

THE MESTA

A STUDY IN
SPANISH ECONOMIC HISTORY
1273-1836

BY

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PREFACE

OF the many economic problems brought forth by the war, two have stimulated especial interest and have already been made the subject of considerable research. One of these is the national control of raw materials, and the other the economic foundations of newly organized states. It may not be altogether inopportune, therefore, at a time when so much thought is being given to these fundamental matters, to invite attention to the same questions as they appeared in another age and under far different circumstances.

Spanish merino wool was for generations one of the great staples of commerce during the period when modern Europe was in the making. The history of 'the Honorable Assembly of the Mesta,' the Castilian sheep raisers' gild, presents a vivid picture of some six hundred years of laborious effort on the part of one of the great European powers to dominate the production and marketing of that essential raw material. This policy, though primarily concerned with the agrarian affairs of the realm, had, nevertheless, a far wider significance because of its part in the mercantilistic ambitions of the greatest of the Castilian monarchs. The high unit value of wool, its compact, exportable form, and the universal demand for it made it one of the most valued means for determining the relative status of rival monarchies.

As a factor in the laying of the foundations of the Castilian state which rose from the ruins of the Reconquest, the Mesta played an inconspicuous but important part. It was used by each of the stronger sovereigns in turn to carry on a prolonged struggle against the ancient traditions of Spanish separatism — political, racial, and economic provincialism — and to work toward a united peninsula. Its rise synchronized with the successful efforts of the warrior monarchs of the Reconquest to weld their newly won dominions into a nation. Its decline began with the collapse of the monarchy and the triumph of separatist influences under the seventeenth-century Hapsburgs.

The study of the economic development of Spain, and more particularly of its declining centuries, has occupied the attention of many investigators, but their interest has centred chiefly upon the use of economic conditions as convenient explanations of political phenomena. This has been especially true of the general works dealing with the great days of Spanish absolutism in the sixteenth century. A clearer understanding of the interrelation of economic and political factors can be possible only after considerably more attention has been paid to the study of certain special topics which are illustrative of the economic development of the country. Among these lacunae in Spanish historiography there is none more important than the account of the Mesta. The long and active life of this body from 1273 to 1836 has been a notable and in many ways unique feature of Spanish economic history. For hundreds of years it played a vital part in the adjustment of problems involving overseas trade, public lands, pasturage, and taxation.

The extant descriptions of the Mesta are, for the most part, based upon prejudiced discussions and fragmentary documents originating with its numerous opponents. In no case has any use been made of the rich treasury of the Mesta's own archive, which has been in Madrid for nearly three hundred years, untouched and practically unknown. Whether the institution was but a product of strongly entrenched, cunningly directed special privilege pursuing its selfish ends, is a question which even the most recent investigators have too readily answered affirmatively. In its later centuries it unquestionably did contribute much to the agricultural decay of the country; but that circumstance should not obscure an appreciation of its earlier stimulative and constructive influence, both political and economic. Present day scholarship has been too ready to accept the point of view expressed in such seventeenth-century couplets as

“¿Que es la Mesta?
¡Sacar de esa bolsa y meter en esta!”

or

“Entre tres ‘Santos’ y un ‘Honrado’
Está el reino agobiado.”

The latter voices the popular contempt for such ancient and once revered institutions as the Santa Cruzada, the Santa Hermandad, the Santo Oficio de la Inquisición, and the Honrado Concejo de la Mesta. It would be safer to accept the observation of Ambrosio de Morales, a distinguished scholar of the period of Philip II: “What foreigner does not marvel at the Assembly of the Mesta, that substantial, ably administered body politic? It not only gives evidence of the infinite multitude of sheep in Spain, but a study of it helps toward a better understanding of our country, if it be possible to understand her.”¹

The almost entire absence of reliable investigations in the field of Spanish agrarian history has made it necessary to base the present study very largely upon hitherto unused manuscript materials, found in the archives of the Mesta and of small towns in remote parts of Castile. For this reason the references in the bibliography and footnotes have been made more extensive than might ordinarily seem necessary, in the hope that suggestions might thus be given for subsequent investigations of such subjects as the domestic and foreign trade of mediaeval Spain, the enclosure movement in the peninsular kingdoms, or Castilian field systems and commons.

The researches upon which this book is based were made possible through two liberal grants from Harvard University for studies in Spain and elsewhere in Europe in 1912-14: the Woodbury Lowery and Frederick Sheldon Fellowships. Whatever merits the volume may have as the first fruit of the Mesta archive as a field for historical study are due entirely to the unflinching courtesies of the Marqués de la Frontera, the late Señor Don Rafael Tamarit, and their colleagues of the Asociación General de Ganaderos del Reino of Madrid, the successor of the Mesta. These gentlemen interrupted the busy affairs of their efficient organization in order to provide every facility for the exhaustive examination of the valuable collection in their possession. Without their cordial coöperation and expert advice upon Spanish pastoral problems this study could not have gone

¹ *Las Antigüedades de las Ciudades de España* (Alcalá de Henares, 1576), p. 40.

beyond the limits of a perfunctory essay. The search for supplementary material was carried into several obscure archives in different parts of the peninsula, where little could have been accomplished without the aid of such helpful friends in Madrid as Professor Adolfo Bonilla y San Martín, Professor Rafael Altamira y Crevea, and Señor Don Arturo G. Cardona. I am especially indebted to Professor Bonilla for many pleasant and invaluable hours of counsel upon mediaeval Spanish law and local institutions. My sincerest thanks are due to the officials of the Real Academia de la Historia and of the great national collections in Madrid, and particularly to the courteous archivists of the Casa de Ganaderos in Saragossa and of the estate of the Duque de Osuna in Madrid. The library of the Hispanic Society of America generously secured copies of scarce volumes and pamphlets which would otherwise have been inaccessible. I am under obligation to Professor Alfred Morel-Fatio of the Collège de France for many thoughtful kindnesses while I was working in the various archives of Paris; to Dr. Constantine E. McGuire of the International High Commission in Washington for advice upon doubtful passages in certain important manuscripts; to Professor Charles H. Haskins of Harvard for constructive suggestions regarding several shortcomings of the investigation; and to Mr. George W. Robinson, Secretary of the Graduate School of Arts and Sciences at Harvard, for assistance in preparing the manuscript for the press.

Among the many friends who have given freely of their valued counsel I must acknowledge especially my great indebtedness to three teachers at Harvard, to whom it has long been my good fortune to be under the heaviest obligations. Professor Archibald C. Coolidge first suggested the subject, and his constant encouragement and confidence in its possibilities made many difficulties seem inconsequential. Professor Roger B. Merriman gave abundantly of his sound scholarship and of his inspiring enthusiasm for Spanish history, two contributions which have been of inestimable help to me, as they have been to many others among his pupils who have had the rare privilege of intimate association with him in studies in this field. Professor Edwin F.

Gay has been in close touch with this investigation since its inception some seven years ago, and any merits which it may have as a contribution to economic history are due entirely to his sympathetic understanding of the problems encountered, and to his unfailing interest in the progress of the work in spite of his many serious and urgent duties during the war.

To my wife the work owes more than any words of mine can express. Every page, I might almost say every line, has benefited from her patient scrutiny and judicious criticism.

J. K.

WASHINGTON, D.C.
April, 1919.

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The interests of the members were also protected by various *procuradores*, or representatives. There were, for example, the *procuradores de Corte*, or *de chancillerías*, a formidable array of legal talent which was kept in constant attendance near the sovereign and at the high courts to protect the interests of the sheep owners. The *procuradores de puertos* were in attendance at the royal toll gates to prevent extortion by the collectors and to levy pro rata assessments upon the flocks, as was explained above. The *procuradores de dehesas* acted as the representatives of the Mesta in arranging leases for its members, and by concerted action were able to gain very considerable advantages in their collective bargaining with the landowners.

One phase of the pastoral industry to which the Mesta ordinances gave special attention was the strict regulation of the duties and behavior of the shepherds.¹ These frequently lawless individuals were the cause of constant trouble, not only with the townspeople along the cañadas, but even with their masters the sheep owners. Every precaution was taken, therefore, to safeguard the interests of the owners and to minimize the possible sources of trouble. No shepherd was allowed to leave his sheep untended, to sell them, or to alter any brands; he was never to buy wine while on duty,² nor to indulge in any "violations of good morals." The number and obligations of their boy assistants (*rabadanes* and *zagales*) and dogs were carefully stipulated, the latter being allowed the same food rations as a man.³

The life of the shepherds was by no means one of privation and hardship. They and their families, who sometimes, though not usually, accompanied them on their migrations, were assured of special royal protection against the annoyances of town bailiffs.⁴

¹ The shepherds were usually called *pastores* or *cabaños*, though they were sometimes specially designated according to the animals in their charge *vaquerizos* or *vaqueros* (cowboys), *cabrerizos* (goatherds), *porquerizos* (swineherds), *boyerizos* (oxherds).

² In the course of the seventeenth-century campaign against the spread of vineyards at the expense of pasturage, the Mesta held forth at great length upon the demoralization caused among its shepherds by the sale of wine.

³ See above, p. 25.

⁴ *Quad. 1731*, pt. 1, p. 8 (1413, 1421).

They could not be imprisoned because of any debts owed by their masters or by the Mesta, and they were exempt from military service.¹ The enforcement of the latter rule was insisted upon by the Mesta, especially during the Portuguese revolution of 1640-41 and the war of the Spanish Succession. In fact, from 1640 to 1726 there were many such exemptions which relieved the shepherds from conscriptions (*quintas*). Any non-migratory herdsman, in order to benefit by this protection, had to have charge of more than a hundred local (*estante*) sheep. Furthermore, in order to avoid abuse of the privilege, it was prescribed that for each *hato* or flock of 400 sheep there were to be only one shepherd and two assistants, and at least one of the latter had to be under sixteen years of age. The shepherds were expressly allowed to carry arms as a protection against wolves, gypsies, and other marauders. In this connection, it may be noted that gypsies were a source of constant complaint from the Mesta. In 1499 that body was largely instrumental in securing the royal decree which expelled them from the country.² This edict apparently had little or no permanent effect, however, for the gypsy problem occurred again in later years. Throughout the later decades of the sixteenth century the expulsion or suppression of the wandering *zincali* was taken up as one of the conditions of various subsidies voted to the crown by the Cortes and by the Mesta.³

Occasionally special guards were appointed by the crown or by neighboring towns to protect the shepherds and their charges while on the march.⁴ These provisions were also intended as a check upon a common custom among the townspeople in the southern and western pasturage regions, where festivals, especially on Christmas eve, included expeditions outside the town walls by crowds of merrymakers. Such celebrations invariably resulted in much loss and discomfiture to the herdsmen and their

¹ *Ibid.*, pt. i, pp. 11, 59; Arch. Mesta, Provs. ii, 43, 51; iii, 44.

² Arch. Hist. Nac., Consejo Real, Expedientes, leg. 48 (1499).

³ Arch. Mesta, Provs. i, 104 (1641); ii, 25, 27; *Quad. 1731*, pt. 1, p. 14 (1533). On other marauders, see below, p. 89. Entregadores were also given special permission to carry arms as a protection against gypsies: *Nueva Recop.*, lib. 3, tit. 14, ley 4, cap. 3.

⁴ Arch. Mesta, Prov. i, 104.

Among other devices to place more town lands at the disposal of the Mesta herds was the encouragement of the *hoja* system of cultivation.¹ Under this arrangement a section or *hoja* of cultivated land was left fallow each year, and was therefore available for pasturage and fertilization by the passing flocks. Mediaeval Castilian agriculture had never become sufficiently extensive or important to develop an active and methodically administered three-field system. There had, however, been more or less irregular practices regarding the leaving of untilled strips (*entrepanes*), resembling the English balks, between the *panes* or grain fields. Isabella was keenly interested in the pastoral possibilities of these untilled *entrepanes* and the fallow *hojas*, and did much, through instructions to corregidores and various other officials, to encourage these agricultural practices.² In a word, the constant purpose was clearly to check any shrinkage of local pasturage which might interfere with the migratory sheep industry.

Even the forestry policy of their Catholic Majesties was shaped toward the same objective.³ Some of their legislation on this subject at first appeared to be directed toward conservation. It was, however, conservation for the benefit of the flocks, and therefore woefully short-sighted, so far as any assurance of the permanence of the woodlands was concerned. The interest of Isabella in this matter was particularly active.⁴ Unfortunately her most important edicts on the subject not only lacked any restrictions on the practice of burning forests to improve pasturage, but they actually stipulated that the welfare of the sheep must be safeguarded, and that herdsmen should be permitted "to cut smaller trees as fodder during the winter, or when pasturage is scarce."⁵ In other words, the old Mesta privilege to *ramonear* — 'cut branches' — was fully confirmed and enforced by special royal judges and by the corregidores, in the face of

¹ See above, p. 21. ² Arch. Mesta, R-1, Rabanos, 1496; B-2, Barco, 1502 ff.

³ On the relations between migratory sheep and the forests in the Middle Ages, see above, pp. 306-308.

⁴ Clemencín, *Elógió*, p. 248: an edict of 1493 regarding the conservation of *montes*.

⁵ Ramírez, *op. cit.*, fol. lxii v, 1496; *Nueva Recop.*, lib. 7, tit. 7, ley 7.

certain commendable old town ordinances which seem until that time to have been moderately successful in protecting forests against the flocks.¹

This reign was indeed the crucial period in the history of Castilian forestry;² and the desolation which was wrought in the wooded areas of the kingdom had its beginnings in the uncompromising partiality of Ferdinand and Isabella for the pastoral industry. Other factors doubtless contributed toward the same end, namely, the spread of population, the construction of the American silver fleets and the naval armadas, and various conditions of climate and soil. But undoubtedly the annual havoc wrought by the migrants under the unrestricted patronage of the new autocracy explains very largely the denudation which so impressed the Venetian ambassadors and other observant travelers in the middle decades of the sixteenth century and by no means escaped the alarmed attention of the Castilians themselves.³ The few dispirited attempts by the Hapsburgs to remedy the situation proved ineffective for two reasons: first, because contradictory privileges annulling any conservation measures were being bestowed upon the Mesta;⁴ and secondly, because the administration of the few forestry reforms proposed in such decrees as those of 1518, 1548, and 1567 was left to the now decadent local governments, and was not given any support by the central authorities.⁵ It was not until the coming of Charles

¹ Arch. Mesta, T-7, Trujillo, 1504: litigation between that town and the Mesta, in which the royal courts finally upheld the rights of the sheep owners to free access to the woodlands of Trujillo's jurisdiction. C-1, Cáceres, 1508 ff.; S-5, Solano, 1503: similar material regarding wooded areas of western Estremadura.

² Cavallès, "La question forestière en Espagne," in the *Annales de géographie*, 15 July, 1905, pp. 318-331.

³ Laborde, *Itinéraire descriptif de l'Espagne* (Paris, 1826, 6 vols.), v, p. 328, points out the need of bringing lumber from Flanders and woodsmen and carpenters from Italy in 1534 for the construction of artillery. See also the sixteenth-century description of the country in Cánovas del Castillo, *Decadencia de España* (2d ed., Madrid, 1910), p. 43, and in *Libros de Antaño*, viii, pp. 231-352, paragraphs 20, 66, 68, 88, the latter contrasting the dense forests of the north coast with the desolation of Castile. Cortes, Valladolid, 1555, pet. 67; Toledo, 1559, pet. 78; *Nueva Recop.*, lib. 7, tit. 7, ley 21.

⁴ *Nueva Recop.*, lib. 7, tit. 7, leyes 15-17.

⁵ *Docs. Inéd. Hist. Esp.*, xx, p. 552; Cavallès, *op. cit.*, pp. 319-320; and Arch.

98. Cáceres. *Fueros y privilegios de C.* Pedro Ulloa y Golfín, ed. (1676?). This is the valuable compilation referred to above (No. 43). It is unquestionably — from the point of view of the student of general Spanish history — the most valuable compilation of local materials yet published. There are four known copies, one of which is in the Hispanic Society's library in New York, and another in my possession.

99. Calatayud. *Ordenanzas de la Junta de Gobierno y Pueblos de la Comunidad de C. Calatayud*, 1751. Another of the four Aragonese *comunidades* (see above, No. 87).

100. Cuenca. *Forum Conche*. B. H. Allen, ed. *University of Cincinnati Studies*, 1909-1910. Other editions of this notable fuero, which served as the model for many later ones (it is dated 1177), are by Cerdá and by Catalán. Allen's is the best, though it has many shortcomings. Cuenca's importance in the Mesta gives special significance to the pastoral regulations of this famous charter.

101. Daroca. *Ordenanzas reales de la comunidad de D.* Saragossa, 1741. (See above, No. 87.)

102. Garde (Valle de Roncal). *Ordenanzas municipales de la villa de G.* In *Cultura Española*, February, 1906, pp. 35-44. Has sixteenth-century pasturage laws.

103. Granada. *Ordenanzas que los muy ilustres señores de G. . . mandaron . . .* Granada, 1552. Other ed., 1672. This compilation stands next to those of Cáceres and Seville as the most generally useful of the town ordinances and codes here cited.

104. Huesca. *Apuntes sobre el antiguo Régimen . . . de H.*, by Ricardo del Arco. Huesca, 1910. See No. 53. Has good data on sheep taxes and local wool market regulations.

105. León. *Ordenanzas para el Gobierno . . . de L.* León, 1669. Has pasturage and sheep regulations of importance because of that city's position as centre of one of the four districts or *quadrillas* of the Mesta.

106. Madrid. *Tratado breve sobre las ordenanzas de M.* Madrid, 1660. Torijo, ed.

107. The same. *Ordenanzas de M.* 1791.

108. The same. *Documentos del archivo . . . de M.* Palacios, ed. Madrid, 1888-1909. 4 vols. See No. 55. This collection reprints most of the more important local documents, without notes or citations of sources. Includes a good set of fourteenth-century pastoral laws.

109. Murcia. *Los muy ilustres señores M. mandaron imprimir las ordenanzas.* Murcia, 1695. Important because of the use of the commons of Murcia by the flocks from Cuenca and other Mesta towns.

110. Plasencia. *Fuero de P.* José Benavides, ed. Rome, 1896. Ms. copies of this notable code, which is full of pastoral materials, are in the Academy of History (E-126, fols. 168 ff.) and the Biblioteca Nacional (D-714). See also *Revista de Extremadura*, viii (1906), pp. 481-494; iii (1903), pp. 172-181, 433-441.

111. Salamanca. *Fuero de S.* Diputación provincial, eds. 1877. This edition, which is really the work of Villar y Macías, is better than that by

Sanchez Ruano (1870). The town was on one of the three great routes of the Mesta, and has therefore many important sheep regulations in its charter.

112. San Felipe. *Ordenanzas para el gobierno de S. P.* 1750. Local sheep regulations of one of the important towns on the southeastern route of the Mesta flocks from Cuenca.

113. Santiago. *Fueros municipales de S. y de su tierra.* López Ferreiro, ed. Santiago, 1895. 2 vols. The only attempt at a study of all of the local charters of a given town. A valuable source on pastoral matters

114. Saragossa. *Ordinaciones de la imperial ciudad de Zaragoza.* 1625. Other editions, 1603, 1695. A two-volume reprint, with introductory matter, by Mora y Gaudó, 1908.

115. Seville. *Ordenanzas de S.* Seville, 1527, reprinted 1632. Contains a set of ordinances for the local shepherds' guild; on the basis of this, the city long claimed exemption from Mesta laws. Next to the Cáceres collection (No. 98), this is the most comprehensive of any of the local codifications.

116. Soria. *Fuero de S.* Text in Loperraez Corvalán, *Descripción del Obispado de Osma* (Madrid, 1788, 3 vols.), iii, pp. 86-182. Larruga, vols. xx-xxii (see No. 85) gives what purports to be this fuero among other documents on Soria; he omits 237 sections out of 542. Loperraez' copy lacks several important sections as given in the manuscript copy in the Academy of History (12-14-2/37). This code is full of data on pastoral affairs. Because of its date, 1256 (less than twenty years before the foundation of the Mesta), as well as because of Soria's position as the leading city in the Mesta, it is of primary importance.

117. Teruel. *Ordinaciones reales de la comunidad de T.* Saragossa, 1684. See above, No. 87.

118. The same. *Forum Turolii.* Aznar y Navarro, ed. Saragossa, 1905.

119. Toledo. *Ordenanzas antiguas de T.* 1858. See No. 61. Has a number of sections on local sheep laws and the town mesta.

120. Usagre. *Fuero de U.* Ureña and Bonilla, eds. Madrid, 1907. This admirable piece of work stands with Ureña's edition of the Zorita fuero (see below, No. 121) as the best of the larger studies of any single fuero. Cf. López Ferreiro's collection on Santiago, No. 113. This Usagre fuero is equipped with helpful bibliographical data and a good glossary.

121. Zorita. *Fuero de Z.* Ureña, ed. 1911. See above, No. 120.

3. Other printed sources

122. Alcubilla, Marcelo Martínez, ed. *Códigos antiguos de España.* Madrid, 1885. Sometimes bound in 2 vols. Contains, among other codes, the *Fuero Juzgo* (*Lex Visigothorum*), *Siete Partidas*, and the *Novísima Recopilación*. It does not give the *Nueva Recopilación* (see No. 142). There are many editions of each of these, but this one, though lacking in extensive commentaries, is accurate and convenient.

123. Aragon. *Colección de documentos inéditos del Archivo General de A.* Vol. xl (1876). Has guild ordinances, notably a set for sheep owners (1333).

124. The same. *Fueros, Observancias, Actos de corte . . . de A.* Parral y Cristobal, ed. Saragossa, 1907. 2 vols.

