽³²⁾

The disfigurement of the ears was a punishment for theft in the Cuenca-Teruel charters and in the Alfonsine codes, although the *Partidas* indicates a royal preference for face branding over ear cutting for the first offense.⁽³³⁾ Another even more ferocious penalty appears in the removal of a hand, which tends to be associated with unlawful violent acts that injure other residents during wartime, for rousing dissent leading to an individual striking a commander, or for injuring any battle commanders while on the campaign or as they made booty awards.⁽³⁴⁾ The Coria group also removed the hand of one who stole the horse of a companion during a mounted *cabalgada* raid. The charters do not indicate whether left or right hand is to be severed, but certainly this goes well beyond cosmetic mutilation to affect the very ability to function effectively in this frontier society. Ransomers (*alfaqueques*, *exeas*) suffered the same atrocities they inflicted, should they perform them on those they brought back from Muslim lands. Blinding was recommended for non-aristocrats who stirred up discord on campaign.⁽³⁵⁾

Another form of mutilation closely related to shaving of face and crown hair but far more gruesome and permanently disfiguring was that act described in the Latin charters by the verb *depilare* and in the vernacular Romance versions as *mesar* or *pelar*. The Cuenca-Teruel *fueros* discuss this act in a law which immediately follows the law on shaving another without just cause. The individual who "depilated" another, instead of a fine of ten *maravedís* and some caretaking chores in the victim's dwelling until his locks returned, paid a two-hundred-*maravedís* [199] fine and is exiled for his misdeed or fights a judicial duel to avoid that fate.⁽³⁶⁾ As to the meaning of the words, a certain ambiguity exists. *Depilare* can mean either skinning or close shaving, but seems sharply distinguished from the *tondere* type of shaving notable in the preceding law. *Mesar* appears to connote plucking or uprooting of the hair while *pelar* suggests the removal of a layer of skin. I have concluded that at least in so far as the crown of the head is concerned, something very like scalping is being practiced. Certainly one of the easiest ways to remove hair is to peel the layer of skin containing the hair roots, while grasping the hair assists in peeling back the scalped layer of skin. Scholars have debated an earlier tradition of potential decalvation in Visigothic law, concerning themselves as to whether shaving or actual skinning was being sanctioned.⁽³⁷⁾ One might gainsay this decalvation interpretation by observing the close connection of death and scalping on the American and Indian frontier, but both sides used scalping as a recording device after a kill, not as a way to kill. Numerous examples of Westerners surviving a scalping have been recorded, giving wig merchants a potential income. This information is not intended to contribute to the recent misinformed debate regarding the theory that Europeans taught New World Indians to scalp, which has recently been put to rest. Rather it simply indicates that Iberians in all probability did not need to be taught the grisly skill by the Indians of the

New World. Both possessed ample experience upon their first encounter.⁽³⁸⁾

Whether skinning, scalping or uprooting constituted the preferred technique, the result had to be devastating to the pride of the victim in a society that made much of the male mane. In addition to the Cuenca-Teruel penalty for attacking another person in this manner, Alfonso X's charter to Palencia charged the perpetrator one *sueldo* per hair uprooted. Leonese Extremaduran charters most frequently draw on this form of punishment for military misconduct, such as; withdrawal from a conflict to take booty, stealing booty from companions, or misappropriating spoils during distribution. *Peones* who dragged their feet on the way to a defensive *apellido* muster in the Coria Cima-Coa charters (if three residents so testified) also received this unpleasant treatment, although knights convicted of the same dalliance suffered the mutilation of their horse, instead.⁽³⁹⁾ The mutilation of a horse customarily took the form of cutting off its tail. In addition to knightly delay regarding proper haste in getting to the military assembly, the Leonese Extremaduran charters also amputated the horse's tail if its master tried to give it to another in order to avoid military service. Since this embarrassing loss of a horse's tail also occurred accidentally in battle, the Alfonsine codes [200] authorized compensation for a horse so injured so that a knight might acquire a replacement, avoiding the recriminating stares of his fellow warriors who may not have been aware of the manner in which his horse came to its present state.⁽⁴⁰⁾

Beyond this, the most extreme form of sanction in any society can only be capital punishment. Iberian frontier society did not apply this terminal sanction with the rapidity one might expect along a military frontier in the Middle Ages. It was invoked only for exceedingly serious crimes: refusal to pay large fines for great misdeeds; acts with grave consequences; and repeated commission of grievous anti-communal behavior.

On the field of battle, wounding a fellow citizen who subsequently died brings death to the perpetrator.⁽⁴¹⁾ Despoiling a battlefield while a conflict remained in progress and thus endangering one's comrades or tempting their greed could lead to the death sentence if the royal *señor* was killed as a result, the king in any way harmed, or the heavy four hundred *maravedí* fine was not paid. A non-noble who violated the agreement made with a surrendering town by taking booty paid with his life.⁽⁴²⁾ Refusing to assist a fellow militiaman in need, hiding or fleeing during combat also incurred a large four hundred *maravedí* fine or death if no payment, although the *Espéculo* concerned itself with such variables as: flight with a battle standard (thus taking all other participants off the field with oneself); distance from the conflict at the moment of flight (thus making one's own flight the cause for the flight of others); the ultimate harm done by the flight (such as the failure of the enterprise, the death of a commander, and personal harm to the king).⁽⁴³⁾ The Alfonsine laws also applied the death penalty for giving critical information to the enemy or traitorous conduct during battle, wounding or killing a battle commander, persistent failure to obey orders, and persisting in the provocation of an uprising against a leader.⁽⁴⁴⁾

Marginal to the battlefield situation were traitorous gate keepers or security guards who slept at critical times or refused to serve resulting in the militia being defeated, the death of the *señor* or harm to the king.⁽⁴⁵⁾ Ransomers who betrayed the town or who killed their charges stood liable to execution, as well.⁽⁴⁶⁾ Under this marginal category we can also place the illegal dealers in the arms trade. Here there is a strong contrast between conviction for selling to other Christians, where the levy of a twenty *maravedí* fine is standard for the offense, and the conviction for taking arms into Muslim territory to sell them, when the death penalty was imposed in the Cuenca family of charters and a one hundred *maravedí* [201] fine in Teruel and Albarracín, transmutable to the death penalty if the fine was not promptly paid.⁽⁴⁷⁾ Such a severe sanction can only suggest the prevalence of this trade and the deep concern for its effects.

The most serious kinds of military theft made one liable for execution, as well. The *Espéculo* explains that theft under any conditions is unacceptable, but in a wartime situation it can only be dealt with by magnified fines and severe retaliation, including death. The royal codes saw the theft of provisions as particularly outrageous, and a second conviction for this crime meant death to a non-noble (and exile to a noble).⁽⁴⁸⁾ Officials who managed booty had to be especially trustworthy so as to generate community confidence in its proper distribution. *Quadrilleros* (municipal parish booty dividing officers) who stole or misappropriated booty owed a triple-value fine and were executed if they did not pay. Battle commanders also risked large fines, and a second conviction of theft by a commander brought him death if he were not a noble. Auctioneers of spoils and town clerks who committed deliberate fraud in their division tasks similarly received the terminal sanction.⁽⁴⁹⁾

The forms of death applied by the community and king have their curious side. The killing or morally wounding of a fellow citizen while on campaign required that the murderer be buried alive with his victim in the Cuenca-Teruel towns and the Alfonsine codes. Only Teruel and Albarracín allowed the parents of the victim to choose hanging for the offender as an option, doubtless to allay the concern over the company their son's bones might be keeping to eternity. The Leonese Extremaduran *fueros* specified hanging the offenders, except in the case of guards who out of ill will permitted harm to befall the militia, in which case they were to be burned to death.⁽⁵⁰⁾ For the crimes of despoiling the field, battle cowardice, traitorous acts, and for the murderous ransomer, the Cuenca-Teruel towns had their respective standard forms of municipal execution. Cuenca, Alarcón, the town receiving the Arsenal 8331 manuscript, and Béjar threw the convicted parties off a nearby cliff. Teruel, Albarracín and Plasencia traditionally hanged such persons. Zorita de los Canes and Alcázar sometimes employed either of these methods. Alcaraz, Huete, Baeza, Iznatoraf and Úbeda do not specify the method of execution.⁽⁵¹⁾ The Alfonsine codes offered their own interesting variants. The second conviction for theft of provisions brought death by starvation, but the *Siete partidas* offered a sporting alternative. The convicted party could be buried to the waist while another person (possibly the victim of his provisions theft) hurled a spear at the half-interred thief from a distance of nine paces. A miss allowed the perpetrator to go free; if he was [202] hit he suffered the consequences of the wound.⁽⁵²⁾ For the recalcitrant traitor who escaped after his capture and returned to the enemy, a noble was beheaded if retaken again. The king recommended execution in the most unusual way possible for the non-noble, although offering no suggestion as to what method he had in mind. Given the methods of execution reviewed so far, that sanction must have been remarkable, indeed. If such a traitor avoided recapture and died in enemy territory, he was never to be buried in the kingdom. Here royal wrath was truly unremitting, for if anyone subsequently discovered the unauthorized burial site of the individual within royal lands, the body was to be disinterred and the bones scattered or burned.⁽⁵³⁾

The spectrum of sanctions from petty fines to capital punishment were applied in the context of a municipal system of justice, administered by officials with quasi-judicial titles, the royal *juez* and the parish *alcaldes*, with occasional appeal to the municipal assembly or *concejo*. Lacking the modern investigative agencies with their legal staffs, one cannot assume that trials connoted the same procedure to the Iberian townsmen that present day versions mean to us. Justice was anything but impartial. The codes differentiated between knights and non-nobles, between men and women, between those of good reputation and those less highly regarded. Obviously any new settler, particularly one thought to have been mutilated in another town, would stand at an obvious disadvantage in a society where one's reputation and word carried a great deal of weight. For example, if an individual missed a defensive muster in the Cuenca-Teruel towns, he could explain his failure by asserting that he was absent from the town or for some other reason did not hear the call. If he swore this to be true, it was accepted. The same applied if an individual seized another resident's livestock in a cattle raid, and insisted this had been accidental. If the accuser or victim had no countering independent testimony to offer, the raider

could successfully swear his innocence and be free of the fine.⁽⁵⁴⁾ For more serious violations or accusations, the municipal officials sought witnesses to establish the facts. In Leonese and Portuguese charters the number of witnesses is occasionally specified. Two witnesses had to testify in behalf of an individual who stood accused of missing the *apelido* in Urros if he wished to be free of the fine. The Coria Cima-Coa charters specify two witnesses to prove an individual slept on guard duty, and three in cases of establishing horse theft and proving delay in route to the defensive muster.⁽⁵⁵⁾

When witnesses gave the *concejo* officials a clear case, the individual [203] received the appropriate penalty. As with modern justice, the case proving that a person had committed the transgression for which he stood accused could not always be convincingly demonstrated. In such an ambiguous instance, the municipalities resorted to a favorite medieval legal technique: the taking of oaths in behalf of a person, presumably meant to establish that a person of this character was an unlikely perpetrator of the crime being investigated. Here, especially, the established reputation of an individual in the community came into play, since a stranger would have been unlikely to acquire the necessary number of oath pledgers to clear the accusation. The number of swearers required varied with the seriousness of the charge. Two persons sufficed in Teruel and Albarracín to free one of an unproven charge of petty theft, and to clear an individual of hurting a Muslim captive in Sepúlveda.⁽⁵⁶⁾ Four to five swearers had to be found when individuals stood accused of illegally shaving a resident in the Cuenca-Teruel charters or of selling arms to the Muslims in the Coria Cima-Coa *fueros*.⁽⁵⁷⁾ Twelve tended to be the most commonly cited number of oath jurors required for military infractions and crimes. Molina de Aragon required this number in cases dealing with guards accused of injuring humans or animals while on duty. Theft, premature battlefield despoilment, hiding or flight during a battle, failure to assist a comrade during combat, scalping or plucking the hair of a resident, and stealing from the home of a militiaman while he was in the field -- all of these instances required twelve oath takers in the accused's behalf to free him in an uncertain case in the Cuenca-Teruel charters.⁽⁵⁸⁾ The option of a judicial duel in lieu of the twelve jurors is granted in the scalping/plucking cases by all of the Cuenca-Teruel towns save Zorita. This option also appears in Teruel and Albarracín for house robbers, and in those two towns plus Plasencia, Huete, Zorita and Béjar with regard to theft.⁽⁵⁹⁾

Militia activity also had an impact upon the normal working of the municipal judicial system. The town suspended legal business until the militia returned from service, delayed the testimony of witnesses, and did not customarily resume these matters until a three- to nine-day time lapse had occurred after the militia reentered the walls.⁽⁶⁰⁾ The towns extended the pledges of debtors when they were absent on military service, although taking care to inquire of the commander after the militia returned whether the person in question had served on that campaign. If an individual had been captured, the pledge extension could last a year. Given the ready acceptability of a debtor's militia comrades as debt pledge supporters, [204] their return from the field also necessitated delays. Even servants could not legally leave their masters until the conclusion of the latter's military service.⁽⁶¹⁾

Any conclusions we can draw regarding military justice in the municipalities must be tempered by certain limitations. For one, the law codes represent ideals for conduct and we lack the records of enforcement and adjudication that would inform us of their detailed application and their total impact. It is thus difficult to be certain of the regularity with which these penalties were imposed. In a fluid frontier situation, many of the death penalties may well have evolved into sentences of exile since the offender could simply move to another town or another kingdom rather than submit to the municipal or royal sentence. These sanctions do tell us something of townsmen's intent and their views regarding military infractions and crimes. The military context of the times certainly magnified the crimes and their respective sanctions. Frontier mobility may have, however, had an indirect effect. Towns and kings were never sufficiently blessed with settlers and warriors in the Central Middle Ages. The crimes

of one area might be unknown, readily forgiven, or overlooked in another. It is this steady flow of violent persons from one frontier zone to the next that may have been the most important stimulus for stringent laws, and the greatest problem in enforcing them. In an age that lacked passports, identity papers and credit cards, this may have provided the best rationale for mutilation, an extremely negative form of identification which made clear to an individual's new neighbors the sort of settler and militiaman with whom they were dealing.

Moreover, as is the case with for booty division, the Leonese, Castilian and Aragonese charters are the dominant sources for military justice. Beyond fining for missed service, the Cuenca-Teruel charters of the Castilian-Aragonese Cordillera and the Coria Cima-Coa charters of Leonese-Portuguese Extremadura provide us with most of the details we have regarding military infractions and their punishments. Since the Portuguese, Navarrese and Catalans also required forms of municipal military service, obviously many of the same problems were encountered, but the records which would detail their experience in these matters have not survived. What the upland *fueros* and the Alfonsine codes do offer us is a detailed sketch of the well-developed system of military justice evolved by these towns. Both here and in the case with booty division, developed procedures strongly suggest a mature military system being pressed into fairly consistent use.

Since it can be assumed that active militias required operating procedures, [205] it is not surprising that this society created or evolved a body of law and the sanctions to keep it in force. Any human organization has certain mores and norms which it holds to be basic for conduct in its society, built from a matrix formed by the traditions and the environment in which it exists. Inevitably penalties are necessary to punish those who attempt to circumvent these standards, and the frontier tendencies toward disorder could only sharpen the desire for securing conformity to law. Any frontier milieu increases pressure on the sheer ability to survive, pressing compliance with municipal regulations as a vital ordering principle in a world where any carelessness could engender substantial losses of persons and wealth. Violators of the law faced the weight of community wrath when the stability of the town was at stake. By adding to this fierce concept of frontier justice the stern tendencies of military law in any society, the heavy penalties and cruel punishments which hung over the collective heads of the municipal militiamen become more understandable. Any town had to be able to count on the conduct of its militia, and any commander on the reliability of his men. Even with sanctions, there is ample evidence of renegades of both religions, freebooters and outlaws who lived in defiance of these norms in a fluid frontier situation.

The development of the municipal militia placed considerable power in the hands of a town warrior, a power which required control and channeling. The military laws of the *fueros* pointed to the proper goals while the concurrent sanctions sought the assurance that the resident would adhere to them. While the charters are generally obscure on the subject of military justice until the late twelfth century, indications lead one to the conclusion that the more active the municipal militias became in combat and the more sophistication their military organization, the harsher was their application of military law. The expansion of the municipal role in the maintenance of territory and the frontier brought a mature awareness of the great cost of lawlessness and insubordination. This accounts for the growing prevalence of exorbitant fines, mutilations, exiles and death sentences so notable in the great charter families. If the concept of punishment seems primitive to us, so too was the environment in which the townsmen lived. If the lure of booty provided the carrot of incentive to procure full effort from the militiamen, the sanctions applied by military justice constituted the stick.

Notes for Chapter 8

1. Jennings, *The Invasion of America*, 146-70. Sacristán y Martínez, *Municipalidades de Castilla y León*, 285. Ubierna y Eusa, *Fueros municipales castellanos*, 30-31. For a useful brief review of the sanctions in medieval Iberian military justice, see Moxó, "Derecho militar," 35-59.
2. *CPA*, 47. "Carta de franquicias de Almacellas," 1:449. Canellas López, *Colección diplomática del Concejo de Zaragoza*, 1:239-42.
3. ³"Fuero de Lara," 142. *FTR*, 140. *FAlbR*, 45. *Fuero de Torre de Tiedar, 1247*, MSS 13080, f. 77v. "Alfonso X de Castilla, a petición de los habitantes de la villas de Extremadura, desagravia a los de Cuéllar, 1264," 64. "Fuero de Sepúlveda, 1300," 92.
4. "Llibre dels feits del Rei En Jaume," Ch. 403. "Confirmação do foral alfonsino de Lisboa, 1217," 1:3-4.
5. "Carta-puebla de Peñafiel, 942," 66:373. "Fuero de Canales de la Sierra," 50:317-18, 54:196. "Fueros de Valdesaz de los Oteros," 2:35. "Fuero concedido a Nájera," 2:84-85. "El fuero latino de Sepúlveda, 48. "Pedro I concede carta de fueros de Caparrosos," 371. "Pedro I concede los fueros de Santacara," 373. "Fuero de Fresnillo," 46-48. "Foral outorgado aos habitantes de Ferreira de Aves," 1:49. "Fuero de Carcastillo," 470-71. "Fuero de Cáteda," 474-77. "(Foral de) Numão, 1130," 1:368. *Fuero de Calatayud*, 37. "Fuero de Marañon" 2:121. *FLara*, 140. "Fuero de Guadalajara, 1137," 108. "D. Afonso Henriques dá carta de foral aos habitantes de Leiria," 1:234. *Fuero de Molina de Aragón*, 84-85. "Fuero de Cetina," 24:591. "Foral outorgado aos povoadores de Freixo, 1:309-13. "Fuero de Estella," 1:1:87, 144-45. "Recopilación de los fueros de Toledo (hacia 1166)," 45:474-75. "Fuero de Escalona, 1130," 45:465. For the Trancoso and Évora families, see Appendix A. *Fuero de Alfambra*, 25. "Fuero de Pancorbo," 2:447. "Fuero de Castrotrafe," 480. "Carta de fueros otorgada al concejo de Zorita por el rey Don Alfonso VIII, 1180," 418-19. "Alfonso VIII mejora ciertos fueros de Calahorra, 1181," 3:57. "Alfonso VIII concede fuero a los concejos de Villasila y Villamelendo," 2:556. "Foral concedido aos moradores de Urros," 1:466. "Alfonso VIII concede un fuero de Haro," 2:804-06. "Alfonso II confirma los antiguos fueros y costumbres de Jaca, 1187," 72. "(Foral de) Bragança," 1:463. *FCfs*, 30:3, 31:1. *FCmsp*, 30:3, 31:1. *FTL*, 426, 447. *FAlbL*, 485, 493. *FCcy*, 3:14:2, 3:15:1. *FTR*, 573, 612. *FAlbR*, 180, 189-90. *FP*, 494, 529. *FAlz*, 10:3, 10:67. *FAln*, 593, 644. *FH*, ff. 82r, 87r. *FZ*, 611, 671. *FBa*, 672, 726. *FI*, 641, 696. *FAlr*, ff. 95v, 101r-101v. *FUb*, 54C, 55A. *MS8331*, 693, 735. *FBe*, 895, 964. *FVH*, 542. *FA*, 190a. *FCO*, 182. *FRCR*, 3:55. *FCM*, 126. *FCA*, 184. *FCB*, 187. *FU*, 187. "Fuero del valle de Gulina," 458-59. "Fuero octroyé, en 1192, aux habitants de la vallée d'Odieta," xvi. "(Foral de) Marmelar," 1:489. "Alfonso VIII concede al concejo de Salinas (de Añana) un fuero 3:122. "Fuero dado a Molinaseca," 2:157. "Fuero de Inzura," 59-60. "El obispo de Calahorra don Juan, el prior y el concejo de Albelda," 3:203. "(Foral de) Souto, 1207," 1:535. "(Foral de) Rebordãos," 1:538. "Alfonso VIII determina el tributo de los vecinos de Deza," 3:636. "Alfonso VIII concede fuero a Ibrillos," 3:651-53. "Fuero de Abelgas, 16:646-47. "Fueros de población de Toledo dado a los muzárabes y castellanos, 1222," 314. "Fuero de Alcalá de Henares," Sánchez, ed., 286. "Fueros de Ribas de Sil," 2:570. "(Foral de) Sancta Cruz," 1:603. *Fuero de Viguera y Val de Funes*, 50. "Fuero de Ledesma," 263-64. "Fuero de Pignero," 150. *FCórdoba Lat*, 3:221-22. "Fuero de Carmona," 4-6. "Fuero de Alicante," 42, 45. "Privilegio en que el rey (Jaime I) sanciona los estatutos de Daroca, 1256," 35. *El fuero de Brihuega*, 173. "El Obispo de León y el Concejo de Mansilla llegan a un acuerdo," 20:740. "Fuero de Campomayor," 500. "Teobaldo II concede a los pobladores de Torralba los fueros," 242. "Fuero de Lorca, 1271," 78. "Privilegio confirmación del rey Don Alfonso concediendo a los de La Riba," 1:626. "Fuero de Fuentes de la Alcarria," 18:382.

6. *FCfs*, 30:19. *FCmsp*, 30:17. *FTL*, 129-32, 426. *FAlbL*, 432-33, 487. *FCcv*, 3:14:11, the only version which includes the right of the deceased to receive an animal for portage back to town. *FTR*, 137-40, 582. *FAlbR*, 44-45, 183. *FP*, 503, a quarter *maravedí* per day. *FAlz*, 10:19. *FAln*, 609. *FH*, f. 84r. *FZ*, 626. *FBa*, 685. *FI*, 657. *FAlr*, ff. 97r-97v. *FUb*, 54P. *MS8331*, 702-03. *FBe*, 913. *FVH*, 512.
7. *FCalatayud*, 45. *FCfs*, 33:21. *FCmsp*, 33:19. *FTL*, 460. *FCcv*, 4:2:9. *FTR*, 643. *FAlbR*, 198, at five *maravedís*. *FP*, 664, at one *maravedí*. *FAlz*, 11:34. *FAln*, 685. *FH*, f. 93r, at five *maravedís*. *FZ*, 717, at five *maravedís*. *FBa*, 776. *FI*, 747. *FAlr*, f. 107. *FUb*, 59J. *MS8331*, 590. *FBe*, 1024. *FVH*, 575.
8. *FA*, 355. *FCO*, 341. *FCR*, 7:11. *FCM*, 277. *FCA*, 339. *FCB*, 346. *FU*, 348.
9. *FCO*, 328. *FCR*, 8:65. *FCM*, 363. *FCA*, 321. *FCB*, 327. *FU*, 330.
10. *FCfs*, 30:41-42, 60. *FCmsp*, 30:38-39, 56. *FTL*, 437-38. All versions of the Teruel and Albarracín charters lack the reference to the commanders retaining some of the fifth tax. *FAlbL*, 490. *FCcv*, 3:14:26, 3:14:35. *FTR*, 595-96. *FAlbR*, 186-87. *FP*, 516-17, 526. *FAlz*, 10:41-42, 10:59-60. *FAln*, 625, 637. *FH*, ff. 85r, 86v. *FZ*, 647, 664. *FBa*, 704-05, 719. *FI*, 675-76, 689. *FAlr*, ff. 99r, 100v-101r. *FUb*, 54K', 54L', 54C". Úbeda breaks the ranks of the group to mutilate the ears of the unhappy share participant. *MS8331*, 717-18, 729. *FBe*, 935-36, 956. *FVH*, 528, 539.
11. The exceptions were selling arms illegally to Christians from another town (twenty *maravedís*) and the aforementioned watch supervisor who failed to report a sleeping sentry and the gatekeeper's fine (both thirty *maravedís*) for permitting a criminal to pass his gate. *FCfs*, 29:29. *FCmsp*, 29:27. *FTL*, 130, 132, 425, the only manuscript containing a thirty *maravedí* fine for arms sales. *FAlbL*, 432-33, 483. *FCcv*, 3:13:19. *FTR*, 138, 140, 563. *FAlbR*, 44-45, 178. *FP*, 349. *FAlz*, 13:28. *FAln*, 586. *FH*, ff. 80v-81r. *FZ*, 603. *FBa*, 665. *FI*, 636. *FAlr*, ff. 94r-94v. *FUb*, 53C'. *MS8331*, 569. *FBe*, 885-86.
12. "El Espéculo o espejo de todos los derechos," 3:8:0.
13. *FViguera y Val de Funes*, 50-51. If such theft involved housebreaking in the Cuenca-Teruel towns, the punishment was exile. *FFreixo*, 1:311. *FUrros*, 1:466. *FSancta Cruz*, 1:603. *Espéculo*, 3:8:4. "Fuero romanceado de Sepúlveda, 1300," 77. Sepúlvedans paid 10 *maravedís* for bruising a Muslim captive unnecessarily, although this probably says more about their property value than any human concern in their behalf. Stealing an item of booty which should have been placed in a common pool cost the thief one hundred *maravedís* in the Coria Cima-Coa charters. *FA*, 188. *FCO*, 178. *FCR*, 8:55. *FCM*, 353. *FCA*, 181. *FCB*, 183. *FU*, 183.
14. *FCfs*, 31:11-13. *FCmsp*, 31:7-9. *FTL*, 451-52. *FAlbL*, 495. *FCcv*, 3:15:6-8. *FTR*, 617-20. *FAlbR*, 191-92. *FP*, 534, 536. *FAlz*, 10:76-78. *FAln*, 653-54. *FH*, ff. 88r-88v. *FZ*, 678-80. *FBa*, 735-37. *FI*, 705-07. *FAlr*, ff. 102r-102v. *FUb*, 55G, 55H, 55I. *MS8331*, 740-42. *FBe*, 977-80. *FVH*, 546-47. While none of the conspiracy statutes mention a militia-related situation specifically, they are positioned in the block of military laws in their respective charters. The *Siete partidas* demands up to seven times the amount of the damage done in the case of such an uprising. *Las siete partidas*, 2:26:16-7. *FViguera y Val de Funes*, 79.
15. *FCfs*, 30:42-55, 30:64-65. *FCmsp*, 30:39-52, 30:60-61. *FTL*, 438-44, 445. *FAlbL*, 490-93. *FCcv*, 3:14:26-32, 37. *FTR*, 596-605, 609-10. *FAlbR*, 187-89. *FP*, 517-24, 527. *FAlz*, 10:42-55, 64-65. *FAln*, 625-34, 641-42. *FH*, ff. 85r-86r, 86v-87r. *FZ*, 647-60, 668-69. *FBa*, 705-16, 723-24. *FI*, 676-86, 693-94. *FAlr*, ff. 99r-101r. *FUb*, 54L'-54Y', 54G"-H". *MS8331*, 718-26, 733. *FBe*, 936-51, 961-62. *FVH*, 528-36, 541. *FLedesma*, 264. *Espéculo*, 3:8:8. *Siete partidas*, 2:26:34, 2:29:4.
16. "Privilegio del Rey D. Alfonso X, en que condonando a la villa de Aguilar de Campó," 1:314-15. *FA*, 191. *FCO*, 186. *FCR*, 2:57. *FCM*, 73. *FCA*, 189. *FCB*, 190-91. *FU*, 192. Cáceres and Usagre have the above statement conforming to the other members of the family, but list no fines and leave the

multiplying factor thereby unclear.

17. *Fuero real del don Alonso el Sabio*, 4:4:13-14. *Fuero real de Afonso X, O Sábio: Versão portuguesa*, 133. *Espéculo*, 3:8:3-8. *Siete partidas*, 2:26:12, 20. 2:28:6-7, 2:30:3.

18. *FCfs*, 31:10. *FCmsp*, 31:6. *FTL*, 450. *FAlbL*, 494. *FCcv*, 3:15:5. *FTR*, 616. *FAlbR*, 191. *FP*, 533. *FAlz*, 10:75. *FAln*, 652. *FH*, f. 88r. *FZ*, 677, the only charter extending the period to nine days. *FBa*, 734. *FI*, 704. *FAlr*, f. 102r. *FUb*, 55F. *MS8331*, 739. *FBe*, 976. *FVH*, 545.

19. *FCfs*, 31:14. *FCmsp*, 31:10. *FTL*, 452. *FCcv*, 3:15:9, where the period is only nine days. *FTR*, 621. *FAlbR*, 192. *FP*, 537. *FAlz*, 10:79. *FAln*, 654. *FH*, f. 88v. *FZ*, 681. *FBa*, 738. *FI*, 708, where the period is thirty-six days. *FAlr*, f. 102v. *FUb*, 55J. *MS8331*, 743, where any booty, not just Muslim booty, is allowed. *FBe*, 981. *FVH*, 548.

20. *FCfs*, 30:8-9, 41. *FCmsp*, 30:7-9, 38. *FTL*, 426, 437. *FAlbL*, 486-87. *FCcv*, 3:14:6, 26. *FTR*, 577-78, 595. *FAlbR*, 181, 186-87. *FP*, 498, 516. *FAlz*, 10:8-9, 41. *FAln*, 600-01, 625. *FH*, ff. 82v-83r, 85r. *FZ*, 616-17, 647. *FBa*, 676-77, 704. *FI*, 647-48, 675. *FAlr*, ff. 96r-96v, 99r. *FUb*, 54H, 54I, 54K'. *MS8331*, 697-98, 717. *FBe*, 901-02, 935. *FVH*, 528. *Espéculo*, 3:8:7.

21. *FCfs*, 30:37-38. *FCmsp*, 30:34-35. *FTL*, 433-34. *FAlbL*, 490. *FCcv*, 3:14:24. *FTR*, 592-93. *FAlbR*, 186. *FP*, 514-15. *FAlz*, 10:37-38. *FAln*, 624. *FH*, f. 84v. *FZ*, 643-44. *FBa*, 701-02. *FI*, 672-73. *FAlr*, f. 99r. *FUb*, 54G', 54H'. *MS8331*, 715-16. *FBe*, 931-32. *FVH*, 526. *FCO*, 112. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108. *FU*, 179.

22. *FCfs*, 30:55. *FCmsp*, 30:52. *FTL*, 130, 132, 444. *FAlbL*, 432-33, 492. *FCcv*, 3:14:32. *FTR*, 138, 140, 605. *FAlbR*, 44-45, 189. *FP*, 524. *FAlz*, 10:55. *FAln*, 634. *FZ*, 660. *FBa*, 716. *FI*, 686. *FAlr*, f. 100v. *FUb*, 54Y'. *MS8331*, 726. *FBe*, 951. *FVH*, 536. *Espéculo*, 3:8:3. *Siete partidas*, 2:26:33, 2:28:8.

23. *FCfs*, 30:41. *FCmsp*, 30:38. *FTL*, 130, 437. *FAlbL*, 44, 490. *FCcv*, 3:14:26. *FTR*, 138, 595. *FAlbR*, 44, 186-87. *FP*, 516. *FAlz*, 10:41. *FAln*, 625. *FH*, f. 85r. *FZ*, 647. *FBa*, 704. *FI*, 675. *FAlr*, f. 99r. *FUb*, 54K'. *MS8331*, 717. *FBe*, 935. *FVH*, 528. *FCO*, 122. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108. *FU*, 179. *Espéculo*, 3:8:9. *Siete partidas*, 2:23:16.

24. *FCfs*, 30:1. *FCmsp*, 30:1. *FTL*, 130, 426. *FAlbL*, 432, 484-85. *FCcv*, 3:14:1. *FTR*, 138, 569-71. *FAlbR*, 44, 179-80. *FP*, 492. *FAlz*, 10:1. *FAln*, 592. *FH*, ff. 81v-82r. *FZ*, 609. *FBa*, 670. *FI*, 639. *FAlr*, ff. 95r-95v. *FUb*, 54A. *MS8331*, 692-93. *FBe*, 893. *Costumbres de Lérida*, 176.

25. *FCO*, 236. *FCR*, 8:70. *FCM*, 368. *FCA*, 239. *FCB*, 234. *FU*, 245.

26. *FCfs*, 31:12. *FCmsp*, 31:8. *FTL*, 451. *FAlbL*, 495. *FCcv*, 3:15:6. *FTR*, 618. *FAlbR*, 192. *FP*, 534. *FAlz*, 10:77. *FAln*, 653. *FH*, ff. 88r-88v. *FZ*, 679. *FBa*, 736. *FI*, 706. *FAlr*, f. 102v. *FUb*, 55H. *MS8331*, 741. *FBe*, 978. *FVH*, 546. *Espéculo*, 3:5:2-3, 3:5:9, 3:5:13-15, 3:6:9-10. *Siete partidas*, 2:26:16-17, 2:28:6-7. The *Partidas* also exiled a noble convicted for a second time of stealing provisions.

27. *FCfs*, 31:11. *FCmsp*, 31:7. *FTL*, 451. *FAlbL*, 495. *FCcv*, 3:15:6. *FTR*, 617. *FAlbR*, 191-92. *FP*, 534. *FAlz*, 10:76. *FAln*, 653. *FH*, f. 88r. *FZ*, 678. *FBa*, 735. *FI*, 705. *FAlr*, ff. 102r-102v. *FUb*, 55G. *MS8331*, 740. *FBe*, 977. *FVH*, 546. *FCO*, 112. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108. *FU*, 179. *Espéculo*, 3:6:2., 3:7:4. "Fuero de Parga (Coruña), 1225," 16:653-54.

28. *FCfs*, 31:12. *FCmsp*, 31:8. *FTL*, 451. *FAlbL*, 495. *FCcv*, 3:15:6. *FTR*, 618. *FAlbR*, 192. *FP*, 534. *FAlz*, 10:77. *FAln*, 653. *FH*, ff. 88r-88v. *FZ*, 679. *FBa*, 736. *FI*, 706. *FAlr*, f. 102v. *FUb*, 55Hx. *MS8331*, 741. *FBe*, 978. *FVH*, 546. *Espéculo*, 3:5:17.

29. *FCfs*, 30:65. *FCmsp*, 30:62. *FTL*, 446. *FAlbL*, 493. *FCcv*, 3:14:38. *FTR*, 611. *FAlbR*, 189. *FP*, 528. *FAlz*, 10:66. *FAln*, 643. *FH*, f. 87r. *FZ*, 670. *FBa*, 725. *FI*, 695. *FAlr*, f. 101r. *FUb*, 54I". *MS8331*, 734. *FBe*, 963. *FVH*, 541. *FCO*, 112. *FCR*, 8:12. *FCM*, 310. *FCA*, 177. *FCB*, 108. *FU*, 179. Plasencia and

Escalona also formed a mutual agreement between their two towns (c. 1200) which noted that any resident of one town who killed a resident of the other while on campaign should be exiled. "Carta de hermandad entre Plasencia y Escalona," 3:507.

30. *Espéculo*, 3:5:2-3, 3:5:12, 3:5:17-18, 3:6:4-7.

31. *FMolina*, 115. *FCfs*, 12:17. *FCmsp*, 12:17. *FTL*, 387. *FAlbL*, 473. *FCcv*, 2:2:9. *FTR*, 499. *FAlbR*, 165-66. *FP*, 87. *FAlz*, 4:70. *FAln*, 274. *FH*, f. 40v. *FZ*, 289. *FBa*, 291. *FI*, 291. *FAlr*, f. 46r. *FUB*, 30:3L. *MS8331*, 284. *FBe*, 372. *FVH*, 274. Molina charges a fifty *maravedí* fine for this act, the Cuenca group list a ten *solido* fine, Teruel and Albarracín have sixty, and Plasencia states one hundred.

32. *FCfs*, 30:37-38. *FCmsp*, 30:34-35. *FTL*, 433-34. *FAlbL*, 490. *FCcv*, 3:14:24. *FTR*, 592-93. *FAlbR*, 186. *FP*, 514-15. *FAlz*, 10:37-38. *FAln*, 624. *FH*, f. 84v. *FZ*, 643-44. *FBa*, 701-02. *FI*, 672-73. *FAlr*, f. 99r. *FUB*, 54G', 54H'. *MS8331*, 715-16. *FBe*, 931-32. *FVH*, 526. *FCO*, 112. *FCR*, 8:12-13. *FCM*, 310-11. *FCA*, 177. *FCB*, 108. *FU*, 179. Strangely enough, while the Coria Cima-Coa charters omit the paired punishment of exile for battle flight, the Cuenca-Teruel charters assign the exile for this same act of cowardice.

33. *FCfs*, 30:35, 30:37-38. *FCmsp*, 30:32, 30:34-35. *FTL*, 431, 433-34. *FAlbL*, 489-90. *FCcv*, 3:14:23-24, which allows the hand or the ears to be taken off. *FTR*, 590, 592-93. *FAlbR*, 185-86. *FP*, 512, 514-15. *FAlz*, 10:35, 10:37-38. *FAln*, 622, 624. *FH*, f. 84v. *FZ*, 641, 643-44. *FBa*, 699, 701-02. *FI*, 670, 672-73. *FAlr*, ff. 98v-99r. *FUB*, 54E', 54G', 54H'. *MS8331*, 713, 715-16. *FBe*, 929, 931-32. *FVH*, 524, 526. Teruel and Albarracín also shave and cut the ears of those who intend to send messages to the Muslims. *Espéculo*, 3:8:5. *Siete partidas*, 2:28:6. The *Partidas* envisioned this punishment as suitable for non-noble persons, only.

34. *FCfs*, 30:9-10. *FCmsp*, 30:9-10. *FTL*, 426. *FAlbL*, 486. *FCcv*, 3:14:6. *FTR*, 579. *FAlbR*, 181-82. *FP*, 499. *FAlz*, 10:9-10. *FAln*, 601-02. *FH*, f. 83r. *FZ*, 617-18. *FBa*, 677-78. *FI*, 648-49. *FAlr*, f. 96v. *FUB*, 54I, 54J. *MS8331*, 698. *FBe*, 903-04. Alarcón and Alcázar note the wounding of a knight rather than a leader to bring on the penalty. *FA*, 183. Alfaiates lacks the hand-removing law. *FCO*, 112, 175. *FCR*, 8:13, 8:53. *FCM*, 311, 351. *FCA*, 177-78. *FCB*, 108, 180. *FU*, 179-80. *Espéculo*, 3:8:4. *Siete partidas*, 2:28:5. The only Portuguese *foral* to mention injuring another on campaign levied a fine of sixty *solidos* in that instance. *FSancta Cruz*, 1:603.

35. *FCO*, 112x. *FCR*, 8:12. *FCM*, 310. *FCA*, 177. *FCB*, 108. *FU*, 179. *Siete partidas*, 2:28:4, 2:30:3.

36. *FCfs*, 12:18. *FCmsp*, 12:18. *FTL*, 391. *FAlbL*, 473. *FCcv*, 2:2:10. *FTR*, 503. *FAlbR*, 166. Teruel and Albarracín leave the choice of the fine-exile or the duel to the pleasure of the victim. *FP*, 94. *FAlz*, 4:71. *FAln*, 275. *FH*, f. 40v. *FZ*, 290. *FBa*, 292. *FI*, 292. *FAlr*, ff. 46r-46v. *FUB*, 30:3M. *MS8331*, 285. *FBe*, 373. *FVH*, 275.

37. King, *Law and Society*, 90. Lear, "The Public Law in the Visigothic Code," 26:15-16.

38. Axtell and Sturtevant, "The Unkindest Cut, or Who Invented Scalping?" 37:451-72. For pre-Columbian scalping, see Friederici, *Skalpierten und ähnliche Kriegsgebräuche in Amerika, passim*.

39. Valfermoso de las Monjas permitted the victim a year to make his complaint to the *alcaldes*, or forfeit the right to recompense. "Fuero dado á Valfermoso de las Monjas," 123. "Fuero romanceado de Palencia," 11:511. *FA*, 183, 188, 342. *FCO*, 177-178, 336. *FCR*, 3:55, 8:54-55. *FCM*, 126, 352-53. *FCA*, 180-81, 185. *FCB*, 182-83, 335. *FU*, 182-183, 188. The miscreant booty dividers were given the opportunity to pay a one hundred *maravedí* fine first, but if unable to pay suffered this penalty. "Fuero de Badajoz," 74.

40. *FA*, 189. *FCO*, 179. *FCR*, 8:56. *FCM*, 354. *FCA*, 182. *FCB*, 184. *FU*, 185. *Espéculo*, 3:7:12. *Siete partidas*, 2:25:5.

41. *FCfs*, 30:45-47. *FCmsp*, 30:42-44. *FTL*, 441-42. *FAlbL*, 491. *FCcv*, 3:14:28. *FTR*, 599-600. *FAlbR*, 187. *FP*, 519. *FAlz*, 10:45-47. *FAln*, 628-29. *FH*, f. 85r. *FZ*, 650-52. *FBa*, 707-08. *FI*, 678-79. *FAlr*, f. 99v. *FUb*, 54V, 54O, 54P. *MS8331*, 720. *FBe*, 939-41. *FVH*, 530-31. *FCO*, 112. *FCR*, 8:13. *FCM*, 311. *FCA*, 177. *FCB*, 108. *FU*, 179. *Espéculo*, 3:8:4. *Siete partidas*, 2:28:5, a punishment for non-nobles, while nobles are exiled.

42. *Espéculo*, 3:6:2-5, 3:7:2-3. *Siete partidas*, 2:26:19. The knight who violated the rights of a surrendering town drew exile as a punishment. *FCfs*, 31:11. *FCmsp*, 31:7. *FTL*, 451. *FAlbL*, 495. *FCcv*, 3:15:6. *FTR*, 617. *FAlbR*, 191-92. *FP*, 534. *FAlz*, 10:76. *FAln*, 653. *FH*, f. 88r. *FZ*, 678. *FBa*, 735. *FI*, 705. *FAlr*, ff. 102r-102v. *FUb*, 55G. *MS8331*, 740. *FBe*, 977. *FVH*, 546.

43. *FCfs*, 31:12. *FCmsp*, 31:8. *FTL*, 451. *FAlbL*, 495. *FCcv*, 3:15:6. *FTR*, 618. *FAlbR*, 192. *FP*, 534. *FAlz*, 10:77. *FAln*, 653. *FH*, ff. 88r-88v. *FZ*, 679. *FBa*, 736. *FI*, 706. *FAlr*, f. 102v. *FUb*, 55H. *MS8331*, 741. *FBe*, 978. *FVH*, 546. *Espéculo*, 3:5:17-18. Viguera y Val de Funes simply see these failures as acts of traitors unless properly excused, but offer no sanction. *Fuero de Viguera y Val de Funes*, 49.

44. *Espéculo*, 3:8:2, 3:5:12, 3:6:10. *Siete partidas*, 2:28:2-3, 2:26:16-17.

45. *FTL*, 129, 131-32. *FAlbL*, 432-33. *FTR*, 137, 139-40. *FAlbR*, 44-45. *Espéculo*, 3:6:7.

46. *FCfs*, 41:2. *FCmsp*, 41:3. *FTL*, 507. *FCcv*, 4:11:(10)3. *FTR*, 730. *FAlbR*, 221. *FP*, 682. *FAlz*, 12:24. *FAln*, 776-77. *FH*, f. 106r. *FZ*, 805. *FBa*, 869. *FI*, 825. *FAlr*, f. 119v. *FUb*, 70A. *MS8331*, 660. *FVH*, 645. *Siete partidas*, 2:28:6.

47. *FCfs*, 13:4, 29:19. *FCmsp*, 13:4, 29:27. *FTL*, 413, 425. *FAlbL*, 477, 483. *FCcv*, 2:3:4, 3:13:19. *FTR*, 526, 563. *FAlbR*, 170, 178. *FP*, 151, 349. *FAlz*, 4:91, 13:28. *FAln*, 295, 586. *FH*, ff. 44r, 80v-81r. *FZ*, 311, 603. *FBa*, 314, 665. *FI*, 315, 636. *FAlr*, ff. 48v-49r, 94r-94v. *FUb*, 30:7C, 53C. *MS8331*, 309, 569. *FBe*, 397, 885-86. *FVH*, 295. Curiously enough, the Coria Cima-Coa charters settled for confiscating the contraband weapons, unless the individual could prove he was not going to sell them. *FA*, 257. *FCO*, 234. *FCR*, 8:63. *FCM*, 361. *FCA*, 237. *FCB*, 232. *FU*, 243.

48. *Espéculo*, 3:8:5. *Siete partidas*, 2:28:6.

49. *Siete partidas*, 2:26:12, 2:28:7, 2:26:33-34.

50. *FCfs*, 30:45-47. *FCmsp*, 30:42-44. *FTL*, 441-42. *FAlbL*, 491. *FCcv*, 3:14:28. *FTR*, 599-600. *FAlbR*, 187. *FP*, 519. *FAlz*, 10:45-47. *FAln*, 628-29. *FH*, f. 85r. *FZ*, 650-52. *FBa*, 707-08. *FI*, 678-79. *FAlr*, f. 99v. *FUb*, 54V, 54O, 54P. *MS8331*, 720. *FBe*, 939-41. *FVH*, 530-31. *FCO*, 112. *FCR*, 8:12-13. *FCM*, 310-11. *FCA*, 177. *FCB*, 108. *FU*, 179. *Espéculo*, 3:8:4. *Siete partidas*, 2:28:5, a punishment for non-nobles, while nobles are exiled.

51. *FCfs*, 31:11-12, 41:2. *FCmsp*, 31:7-8, 41:3. *FTL*, 129, 131-32, 451, 507. *FAlbL*, 432-33, 495. *FCcv*, 3:15:6, 4:11:(10)3. *FTR*, 137, 139-40, 617-18, 730. *FAlbR*, 44-45, 191-92, 221. *FP*, 534, 682. *FAlz*, 10:76-77, 12:24. *FAln*, 653, 776-77. *FH*, ff. 88r-88v, 106r. *FZ*, 678-79, 805. *FBa*, 735-36, 869. *FI*, 705-06, 825. *FAlr*, ff. 102r-102v, 119v. *FUb*, 55G, 55H, 70A. *MS8331*, 660, 740-41. *FBe*, 977-78. *FVH*, 546, 645.

52. *Espéculo*, 3:8:5. *Siete partidas*, 2:28:6.

53. *Siete partidas*, 2:28:6.

54. *FCfs*, 31:2-3, 33:21. *FCmsp*, 31:2-3, 33:19. *FTL*, 448, 460. *FAlbL*, 493-94. *FCcv*, 3:15:1-2, 4:2:9. *FTR*, 612, 614, 643. *FAlbR*, 190, 198. *FP*, 529-30, 664. *FAlz*, 10:68-69, 11:34. *FAln*, 645, 647, 685. *FH*, ff. 87v, 93r. *FZ*, 672-73, 717. *FBa*, 727, 776. *FI*, 697, 747. *FAlr*, ff. 101v, 107v. *FUb*, 55B, 55C, 59J. *MS8331*, 590, 735. *FBe*, 968, 970, 1024. *FVH*, 543.

55. *FUrros*, 1:466. *FA*, 342. *FCO*, 112, 336. *FCR*, 3:55, 8:12. *FCM*, 126, 310. *FCA*, 177, 185. *FCB*,

108, 335. *FU*, 179, 188.

56. *FTL*, 443. *FAlbL*, 491. *FTR*, 601. *FAlbR*, 187-88. *FSepúlveda 1300*, 77.

57. *FCfs*, 12:17. *FCmsp*, 12:17. *FTL*, 387. *FAlbL*, 473. *FCcv*, 2:2:9. *FTR*, 499. *FAlbR*, 165-66. *FP*, 87. *FAlz*, 4:70. *FAln*, 274. *FH*, f. 40v. *FZ*, 289. *FBa*, 291. *FI*, 291. *FAlr*, f. 46r. *FUb*, 30:3L. *MS8331*, 284. *FBe*, 372. *FVH*, 274. *FA*, 257, which foregoes witnesses and hangs the accused. *FCO*, 234. *FCR*, 8:63. *FCM*, 361. *FCA*, 237. *FCB*, 232. *FU*, 243.

58. *FMolina*, 83-84. *FCfs*, 12:18, 13:4, 30:48, 31:11-12. *FCmsp*, 12:18, 13:4, 30:45, 31:7-8. *FTL*, 391, 413, 451. *FAlbL*, 473, 477, 495. *FCcv*, 2:2:10, 2:3:4, 3:14:28, 3:15:6. *FTR*, 503, 526, 618. *FAlbR*, 166, 170, 191-92. *FP*, 94, 151, 520, 534. *FAlz*, 4:71, 4:91, 10:48, 10:76-77. *FAln*, 275, 295, 629, 653. *FH*, ff. 40v, 44r, 85r-85v, 88r-88v. *FZ*, 290, 311, 653, 678-79. *FBa*, 292, 314, 709, 735-36. *FI*, 292, 315, 680, 705-06. *FAlr*, ff. 46r-46v, 48v-49r, 99v, 102r-102v. *FUb*, 30:3M, 30:7C, 54Q', 55G, 55H. *MS8331*, 285, 309, 721, 740-41. *FBe*, 373, 397, 942, 977-78. *FVH*, 275, 295, 531, 546. There are some variances in the Cuenca family in these laws. Zorita requires only six jurors for scalping and battlefield despoilment, and on petty military theft Plasencia, Alcaraz, Alarcón, Zorita, Alcázar and MS 8331 follow the example of Teruel and Albarracín requiring only two oath swearers.

59. *FCfs*, 12:18. *FCmsp*, 12:18. *FTL*, 391, 443, 446. *FAlbL*, 473, 491, 493. *FCcv*, 2:2:10. *FTR*, 503, 601, 611. *FAlbR*, 166, 187-89. *FP*, 94, 520. *FAlz*, 4:71. *FAln*, 275. *FH*, ff. 40v, 85r-85v. *FZ*, 653. *FBa*, 292. *FI*, 292. *FAlr*, ff. 46r-46v. *FUb*, 30:3M. *MS8331*, 285. *FBe*, 373, 942. *FVH*, 275.

60. "Fueros de Medinaceli," 439. *FCfs*, 26:14-15, 40:12. *FCmsp*, 26:10-11, 40:12. *FTL*, 257, 505. *FAlbL*, 454. *FCcv*, 3:10:10, 4:10:7. *FTR*, 272, 716. *FAlbR*, 90, 216. *FP*, 308, 452. *FAlz*, 9:10-11, 12:13. *FAln*, 549, 764. *FH*, ff. 75r, 103r-103v. *FZ*, 551, 793. *FBa*, 619-20, 860. *FI*, 613, 818. *FAlr*, ff. 89r, 117r-117v. *FUb*, 50G, 50H, 50I, 68G. *MS8331*, 527, 648. *FBe*, 815-16. *FVH*, 637. *FA*, 235. While the remainder of the Coria Cima-Coa group allow the delay for both *fonsado* and *azaria*, Alfaiates mentions the *azaria* only. *FCO*, 224. *FCR*, 4:23. *FCM*, 153. *FCA*, 225. *FCB*, 224. *FU*, 231.

61. *FEstella*, 1:1:113. *FCfs*, 23:12, 23:14-15, 25:2, 36:3. *FCmsp*, 23:12, 23:14-15, 25:2, 36:3. *FTL*, 188-89, 237, 465. *FAlbL*, 449. *FCcv*, 3:7:4, 3:9:2, 4:5:3. *FTR*, 194, 259, 677. *FAlbR*, 63bis-64, 83-84, 205. *FP*, 263, 297, 411. *FAlz*, 8:89, 8:91-92, 8:135, 11:68. *FAln*, 495-96, 531, 719. *FH*, ff. 66r, 71r, 97r-97v. *FZ*, 482-83, 485-86, 530, 750. *FBa*, 555-58, 597, 811. *FI*, 557, 593, 781. *FAlr*, ff. 80v-81r, 89r, 111r. *FUb*, 44K-44N, 47A, 62C. *MS8331*, 474, 509, 619. *FBe*, 720, 722-23, 779. *FVH*, 599.

A SOCIETY ORGANIZED FOR WAR

James F. Powers

[207]

EPILOGUE--AND PROLOGUE

The contribution made by the municipal militias in Iberia during the Central Middle Ages is remarkable. Spawned by the reality of contending societies across a military frontier, they filled a vital place in the needs of the peninsular monarchies they served, expanding their capabilities when the situation required and giving their kings valuable flexibility in military and economic programs. Most particularly, the town armies of the peninsula provided a defense in depth to protect their realms from Muslim intrusion; ranged the frontier in missions of their own initiative and that of their ruler; institutionalized their military procedures in complex law codes that continue to tell us much about their lives; and brought a set of frontier necessities and their hardships under control, so that risk might be insured, excesses punished, and even a profit turned. Neither the Reconquest nor the Iberian states it shaped could have taken the form they did without this municipal contribution.

The Iberian towns show some strong lines of comparison with their French and Italian counterparts. The conflict engendered by Florence and Siena has its echo in the battles of Salamanca, Ávila, Ciudad Rodrigo and Talavera to claim and hold the substantial territories which surrounded their towns. In a similar manner, the city of Toulouse used its military forces to extend its grasp throughout the central Garonne Valley during the mid-thirteenth century hiatus between the decline of the Counts of Toulouse and the increasing growth of royal power in southern France.⁽¹⁾

Moreover, one cannot fail to be struck by the parallel between the epic battles of [208] Las Navas de Tolosa and Bouvines. For the most crucial single battle of the Reconquest, Las Navas de Tolosa, King Alfonso VIII had at his disposal in 1212 the militias of Ávila, Segovia, Medina del Campo and Toledo (and probably more). In 1214, King Philippe II utilized the militias of Corbie, Amiens, Beauvais, Compiègne and Arras for that most crucial event in the development of the French monarchy, the battle of Bouvines. Yet in neither the Italian nor the French examples are the distances the same. The combats within the Papal States, Tuscany and the Lombard League rarely required the town militia to serve much beyond a hundred kilometer radius of the home city. To reach Bouvines, the French militias had to travel between fifty to one hundred fifty kilometers, and were so exhausted from their effort that they did not perform well in the battle itself.⁽²⁾ Excluding the four hundred kilometer range required to perform at Lucena, the militias which served Alfonso VIII at Las Navas traveled more than twice as far across more hostile country than any French militia at Bouvines. Whatever the level of their performance there, the chronicles make no reference to their exhaustion. It is this extraordinary range and capability for audacious independent action which give the Iberian militias an aura of fascination as a historical phenomenon.

1284 did not conclude the work of the Reconquest or the activity of the peninsular municipal militias. The Andalusian towns which remained in contact with the Muslim frontier of the principality of Granada maintained active armies which continued both to fight border skirmishes with Granadan forces and to join royal armies for larger expeditions against the Nasrid dynasty and their occasional

North African allies. Protected by the crests, ridges, valleys and passes of the Baetic Cordillera, the Muslims would stand their ground for two more centuries before a determined ten-year campaign led by Fernando and Isabel crushed the last resistance and allowed the royal couple to receive the keys of the Alhambra from the last emir. While the older militias of the Meseta were largely isolated from this two-century conflict, they did find periodic outlets for their capabilities in the various brotherhoods which formed to protect municipal interests against the turbulent forces which buffeted the Castilian monarchy during the Later Middle Ages. Through these *hermandades* a number of military effectives would be recruited from the Meseta towns into the Santa Hermandad, to join the militias of the Andalusian *concejos* in the final peninsular assault against Granada and its territories. Their combat skills would survive to threaten Fernando and Isabel's Habsburg grandson Charles in the great Comunero [209] uprising of 1520-21. The urban military tradition thus had its place in the forging of a Spanish military system whose *tercios* and light cavalry would become the dominant European military force in the sixteenth century.⁽³⁾

However, the evolution of the peninsular municipal militias had crossed a significant historic divide by the end of the thirteenth century, marked largely by the reigns of Alfonso X, Jaime I and Afonso III. For Portugal and the Crown of Aragon, direct contact with the Islamic frontier had been broken. To be sure, both of these states remained keenly interested in frontier expansion in North Africa and, for Aragon, in the central and eastern Mediterranean. Both joint and separate enterprises were planned and occasionally executed by the Iberian monarchies after this time, including the final combined effort launched against Granada by the Catholic Kings. Nonetheless, the actual separation of Portugal and Aragon from direct land contact ended the direct participation of their municipal militias in the war to the Muslim south. Like the militias of Navarre earlier, the Portuguese and Aragonese municipal armies were destined to atrophy save for purely local concerns of order and defense. The great collections of customs granted to such towns as Garvão, Alcaçer, Guarda, Santarém and Beja in Portugal and to Valencia and Tortosa in the Crown of Aragon contain little or no reference to military obligations or their associated activities. Local defense remained well organized, as the records of Barcelona and Valencia indicate, and the large municipal musters by Jaime and his son Pedro demonstrate a continuing militia capability to the end of the thirteenth century, but the need for offensive campaigning by the towns in the peninsula certainly must have declined after Pedro II's reign.⁽⁴⁾ Indeed, without the concern of an active military frontier to police, the monarchy sought very sensibly to restrain this military capability on the part of the towns. As the future history of both Castile and Aragon would demonstrate, municipal militias could be used to resist royal will as easily as to execute it.

The thirteenth-century Muslim poet al-Rundî mourned the loss of the great Islamic cities of Andalusia, Murcia and Valencia as the "pillars" of Arabic Spain.⁽⁵⁾ Were these and the other towns, which had been lost either through settlement or capture, destined to be the pillars of the Christian kingdoms instead? Certainly in the case of coastal Portugal and the Crown of Aragon this proved to be true. These towns of the littoral became the great economic centers for the growing Atlantic and Mediterranean maritime commerce, an enterprise that diversified their social and economic life to a substantial degree. In this trade, Catalonia possessed an edge not to be relinquished until the mid-fifteenth century. During this period, [210] the larger towns and cities of Portugal and Catalonia-Valencia conformed rather more closely to the experience of the other southern European municipalities than was to be the case in Castile, where the economic diversity was less and the enduring military influence much greater. The gradual completion of the Aragonese peninsular frontiers in the thirteenth century almost certainly contributed its booty-hungry militiamen to a group called the Almogavers who specialized in warfare and frontier fighting in Aragon and Castile. Emerging from obscure origins, they first appear as the initial assault force on Córdoba in 1236, and then reappear in the chronicles of Jaime I and Pedro III's reign. Even here, it was the overseas expansion of Catalan interests which provided military

opportunities for this group, once Murcia had been consolidated in Castilian hands and that frontier closed.⁽⁶⁾

To be certain, Castile had conquered its share of great Muslim cities, especially Córdoba and Seville, but these were forced to undertake the total reintegration of their economies as a result of the Christian conquest. Cut off from North Africa, the Islamic economic network and Sudanese gold, their artisans dislodged from the heart of the cities, these great Andalusian municipalities would not survive the transition to Christian control in the same state of economic health as was the case with Valencia. The conquest had added the cattle ranching of Andalusia to the sheep farming of the Meseta as primary influences upon the urban economy of Castile. Leather and wool became significant export items, benefiting the trading fair towns of the north as Medina del Campo and commercial centers like Burgos, providing a contrast with the emerging fishing and shipping industry of the Asturo-Cantabrian coast. This tended to bring a rather narrow focus to a number of the economies of the sheep raising towns whose militias had played so large a role in the twelfth and thirteenth centuries.

In the final analysis, the tie between the sheep economy and the wide ranging militias of the Meseta towns seems always to have been close. The militias spawned during the first penetration of the Trans-Duero grasslands, and developed in part to protect the municipal livestock interests in the central Iberian grazing lands. As the Reconquest united the grazing zones of Andalusia with those of the northern Meseta, the sheep runs and cattle trails became increasingly important, causing wool to become the dominant product. These forces tended to harden some of the municipal economies into the molds which had formed during the era of expansion: a single-product economy based on a raw material produced for export. In the larger Andalusian towns and [211] the more important commercial centers north of the Duero, significant merchant and trading classes developed and merged with the older *caballería villana* class, a phenomenon made possible by the declining pressures of military service after the conquest of Andalusia and by the careful distinction made between *caballeros* who held their position through economic position and those who continued to enjoy the honor of serving in the older military class. The contrast between some of the narrower municipal economies as against those which developed a degree of economic diversity has led recent scholarship to divide on the question of the economic health and social diversity in the later medieval towns of Castile. Teófilo Ruiz argues that many of the later medieval municipal economies are strong, but Gautier-Dalché proclaims a far gloomier picture: "The great blossoming, which between the eleventh and thirteenth centuries covered the lands of the Kingdom of Castile with municipalities, did not render all the fruits that it promised."⁽⁷⁾ Newer research seems to be favoring the position of Ruiz as against that represented by Gautier-Dalché.

With the slowing of the Reconquest frontier and the isolation of many of the municipalities and their militias from regular combats typical of the era from Alfonso VII through Fernando III, the social process which had favored upward movement through military prowess began to lose the sources of its fluidity. In the more important commercial centers, business success provided some alternative options, but this route did not effectively exist in many towns and, when available often did not offer full equality with the older *caballero* aristocracy. In the heyday of the fluid frontier, the Cuenca-Teruel family of charters had specifically awarded horses to those *peones* who had unhorsed a Muslim *jinete* at a crucial location on a battlefield, thereby changing that footsoldier's social class, and improving his future options in combat, in the division of booty, and even in pasturage rights in the grazing lands of the town. The Alfonsine codes offered considerable prizes, even houses and property, for similar heroic acts.⁽⁸⁾ How often the footsoldiers found themselves in this opportune position or actually received the prizes offered in these codes is unknown to us, but the widespread incidence of such law suggests that the possibility was genuine. Decreasing these options for the *peones* through the declining incidence of combat, which also reduced the periodic casualties that assured vacancies in the municipal knightly

class, inevitably contributed to the hardening of class stratifications.

Alfonso X's *fueros* also indicate the *caballeros villanos* attempted [212] to maintain and extend their class prerogatives, expanding their dependent retinues while performing their military duties with increasing reluctance. During the fourteenth and fifteenth centuries this class of urban knights gradually increased its domination of municipal government. The Castilian monarchy from Fernando III's time onward abetted their political and social aggrandizement by attempting to develop an armed knightly class of high ranking *caballeros de linaje* (blood nobility) and lesser *caballeros villanos* in the towns of the Toledo charter family and the Andalusian south, seeking to retain a mobile fighting force in the lower Meseta and the Granadan frontier. In striving to solidify their aristocratic position the *caballeros villanos*, who might have aimed for manufacturing and trading dominance in many of the other towns of medieval Europe, rather disassociated themselves from such activities, concentrating instead on their livestock and agrarian interests, enhancing their blood lines, their rights and their tax exemptions, and occasionally rendering military service, although not always of a kind that benefited the monarchy.⁽⁹⁾

As a result, the war machine developed during the Central Middle Ages to absorb Muslim lands and "retake" the Peninsula from the faithful of Allah had a differing residual effect in the various Christian Iberian kingdoms. The capability of the militias in the "society organized for war" had been least developed in Portugal, Navarre and the coastal Crown of Aragon. Long distance campaigning and booty had not permanently affected the municipal way of life in these regions, and their rulers could dull the edge of urban military experience through economic options and adventures not so closely associated with continuing border warfare. In Castile this facile possibility lay beyond reach. As long as the border with Granada remained open and North African reinforcements loomed hard by the Straits, a continuing military capability was necessary. The highly institutionalized military structures of the Castilian towns, the regular infusion of booty into the municipal economies, and even royal codes which sought to assure that "men will continue to seek war and derive pleasure from it," produced an intense experience regarding the importance of warfare in daily life. The Castilian militias could still be mustered, especially in the unsettled last years of the Burgundian dynasty and the early decades of the Trastámaras. While booty opportunities slowly declined, occasional gluts such as that provided by the battle of the Río Salado in 1340 occurred to remind municipal militiamen of the "pleasures" of combat.⁽¹⁰⁾

So it was that a kind of militarization permeated municipal life in the [213] Castilian Central Middle Ages. The lands to be won, the spoils to be divided, the hopes and opportunities of the battlefield, all this became solidly infused into municipal tradition. As with the turbulent war machines built by the contemporary English and French monarchies, these urban forces sought their natural outlets either in foreign wars or turned themselves toward internal conflicts, instead. When Islamic Granada succumbed in 1492, the New World opened new frontiers for the application of the same experience and skills. Angus MacKay has seen an analogy in the rejoicing over booty and the power it brought between the Cid and his men on their conquest of Valencia in the eleventh century and Francisco Pizarro and his followers celebrating their acquisition of the rooms full of Inca Peruvian gold and silver at Cajamarca in the sixteenth century.⁽¹¹⁾ The militiamen who celebrated similar windfalls in the Andalusian raids of the twelfth century, the triumph at Las Navas in 1212, and the captures of Córdoba, Jaén and Seville fit well into this same analogy. It was after all their descendants who would pursue the dreams of conquest provided by Cortés and Pizarro. The Portuguese also annexed a part of this world, fueled by the naval expertise acquired in part by their coastal towns in the Later Middle Ages. But in the Castilian conquests the armies of freebooting warriors constituted the major portion of the driving force. The towns and their militias had contributed to this restless, avaricious, enterprising mind set with all of its potential and its limitations that gloried and bedeviled Castile in the Early Modern Era. The extent to which this attitude influenced the making of the Castilian cultural mentality in the Spanish Renaissance

has been deftly typified by Sánchez-Albornoz: "Don Quixote and Sancho were the sons of the frontier spirit of medieval Castile, populated with heroic warlike fantasies and hallucinated by sudden, half-fantastic hopes."⁽¹²⁾ Thus the militiamen of the fourteenth and fifteenth centuries served in the epilogue of one age and the prologue of another.

Notes for the Epilogue

1. Hyde, *Society and Politics in Medieval Italy*, 80-81, 116, 183-84. Waley, "Army of the Florentine Republic," 70-108. Waley, "Papal Armies of the Thirteenth Century," 72:1-30. Waley, "Condotta and Condottiere," 337-71. Schevill, *Siena*, 131-32, 166-68. Bowsky, *A Medieval Italian Commune*, 117-58. Schevill, *Medieval and Renaissance Florence*, 1:105. Mundy, *Liberty and Political Power in Toulouse*, 14-15, 46-47, 71, 153, 261, 333. Mundy, *Europe in the High Middle Ages*, 249, 430.
2. Petit Dutailis, *The Feudal Monarchy in France and England*, 175-76, 314. Petit-Dutailis, *French Communes*, 63-74.
3. Bishko, "Spanish and Portuguese Reconquest," 3:435-56. Lomax, *Reconquest*, 173-78. Hillgarth, *The Spanish Kingdoms, 1250-1516*, 2:374-88. Ladero Quesada, *Castilla y la conquista del Reino de Granada*, 105-46, 229-38. Lunenfeld, *Santa Hermandad*, 17-51. Haliczzer, *Comuneros of Castile*, 114-79.
4. Marsá, ed., *Onomástica Barcelonesa del siglo XIV*, 3-212. Querol Roso, *Las milicias valencianas*, 23-181. "Jaime I mandó exercitum civitatibus," 1150. "Orden del Rey Jaime por carta a las ciudades," 1152. "Misit litteras dominus Rex jacobus hominibus villarum," 1158. *Misit litteras dominus Rex Petrus hominibus villis*, Reg. 43, ff. 106r-108v, 118r-118v.
5. Nykl, *Hispano-Arabic Poetry*, 338.
6. Hillgarth, *Spanish Kingdoms*, 1:16-89, 242, 2:3-87. Oliveira Marques, *History of Portugal*, 1:89-100. Soldevila, *Els almogàvers, passim*. Moreno Echevarría, *Los almogávares*, 13-29. Ximinius de Rada, "De Rebus Hispaniae," 205. "Llibre dels feits del Rei En Jaume," Ch. 103, 260, 333. Desclot, "Crònica de Bernat Desclot," Ch. 65, 67. Muntaner, "Crònica de Ramon Muntaner," Ch. 10. "Privilegio de Alfonso X al concejo de Lorca, eximiéndoles del quinto de las cabalgadas, 1265," 67-68. *Espéculo*, 3:8:2.
7. Ruiz, "Expansion et changement," 34:548-65. Ruiz, "Transformation of the Castilian Municipalities," 77:3-33. Cabañas González, *caballería popular en Cuenca, passim*. Even in the comparative frontier location of Córdoba, the integration of the commercial *caballeros de premia* class presented problems in the mustering of a military force. See Edwards, *Christian Córdoba*, 143-47. Bishko, "Peninsular Background of Latin American Cattle Ranching," 32:491-515. Pastor de Togneri, *Conflictos sociales*, 133-71. Gautier-Dalché, *Historia urbana de León y Castilla*, 465. See also the best overall review of the economic vitality of the various Iberian regions during the Later Middle Ages in Vicens Vives, *Economic History of Spain*, 155-288.
8. *FCfs*, 30:29. *FCmsp*, 30:26. *FTL*, 426. *FAlbL*, 488. *FCcv*, 3:14:18. *FTR*, 587. *FAlbR*, 184-85. *FP*, 508. *FAlz*, 10:29. *FAln*, 617. *FZ*, 635. *FBA*, 694. *FI*, 665. *FAlr*, ff. 98r-98v. *FUb*, 54Y. *MS8331*, 709. *FBe*, 923. *FVH*, 519. *Espéculo*, 3:5:7. *Siete partidas*, 2:27:7-8. Pastor de Togneri, *Conflictos sociales*, 188-89.
9. Pescador, 33-34:190-238, 39-40:190-209, 237-60. Carlé, *Del concejo medieval castellano-leonés*, 69-80. Bó and Carlé, "Cuando empieza a reservarse," 4:114-24. Pastor de Togneri, *Conflictos sociales*, 173-95. Gautier-Dalché, *Historia urbana*, 278-96. For examples of this process operating in particular towns in the Later Middle Ages, see: Ruiz, "Transformation," 77:3-33, and Edwards, *Christian*

Córdoba, 24-57, 131-63.

10. *Espéculo*, 3:7:11. Lomax, *Reconquest*, 166-78. Lourie, "A Society Organized for War," 35:54-76. The spoils from the Río Salado not only enriched Iberian combatants, but flooded the gold market of Western Europe as well. Grassotti, "Para la historia del botín," 39-40:98-132.

11. MacKay, *Spain in the Middle Ages*, 211.

12. "The Frontier and Castilian Liberties," 46.

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APPENDIX A

**PORTUGUESE CHARTER FAMILIES BASED ON
MILITARY LAW**

The lists below are grouped by the name of the town(s) that first received the charter. For each listing, the name of the town receiving the charter, the date of the charter, the grantor of the charter, and the location of the published version are cited.

THE SALAMANCA-NUMÃO-TRANCOSO FAMILY

1. Numão, Julho, 1130, Fernandus Menendiz; *MPH-LC*, 1:368-70.
2. Trancoso, Dezembro, 1157-69, Afonso I; *DMP*, 1:325-28.
3. Marialva, Dezembro, 1157-69, Afonso I; *DMP*, 1:328-31.
4. Aguiar-da-Beira, Dezembro, 1157-69, Afonso I; *DMP*, 1:331-33.
5. Celorico de Beira, Dezembro, 1157-69, Afonso I; *DMP*, 1:334-36.
6. Moreira, Dezembro, 1157-69, Afonso I; *DMP*, 1:337-39.
7. Linhares, September, 1169, Afonso I; *DMP*, 1:385-88.
- 7b Urros, 11 April 1182, Afonso I, *DMP*, 1:462-66. [variant]
8. Gouveia, Novembro, 1186, Sancho I; *MPH-LC*, 1:453-56.
9. Felgosinho, 1187, Sancho I; *MPH-LC*, 1:464-67.
10. Valhelhas, Julho, 1188, Sancho I; *MPH-LC*, 1:467-72.
11. Penedono, 1195, Sancho I; *MPH-LC*, 1:498-500.
12. Castreição, Agosto, 1196, Sancho I; *MPH-LC*, 1:501-03.
13. Guarda, Dezembro, 1199, Sancho I; *MPH-LC*, 1:508-12.
14. Villa-Franca, 1185-1211, Sancho I; *MPH-LC*, 1:552-54.
15. Valença, Agosto, 1217, Afonso II; *MPH-LC*, 1:569-72.

16. Touro, Dezembro, 1220, Pedro Alvitiz, Master of the Temple; *MPH-LC*, 1:586-89.
17. Villa Mendo, Março, 1229, Sancho II; *MPH-LC*, 1:610-12.
18. Melgaço, Maio, 1258, Afonso III; *MPH-LC*, 1:684-86.
19. Aguiar da Beira, Julho, 1258, Afonso III; *MPH-LC*, 1:687-89.

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20. Vianna, Junho, 1258-62, Afonso III; *MPH-LC*, 1:690-93.
21. Prado, Fevereiro, 1260, Afonso III; *MPH-LC*, 1:693-95.
22. Monção, Março, 1261, Afonso III; *MPH-LC*, 1:696-98.
23. Pena da Rainha, Julho, 1268, Afonso III; *MPH-LC*, 1:710-12.

THE ÁVILA-ÉVORA FAMILY

1. Évora, Abril, 1166, Afonso I; *DMP*, 1:371-73.
2. Abrantes, Dezembro, 1179, Afonso I; *DMP*, 1:451-54.
3. Coruche, Maio, 1182, Afonso I; *DMP*, 1:466-69.
4. Palmela, Março, 1185, Afonso I; *DMP*, 1:481-83.
5. Covilhan, Setembro, 1186 or 1189, Sancho I; *MPH-LC*, 1:456-59
- 6 Centocellas, Fevereiro, 1194, Bishop Pedro; *MPH-LC*, 1:487-88.
7. S. Vicente da Beira, Março, 1195, Afonso, son of Sancho I; *MPH-LC*, 1:494-96.
8. Belmonte, Julho, 1199, Sancho I; *MPH-LC*, 1:506-08.
9. Benavente, Abril, 1200, Pelagius, Master of Évora; *MPH-LC*, 1:512-14.
10. Cesimbra, Agosto, 1201, Sancho I; *MPH-LC*, 1:515-17.
11. Alpedrinha, Maio, 1202, Pedro Guterez; *MPH-LC*, 1:521-22.
12. Monte-Mór o Novo, Março, 1203, Sancho I; *MPH-LC*, 1:525-27.
13. Teiseiras e Souto-Rórigo, Agosto, 1206, Bishop Pedro of Coimbra; *MPH-LC*, 1:533-34.
14. Penamacor, Março, 1209, Sancho I; *MPH-LC*, 1:539-41.
15. Pinhel, Setembro, 1209, Sancho I; *MPH-LC*, 1:541-43.
16. Sarzedas, Janeiro, 1212, Sancho, son of Afonso II; *MPH-LC*, 1:555-57.
17. Castello-Branco, Outubro, 1213, Master of the Temple; *MPH-LC*, 1:566-67.
18. Proença Velha, Abril, 1218, Pedro Alvitiz, Master of the Temple; *MPH-LC*, 1:577-79.
19. Alcácer, Agosto, 1218, Afonso II, *MPH-LC*, 1:580-82.
20. Avis (no text), Julho, 1218, Afonso II, *MPH-LC*, 1:579.
21. Sobreira Formosa, 1222, daughter of Sancho II; *MPH-LC*, 1:589-91.
22. Lardoza, Fevereiro, 1223, Pedro Petri & Remundus Petri; *MPH-LC*, 1:592-94.

23. Avis, Setembro, 1223, Martin Fernandez, Master of Avis; *MPH-LC*, 1:595-96.
24. Marvão, 1226, Sancho II; *MPH-LC*, 1:606-07.
25. Sortelha, 1228-29, Sancho II; *MPH-LC*, 1:608-10.
26. Idanha Velha, Abril, 1229, Sancho II; *MPH-LC*, 1:613-16.
27. Salvaterra, Maio, 1229, Sancho II; *MPH-LC*, 1:616-18.
28. Elvas, Maio, 1229, Sancho II; *MPH-LC*, 1:619-20.
29. Alter do Chão, Outubro, 1232, Vicentius Electus Egitanensis; *MPH-LC*, 1:623-24.
30. Crato, Dezembro, 1232, Melendo Gundisalvi, Prior of the Hospital; *MPH-LC*, 1:624-25.
31. Canha, Fevereiro, 1235, Pelagius Peter; *MPH-LC*, 1:626-27.
32. Proença a Nova, Março, 1244, Rodrigo, Prior of the Hospital; *MPH-LC*, 1:630-32.

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33. Setúbal, 1249, P. Petri, Master of Santiago; *MPH-LC*, 1:634.
34. Aljustrel, Janeiro, 1252, Pelagius Petri, Master of Santiago; *MPH-LC*, 1:636.
35. Mértola, 1254, Paay Periz, Master of Santiago; *MPH-LC*, 1:645-47.
36. Arouche, Julho, 1255, Afonso III; *MPH-LC*, 1:651-52.
37. Penagarcia (short text), Novembro, 1256, Afonso III; *MPH-LC*, 1:667.
38. Alcaçovas, Setembro, 1258, M., Bishop of Évora; *MPH-LC*, 1:689-90.
39. Terena, Fevereiro, 1262, Egidius Martini; *MPH-LC*, 1:698-700.
40. Tolosa, Maio, 1262, Afonso, Prior of Hospital; *MPH-LC*, 1:701-02.
41. Portel, Dezembro, 1262, Joham Perez; *MPH-LC*, 1:703-05.
42. Gravão, by 1267, Pelagius Petri, Master of Santiago; *MPH-LC*, 1:708-09.
43. Seda, Maio, 1271, Frater Simeon Suerii, Master of Avis; *MPH-LC*, 1:720-21.

The *fuero* of Campomaioor given by Bishop Pedro of Badajoz in 31 Maio 1260 has military law very much in the Évora pattern.

THE SANTARÉM-LISBON-COIMBRA FAMILY

1. Santarém, Maio, 1179, Afonso I; *DMP*, 1:437-41.
2. Lisboa, Maio, 1179, Afonso I; *DMP*, 1:442-46.
3. Coimbra, Maio 1179, Afonso I; *DMP*, 1:447-50.
4. Almada (frag.), Agosto, 1190, Sancho I; *MPH-LC*, 1:475-77.
5. Povos, Janeiro, 1195, Sancho I; *MPH-LC*, 1:491-93.
6. Leiria, Abril, 1195, Sancho I; *MPH-LC*, 1:496-98.
7. Alcovaça, c.1210, Pedro, Abbot of Alcobaça; *MPH-LC*, 1:547-50.

8. Aljubarrota, c.1210, Pedro, Abbot of Alcobaça; *MPH-LC*, 1:547-50.
9. Alvorninha, c.1210, Pedro, Abbot of Alcobaça; *MPH-LC*, 1:547-50.
10. Montemór Velho, Maio, 1212, Queen Tarasia; *MPH-LC*, 1:557-59.
11. Alemquer, Maio, 1212, Sancha, daughter of Sancho I; *MPH-LC*, 1:559-61.
12. Lisboa (variant), Novembro, 1217, Afonso II; *Documentos do Arquivo Histórico da Câmara municipal de Lisboa, Livros de Reis*, I, 1:3-6.
13. Torres Vedras, Agosto, 1250, Afonso III; *MPH-LC*, 1:634-36.
14. Beja, Fevereiro, 1254, Afonso III; *MPH-LC*, 1:640-44.
15. Odemira, Abril, 1256, Afonso III; *MPH-LC*, 1:664-66.
16. Monforte, Maio, 1257, Afonso III; *MPH-LC*, 1:670-72.
17. Estremoz, Janeiro, 1258, Afonso III; *MPH-LC*, 1:679-83.
18. Silves, Agosto, 1266, Afonso III; *MPH-LC*, 1:706-08.
19. Aguiar, Junho, 1269, Steuam Rodrigues, caballero; *MPH-LC*, 1:712-15.
20. Villa Viçosa, Junho, 1270, Afonso III; *MPH-LC*, 1:717-19.
21. Evoramonte, Maio, 1271, Afonso III; *MPH-LC*, 1:721-23.
22. Castromarim, Julho, 1277, Afonso III; *MPH-LC*, 1:734-36.

THE CIDADÊLHE-PENUNXEL-REBOREDO FAMILY

1. Cidadêlhe, Março, 1224, Sancho II; *MPH-LC*, 1:599-600.
2. Alijó, Abril, 1226, Sancho II; *MPH-LC*, 1:605-06.
3. Penunxel, Agosto, 1254, Afonso III; *MPH-LC*, 1:644-45.

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4. Reboredo de Baixo, Janeiro, 1255, Afonso III; *MPH-LC*, 1:647-48.
5. Fonsim, Abril, 1255, Afonso III; *MPH-LC*, 1:649.
6. Gralheira, Abril, 1255, Afonso III; *MPH-LC*, 1:650.
7. Condado, Julho, 1255, Afonso III; *MPH-LC*, 1:653.
8. Bornes, Julho, 1255, Afonso III; *MPH-LC*, 1:655.
9. Eiriz, Julho, 1255, Afonso III; *MPH-LC*, 1:656.
10. Soveroso, Julho, 1255, Afonso III; *MPH-LC*, 1:657.
11. Capeludos, Julho, 1255, Afonso III; *MPH-LC*, 1:658.
12. Villa-Mean, Julho, 1255, Afonso III; *MPH-LC*, 1:659.
13. Ascarei, Agosto, 1255, Afonso III; *MPH-LC*, 1:659-60.
14. Véla, Agosto, 1255, Afonso III; *MPH-LC*, 1:660-61.

15. Guilhado, Setembro, 1255, Afonso III; *MPH-LC*, 1:661.
16. Barvadães, Abril, 1257, Afonso III; *MPH-LC*, 1:667-68.
17. Gouviães, 1257, Afonso III; *MPH-LC*, 1:668-69.
18. Lago-Mau, Abril, 1257, Afonso III; *MPH-LC*, 1:669-70.
19. Paredes, Junho, 1257, Afonso III; *MPH-LC*, 1:672.
20. Tinhela, Junho, 1257, Afonso III; *MPH-LC*, 1:676-77.
21. Nuzedo, Dezembro, 1257, Afonso III; *MPH-LC*, 1:677-78.

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APPENDIX B

THE CUENCA-TERUEL, CORIA CIMA-COA AND TOLEDO FORMULARIES

The first task in digesting the substantial corpus of Hispanic medieval municipal law is the identification of the related groups of charters, called families, that were granted to the towns in Aragon, Castile, Leon, and Portugal. My own methodology for establishing the groups consists in comparing the military law, finding the identical or nearly identical components of the laws granted to particular towns, and grouping municipal charters with such similar laws into families. This approach is well established in Castilian and Leonese studies, but less so in Portugal. Since the Luso-Hispanic kingdoms possessed families of town charters that clearly influenced one another's formation across the political frontier, identifying and sorting the military legal content of the charters and the geographical location of the towns receiving them has constituted my basic method for establishing the relationships discussed in this book. Some of these families group charters that are so closely related in content that many sections are virtually identical in the laws received by the towns, and in these instances the term formulary is appropriate. Especially important in the regard are the formularies discussed in this appendix: those of Cuenca-Teruel, Coria Cima-Coa, and Toledo. Scholars have long been interested in these families and their interrelationship, and my examination of the military law leads me to discuss the familial groupings of the charters and the legal interplay among them. This is provided as a background to the institutional and military evolution of the towns in the text of my study.

Understanding the military system which operated in the towns of Iberia of the Central Middle Ages requires an awareness of the municipal charters which contain our basic information and the legal background in which they were created. It is not appropriate to undertake an extensive discussion in the narrative and organizational chapters of the text, since this material necessarily distracts one from the content of the laws. Nonetheless, the legal evolution has a role to play in providing a context for these laws, particularly with regard to the interconnections of the law among the groups of charters. The royal clerks who [220] were the redactors of the charters often borrowed single laws and even entire charters from earlier municipal collections. The result was the creation of several models of municipal charters which spread through the various towns of a region, each model with individual imitations highly similar if not identical to other charters in that group. Such models with their replicas are usually referred to as formularies or families.

Urban legal evolution between 1158 to 1190 has long been overshadowed by two monumental municipal charters which appear at the end of this span: the *fueros* of Cuenca and Teruel, given by Alfonso VIII of Castile and Alfonso II of Aragon, respectively. Municipal and legal historians have long sought the origins and purpose of the law contained in these codes, but the great complexity of the variables which contributed to their formation has defied easy generalization. Following the evolution

of this law and the military obligations it stipulated is far more difficult than is the case in Portugal. The survival rate of municipal *fueros* is far poorer, especially in twelfth-century Castile, and does not present us with the tight familial patterns as can be seen with Numão-Trancoso, Évora and Santarém. Recent efforts have been extended to assemble a related group of charters for Central Castile focused around Toledo. Yet more complex is the investigation of the evolution of law in Eastern Castile, complicated as it is by Muslim-Christian conflict, Aragonese-Castilian and Navarrese competition, and the territorial traditions native to the Iberian Cordillera.⁽¹⁾ The pursuit of regional law is yet further complicated by the occasional migration of laws and even entire codes from one part of a kingdom to another. Regrettably, the extensive military law contained in Cuenca and Teruel is not prefigured by any clear predecessor in either central Castile or in the eastern Cordillera, or at least none which has survived. Moreover, since the Spanish historians who have studied the subject have tended to presume that the origins of this law were Castilian, Aragonese and Navarrese contributions to the process have tended to be undervalued. In fact, each of these regions has produced *fueros* whose accumulation of military precedents bears examining in the thirty years before Cuenca-Teruel. From the Castilian side, the most recent case has been argued by García-Gallo, who bases his case on charters similar to those granted to Toledo from the early twelfth century onward. In fact, each of these regions produced *fueros* whose accumulation of military precedents in the thirty years before Cuenca-Teruel bears examining.

Of the charters assigned to the latter half of the century, the most interesting are the reconfirmation of the *fueros* of Toledo by Alfonso VIII (c. 1166) and the portions of the *Fuero* of Escalona which García-Gallo dates in the later twelfth [221] century. At Toledo a once-a-year service requirement is reiterated from earlier Toledan tradition, and a new fine often ten *solidos* established for failing to serve (a fee repeated in the later additions to Escalona). Rules governing the inheritance of arms received from the king and the rights of mothers to be free of military payment until their sons mature reappear here (after their prior use in the 1130 version of Escalona's charter). There is a Toledo law regarding the rights of widows to retain the legal status (particularly the tax exemptions) of their deceased *caballero* husbands. This may be new to central Castile, but had already appeared by mid-century in Portugal. The older Escalona residence requirement also reappears in this Toledo charter, specifying the portion of the year that a *caballero* or his mounted substitute must inhabit a house in the town, but this was not a new precedent. The only new law in the 1166 Toledo *fuero* confirmation regarding military matters is that which prohibits the taking of arms or saddle horses into Muslim country, presumably for sale. To this the late twelfth-century Escalona additions add a simplified procedure for prisoner trading, analogs of which have already appeared in Aragon, and a law giving those who practice archery the status of *caballeros*, a principle already well established in Portugal.⁽²⁾ Indeed, similar law appears in the 1137 version of the charter of Guadalajara, which may explain the flow of this material into Portugal via Salamanca and Ávila. Doubtless these scattered points of military law find their way into the Cuenca-Teruel material, at least in principle. However, similar concepts are also appearing elsewhere, and the elaboration of these ideas in Cuenca-Teruel is so extended and detailed that the law of the Toledan region seems to offer little in the way of certainty as to the sources of the Cuencan tradition.

What of the regional law of the Cordillera, itself, as a source for the military legal materials contained in the charters of Cuenca and Teruel? Since the Iberian Cordillera as a region of legal creativity touches the southern frontier of Navarre, the eastern frontier of Castile and the western frontier of Aragon, all three of these emerging political entities require examination. Moreover, some municipalities and their surrounding territories found themselves at times part of a quasi-independent *señorío*, at other times conjoined with one or another of these kingdoms in a political situation which remained fluid throughout the twelfth century. From the Castilian side of the Cordillera, the charter which seems to be a harbinger of the law of Cuenca-Teruel is the *fuero* of Uclés, granted by the Master of the Order of Santiago and subsequently confirmed by Alfonso VIII in 1179. Its laws regarding indemnification of

horses lost in combat and its one-third levy of the *militibus* (knights) for *fonsato* are reminiscent of precedents established at Aragonese Calatayud, Castilian Guadalajara and Portuguese Numão in the 1130's and Évora in 1166. At the least it gives one pause regarding the role of the military orders in the spreading of regional municipal law. But there is also a rather complicated, if brief, discussion of the distribution of booty among mounted and unmounted residents on guard duty and of the taxes which must be paid from this booty to the authorities that strongly suggests the almost obsessive concern for spoils division which permeates Cuenca-Teruel. Certainly it indicates a tradition of victorious raiding without which there would be no need to be concerned about spoils. This is further reinforced by the reward paid by the king for a captured leader (*alcalde*) from the Muslim side, a tradition that goes back to Daroca and Molina in Aragon and possibly to Guadalajara in [222] Castile. The *Fuero de Zorita de los Canes* of 1180 is likewise often singled out as significant, because that town subsequently receives a version of the Cuenca charter, but there is little in the military law of this early charter which is either new or which presages Cuenca in content.⁽³⁾

In the non-Castilian lands of the Cordillera, there are two Aragonese *fueros* which are significant, the charters of Alfambra (1174-76) and of Medinaceli (probably given in the form we now possess in the 1180's). The latter's indemnity laws for lost horses could have their roots in Alfonso I's Calatayud charter (Medinaceli was once thought to have received its *fuero* in the later reign of Alfonso *el Batallador*), but the law which frees a *caballero* from testifying in a legal hearing while out on a raiding *cabalgada* is new. Alfambra is much richer, and here again the Master of a military order (the Templars) is involved as grantor. There is new emphasis on the possession of the proper equipment for combat and a minimum value required for the horse which brings *caballero* status and tax exemption, as well as a list of compensatory payment for the loss of that equipment which strongly suggests the near approach (if not the actual existence) of the *fuero* of Teruel. The Templars maintain a strong position in the military life of Alfambra, especially since the fifth of booty tax normally assigned to the king goes to them instead. Moreover, the Alfambrans were required to perform two military exercises with the Templars each year, although the municipal forces were permitted to join a royal campaign over and above that requirement.⁽⁴⁾

The loss of contact with a Muslim frontier earlier in the century did not end the military development of the Navarrese municipal charters. Of these, the most important for our understanding is the *Fuero de Estella* which was granted by King Sancho VI the Learned in 1166. Estella's situation hard up against the Riojan frontier of Castile and its three-day limitation for military service meant that the cause for concern was the Christian and not the Muslim threat. Much of its military law was drawn from earlier Aragonese and Navarrese precedents (three-day limit on service with food provided by the participants, the sending of an armed *peón* substitute, exemption of widows from military taxes), but there was significant new material. A resident captured either by the Muslims or by "bad" Christians was given an extension on the payment of his debts. Moreover, the charter contained the longest exemption list from military service yet specified in the peninsular charters, which included the illness of the resident, his absence from Estella during the period of service, his right to remain at home if his wife is in childbirth or his parents are near death, and his failure to hear the call to service. A stiff sixty-*solidos* fine was levied for non-appearance for any other reason.⁽⁵⁾ Since exemption was a major area of detailed concern in the Cuenca-Teruel charters, Estella's *fuero* seems also to be in the mainstream of the contributing sources.

Another curious development arose in the *fuero* granted to Laguardia in 1164 regarding the renting of horses (and other animals) by one resident from another for the purpose of combat service, including a differing rate for day as against night use. This law, which was subsequently included in the *fueros* of Bernedo (1182) and Antoñana (1182), was granted at Laguardia two years before a similar law appears in the Évora-Ávila family initiated in Portugal in [223] 1166 on the other side of the Peninsula.⁽⁶⁾

While this second law does not prefigure a Cuencan or Teruelan example, it was one more remarkable instance of rapid contemporary movement of law or the astounding coincidence that punctuated the history of Iberian charters.

Beyond these longer charters in Castile, Aragon, and Navarre, the surviving military references were scattered, brief and offer nothing that is new in the way of precedents for the future.⁽⁷⁾ The great body of military material that appeared in the nearly simultaneous *fueros* of Cuenca and Teruel toward the end of the twelfth century thus offered tantalizingly few indications of its origins. Notwithstanding, investigators seeking to advance theories regarding the matter have not been wanting, including myself. Having surveyed the arguments elsewhere, there seems little need to review the primary theories here (see note 1). What can be said is that after a generation of scholars worked to establish the arguments for a Castilian case (that is, for the prior awarding of Cuenca, copied by the redactors of Teruel) or an Aragonese case (that is, for the prior awarding of Teruel, copied by the redactors of Cuenca), my own investigation along with the work of García Ulecia and Martínez Gijón has broadened the base of the argument. While these latter two scholars have compared a considerable variety of laws to better situate the *fueros* of Cuenca and Teruel in their proper place in the evolution of municipal institutions, my own interests have intensified my comparisons within the frame of laws pertaining to the factors which tend to militarize the lives of townsmen. In this regard, both Cuenca and Teruel represent enormous reservoirs which gather the springs and streams of the Iberian Cordilleran legal traditions and elaborate these along with formerly unwritten traditions of Castile, Navarre and Upper Aragon into full-scale municipal codes.⁽⁸⁾

The *fueros* of Daroca, Molina, Uclés, Alfabra and Estella seem especially important in pointing the way for the culmination of municipal military law at Cuenca and Teruel, charters too similar in content to be effectively separated. Their tradition was a common one, and Alfonso VIII of Castile and Alfonso II of Aragon simply framed a mixture of regional common law and their own frontier policies into municipal codes, both of which were in place by 1196. Whereas before only individual laws regarding military life survived, Cuenca and Teruel offered large paragraphs of elaboration and specification which deal with both offensive and defensive expeditions, security during the absence of the militia, the organization of leadership on campaign, rules of conduct in the field, and most particularly, the use of campaign booty to replace losses and to reward the victorious. No extant European documents in the Central Middle Ages better clarify the general outlines of military life for town residents. The pressures exerted by the Almohad offensive from 1150 to 1173 led the Castilian monarchy to attempt the replication of the capable military establishments of Ávila and Segovia along its southern frontiers, stabilizing their situation by establishing a military obligation as a part of the population agreement. These extended statements of the nature of military activity appear as the products of a legally creative people who had undergone a century of active frontier expansion and combat and sought to forge the fundamentals of that experience into law. Moreover, the Islamic terminology for some of the command officials and the battle tactics suggest that Christian tradition was by no means the exclusive source of the final synthesis. Here again, the sense of a common law drawing on the conservative traditions of the Cordillera seems compelling as an explanation of the source. The Castilian monarchy may have influenced the ordering and the insertion of some key points, but it certainly was insufficiently strong to create and enforce any kind of law it wished anywhere in its territories. Even the very strong contemporary English monarchy would not have been easily capable of that.

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Political and economic geography offers the most solid explanation determination for the origins of municipal law. The case for geographic determinism of the sources of the law is strengthened by the situation of Alfonso II (Alfons I) in his Crown of Aragon, by this time a federated combination of the Kingdom of Aragon and the County of Barcelona, to which the County of Provence was added in 1176.

For his upland Aragonese realm long attached to the elaborating legal traditions of the Cordillera, the *Fuero* of Teruel with its rich cattle law and its booty-hungry militia provisions was as natural to Alfonso II's needs and municipal capabilities as Cuenca's charter was for the Cordilleran realms of Alfonso VIII in Castile. But as Count of Barcelona and of Provence, there was no hope that this law, even in its military provisions, could have been applied to those Mediterranean coastal territories with their very different histories, economies and traditions. The coexistence of a frontier experience and a military threat operated in the Catalan lands, but the frontier progress lacked the accelerated pace which characterized Castile and Aragon in the later eleventh and early twelfth centuries. Indeed, what movement there was had been sharply influenced by Aragonese frontier expansion to the east. The Catalan thrust past Tarragona and the drive through New Catalonia to the Ebro River and beyond came after the Aragonese advance upriver was threatening the western flank of Catalonia at Fraga and Lerida. Count Ramon Berenguer IV proved active in countering this threat, and in the later part of his reign and that of his son Alfonso II the Ebro was absorbed and further southern penetrations established.

in the view of Font Rius, this mid-twelfth century expansion slowly moved Catalonia from its conservative aristocratic and feudal base, but the military law of the *foros* and *cartas pueblas* granted by Count Ramon and Alfonso II did not compare in its frequency or detail with that of Castile-Aragon. While a small minority of the town charters in the last half of the twelfth century mentioned any type of military obligation in Catalonia, there seemed a moderate increase in such requirements in the reigns of Alfonso II and his brother Pedro II (Pere I).⁽⁹⁾ The acquisition of Provence brought yet more highly urbanized territories into closer link with the municipal centers of Catalonia, but here again the older traditions of aristocratic service only moderately enhanced by an input from towns was the rule. The norms for Old Catalonia and Provence were largely guided by the Carolingian requirements of *hoste* and *cavalcata*, and the charters tell us little of the specifics regarding how this force was to be mustered, organized or utilized, to say nothing of its potential range of operation and whether townsmen had a meaningful role to play in the military policies of the powerful counts of Southern France.⁽¹⁰⁾ In all cases it seems clear that Alfonso II, whatever the status of his ruling power in each area, could in no way impose a uniformity of law by royal decree. By the same token, therefore, there could have been no uniformity of urban military contribution.

As ruler of the Kingdom of Aragon, that portion of the federated Crown of Aragon which expanded from the Pyrenees and the upper Ebro Valley into eastern Castile and the Iberian Cordillera, Jaime was heir to a municipal military tradition similar to that of Castile. This tradition was, in its own way, as complex as that which developed in the Castilian Meseta and likewise was rooted in the eleventh century. The culmination of this tradition and its military laws ripened into the Cuenca-Teruel [225] *fueros* already noted in the discussion of Castilian law. But unlike Cuenca with its large family of copied descendants spreading into New Castile, La Mancha and Upper Andalusia, Teruel's extended *fuero* found its way to only one other town in upland Aragon, where it was awarded to Albarracín around the time of its conquest in 1220.⁽¹¹⁾

This sharp contrast to the extensive spread of the highly similar *fuero* of Cuenca generated by the same regional traditions as the charter of Teruel poses questions concerning the differences between Castile and the Crown of Aragon affecting the manner in which Alfonso and Jaime would attempt to utilize such forces. In all probability, the towns of eastern Castile which received the Cuencan charter indicated the directions in which frontier resettlement moved from the Cordillera, dominated by the very great importance of livestock migration and grazing areas. On the other hand, Teruel, conquered in 1171, was for a long period a salient in Muslim lands, and nearby Albarracín could not be permanently taken until 1220. Moreover, the Catalan and Valencian coastal plain which lay below its piedmont settlements were not ripe for the expansion of the livestock herding which had loomed so large in

Cordilleran law.⁽¹²⁾ A more diversified and richer Mediterranean economy would have no need for the shepherd economy which dominated the Meseta. Hence, a system of law based on the traditions of that economy would not be likely to penetrate the coastal plain.

The second important source of municipal traditions to which Jaime was heir was that which had developed in that eastern coastal plain, expanding out of the old County of Barcelona to the Segre River on the western frontier while spreading to the lower valley of the Ebro River in the mid-twelfth century. Through the dynastic marriage of the Aragonese monarchy to the Counts of Barcelona, Jaime represented the thirteenth-century descent of the common line of the two states, which were diverse in many ways from each other. The economic differences were only a part of the story. Whereas there was much evidence for the growth of a municipal military tradition in the Iberian Cordillera and the upper Ebro Valley, east and south of the Segre River the Counts of Barcelona customarily relied upon a more typically feudal military establishment which was slow to draw upon towns as a military resource. For example, of the 236 *cartas pueblas* included in the large collection of Font Ríus for Catalonia prior to Jaime's reign, only fifteen cite a specific military requirement. While there is some evidence that larger towns and cities such as Barcelona, Gerona, Lérida and Tortosa could render some kind of militia, we have little in the way of legal records and charters to indicate how they assembled their forces and the rules by which they operated. The Catalan towns served their sovereign as members of a county, a relationship which draws from the Mediterranean coastal tradition of Catalan-Southern French civilization, a unit which by its nature did not generate the type of *fuero* common to the uplands. The large musters of the Catalan municipal militias indicate that these towns nonetheless rendered service throughout the thirteenth century. Over a century after Jaime's death, the *Onomástica Barcelonesa* of 1389 indicates that a complete military muster for the districts of Barcelona exists to defend the walls, but little to indicate how this system survives from the thirteenth century.⁽¹³⁾

The regional differences are rather less striking within the Leonese territories than is the case with the Crown of Aragon. There is even an argument to be [226] made for the movement of some elements of Castilian Cordilleran procedures to the neighboring Leonese frontier in the wake of the *fueros* of Cuenca-Teruel. That possibility is tied to the emergence of a family of large-scale charters which develop on the frontier of Leon and Portugal after 1190. Indeed, one would seem to have the symmetrical opposite of the Cuenca-Teruel family developing on the Leonese-Portuguese frontier, with four Portuguese and three Leonese variants surviving for present analysis. One who studies these *fueros* and *forais* soon discerns, however, that the military law contained therein does not represent the balance of Portuguese and Leonese contributions across the political frontier that we can observe in Cuenca-Teruel. Rather, the law is almost exclusively Leonese, and all of the surviving examples were originally granted by Leonese-Castilian monarchs during the thirteenth century. Although four of the places receiving these charters have been absorbed into Portugal after that time, but there is little evidence that they influenced the subsequent law of Portugal or that prior Portuguese law influenced the content of the foral family. Martínez Díez has recently worked out a relationship among the surviving charters and entitles the group the Coria Cima-Coa family. The Latin original granted to Ciudad Rodrigo after 1190 does not survive, but a copy made from it for Alfaiates exists and a copy made for Castelo Rodrigo after 1230 survives in two direct descendants from the thirteenth century at Castelo Rodrigo and Castelo Melhor, although these last two offer their own reordering of the military laws. By 1227 the town of Coria had been awarded a Latin version of this charter, leading to subsequent versions at Castêlo Bom, Cáceres and Usagre, and a late surviving vernacular version of Coria.⁽¹⁴⁾

The original was almost certainly granted to Ciudad Rodrigo by Alfonso IX of Leon with the extensive model of Cuenca-Teruel in mind, and designed to summarize territorial law in the same manner. Certainly much of the military law bears a surface similarity to that of Cuenca-Teruel, although lacking

much of the detail of campaign management and booty auctioneering. The Coria Cima-Coa group does indicate an intensification of the emphasis first signaled by Benavente (1164-83) on the securing of exemptions from military service by the possession of a municipal office or the provision of equipment, an emphasis not found in Cuenca-Teruel. Yet the new model exerted little influence on the charters of other Leonese towns through 1217, and no impact at all on the military law of Portugal, which still possessed its most extensive statements in the spreading of the well-established families of Trancoso, Évora and Santarém.⁽¹⁵⁾

It seems that the military pressures were generating many of the practices and precedents which led to grand summations of regional municipal law--of which Cuenca-Teruel and Coria Cima-Coa were the most lengthy--and which were re-granted in nearly identical form to other towns during the course of the thirteenth century. This places Alfonso IX of Leon on a level with his cousin Alfonso VIII of Castile and Alfonso II of Aragon in their mutual effort to meet that need. At the same time these extensive compilations tremendously expand our available information regarding military service for the period. The mere absence of similar compilations before the thirteenth century may give a false impression that military development was slower in Catalonia and Portugal. In [227] fact, even in Castile the reigns of Alfonso VIII and his son Enrique (1214-17) provided little new law in the *fueros* they issue regarding the elaboration of militia service outside of the spread of Cuenca's formulary.⁽¹⁶⁾

Fernando III established a clear interest in continuing royal expectations of service both on the advancing frontier in La Mancha and Andalusia as well as the comparatively secure rear areas of Old Castile and the Cantabrians. Prior to 1230, Frías and San Emeterio in the far north, Palenzuela (near Burgos) and Arévalo in the Trans-Duero all received charters from Fernando III stressing the obligation to render military service with the king. In 1222, Ávila and Peñafiel in the Trans-Duero and Uceda and Madrid in the upper Tajo Valley accepted a requirement for royal military service once a year outside Castile and without limit within the kingdom.⁽¹⁷⁾ In 1223, Alcalá de Henares, Brihuega, San Justo and Talamanca had their military service requirement specified at two to three months to assure their campaign availability over time. Tax exemptions for the possession of a horse and proper arms and the residence for a sufficient portion of the year in the town were available at Guadalajara, Palenzuela, Talamanca and Uclés, while Alcalá de Henares received a long charter from the Archbishop Jiménez de Rada in which offensive and defensive service were required.⁽¹⁸⁾ Given the possibilities opening up in Andalusia, Fernando was probably concerned about an adequate body of available in the more northerly sections of his kingdom, fearing that he might overwork the militias closer to the frontier. Moreover, there existed potential threats from his Christian neighbors in military musters those rear areas, and at least as late as 1222 Fernando granted strategic lands to Archbishop Jiménez de Rada in order to better organize the defenses of Toledo. Even then the king remained concerned for the danger of a Muslim assault in the central Tajo Valley.⁽¹⁹⁾ Even after 1230 when Fernando possessed both Leon and Castile and the Muslim frontier was collapsing in Andalusia, military service was required in towns as far north as Nora a Nora (in Asturias), Túy (in Galicia) and Castrojeriz (near Burgos).⁽²⁰⁾ Such were the memories of past insecurities on the Meseta plain and the awareness of the Muslim potential for resurgence.

But the most interesting municipal institutional activity took place closer to the frontier. Fernando had the three basic formularies for municipal charters at his disposal for the selection of municipal frontier law, especially military law. The Coria Cima-Coa format, inherited from Leon after 1230, might have been utilized. However, save for regranting it to Cáceres after his father's death and for permitting the Order of Santiago to grant it to Usagre sometime after 1242, Fernando failed to utilize it thereafter in Leon-Castile. The Coria Cima-Coa family thus became extinct. The second family of *fueros* at his disposal was that of Cuenca, the most extensive body of medieval municipal law produced in Iberia

prior to the mid-thirteenth century. During the course of Fernando's reign the Cuenca format was granted initially or renewed at a considerable number of towns.⁽²¹⁾ The geographic situation of these towns can largely be organized into three groups. One group extended along the Cordilleran frontier with Aragon (Haro, Moya, Zorita de los Canes, Huete, Alarcón and Alcaraz). Another was established in the La Mancha and Calatrava area north of the Sierra Morena (Consuegra, [228] Arenas, Herencia, Alcázar, Madridejos and Montiel). Finally, as pressure increased on Jaén and upper Andalusia was absorbed, a salient of Cuencan charters was granted in the upper Guadalquivir (Baeza, Iznatoraf, Segura, Andújar, Úbeda, Sabiote and Quesada). As was the case in Leon and Portugal, the Cuenca pattern was granted by military orders and bishops as well as by the king. If there is any effective explanation for the movement of this Cordilleran municipal law across the Meseta into La Mancha (and even Plasencia on the Leonese frontier), as well as its penetration into upper Andalusia, it probably lies with the great body of livestock and grazing laws in the pattern which tied the grazing zones of La Mancha and Upper Andalusia to the Cordilleran frontier towns which settled them after their conquest. The rather considerable number of freedoms granted and the sense of municipal independence connoted by the Cuenca-Teruel *fueros* posed problems for Fernando III, however, leading him to develop simultaneously his third charter pattern, the family of Toledo.

A number of his early grants appear to have strong ties to the twelfth-century Toledan pattern delineated by García-Gallo, especially those to Guadalajara, Palenzuela, Talamanca, Ávila, Uceda, Peñafiel and Madrid. The laws requiring knightly residence in the town with his horse and equipment along with a yearly obligation to serve and a ten-*solido* fee for failure to serve appear widely in central Castile, indicating that the Toledo format was still very much alive. The capture of Córdoba in 1236 provided the opportunity to amplify the size and content of the Toledan format. It was the largest town captured in the Reconquest since the taking of Toledo in 1085, and justified a reworking of the Toledo charter structure in order to give the new populace of settlers a proper *fuero*. Córdoba's new charter also marked an effort to provide a more effective and updated counterpoise to the more liberal and rapidly-spreading pattern of Cuenca-Teruel to the east and southeast. Thus, in 1241 a *fuero* was granted to Córdoba initially in a shorter Romance version of March 3 and subsequently in a more extensive Latin version of April 8 written in the Toledo chancery.⁽²²⁾ With regard to its military significance, the Cordoban charter included a carefully written introduction which linked the obligation of the *caballero* class for *hueste* or expeditionary service with the king to the requirements established in the preceding decades for the *caballeros* of Toledo. The charter then summarizes and restates much of the military law of the Toledo format not seen in one document since Alfonso VIII reconfirmed the *fueros* of Toledo c. 1166. Córdoba then offers some new material giving tax exemptions for prisoners of war and guaranteeing the landed possessions of those who lose them to Muslim counter-conquest, assuring them of the reinstatement of their lands once the enemy is driven out.⁽²³⁾

One interesting aspect should be pointed out here. A number of towns would be awarded a version of the charter of Córdoba in the remaining years of Fernando's reign, particularly Mula (1245), Cartagena (1246), Jaén (1248), Arjona (c. 1248), Seville (1251) and finally Carmona (1252).⁽²⁴⁾ Of all of these, only Carmona contained the full summation of the military laws of Córdoba. Cartagena, located on the southern coast and retaken for the first time since the mid-twelfth century, did contain a special law equating naval activity with a conventional land-based *hueste*. This law was present only in Seville among the other Cordoban charters, but Cartagena lacked the remainder of the military laws stated in [229] the original.⁽²⁵⁾ The Cordoban format was apparently intended to serve as an all purpose charter for the anticipated conquests in Andalusia, a new model of frontier royalist law. However, even in its extensive form, the Córdoba format lacked the comprehensiveness of the Cuenca pattern in its overall coverage and in its military content. The competition between the Cuenca and Toledo patterns outlived San Fernando and continued into the reign of his son, Alfonso X.

Notes for Appendix B

1. García-Gallo, "Los fueros de Toledo," 45:355-488. García-Gallo, "Aportación al estudio de los fueros," 430-44. García Ulecia, *Los factores de diferenciación*, 355-488. Martínez Gijón, "La familia del Fuero de Cuenca," 415-39. Powers, "Frontier Competition and Legal Creativity," 52:465-87. Barrero García, "Proceso de formación," 41-58. Gacto Fernández, *Temas de historia del derecho*, 82-100. Arvizu, "Les fors espagnols au Moyen Age," 57:375-88. The Aragonese case for Teruel's primacy has most recently been made by Barrero García, *El fuero de Teruel*, 3-137.
2. "Recopilación de los fueros de Toledo, (hacia 1166)," 45:474-75, 479. "Fuero de Escalona, 1130," 45:465-66.
3. "Fuero de Uclés, 1179," 2:519-20. "Carta de fueros otorgada al concejo de Zorita por el rey Don Alfonso VIII, 1180," 418-20, 423. Zorita's *carta puebla* includes a reference to one-third of the *caballeros* serving in *fonsado*, for which there is no *peón* requirement, a notification of a royal fifth booty tax, and a tax exemption for maintaining a house and a horse in the town. This latter law may well be in the material added in the confirmation of this charter by Fernando III in 1218. "Fernando III confirma el fuero de Zorita, 1218," 2:37-39. Nothing in any of these military laws is precedent-making. One can note that Alfonso VIII did free the now extinct town of Arganzón (near Miranda del Ebro) from expeditionary service that did not include a field battle, a reminder that Castilian kings could still couch their military requirements in thoroughly Aragonese phraseology should the region, location and the tradition of a town so require. "Alfonso VIII concede fuero a la nueva puebla de Arganzón, 1191," 3:97.
4. *Fuero de Alfambra*, 19, 21, 23, 25, 33, 35-36, 38. "Fueros de Medinaceli," 439, 441, 443. For the more likely dating of this charter in the 1180's, see García-Gallo, "Los fueros de Medinaceli," 31:9-16, with a c. 1180 date and Alfonso VIII as the potential re-grantor. Jaca also received a new charter in 1187 which specified rules for the *apelitum* defense force, including fines for lateness. "Alfonso II confirma los antiguos fueros y costumbres de Jaca, 1187," 72.
5. "Fuero de Estella," 87, 106-07, 113, 144-45.
6. "Fuero de Laguardia, 1164," 1:222. "Fuero de Bernedo," 1:232. "Fuero de Antoñana, "1182," 1:229.
7. There are other charters from this period which have laws relating to the military obligation, primarily dealing with the simple statement of an obligation to serve or the fee in lieu of service. In Castile the towns with such *fueros* are: Segovia (1166), Madrigal (1168), Alhóndiga (1170), Pancorbo (1176), Calahorra (1177 & 1181), Villasila and Villamelandro (1180), Villavaruz (1181), Haro (1187) and Aceca (1188). For Navarre, the towns are: San Sebastián (1153-57 or 1169-94), San Vicente de la Sosierra (1172), Los Arcos (1176), Vitoria (1181), Yanguas (1188 & 1192), Buyllina (modern Gulina, 1192), Odieta (1192), Lárraga (1193) and Artajona (1193). These charters offer no new precedents which expand the present discussion. Even if we extend our search beyond 1190 and reach into the later and legally more productive period of Sancho VII the Strong of Navarre (1194-1234), we find the emphasis on older trends still the dominant theme. For example, the fact that each household must send one man to the royal expedition is noted in Mendigorriá (1194 & 1208), Miranda de Arga (1208), Viguera y Val de Funes and the La Novenera collection (both probably thirteenth-century in form); the renting of animals for the expedition appears again at Laguardia and Burunda (both 1208) as well as Viana and Aguilar (both 1219); the old Aragonese-Navarrese law requiring a field battle if the militia is summoned can be found at Inzura (1201), Laguardia, Burunda, Viana and Aguilar. Some new law does surface in Sancho VII's reign. Theft during the royal expedition can be punished by hanging at Laguardia, Burunda and Aguilar, and those who possess a horse, shield and helmet are free of the

obligation of quartering royal troops in Miranda de Arga and the 1208 version of Mendigorria. Lacarra, "Notas para la formación," 10:203-72. "Confirmación de los fueros de Mendigorria, 1194," 28-29. "Fuero de Urroz," 2:59. "Fuero de Labraza," 1:242. "Fuero de Inzura," 56-60. "Fuero concedido a Miranda de Arga," 10:270. "El Rey Don Sancho rebaja la pecha de Mendigorria," 87. "Fueros de Laguardia, 1208," 81. "Fuero de la Burunda," 85-86. "Fuero de Viana, 1219," 35:417. "Fueros y privilegios de Aguilar, 1219," 159. Tilander, *Los fueros de la Novenera*, 87., and also see Lacarra, "Notas," 10:240-41. The most interesting single collection for Navarre in the age is entitled the *Fuero de Viguera y Val de Funes*, a charter ostensibly given to these two places by Alfonso el Batallador in the early twelfth century, but argued convincingly by Lacarra to be a thirteenth-century combination of law which only survives in a fifteenth-century copy. To me, the military law seems a clear mix of twelfth-century Navarrese-Aragonese material blended with law which is almost certainly post-Cuencan in its origins. "Fuero de Viguera y Val de Funes," 4, 5, 12, 18, 25, 49-51, and also Lacarra, "Notas," 10:227, 232-39.

8. For some of the more important points in this discussion of Cordilleran municipal charter law not already cited, see: Molho, "Difusión del derecho pirenaico," 28:350-52. Lalinde Abadía, *Los fueros de Aragón*, 27-41. Ureña y Smenjaud, *Fuero de Cuenca*, lxxx-xciii. Gibert, "Estudio histórico-jurídico," 358-62. Gibert, "El derecho municipal de León y Castilla," 31:738-52. Pescador, 33-34:170-72. Caruana Gómez, "La prioridad cronológica del Fuero de Teruel," 25:791-97. Caruana Gómez, "La auténtica fecha del Fuero de Teruel," 31:115-19. Caruana Gómez, "Catálogo de Pergaminos del Archivo Municipal de Teruel," 40:101. Martín Clavería, "Ponencia," 123. Powers, "Frontier Competition and Legal Creativity," 483-87. The military materials are largely collected in one body in the great Latin and vernacular versions of the charters of Cuenca and Teruel. See: *FCfs*, 30:1-65, 31:1-19. *FCmsp*, 30:1-62, 31:1-15. *FCcv*, III, 14:1-38, III, 15:1-12. *FTL*, 426-52. *FTR*, 569-625. However, there are numerous other laws relating the military service in these codes. See: *FCfs*, 1:6, 15-16, 23; 2:6, 9-10; 3:29; 12:17-18; 13:4, 20; 16:1-4, 28, 53; 23:12, 14-15; 25:2; 26:14-15; 29:19; 33:21; 35:7; 36:3; 38:9; 40:12, 14; 41:2; 43:17. *FCmsp*, 1:7, 17-18, 25; 2:6, 9-10; 3:29; 12:17-18; 13:4, 22; 16:1-6, 30, 54; 23:12, 14-15; 25:2; 26:10-11; 29:27; 33:19; 35:7; 36:3; 38:9; 40:12, 15; 41:3; 43:12. *FCcv*, I, 1:6, 11, 18; I, 2:6, 24; I, 3:19; II, 2:9-10; II, 3:4, 20; II, 6:8, 19, 34; III, 7:4; III, 9:2; III, 10:10; III, 13:19; IV, 2:9; IV, 4:4; IV, 5:3; IV, 7:9; IV, 10:7, 9; IV, 11:3; IV, 13:12. *FTL*, 7, 8-10, 84, 106, 129-32, 188-89, 237, 257, 298, 301, 387, 391, 410, 413, 421, 425, 460, 463, 465, 500, 505, 507, 544. *FTR*, 5-6, 8, 69, 89, 114, 132, 137-40, 194, 259, 272, 384-85, 414, 499, 503, 521, 526, 534, 563, 643, 665, 677, 709, 716, 718, 730-32, 780.

9. Font Rius, *Franquicias urbanas medievales*, 8-38. Of the 236 charters listed from 844 down to 1210 in the collection of Font Rius, only 15 make any reference to a military obligation, and a number of these grant exemption from it. In the reign of Alfons I and his brother Pere I, the following charters make reference to a military obligation in Catalonia, almost always a simple citation of *exercitum-hostem* or *cavalgatam* with little or no amplification of what the service entails: "Carta de San Feliu de Guixols," 1:227. "Carta de franquicias otorgada por de Puigcerdá, 1181," 1:232. "Carta de franquicias otorgada por de Puigcerdá, 1182," 1:234. "Carta-puebla de Villagrassa," 8:73. "Carta de población de Castellet," 1:274. "Carta puebla de Pinell," 24:593. "Carta de población del Valle de Porrera," 1:292. "Carta de población de Batea," 1:302. "Carta de población de Pinell, 1207," 1:307. "Carta de franquicias de Colliure," 1:309. "Carta de población de Salvatierra, 1208," 8:99. "Carta de Agramunt," 1:323. "Cajón I, documento 5, Archivo municipal de Tarragona, 1211," 1:546. "Carta de franquicias de Salses," 1:331. "Carta de franquicias de San Lorenzo de Salancá," 1:334. Four charters dating from the reign of Pedro II for the Kingdom of Aragon also comment upon military obligations, but add nothing to earlier precedents. "Carta de población de la villa de Sarnés," 2:507-08. Oliveros de Castro, *Historia de Monzón*, 136-37. "Convenio del rey con los vecinos de Calatayud, 1208," 8:103-04. "Privilegio de Zaragoza, 1210," 22.

10. Development of military service in the towns of southern France seems to have been analogous to that of Catalonia both before and after the acquisition of Provence by the Counts of Barcelona. Support for wall building programs and the *hoste et cavalcata* obligations were present, without the supplementary explanations which appear in Castile and the Kingdom of Aragon. "Confirmation de privilèges aux habitants de Perpignan, 1176," 60. "Carta pacificationis et transactionis quam fecit inclitus Ildefonsus, rex Aragonensium, cum consulibus et omni populo Nicensi (Nice, June, 1176)," 2:356, interesting in that the demand for *cavalcata* is made in a numerical levy of fifty knights, not the common household levy of Aragon. "Privilège pour les habitants de Thuir," 71. *Thalamus parvus: Le petit thalamus de Montpellier*, 42-43. For the developing military obligation of the citizens of Toulouse in the twelfth and thirteenth centuries, see: Mundy, *Liberty and Political Power in Toulouse*, 46-47, 71, 153, 261, 363, n. 10, 366-67, n. 27.

11. *FAIbL*, 8:484-95. *FAIbR*, 179-93. Abad, *Estudio histórico-político de Daroca*, 64-65.

12. Bishko, "The Castilian as Plainsman," 47-69. Also Nelson, "Land Use in Early Aragón," 3:115-27.

13. These are the *Cartas Pueblas* given to Barcelona (844), Cardona (986), Bell-lloch (990), Albiñana (1040), Castelló (1085), Almenar (1147), San Feliu de Guíxols (1181), Puigcerdá (Oct., 1181 and June, 1182), Castellet (1194), Valle de Porrera (1201), Batea (1205), Pinell (1207), Colliure (1207) and Agramunt (1210). Font Rius, *Cartas*, 1:4-7, 14-20, 39-41, 68-69, 104-06, 225-27, 231-35, 273-74, 291-93, 301-03, 306-10, 322-24. Barcelona was given tax exemptions in the aftermath of its assistance in the taking of Mallorca. "Jaime I enfranquece a los habitantes de Barcelona," 1:263-64. "Jaime I mandó exercitum civitatibus, 29 marzo 1275," 1150. "Orden del Rey por carta a las ciudades, 8 abril 1275," 1152. "Misit litteras dominus Rex Jacobus hominibus villarum, 13 junio 1275," 1158. *Misit litteras dominus Rex Petrus hominibus villis, 16-17 febrero 1285*, Reg. 43, ff. 106r-108v, 118r-118v. Marsá, ed., *Onomástica Barcelonesa del siglo XIV*, 3-212.

14. For a discussion of the interrelationship of the surviving copies of the Coria Cima-Coa family of *fueros*, see: Martínez Díez, "Los fueros de la familia Coria Cima-Coa," 13:343-73. For the law related to the militias in the Coria Cima-Coa family, see: *FA*, *leyes* 21,55, 111, 119, 169, 179-83, 187-91, 226, 235, 257, 280, 283-84, 342, 352, 355-56, 362, 378, 381, 384, 391-92, 451. *FCO*, *leyes* 30, 70, 110, 112, 125, 163, 171-82, 186, 215, 224, 234, 236, 280-82, 328, 336, 341-42, 357, 360-61, 364, 369, 378, 388, 392, 394. *FCA*, *leyes* I:27, II:57, III:55, IV:9, 23-24, V:23, 48, VI:14, VII:2, 8, 18, VIII:12-14, 18, 22-24, 41-42, 49-56, 63-65, 70. *FCM*, *leyes* 47, 73, 126, 141, 153-55, 189, 204, 243, 274, 277, 284, 310-12, 316, 320-22, 339-40, 347-54, 361, 363. *FCB*, *leyes* 32, 71, 81, 106, 108, 123, 167, 176-87, 191-92, 217, 224, 232, 234, 249, 279-81, 327, 335, 343, 346-47, 352, 370, 373-74, 379-80, 390, 400, 402, 404. *FCA*, *leyes* 31, 77, 89, 117, 132, 165, 175-85, 189, 217, 225, 237, 239, 253, 279-81, 321, 336, 339-40, 344, 361, 364-65, 371-72, 379-80, 400, 448, 475, 484, 491. *FU*, *leyes* 32, 79, 91, 119, 134, 167, 176-88, 192, 222, 231, 243, 245, 259, 287-89, 330, 345, 348-49, 353, 370, 373-74, 380-81, 388-89, 409, 417, 471, 497, 505.

15. Zamora's *fuego* (1208) deals with securing exemptions for *peones* from service, Milmanda's (1199) grants excuses to the ill, the aged and to those on pilgrimage, while Abelgas (1217) contains fees and payment dates for the *apellido* and the *fonsadera*. On the other hand, Villafranca (1192), Espinosa (late twelfth century), Frieyra (1206) and Carracedo (1213) exempt their dwellers from the *fonsado* service. "Fuero de Villafranca," 2:79. "Fuero de Milmanda," 2:181. "Fuero de Espinosa," 16:641. "Fuero de la tierra de Frieyra," 14:566. *Fuero de Zamora*, 40. "Fuero de Carracedo," 14:567. "Fuero de Abelgas," 16:646-47. For Portugal, the reign of Sancho I saw the Trancoso-Salamanca family issued to Gouveia (1186), Felgosinho (1187), Valhelhas (1188), Penedono (1195), Castreição (1196), Guarda (1199) and Villafranca (1185-1211). In the same period the Évora-Ávila prototype was issued to Covilhan (1186 or 1189), Centocellas (1194), San Vicente da Beira (1195), Belmonte (1199), Benavente (1200), Cesimbra (1201), Alpedrinha (1202), Monte-Mór (1203), Teiseiras e Souto-Rórigo (1206), Penamacor (1209) and

Pinhel (1209). The editors of the *MPH* give the date of 1186 for the *Foral de Covilhan*, but Ricardo Blasco suggests 1189. See his "El problema del fuero de Ávila," 60:7-32. The Santarém group was extended to Almada (1190), Povos (1195) and Leiria (1195), while Alcobaça, Aljubarrota and Alvorinha received incomplete versions of that pattern c. 1210. The remaining *forais* of Sancho's reign present us with already established precedents regarding payments in lieu of service, expeditionary and defensive requirements, time limits for service and the need for nobles to replace their horses, all of which were well established as precedents by the reign of Afonso I. Nothing emerges to suggest the movement of the contents of the comprehensive Coria Cima-Coa materials into Portuguese foral law at least in the area of the military obligation and related law. See Powers, "The Creative Interaction of Portuguese and Leonese Municipal Military Law," *Speculum*, forthcoming. The published editions of the above-mentioned members of the Trancoso, Évora and Santarém families can be found in the *MPH-LC*, 1:453-554.

16. The relevant charters present rather conventional statements of the obligation to give military service or conditions of exemption from service and/or payment in lieu of service, giving supplies to royal expeditions and royal claims to the fifth of booty tax. "Alfonso VIII concede al concejo de Salinas (de Añana), 1194," 3:122. "Fuero de Torrecilla de Cameros," 33:133. "Fueros inéditos de Belinchón," 8:147. "Alfonso VIII confirma los fueros de Guipúzcoa," 3:224-27. "Alfonso VIII exime de tributos, salvo de la obligación de ir en fonsado, a los que vivieren todo el año con casa poblada dentro de los muros de Sepúlveda, (8 August 1201)," 40-42. "El obispo de Calahorra don Juan, el prior y el concejo de Albelda acuerdan," 3:203. "Alfonso VIII concede al concejo de Ávila los términos que indica, (1205)," 3:360, and renewed by Enrique I, 1215, 3:693-94. "Excusa de tributación á los moradores de Alcázar, 1208," 3:444. "Alfonso VIII concede fuero de Pampliega," 3:465-67. "Alfonso VIII confirma una concordia entre la Orden de Santiago e el concejo de Ocaña, 1210," 17:659-61, and "Noticia, sin fecha, sobre la concordia entre la Orden de Santiago y el concejo de Ocaña," 17:659-62. "Alfonso VIII concede fuero a Ibrillos," 3:650-54. "Alfonso VIII determina el tributo de los vecinos de Deza," 3:636. "Enrique I excusa de tributación al concejo de Carrascosa," 3:733.

17. "Fernando III concede a Frías el fuero, 1217," 2:16. "El fuero de la villa de San Emeterio," 76:239. "Fernando III confirma el convenio de Arévalo, 1219," 2:67. "Fuero de la villa de Palenzuela, 1220," 218-19. "Fernando III otorga al concejo de Ávila un fuero, 1222," 2:202. "Fernando III concede al concejo de Uceda un fuero," 2:204. "Fernando III otorga al concejo de Peñafiel el fuero, 1222," 2:206. "Fernando III otorga al concejo de Madrid el fuero, 1222," 2:208.

18. "Fueros de la villa de Alcalá de Henares," Fita, ed., 9:237. "Privilegium de los fueros de Brioga (Brihuega), (c. 1223)," 8:420. *Fuero de San Justo*, (1223), MSS 13.094, f. 51v. "Pacto foral de Talamanca," 8:418. *Fuero de Guadalajara, 1219*, 9, 17. *FPalenzuela 1220*, 218. *FTalamanca*, 417. "Fuero de Uclés, c. 1227," 14:334. This is the longer version of the Uclés charter, with additions probably added in the early thirteenth century. García Ulecia points out its similarities to the *Fuero de Guadalajara* of 1219 cited above, and it almost certainly dates from the early part of Fernando's reign. García Ulecia, *Los factores de diferenciación*, 399-401. "Fuero de Alcalá de Henares," Sánchez, ed., 286-87. This charter was granted in 1223.

19. "Fernando III concede al Arzobispo Don Rodrigo Jiménez de Rada ... Toledo, 1222," 1:No. 7. Pescador, 33-34:185.

20. "Arrendamiento hecho por el concejo de Nora á Nora," 154. *FTúy*, 370. "Fuero de Castrojeriz, 1234," 38.

21. González, *Fernando III*, 1:413-16.

22. González, *Fernando III*, 1:413-17, 3:211-14, 3:219-25. García-Gallo, "Los fueros de Toledo," 45:401-06.

23. *FCórdoba Lat*, 3:220-23. *FCórdoba Rom*, 3:212-13.

24. González, *Fernando III*, 1:417-18.

25. "Fuero de Cartagena," 23-24. *FSevilla*, 3:409-10. "Fuero de Carmona, (8 May 1252)," 4-6.

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APPENDIX C

**RULERS OF LEON-CASTILE, ARAGON, NAVARRE,
PORTUGAL**

AND THE COUNTY OF BARCELONA (1000 - 1284)

LEON CASTILE

Alfonso V (999-1028) Alfonso V (999-1028)
Vermudo III (1028-37) Vermudo III (1028-35)
Fernando I (1037-65) Fernando I (1035-65)
Alfonso VI (1065-1109) Sancho II (1065-72)
Alfonso VI (1072-1109)
Urraca (1109-26) Urraca (1109-26)
Alfonso VII (1126-57) Alfonso VII (1126-57)
Fernando II (1157-88) Sancho III (1157-58)
Alfonso IX (1188-1230) Alfonso VIII (1158-1214)
Enrique I (1214-17)
Fernando III (1230-52) Fernando III (1217-52)
Alfonso X (1252-84) Alfonso X (1252-84)

ARAGON NAVARRE

Sancho III (1000-35) Sancho III (1000-35)
Ramiro I (1035-63) García III (1035-54)
Sancho IV Garcés (1054-76)
Sancho I Ramírez (1063-94) Sancho V Ramírez (1076-94)
Pedro I (1094-1104) Pedro I (1094-1104)
Alfonso I (1104-34) Alfonso I (1104-34)
Ramiro II (1134-37) García IV (1134-50)

Ramon Berenguer IV (1137-62)
Alfonso II (1162-96) Sancho VI (1150-94)
Pedro II (1196-1213) Sancho VII (1194-1234)
Jaime I (1213-76) Thibault I (1234-53)
Thibault II (1253-70)
Henry I (1270-74)
Pedro III (1276-85) Jeanne I (1274-1305)

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**COUNTS OF BARCELONA AND PORTUGAL
COUNT-KINGS OF ARAGON-CATALONIA**

Ramon Borell I (982-1018)
Berenguer Ramon I (1018-35)
Ramon Berenguer I (1035-76) Afonso I Henriques (1128-85)
Ramon Berenguer II (1076-82) Sancho I (1185-1211)
Berenguer Ramon II (1082-97) Afonso II (1211-1223)
Ramon Berenguer III (1097-1131) Sancho II (1223-48)
Ramon Berenguer IV (1131-62) Afonso III (1248-79)
Alfons I (Alfonso II in Aragon) (1162-96) Denis (1279-1325)
Pere I (Pedro II in Aragon) (1196-1213)
Jaume I (Jaime I in Aragon) (1213-76)
Pere II (Pedro III in Aragon) (1276-85)

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ABBREVIATIONS FOR FREQUENTLY USED SOURCES

AEM *Anuario de Estudios Medievales*. Barcelona.

AHDE *Anuario de Historia del Derecho Español*. Madrid.

Alart Bernard J. Alart, ed., *Privilèges et titres relatifs aux franchises, institutions et propriétés communales de Roussillon de de Cerdagne, depuis le XIe siècle jusqu'a l'an 1660*. Perpignan: C. Latrobe: Ediciones El Albir, 1874.

AMC "El Anónimo de Madrid y Copenhague, Texto árabe y traducción," Ambrosio Huici Miranda, ed. & trans. *Anales del Instituto General y Técnico de Valencia* (1917) 2:1-388.

AMWM Abu Muhammad cAbd al-Wahid al-Marrakusi. "Kitab al-mucíib fi taljis ajabar al-Magrib." Huici. *Crónicas árabes*. Volume 4. Tetuán, 1955.

Bofarull, Colección Bofarull y Mascaró, Próspero de. ed. *Colección de documentos inéditos del Archivo General de la Corona de Aragón*. 41 vols. Barcelona, 1847-1910.

BRAH *Boletín de la Real Academia de la Historia*. Madrid.

Burriel, Memorias Andrés Marcos Burriel, *Memorias para la vida del Santo Rey Don Fernando III: Anotados y editados*, Miguel de Manuel Rodríguez, ed. Published Madrid, 1800; reprint of 1880 edition. Barcelona: Ediciones de El Albir, 1974.

CAI *Cronica Adefonsi Imperatoris*. Luis Sánchez Belda. ed. Madrid: Diana Artes Gráficas, 1950.

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CHE *Cuadernos de Historia de España*. Buenos Aires, Argentina.

CLRC *Crónica latina de los reyes de Castilla*. M. Desamparados Cabanes Pecourt, ed. Valencia, 1964.

Corominas J. Corominas. *Diccionario crítico etimológico de la lengua castellana*. 4 vols. Madrid: Gredos, 1954.

CPA *Crónica de la población de Ávila*. Amparo Hernández Segura. ed. Valencia: Anubar, 1966.

DMP *Documentos medievais portugueses*. Rui Pinto de Azevedo. ed. Volume I, tomos 1 e 2, *Documentos régios. Documentos dos condes portugalenses e de D. Afonso Henriques A. D. 1095-1185*. Lisboa: Editorial Atica, 1948-62.

EEMCA *Estudios de Edad Media de la Corona de Aragón*. Zaragoza.

ES *España sagrada: Theatro geográfico-histórico de la iglesia de España*. Enrique Flórez et al. eds. 52 vols. Madrid: M. F. Rodríguez, 1747-1918.

FA "Costumes e foros de Alfaiates, 1188-1230." *MPH-LC*, 1:791-848.

FAIbL "El fuero latino de Albarracín (fragmentos)." Angel González Palencia and Inocenta González Palencia. eds. *AHDE* (1931) 8:415-95.

FAIbR *Carta de población de la ciudad de Santa María de Albarracín*. Carlos Riba y García. ed. Zaragoza: Pedro Cabra, 1915.

FAIn "Fuero de Alarcón." Jean Roudil. ed. *Les fueros d'Alcaraz et d'Alarcón*. 2 vols. Paris: Librairie C. Klincksieck, 1968.

FAIr *Fuero de Alcázar*. Biblioteca Nacional, Madrid. Manuscripts. Ms. 11543.

FAIz "Fuero de Alcaraz." Jean Roudil. ed. *Los fueros d'Alcaraz et d'Alarcón*. 2 vols. Paris: Librairie C. Klincksieck, 1968.

FBA *El fuero de Baeza*. Jean Roudil. ed. The Hague: G. B. Van Goor Zonen, 1962.

FBe *Fuero de Béjar*. Juan Gutiérrez Cuadrado. ed. Salamanca: Calatrava, 1975.

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FCA "Fueros romanceados de Cáceres." Pedro Lumbreras Valiente. ed. *Los fueros municipales de Cáceres: Su derecho público*. Cáceres: Sucesores de Rivadeneyra, S. A., 1974.

FCB "Costumes e foros de Castello-Bom, 1188-1230." *MPH-LC*, 1:745-90.

FCcv "Fuero de Cuenca, Códice Valentino." Rafael de Ureña y Smenjaud. ed. *Fuero de Cuenca*. Madrid: Tipografía de Archivos, 1935.

FCfs "Forum Conche, forma sistemática." Rafael de Ureña y Smenjaud. ed. *Fuero de Cuenca*. Madrid: Tipografía de Archivos, 1935.

FCM "Costumes e foros de Castello-Melhor, 1209." *MPH-LC*, 1:897-939.

FCmsp "Forum Conche, Paris Ms." George H. Allen. ed. "Forum Conche, fuero de Cuenca: The Latin Text of the Municipal Charter and Laws of the City of Cuenca, Spain." *University Studies Published by the University of Cincinnati*. Series Two. No. 4 (Nov-Dec, 1909) 5:5-92. No. 1 (Jan-Feb, 1910) 6:3-134.

FCO "El fuero de Coria." Emilio Sáez. ed. *El fuero de Coria*. José Maldonado y Fernández del Torco. gen. ed. Madrid: Silverio Aguirre, 1949.

FCR "Foros de Castel Rodrigo, 1209." Luis F. Lindley Cintra. ed. *A linguagem dos foros de Castelo Rodrigo*. Lisboa: [s. n.], 1959.

FH *Fuero de Huete*. Real Academia de la Historia. Madrid. Manuscripts. 2-7-3, Ms. 37.

FI "Fuero de Iznatoraf." Rafael de Ureña y Smenjaud. ed. *Fuero de Cuenca*. Madrid: Tipografía de Archivos, 1935.

FP *El fuero de Plasencia*. José Benavides Checa. ed. Rome, 1896. New edition: *Fuero de Plasencia*. Jesús Majada Neila. ed. Salamanca: Gráficas Cervantes, 1986.

FTL "Forum Turolii." Jaime Caruana Gómez de Barreda. ed. *El fuero latino de Teruel*. Teruel: Talleres Gráficos, 1974.

FTR *El fuero de Teruel*. Max Gorosch. ed. Stockholm: Almqvist & Wiksells Boktryckeri AB., 1950.

FU *Fuero de Usagre (siglo XIII) anotado con las variantes dél de Cáceres*. Rafael de Ureña y Smenjaud and Adolfo Bonilla y San Martín. eds. Madrid: Hijos de Reus Editores, 1907.

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- FUb** *Fuero de Úbeda*. Juan Gutiérrez Cuadrado. ed. Valencia: Artes Gráficas Soler, 1979.
- FZ** *El fuero de Zorita de los Canes*. Rafael de Ureña y Smenjaud. ed. Madrid: Establecimiento Tipográfico de Fortanet, 1911.
- Font Rius, Cartas** José María Font Rius. ed. *Cartas de población y franquicia de Cataluña*. 2 vols. Madrid & Barcelona, 1969.
- Huici, Crónicas árabes** Ambrosio Huici Miranda. ed. & trans. *Colección de crónicas árabes de la Reconquista*. 4 vols. Tetuán, 1951-55.
- IIM** Ibn cIdâri al-Marrakúshî. "Al-Bayan al-Mugrib fi ijţisar Ajbar Muluk al-Andalus wa al-Magrib." Huici. *Crónicas árabes*. Volumes 2 & 3. Tetuán, 1953-54.
- IIM, Nfa** Ibn cIdari al-Marrakúshî. "Al-Bayan al-Mugrib." Ambrosio Huici Miranda. ed. and trans. *Ibn cIdari: Al-Bayan al-Mugrib, Nuevos fragmentos almorávides y almohades*. Valencia: Anubar, 1963.
- ISS** Ibn Ūâib al-salâ. *Al-Mann bil-imâma*. Ambrosio Huici Miranca. ed. and trans. Valencia: Anubar, 1969.
- Lacarra, Doc** José María Lacarra. ed. *Documentos para el estudio de la reconquista y repoblación del Valle del Ebro*. 1st series. Zaragoza: Casana, 1946. 2nd series. Zaragoza: Casana, 1949. 3rd series. Zaragoza: Casana, 1952.
- Lévi-Provençal, Péninsule** E. Lévi-Provençal, *La Péninsule Ibérique au Moyen Âge d'après le Kitâb ar-raw al-Mi'âr fi habar al-Aûâr d'Ibn cAbd al-Muncim al-îmyarî*. Leiden: E. J. Brill, 1938.
- LFS** *Los fueros de Sepúlveda*. Edición crítica y apéndice documental por Emilio Sáez. Pamplona: Editorial Gómez, 1953.
- MD** Gonzalo Martínez Díez. ed. *Fueros locales en el territorio de la Provincia de Burgos*. Burgos: Caja de Ahorros Municipal de Burgos, 1982.
- MHE** *Memorial histórico español: Colección de documentos, opúsculos y antigüedades que publica la Real Academia de la Historia*. Madrid: La Academia, 1851. Vols. 1-2.
- MPH-LC** *Monumenta Portugaliae Historica, a saeculo octavo post Christum usque ad quintum decimum: Leges et consuetudines*. Alexandre Herculano and Joaquim J. da Silva Mendes Leal, eds. 2 vols. Lisboa, 1856-68.
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- MPH-S** *Monumenta Portugaliae Historica, a saeculo octavo post Christum usque ad quintum decimum: Scriptores*. Alexandre Herculano and Joaquim J. da Silva Mendes Leal, eds. Lisboa, 1856.
- MS8331** "Ms 8331, Bibliothèque d'Arsenal de Paris." Jean Roudil. ed. "El manuscrito español 8331. de la Biblioteca del Arsenal de París." *Vox Romanica* (Jan-June, 1963) 22:127-74. (July-Dec, 1963) 22:219-380.
- MyR** Tomás Muñoz y Romero. ed. *Colección de fueros municipales y cartas pueblas de los reinos de Castilla, León, Corona de Aragón y Navarra; coordinada y anotada*. Madrid: Don José María Alonso, 1847.
- PCG** *Primera crónica general de España, que mandó componer Alfonso el Sabio y se continuaba bajo Sancho IV en 1289*. Ramón Menéndez Pidal. ed. 2 vols. Madrid: Editorial Gredos, 1955.
- Pescador** Carmela Pescador, "La caballería popular en León y Castilla," *CHE* (1961) 33-34:101-238, (1962) 35-36:56-201, (1963) 37-38:88-198, (1964) 39-40:169-260.

RABM *Revista de Archivos, Bibliotecas y Museos*. Madrid.

RF Justiniano Rodríguez Fernández. ed. *Los fueros del Reino de León*. 2 vols. León: Unigraf, 1981.

Rodríguez, Col Ildefonso Rodríguez de Lama, ed., *Colección diplomática medieval de la Rioja (923-1225)*. 4 vols. Logroño: Gonzalo de Bercero, 1976-89.

Soldevila, Cròniques Ferran Soldevila, ed., *Les quatre grans cròniques: Jaume I, Bernat Desclot, Ramon Mutaner, Pere III*. Barcelona: Selecta, 1971.

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GLOSSARY

Alcalde. Judge. Derived from Arabic *alcaide*, the chief figure in each parish of the town.

Aldeano. Resident of the countryside or *aldea*, surrounding a municipality.

Alfoz. Territory administrated by a town.

Algara. Mounted raid, often detached from a larger force on an extended expedition.

Anubda. Probably a form of vigilance service required of town residents (debate exists about the meaning of the word).

Apellido. (Latin *apellitum*, also Romance *apelido*). Military service summoned in an emergency usually for defensive purposes.

Caballero. Member of the lowest level of the knightly class, acquiring status and tax exemptions by the ownership of a horse and its use in combat. The *caballero villano* were members of the class with established households in towns.

Castellaría. Castle maintenance service.

Cavalgada. (Latin *cabalcada* or *cavalcata*, Romance *cabalgada*, *cavalguet* or *cavallcade*). Mounted military service widely required in Aragon and Castile.

Collación. District or ward within a municipality, usually defined by parish lines.

Concejo. Municipal council made up of all the house-holding citizens in a municipality.

Corredura. Small, swift mounted raid, literally a running over of the countryside.

Exercitus. (also *expeditio*). Offensive service. See *fonsado*.

Fonsadera. (Latin *fossatera*). Payment in lieu of offensive military service or *fonsado*.

Fonsado. (Latin *fossatum*). Offensive military service, planned in advance, often carried out as a part of a royal army.

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Fuero. (Latin *forum*, Portuguese *foral*, Catalan *furs*). Charter of immunities and freedoms granted to towns by royal or other authority. Occasionally elaborated by the later twelfth century into full municipal codes of law.

Hueste. (Latin *host* or *hostis*). Offensive military service, used more commonly in Aragon and Catalonia, migrating to Castile by thirteenth century. See also *fonsado*.

Juez. Judge (in some ways analogous to the English justice of the peace), the chief official of a town. Originally appointed by the king but by the later twelfth century often elected by the town council.

Merino. Royal official, usually in charge of a larger district than that awarded to a *señor*.

Peón. Non-noble person who customarily served on foot in military service.

Rafala-esculca. Cattle guard and escort duty for livestock being herded from one site to another.

Señor. Royally appointed official ruling a district (*señorío*), with some jurisdiction over the towns in the region.

Vecino. Resident of a municipality, usually required to own a house within the town's walls and reside in that house for a portion of each year.

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MAPS

[Map 1](#) : Reconquest Frontiers

[Map 2](#) : Northern Hispania

[Map 3](#) : Central Castile, the Cordillera, and Arago-Catalonia

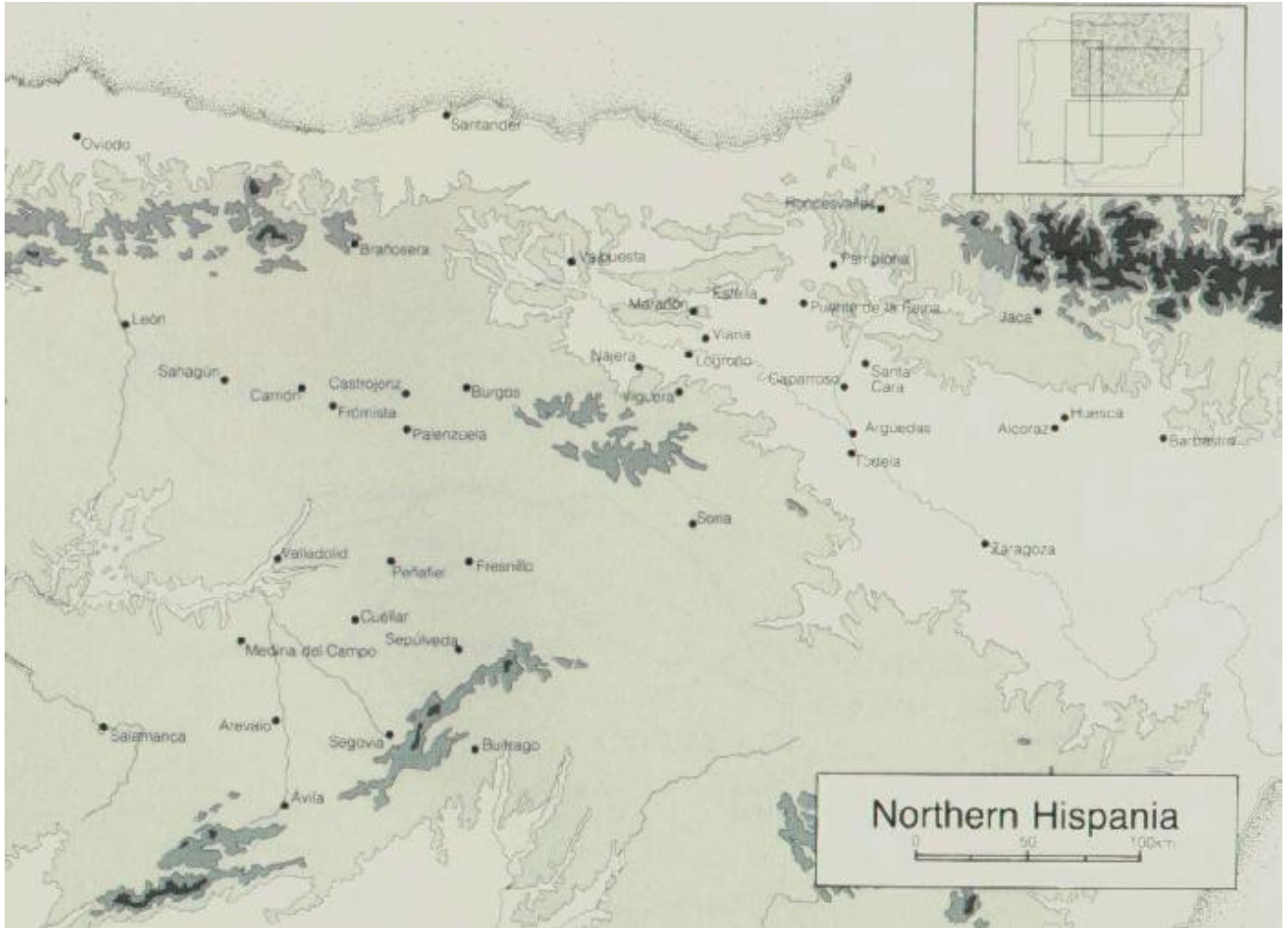
[Map 4](#) : Portugal and Leon

[Map 5](#) : Lower Meseta and Andalusia

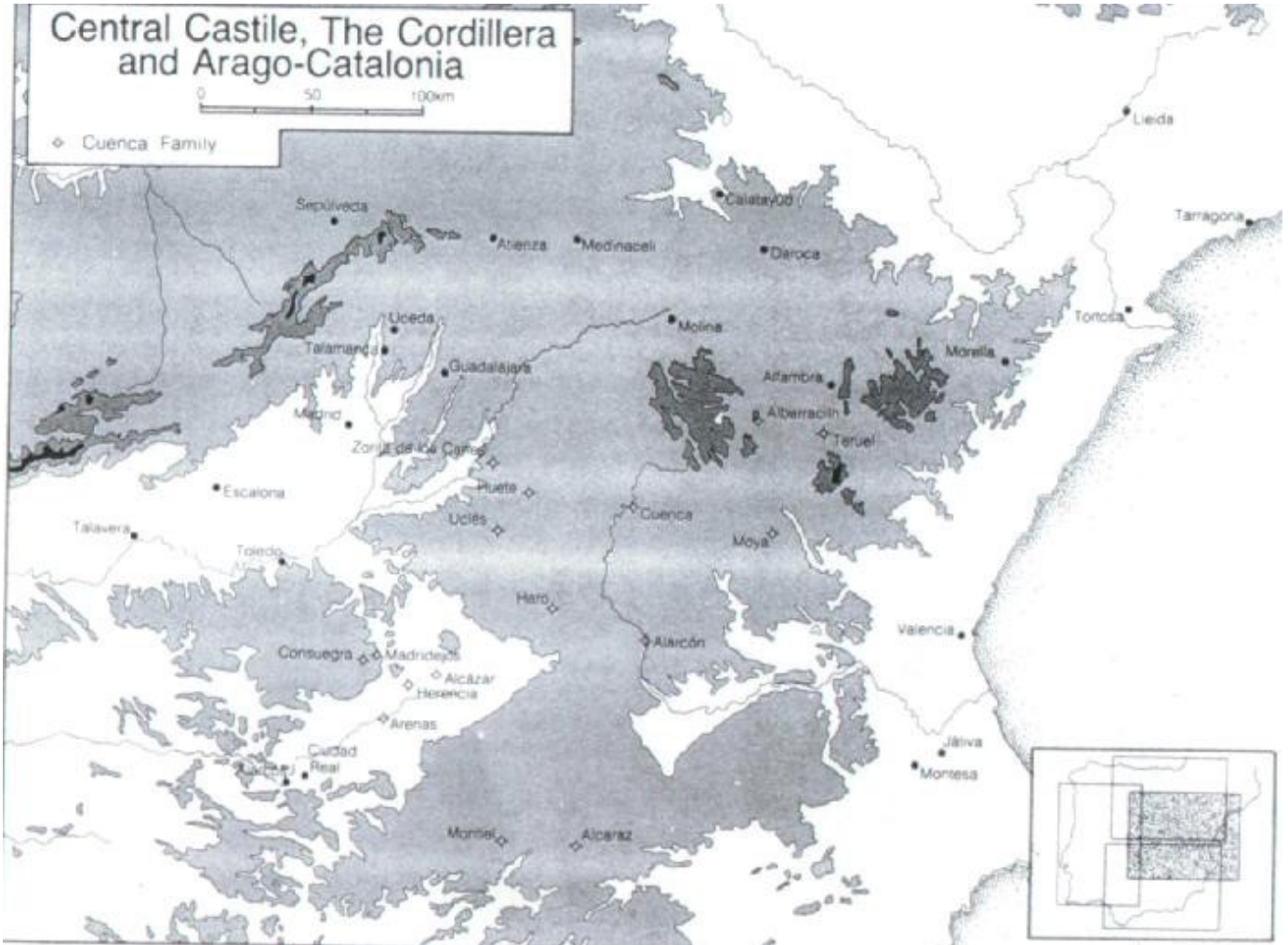
Map 1



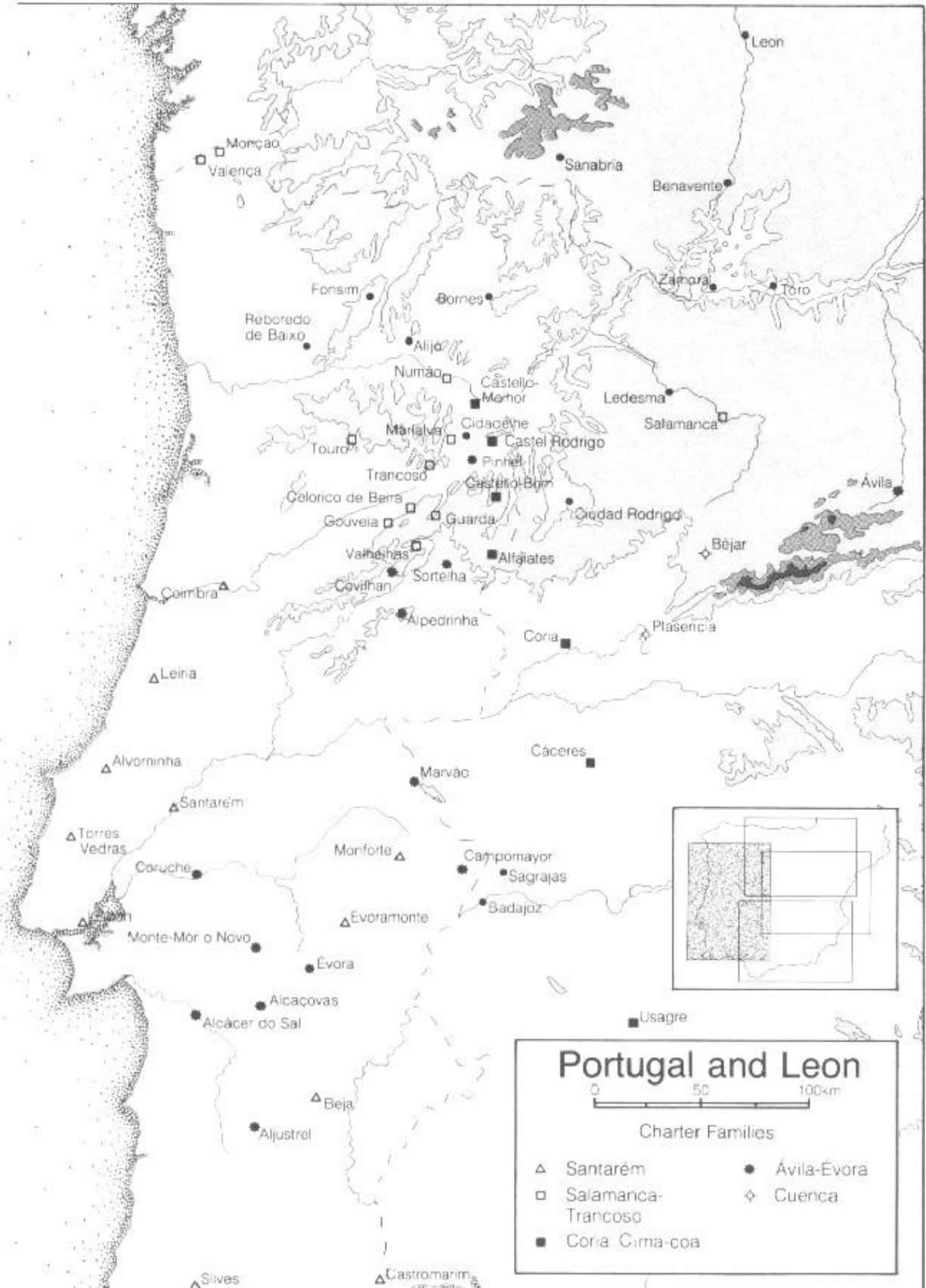
Map 2



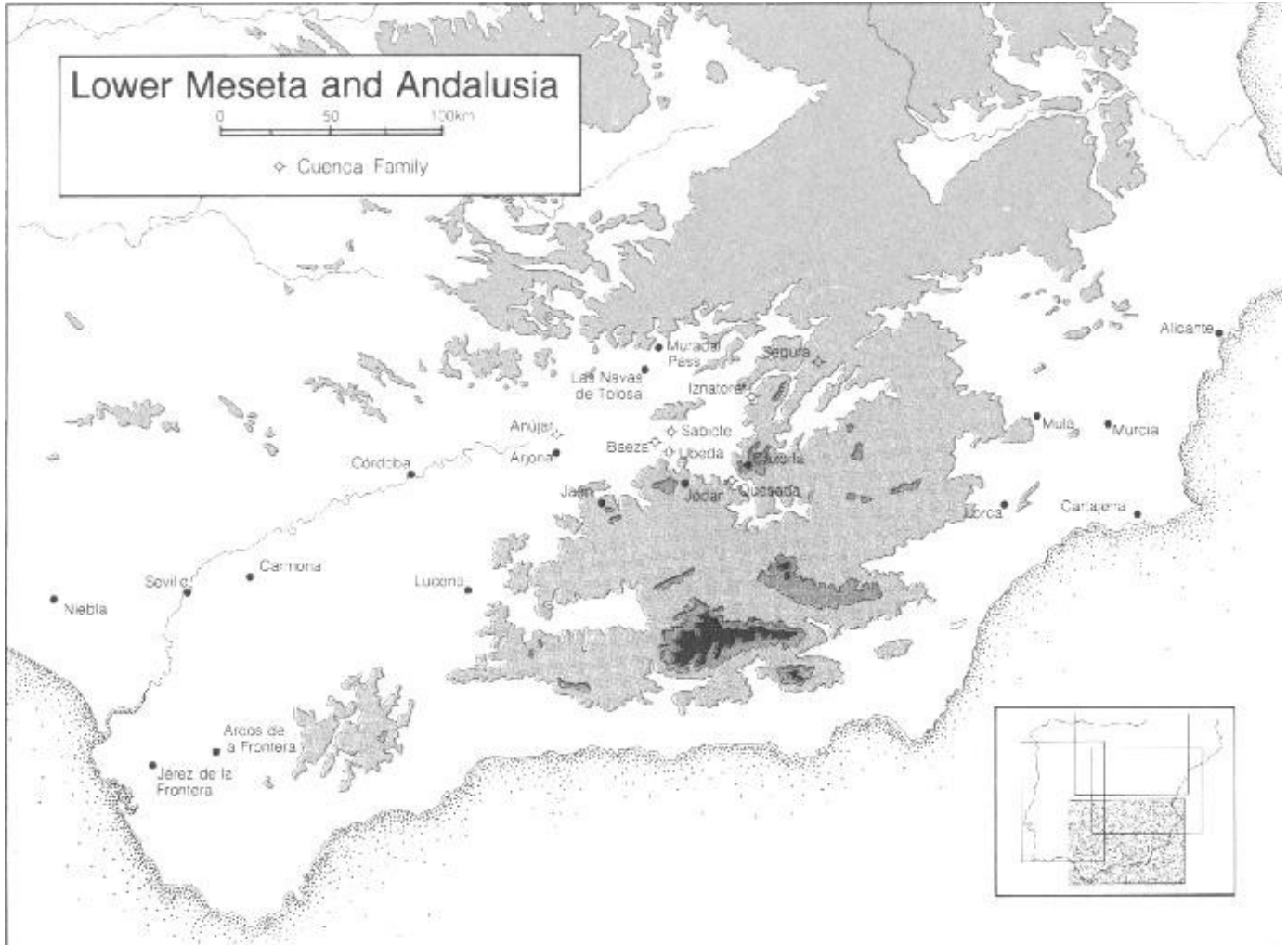
Map 3



Map 4



Map 5



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***The Iberian Municipal Militias in the
Central Middle Ages, 1000-1284***

James F. Powers

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