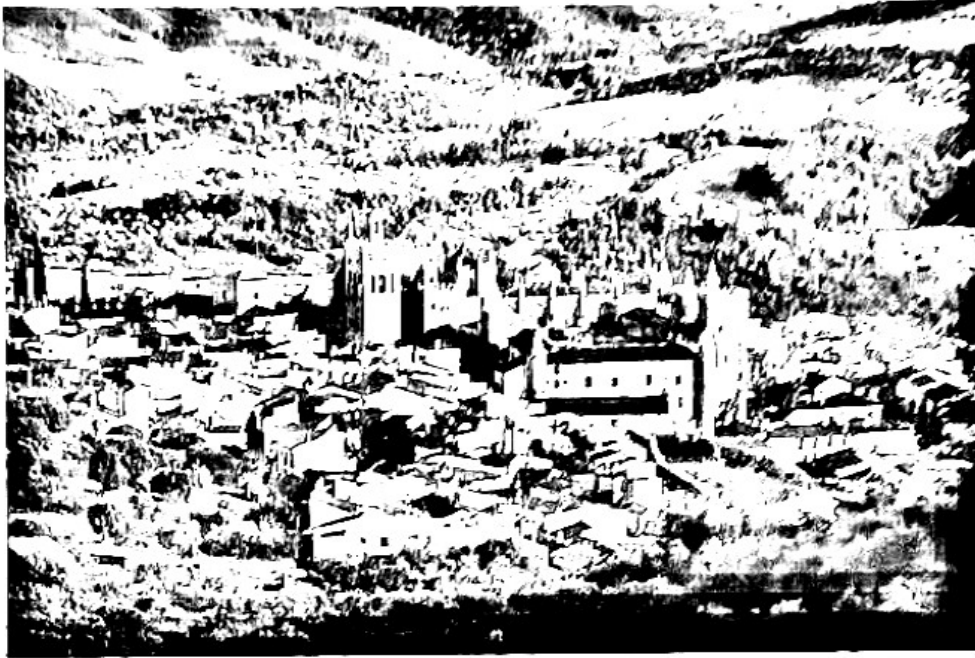


# Magnates, Monks, and Shepherds: Power and Land in Medieval Extremadura, Spain.



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## **Abstract**

During the fourteenth century, Spanish monarchs refocused their energies from the Reconquista to internal conflicts in the face of plague and civil war. This study focuses on the often-overlooked borderland region of Extremadura, where the tensions between the monarchy and local magnates were negotiated both innovatively and within traditional frameworks. Rather than violently resist challenges to their local autonomy in the form of rebellions like those in other regions, the frontiersmen in the town of Trujillo turned to arbitration in an effort to curtail the encroachments of royally-backed institutions like the Monastery of Guadalupe on the patrimony of their community. These disputes not only reveal the dynamic between royal institutions and local magnates, but also illuminate the continuity of the traditional interpretations of land use and access held by the magnates, in addition to the innovative juridical solution of including the monastery as an honorary citizen of the community.

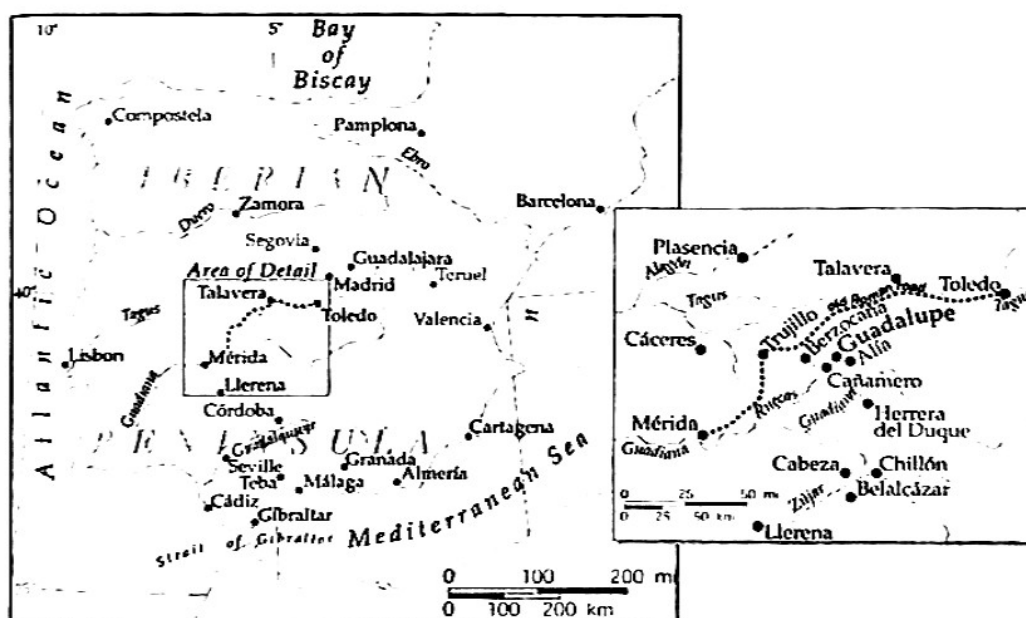


## Introduction

An Extremeño shepherd herded the pigs he tended for the glorious Virgin of Guadalupe and her servants to the woodlands of the monastery's property in Valdepalacios, a village midway between the town of Trujillo and the Monastery of Guadalupe. There the pigs would feast on the acorns of live oaks that were just beginning to fall, providing them with the starch they needed to fill out their diet. However, after a while of grazing and feeding in the shadow of the oaks, the shepherd was approached by armed men from Trujillo demanding that he surrender a portion of his herd as a fine. These armed men argued that since it was the time of the acorn harvest, (*montanera*) only Trujillo's citizens were allowed to benefit from the woodlands of its district without paying a fine. Reluctantly the shepherd obeyed, unable to contend with the vigilantes. When he reported the events to his superiors and the prior of the monastery, they were outraged that not a few years after they had settled a dispute about the monastery's access to the lucrative acorns with the town council of Trujillo, they were again plagued by the ravenous citizens.

Conflicts like the one mentioned above between Trujillo's citizens and the Monastery of Guadalupe took place often in the region of Extremadura in central Spain, a land inhabited and claimed by conquistadors, shepherds, and the venerators of the world-renowned cult of the Virgin of Guadalupe. It lies south of Old Castile and Leon, on the eastern border of Portugal, west of La Mancha, Madrid, and Toledo, and north of Andalucía, Seville, and Cordoba. The hilly plateau is roughly bounded on the north and the south by the Tajo (Tagus) and the Guadiana Rivers, as well as the Cordillera Central and the Sierra Morena mountain ranges, respectively –which supplied the origin of the region's name, translated as “beyond the mountains”. Extremadura is home to a variety of micro-ecosystems, from wooded mountain

ranges to rocky valleys; but it is generally arid, ill-suited to large-scale horticultural agriculture, and dominated by stock-raising in the form of cattle, sheep, and pigs. Its livestock-driven economy would later become one of the cornerstones of the international Castilian merino wool industry and likewise the high quality of Spanish ham (*jamón serrano*) it produced became famous. However, for most of its history after the reconquest in the early- and middle-thirteenth century, it remained sparsely populated as settlers (*repobladores*), bypassed it for the much more prosperous region of Andalucía and the cities of Seville and Córdoba, which were conquered soon after Extremadura.



**Figure 1: Map of Trujillo and Guadalupe Within Iberia, c. 1500**

In Starr-LeBeau, Gretchen D. *In the Shadow of the Virgin: Inquisitors, Friars, and Conversos in Guadalupe, Spain*. Princeton: Princeton University Press, 2003. 15.

Likewise, prior to the fourteenth century, the region received little interest from Castilian monarchs and it remained in a state of general disorder, with many bandits (*golfines*)<sup>1</sup> terrorizing

<sup>1</sup> There is an interesting and prominent family rooted in Cáceres, Trujillo's nearby neighbor, by the name of Golfín (Holguín) that some historians argue are the descendants of "strongmen" dominating the area East of Trujillo before settling in Cáceres. They likewise gloss over the word's original meaning of bandit, to suit this origin myth. Even more fantastically, other writers attribute this family's origins to the Dauphin

the countryside.<sup>1</sup> Towns like Trujillo attempted to promote the settlement of these lands by enticing settlers with the benefits of a generous system of communal land and smaller settlement ventures led by the local elite, who traced their roots in the region to its reconquest. However, by the middle of the fourteenth century, the *Reconquista* (the reconquest of territory in the south of the Iberian Peninsula from Muslims) began to stagnate as Castile – and feudal Europe in general – was faced with myriad problems. These crises have caused the fourteenth century in Spain to be characterized, as the eminent historian Teófilo Ruiz wrote, as a century of “plague, wars, civil strife, the persecution and forceful conversion of Jews, and disputed successions.”<sup>2</sup> It was also during this period that Castilian monarchs, such as Alfonso XI (1312-1350) and his son Pedro I (1350-1369), began to refocus their attention to the internal solidification of the Castilian monarchy and its hegemony over recently subjugated territory, like the rugged region of Extremadura.

Fernando IV of Castile (1295-1312), Alfonso XI’s father, died suddenly when Alfonso was a toddler, leaving a power vacuum and a number of opposing claimants to his throne. Upon coming of age, he had to fight not only to earn the respect of other monarchs who still considered him a youth (*mozo*), but also to consolidate his rule. He did so not only through military engagements against the Muslims of Al-Andalus, but also through the use of Marian cults to gain popular support against his challengers.<sup>4</sup> By the middle of the fourteenth century, the Royal Monastery of Guadalupe –located in the northeast corner of Extremadura and bordering the lands of Toledo –began to receive the patronage of the Castilian monarchy under Alfonso XI. Backed

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of France. See Clodoaldo Naranjo Alonso, *Trujillo y su Tierra: Historia, Monumentos é Hijos Ilustres*. Trujillo: Tip. Sobrino de B. Peña, 1922.

<sup>2</sup> Peter Linchan, “The Beginnings of Santa María de Guadalupe and the Direction of Fourteenth-Century Castile,” *The Journal of Ecclesiastical History* 36, no. 2 (1985): 284–304, 300.

<sup>3</sup> Teófilo F. Ruiz, *Spain’s Centuries of Crisis 1300-1474* (Malden: Blackwell Publishing, 2007), 201.

<sup>4</sup> Linchan, “The Beginnings of Santa María de Guadalupe,” 291.

by royal privileges and charters, the Monastery of Guadalupe grew in prestige until it surpassed even the famed Santiago de Compostela –increasingly inaccessible to pilgrims due to popular revolts in Galicia –as the most visited pilgrimage center in the Iberian Peninsula by the fifteenth century.<sup>5</sup> It has been suggested by many historians that the monastery played a pivotal role in the plans of monarchs who had already begun to capitalize on a shift of religious imagery from St. James the Moor Killer (*Santiago Matamoros*) to the Virgin Mary as mother and protector of the Spanish people, both spiritually and militarily.<sup>6</sup> The monastery was at the center of Alfonso XI's attention and court by the middle of the fourteenth century in a way that can be compared to the monastery and royal court at El Escorial in the subsequent early modern period.<sup>7</sup> The growing interest in Marian cults as well as the particular draw of the Virgin of Guadalupe's supposed connection to St. Leander and Pope Gregory the Great as the protector of the city of Rome from plague all contributed to the appeal and growth of the monastery.

Although Alfonso XI was largely successful in his endeavors, his momentum and plans were cut short by plague, which took his life during the siege of Gibraltar in 1350 –he was the only European monarch to lose his life to the Black Death. His son Pedro I was faced with a disputed succession by his half-brother, the future Enrique II de Trastámara (1369-1379) and the

<sup>5</sup> Gretchen D. Starr-LeBeau, *In the Shadow of the Virgin: Inquisitors, Friars, and Conversos in Guadalupe, Spain* (Princeton: Princeton University Press, 2003), 31.

<sup>6</sup> Such as: Amy Remensnyder, *La Conquistadora: The Virgin Mary at War and Peace in the Old and New Worlds* (New York: Oxford University Press, 2014); Carlos Jesús Rodríguez Casillas, "Alfonso XI y Guadalupe: Un Punto y Aparte en la Historia de Extremadura," *XXXVII Coloquios Históricos de Extremadura*, vol. 2 (2009): 633–58; Francisco de Paula Cañas Gálvez, "Devoción Mariana y Poder Regio: Las Visitas Reales al Monasterio de Guadalupe Durante los Siglos XIV y XV (ca. 1330- 1472)," *Hispania Sacra* 64, no. 130 (2012): 427–47; Luis Vicente Díaz Martín, "La Consolidación de Guadalupe Bajo Pedro I," *En La España Medieval*, no. 2 (1982): 315–36; Luis Vicente Díaz Martín, "La Mesta y el Monasterio de Guadalupe: Un Problema Jurisdiccional a Mediados del Siglo XIV," *Anuario de Historia Del Derecho Español*, no. 48 (1978): 507–42; Peter Linehan, "The Beginnings of Santa María de Guadalupe," J. C. Monterde García, "Reflexiones en Torno al Real Privilegio de Enrique II a Guadalupe," *Alcántara: Revista del Seminario de Estudios Cacerreños*, no. 59 (2004): 129–37; and many others.

<sup>7</sup> Linehan, "The Beginnings of Santa María de Guadalupe," 303.

nobility that supported him. The First Castilian Civil War that ensued, as well as the famine and population decline that resulted from the plague epidemic and war, continued to redirect the gaze of Castilian monarchs away from the *Reconquista* to the consolidation of their power within the kingdom itself. The ability of Castilian monarchs to successfully extend and consolidate their power in northern Extremadura fluctuated, with some monarchs being more able to protect their interest in the monastery, such as Pedro I and Enrique III, and others being less able, such as Juan II (1406-1454). It is during the reigns of Alfonso XI and Pedro I that the monastery became the most closely linked to the Castilian monarchy. Alfonso XI and his successors treated the monastery as a ceremonial and religious center for Castile, just as Santiago de Compostela had been for Leon and Galicia, and Guadalupe became the burial place of many of Castile's subsequent monarchs. However, the monastery was not only a cultural and religious pilgrimage site, but more pragmatically, it was also enlisted by the crown to further its political and economic interest in the region by directly aiding in the resettlement of Extremadura, thereby promoting greater stability in the region.

With the help of the many royal privileges granted to it by Alfonso XI and Pedro I, the monastery embarked on an aggressive campaign to purchase land in the nearby district (*termino*) of Trujillo to use as the foundation of an extensive livestock enterprise. The monastery's policy of purchasing expansive tracts of land that they attempted to restrict to their use alone was encouraged by the monarchy to attract settlers and trade not only through pilgrims, but also through better regulating the access to and utilization of these lands.<sup>8</sup> As the monastery of Guadalupe amassed more land and introduced new restrictions to its use, the council of Trujillo began theoretically to lose valuable tax income and more importantly its citizens were losing

<sup>8</sup> Rodríguez Casillas, "Alfonso XI y Guadalupe: Un Punto y Aparte."; Linchan, "The Beginnings of Santa María de Guadalupe."

access to lands which had formerly been communal, as the monastery articulated these claims land ownership in a markedly different way.

It is really only with the rise of the monastery's power that this corner of Extremadura became a key battleground region, not in the *Reconquista*, but in the efforts of Christian monarchs to consolidate their rule in the face of local magnates who were also fighting to maintain their power in this period of generalized civil and economic unrest. In doing so, they sparked conflicts and litigations over property rights and jurisdiction between the two most powerful institutions in the region: the council of Trujillo and the Monastery of Guadalupe. These conflicts beg the questions: what would make a small town in medieval Extremadura, on the cultural and political fringe of Castile, believe that it could successfully contest the advancement of the powerful and royally-backed Monastery of Guadalupe; and what these conflicts reveal about the way the different people in the region (e.g. magnates, monks, and shepherds) thought about land and their rights to it? It also leads to questions about the political and social backgrounds of the period, just over four decades after the Black Death and less than two decades after the First Castilian Civil War, and the effects that these contexts could have had on the way these groups interacted with each other over contested land.

Previous studies have looked at the medieval conceptualization of land and conflicts over its use and jurisdiction. Most notable among them is David Vassberg's classic 1983 study *Land and Society in Golden Age Castile*.<sup>9</sup> Although Trujillo is mentioned in a number of examples, Vassberg's focus is much more dispersed across Castile and focused on the fifteenth and sixteenth centuries than on land and its role in society in the fourteenth century. In a similar way, Jeffery Bowman's fascinating 2003 monograph *Shifting Landmarks: Property, Proof, and*

<sup>9</sup> David E. Vassberg, *Land and Society in Golden Age Castile* (New York: Cambridge University Press, 1983).



*Dispute in Catalonia around the Year 1000* reveals the complicated systems of litigation and defining boundaries in early medieval Catalonia through his analysis of legal documents from this remarkably litigious and literate society.<sup>10</sup> However, Bowman's study is more concerned with a French historical discourse about the transition of societies to a feudal economic system, arguing that this change was not as radical as many had believed. *Beyond the Market: Transactions, Property and Social Networks in Monastic Galicia, 1200-1300*, a collection of studies edited by Reyna Pastor de Togneri in 2002, utilizes computer databases and 2,500 Galician land contracts (*foros*) between three monasteries and their local communities to study the complicated concepts of land ownership and the impact of social networks in these types of sales that they claim were economic transactions beyond the usual market.<sup>11</sup> This study is particularly helpful as a model to understand the way land transactions and conflicts can reflect the intricate power relations of local social networks.

In her intriguing 2003 monograph *In the Shadow of the Virgin: Inquisitors, Friars, and Conversos in Guadalupe, Spain*, Gretchen Starr-LeBeau focuses on the monastery, its town (*puebla*) and the local population of Jewish converts to Christianity (*conversos*), and mentions the conflicts between the monastery and the city of Trujillo in passing.<sup>12</sup> Ida Altman also mentions the conflicts between the Monastery of Guadalupe and the city of Trujillo in a short aside in her 1989 work *Emigrants and Society: Extremadura and America in the Sixteenth Century*, which studies the effects of emigrant *Extremeños* and returnees from the Americas on

<sup>10</sup> Jeffrey A. Bowman, *Shifting Landmarks: Property, Proof, and Dispute in Catalonia Around the Year 1000* (Ithaca: Cornell University Press, 2003).

<sup>11</sup> Reyna Pastor de Togneri, ed. *Beyond the Market: Transactions, Property and Social Networks in Monastic Galicia, 1200-1300*. The Medieval Mediterranean, v. 40 (Boston: Brill, 2002). Most notably they found that lay landowners would often sell the same piece of land to the monastery multiple times, revealing the sense of ownership that heirs had of their family's patrimony and the monasteries' willingness to oblige them by buying it again from succeeding claimants.

<sup>12</sup> Gretchen D. Starr-LeBeau, *In the Shadow of the Virgin*.

the local society of sixteenth-century Cáceres and Trujillo.<sup>13</sup> More specifically, the conflicts between the monastery and Trujillo over land and jurisdictional power have also been the subject of a few articles by Spanish historian María Isabel Pérez de Tudela y Velasco.<sup>14</sup> These articles have been the main source consulted by subsequent studies that mention the conflicts. All of these studies leave a gap in both time and geography, and in the case of Perez de Tudela, depth in the way these conflicts reveal the central position of land and the communitarian tradition to the magnate families fighting the monarchy for local control in this century of crises, which this study aims to fill.

I will examine two published collections of fourteenth-century documents: one set extracted and transcribed from the municipal archives of the city of Trujillo, and the other gathered and transcribed from various Spanish archives concerning the Monastery of Guadalupe.<sup>15</sup> These published documents will be examined together with copies of parchments from the Archivo Histórico Nacional (AHN) in Madrid, Spain, which document the litigations of 1394 and 1417 between the Monastery of Guadalupe and Trujillo over the civil jurisdiction of the village (*aldea*) of Valdepalacios and access to Trujillo's public lands. These documents were previously held in the archives of the Monastery of Guadalupe, but were later transferred to the AHN. Transcriptions and translations of these documents have been prepared by the author, and have been transcribed literally, with expansions bracketed ( ). The letter "v" is used when "u" is

<sup>13</sup> Ida Altman, *Emigrants and Society: Extremadura and America in the Sixteenth Century* (Berkeley: University of California Press, 1989).

<sup>14</sup> María Isabel Pérez de Tudela y Velasco, "Guadalupe y Trujillo: Una Ilustración Sobre sus Relaciones en el Siglo XIV." *En la España Medieval*, no. 1 (1980): 329–46; María Isabel Pérez de Tudela y Velasco, "Pleitos Entre Guadalupe y Trujillo por la Aldea de Valdepalacios," *Anuario de Estudios Medievales*, no. 12 (1982): 537-548., 538.

<sup>15</sup> Ma. de los Angeles Sánchez Rubio, *Documentación Medieval: Archivo Municipal de Trujillo (1256-1516)* (Cáceres: Institución Cultural "El Brocense," Excma. Diputación Provincial de Cáceres, 1992); María F. Cerro Herranz, *Documentación del Monasterio de Guadalupe: siglo XIV* (Cáceres: Departamento de Publicaciones de la Excma. Diputación Provincial de Badajoz, 1987).



a consonant.

This study will first present a brief history of the city of Trujillo and its economy, local government, and social dynamics. It will highlight the importance of honor and the retention of patrimony for the local magnates, in addition to an explanation of the politics and allegiances of these families. Next, it will utilize the inquests held in 1353 to demonstrate the failure of the council to maintain order and solve disputes, which pushed the monarchy to look for alternatives to this earlier form of local government. It will then discuss the origins of the Monastery of Guadalupe together with its relationship to the monarchy and the district of Trujillo, with a particular emphasis on their economic ambitions in the region. Next, the study will analyze the 1394 and 1417 litigations between the city of Trujillo and the Monastery of Guadalupe, and will suggest what these conflicts reveal about each institution's conceptualization of land rights and jurisdiction within the context of the growth of anti-seigneurial conflicts. Finally, these interactions will be compared with interactions cited in scholarship about the previous and subsequent centuries, and will place these interactions within the context of broader institutional reform and the monarchy's attempts to find a replacement for the schismatic town council in resettling the rugged region. This study aims to understand the way fourteenth-century *Extremeños* thought about land in order to understand their bold defense of the boundaries of their patrimony, as well as the dynamics behind the collusion of two systems of resettlement that represented the interests of the magnate frontiersmen and the monarchy, through the Monastery of Guadalupe.

## Chapter 1

### The Magnates of Trujillo and their Social Networks

In the region of Trujillo, the oligarchy of magnate petty-nobles (*hidalgos*) and the council of Trujillo –which they controlled –were at the center of society. After Trujillo’s definitive reconquest by Fernando III of Castile (1217-1252) on January 25, 1232 –after almost a century of back and forth between the Portuguese, Castilians, Leonese, and Muslims –the city received a generous district (*termino*) with an “extraordinarily wealthy” set of *propios* (property owned directly by the council). These *propios* included “houses, corrals, property mortgages, and income from various taxes and fines,” in addition to land that was rented out for “the common interest.”<sup>16</sup> The council was responsible for maintaining the boundaries of these lands against encroachment and ensuring unbiased access for eligible settlers (*repobladores*) and citizens to the natural resources (game, firewood, acorns, etc.) of the entire district –privately- and publicly-owned lands included. From the time of the city’s reconquest, the council of Trujillo held a prominent position in local affairs and worked in a similar way as modern town councils do today, with some medieval variances.

The council was ideally a representation of the city, and it is believed that in the twelfth and thirteenth centuries, the entire town would meet to form the council.<sup>17</sup> By the fourteenth century, the council was divided into two groups of elected officials: the greater offices (*cargos mayores*) and the lesser offices (*cargos menores*). The greater offices were composed of eight *regidores*, the most important official equivalent to a modern councilman, and two deputies (*fieles*) who assisted the *regidores* in performing their duties. These officials were the effective

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<sup>16</sup> Vassberg, *Op. Cit.*, 24.

<sup>17</sup> Carmen Fernández-Daza Alvear, *La Ciudad de Trujillo y su Tierra en la Baja Edad Media*. (Madrid: Universidad Complutense, 1991), 312.

leaders of the local government who made administrative decisions, granted citizenship, regulated the economy, and enacted the city's local legal codes. The second set of offices, the lesser offices, were comprised of a number of officials who worked in various aspects of running the city, from a comptroller (*mayordomo*) who oversaw the financial transactions of the council to a lawyer who acted as a public defender for the city's citizens, along with other economic regulators. The protection and regulation of the city's public lands and the natural resources of the district were vitally important to the council as one of its main resources to attract settlers to the area.

The council members of Trujillo, other than the those of cities within territories that were under the jurisdiction of the military Order of Santiago, were the only council officials to still be elected through the fifteenth century while other cities had these officials appointed by the king or a local lord.<sup>18</sup> Although the council members were elected annually and were only eligible to run for an office every two years, the election process was not necessarily more democratic or open than the other systems of appointments. Before reforms were enacted in 1491, elections took place on November 30 each year, on the feast day of St. Andrew. On that day, each of the three lineage groups of the city met in separate places and named an *elector*, who was usually the most prominent member of the main family of that lineage. These *electores* would then appoint whoever was eligible to the offices reserved for their lineage—usually members of their family or their dependents. This system of elections provoked conflicts and was eventually replaced by the Catholic Monarchs with an ideally less-biased method in which names were drawn from a jar.<sup>19</sup> The lineages comprised an oligarchy which controlled the city

<sup>18</sup> Gerbet *La noblesse*, 437, and Daniel Rodríguez Blanco *La Orden de Santiago*, 288, c.f. Carmen Fernández-Daza Alvar, *La Ciudad de Trujillo*, 317.

<sup>19</sup> Carmen Fernández-Daza Alvar, *La Ciudad de Trujillo*, 317-318.



Figure 2: Gate of Triumph in Trujillo  
In Carmen Fernández-Daza Alvear. *La Ciudad de Trujillo y su Tierra en la Baja Edad Media*. Madrid: Universidad Complutense, 1991. Front Cover.

for centuries and continuously fought to retain their control among each other within their lineages and against competing lineages, in addition to external forces such as powerful nobles, the monarchy, and the Monastery of Guadalupe.

Popular legend venerates the participation of three noble lineages in the reconquest: the Altamiranos, the Bejaranos, and the Añascos. These lineages and the families that comprised them became the local magnates of Trujillo and the main beneficiaries of the division of land and conciliar seats.<sup>20</sup> Although all three lineages participated in the reconquest, only two –the Altamiranos and Añascos –resided in Trujillo

immediately after, whereas the Bejaranos resided for a time in Badajoz before returning. The Bejaranos were a family originally from Portugal and claimed descent from a conqueror of the city of Bejar –hence their name. While in Badajoz, they became embroiled in a bloody feud with another family in the city: the Portugales. Fearing the king’s retribution, two members of the family escaped to Trujillo and married women from the Añasco lineage.<sup>21</sup> The Bejaranos’ reintegration into Trujillo’s society and their claim to divide the conciliar seats in equal thirds sparked conflicts between the allied Bejarano-Añasco faction and the powerful Altamiranos.

<sup>20</sup> Ibid., 99.

<sup>21</sup> Diego de Hinojosa, *Manuscrito de Hinojosa in Crónicas Trujillanas del Siglo XVI (Manuscritos de Diego y Alonso de Hinojosa, Juan de Chaves y Esteban de Tapia)*, ed. by Miguel Muñoz de San Pedro (Cáceres: Publicaciones de la Biblioteca Pública y Archivo Histórico de Cáceres, 1952), 25-26. See Bejarano Family Tree in Appendix 2 below.

The Altamiranos were said to be originally from Avila and claimed descent from a mythical Fernan Ruiz, who stayed in the city after its first loss to the Moors but opened the gates of the city to the Christian army, aiding its final reconquest.<sup>22</sup> Another more documented ancestor named Don Tome Altamirano was identified, in a document dated to 1256, as Alfonso X's vassal in Trujillo. Alfonso X granted this Don Tome the rents and taxes of Trujillo and was made the castellan (*alcaide*) of the city's citadel.<sup>23</sup> Altamirano descendants kept close ties with the monarchy, serving as royal chamberlains (*camarero*) and governors.<sup>24</sup> This lineage held a very prominent place in the society of Trujillo, whose members were always to be allowed to speak first in the closed meetings of the council and whose arms were displayed on the official weights and measures of the city.<sup>25</sup> The Altamiranos argued that because the Bejaranos and Añascos were so closely related, the conciliar offices should be divided in half—leaving the Bejaranos and Añascos with only one quarter of the seats each and the Altamiranos with two quarters. The animosity engendered by this arguably uneven division sparked blood-feuds, remembered as the *bandos*, among the magnates that plagued the region for generations.

These feuds came to a head in 1353, a very busy and litigious year for the council in which they were also embroiled in litigations to protect conciliar lands from settlers using the legal tradition of *presura*, among other tactics, to take over 'unused' land and delineate their boundaries as precisely as possible. Pedro I's judge (*alcalde*), Diego Juan de Salamanca, held a hearing where the three lineages voiced their arguments and reported back to the king for a final decision. In 1357, Pedro I of Castile decreed his decision that would placate the factionalism over the division of conciliar offices. He stipulated that half of the council seats would be filled by members of the Altamirano lineage and the other half would be shared by members of the Bejarano and Añasco lineages—one quarter per lineage. It is argued by some historians that Pedro's decision—which favored the Altamirano faction—resulted from their close association with the monarchy. Further, they argue that the Bejaranos' later support of Pedro's dynastic

<sup>22</sup> Carmen Fernández-Daza Alvear, *La Ciudad de Trujillo*, 166.

<sup>23</sup> Ibid.

<sup>24</sup> Clodoaldo Naranjo Alonso, *Trujillo y su Tierra: Historia, Monumentos é Hijos Ilustres* (Trujillo: Tip. Sobrino de B. Peña, 1922), 316. c.f. Carmen Fernández-Daza Alvear, *La Ciudad de Trujillo*, 316; Members such as Juan Alfonso de la Camera, royal chamberlain to Alfonso XI, who also granted him the lordship (*señorio*) of Orellana la Vieja, and Alfonso Fernandez Altamirano, named Governor of Badajoz by Pedro I. See Altamirano-Orellana Family Tree in Appendix 2 below.

<sup>25</sup> Estaban de Tapia y Paredes, *Breve Tratado de los Linajes y Decendencias, Divisas y Armas y Blasones de los Caballeros de la Valerosa Ciudad de Trujillo* in *Crónicas Trujillanas del Siglo XVI*, ed. by Miguel Muñoz de San Pedro, 219.

rival, Enrique II, stemmed from their dissatisfaction with Pedro's decision.<sup>26</sup> The main Bejarano branch was one of the many supporters of Enrique II and received a lordship for their service at the expense of royal power.<sup>27</sup> However, the division of conciliar offices set in place by Pedro in 1357 was not altered until 1496, when it received only a minor change.<sup>28</sup> That is not to say that this compromise was entirely effective in curbing the factionalism of the city's magnate lineages. The lineages still feuded with each other regularly –albeit less violently –until the Catholic Monarchs brought greater stability to the region. During the reign of the Catholic Monarchs, the magnates were compelled to reduce the height of their urban towers, and their power and freedom in the frontier of Extremadura waned as the urban militias (*hermandades*) strengthened the power of the monarchy.<sup>29</sup>

It is important to note that although individuals would identify themselves with one predominant lineage, a few generations after the resettlement of the city the three main lineages were already connected through marriage and shared ancestors. Although it was divided among three main lineages and each individual took special pride in their own lineage's accomplishments, the entire oligarchy of Trujillo's magnate lineages was connected by marriage and blood by the end of the fourteenth century. As a result of this endogamy, individuals could decide which lineage would be their primary identifier, as in the case of Juan de Hinojosa, whose paternal lineage would make him an Altamirano, but who chose to associate with the lineage of his mother and wife: the Bejaranos.<sup>30</sup> These lineages were also held together by the idea of

<sup>26</sup> Clodoaldo Naranjo Alonso, *Trujillo y su Tierra: Historia, Monumentos é Hijos Ilustres* (Trujillo: Tip. Sobrino de B. Peña, 1922), 316.

<sup>27</sup> Carmen Fernández-Daza Alvear, *La Ciudad de Trujillo*, 80. The lordship of Orellana la Nueva (to the west of the Altamirano lordship of Orellana la Vieja) was granted by Enrique II to Alvar Garcia de Bejarano in 1375.

<sup>28</sup> Ibid., 317.

<sup>29</sup> Ibid., 126.

<sup>30</sup> Ibid., 163.



belonging to a larger group of privileged *hidalgos* –who were exempt from most direct taxation –and their conformity to an ideal based on personal honor, in addition to their strong kinship and patronage ties. Generally, individuals of the *hidalgo* class were most commonly identified in charters and other documents by their familial relations (being the son or nephew of someone) and rarely by some other identifier, such as occupation or place of residence.

The social interactions and identity of the local nobility revolved around the lineage group which tied individuals and nuclear families together in kinship through blood, marriage, or sometimes patronage relationships. Familiars (*deudos*) and dependents (*criados*), were still tied to the main noble families of Trujillo, and in the case of the Añascos, could even represent a lineage that had died out in the male line at least by the end of the fourteenth century. Serving in conciliar offices was contingent upon membership in one of the three lineages and an individual's access to certain communal resources, and success was tied to their familial allegiances and social networks. That is not to say that citizenship was tied to familial connections, since it was determined by owning property or otherwise being a productive member of the society as well as living in the district. However, since citizenship was granted



Figure 3: Tower of the Bejarano *Alcazar*  
In Carmen Fernández-Daza Alvear, *La Ciudad de Trujillo y su Tierra en la Baja Edad Media*, Madrid: Universidad Complutense, 1991, 61.

by the council, having such allegiances could be instrumental to gaining that distinction. Likewise, most council offices were not intended to be filled by any citizen, only those who could claim *hidalgo* status.

While all of the lineages were closely tied to the city of Trujillo, only the Bejaranos and Altamiranos had municipal fortress-palaces (*alcazar*), whereas the more rural Añascos were centered around a number of fortress-towers in the countryside –namely in Alcollarin, Madrigalejo, and La Zarza, to name a few.<sup>31</sup> These lineages also had a special conceptualization of honor that tied their ownership of land with their individual identity.

Honor was highly valued by the magnates of Trujillo as well as the council, which was largely a reflection of this social group. In the Middle Ages and in most Western European societies, the fixation on honor was a common feature of feudal society. The historian Rafael Serra Ruiz argued that in Spain, the idea of honor was so far-reaching and pervasive in society that it “monopolized almost the entire identity of the medieval man.”<sup>32</sup> Similarly, Spanish historian Americo Castro noted that “honor was felt like the cult of a belief, like an undividable love affair with another lover, like the totality of conscience.”<sup>33</sup> Spanish honor could be slighted not only by the more common personal events of sexual dishonor and verbal slander, but according to the Spanish historian Claudio Sanchez-Albornoz, the individual’s honor could also be attached to the “vassals and possessions of the *hidalgo*.”<sup>34</sup> It is particularly the last of these associations, where an *hidalgo*’s honor could be tied to property and possessions, that stands out in the conflicts over land and boundaries that occurred between the council of Trujillo and its

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<sup>31</sup> Ibid., 168.

<sup>32</sup> Rafael Serra Ruiz, *Honor, Honra e Injuria en el Derecho Medieval Español*, 39.

<sup>33</sup> Americo Castro, *El Drama de la Honra en España y en su Literatura* (Madrid: Taurus, 1963), 3. c.f.

Rafael Serra Ruiz, *Honor, Honra e Injuria en el Derecho Medieval Español*, 45.

<sup>34</sup> Claudio Sanchez Albornoz, *España: Un Enigma Historico*, 1, 620. c.f. Rafael Serra Ruiz, *Honor, Honra e Injuria en el Derecho Medieval Español* (Murcia: Sucesores de Nogués, 1969), 39.



magnate citizens in 1353.

Although honor and its extension to the possessions and patrimony of the individual and lineage clearly played an important role in the society of Trujillo, it was not ideology unique to Spain or even the Mediterranean. Historians Scott Taylor argues in his fascinating study *Honor and Violence in Golden Age Castile* that the older view characterizing the Mediterranean as unique in its predilection for feuding and honor may be less realistic.<sup>35</sup> Nevertheless, with the understanding that this does not constitute a unique trait in this society's penchant for using the rhetoric of honor it is still useful in explaining these magnates' reasoning for entering into litigations or feuds even with institutions seemingly more powerful than themselves.

During the fourteenth century, the local magnates of Trujillo continued to hold on to their privileged status and honor against the attempts of ambitious monarchs and monks to consolidate royal control and to exploit the communal lands they were protecting for their kin and fellow citizens. Their conceptions of honor, tied to their lands and possessions, as well as their commitment to the communitarian system of land use stand out in the documentation of their conflicts. It also goes a long way to explain their preoccupation with even economically-poor lands, and their willingness to petition and even fight the supposed highest power in the kingdom and his representatives for control of lands that they were unable to fully utilize and regulate. It is because these magnates attached their honor as an extension of their individual identity –and more broadly the identity of their lineage and social group –to their lands that they felt so compelled to confront these powerful institutions for lands with arguably little economic worth. The language of honor, while dominating the actions of institutions controlled by these

<sup>35</sup> Scott K. Taylor, *Honor and Violence in Golden Age Spain*, (New Haven: Yale University Press, 2008) , 6.

magnates, is overshadowed in the documents of the monastery by economic and financial concerns. These differences in the ideological importance of land are most vividly displayed in the conflicts that occurred between the council of Trujillo and the Monastery of Guadalupe in 1394 and 1417.

## Chapter 2

### Land, Honor, and the Council of Trujillo

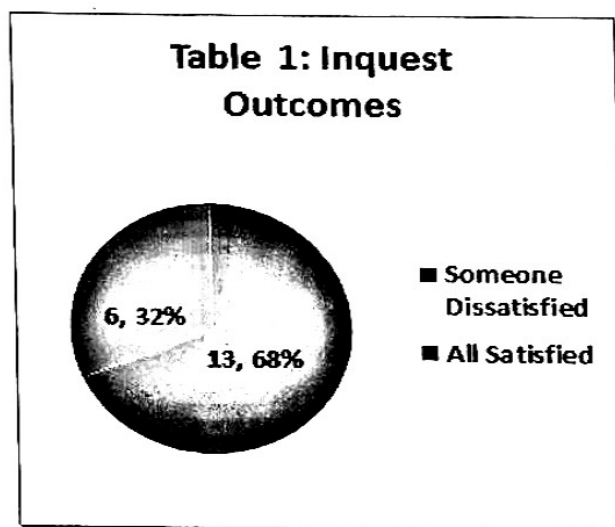
The council of Trujillo often entered into litigation over jurisdiction and property rights to protect its interests and the traditional communitarian system of land use. The council not only fought with other neighboring institutions like the Monastery of Guadalupe, but also fought against opportunistic landowners who saw the generalized instability of the fourteenth century as an opportunity to expand their lands at the expense of arguably little-used conciliar lands. These opportunists came from every level of the society, but many were members of the magnate lineages as well. These occurrences are not at all exclusive to Extremadura in the fourteenth century, and were even archetypical in Castilian literature such as the *Milagros de Nuestra Señora*, which was written a century earlier in Northern Castile.<sup>36</sup> However, what is particularly interesting is the importance of the lands in question, especially when these families began selling their other holdings only a decade later to the Monastery of Guadalupe. Likewise, the way they connected their honor to the boundaries of their lands is instrumental in understanding why the council was unable to successfully settle disputes over land. Even if the defendants received the approval of the judge, his delineation of the boundaries was often different from what the council or the landowner would consider acceptable. Such a deviation was considered a slight to their honor and required the arbitration of the monarch. The failure of the council to consistently resolve these issues because of the magnates' insistence on protecting their honor, confirmed the crown's notion that the council was not the best institution to promote the resettlement of this area.

In March of 1353, Pedro I of Castile entrusted Gonzalo Fernandez Añasco (a somewhat

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<sup>36</sup> Gonzalo de Berceo, *Milagros de Nuestra Señora*, c. 1250; c.f. Ruiz, *From Heaven to Earth*, 71.

prominent citizen of Trujillo and a member of one of its three main noble lineages) to hold inquests into the matter of misappropriated conciliar lands with the permission of Trujillo's council.<sup>37</sup> These inquests began with Gonzalo Fernandez sending out the sheriff (*alguacil*), Pere Anes, and his kinsmen, Domingo Gil and Diego Garcia, to the scene to investigate the boundaries in question. After the parties, that is the representative of the council and the representative of those who were charged with misappropriating conciliar land, had presented witnesses (*testigos*) to back their claims, Fernandez would consult with "good men, wise in law (*savidores en derecho*)"<sup>38</sup> and pronounce his ruling. He would then have the boundaries separating the conciliar land from the defendants' land recorded and announced to the two parties. Although it is unclear how guilty the *Trujillanos* in these litigations were of actually misappropriating conciliar land as their own, it is clear that both parties had very particular expectations for the



**Figure 4: Satisfaction Rates of 1353 Inquests**

outcome of the inquest, and Gonzalo Fernandez often ruled outside that expectation.

Gonzalo Fernandez had a clear preference for those who were being charged with misappropriations –many of whom were members of his lineage group –revealed by Fernandez's approval of their claim in 84% (16 of 19) of the cases. However, his decision was rejected by either one or both of the litigants the majority of the time (68%, 13 of 19). Surprisingly, more

<sup>37</sup> AMT. Leg 1.1 N° 30 Fols. 89v-92r; in Ma. de los Angeles Sánchez Rubio, *Documentación Medieval: Archivo Municipal de Trujillo (1256-1516)* (Cáceres: Institución Cultural "El Brocense," Excma. Diputación Provincial de Cáceres, 1992), 35-36.

<sup>38</sup> AMT. Leg 1.1 N° 9 Fols. 25r-26r; in Sánchez Rubio, *Documentación Medieval*, 37.

than half of the time (58%, 11 of 19) the winning litigant was displeased with the decision, usually citing their besmirched honor and intention to petition the monarch because the boundary marked by Gonzalo Fernandez was prejudicial. In most of these cases, the aggravated winner was a member of Fernandez's lineage and perhaps expected a better deal from their relative. Regardless of the reality of ownership, both the council and the defendants attached their honor to the exact boundaries of what they perceived to be their lands.

In one inquest, which occurred on April 23, 1353, Gonzalo Blazquez, a citizen of Trujillo and a member of the Bejarano lineage closely linked to that of Gonzalo Fernandez, argued against the claims of the council on behalf of his mother Maria Alfonso, the widow of Blasco Blazquez. Gonzalo Blazquez argued that this *heredad* had belonged to his maternal grandfather and had been passed to his mother, being held by their family "peacefully without intervention from the said council . . . for more than fifty years."<sup>39</sup> In this way, he argued "by the town charter, the law, and order of the King, that even if it had belonged to the aforesaid council, it had lost it because of time [that had passed without use]."<sup>40</sup> This legal tradition of *presura*, an old custom in Castile, was readily used by anyone from savvy peasant families to fabulously wealthy nobles in order to expand their properties into 'unused' land. David Vasseberg argues that the right of *presura* generally "favored the development of small property owners."<sup>41</sup> In general this legal and customary tradition was often favored by the monarchy and local governments, given its potential in aiding the resettlement and development of lands after their reconquest. Allowing these lands to be transferred to people who used them not only increased the area's production, but also aided in taming it with a denser population in the countryside.

<sup>39</sup> Ibid. "*en paz e en faz del dicho concejo . . . avie mas de cinquenta anos que lo tovieran*"

<sup>40</sup> Ibid. "*segun fuero e derecho e ordenamiento del rey, que quique sydo fuese del dicho concejo, que lo avia perdido por tienpo*"

<sup>41</sup> Vasseberg, *Land and Society*, 121.

Trujillo's relatively recent reconquest, as well as its location in a geographically mountainous area, left the *termino* with plenty of open and empty land in need of settlers in the mid-fourteenth century. However, some lands such as particular woodlands (*montes*) were particularly important to the community, such that official favored the councils retention of these lands for use by all citizens.

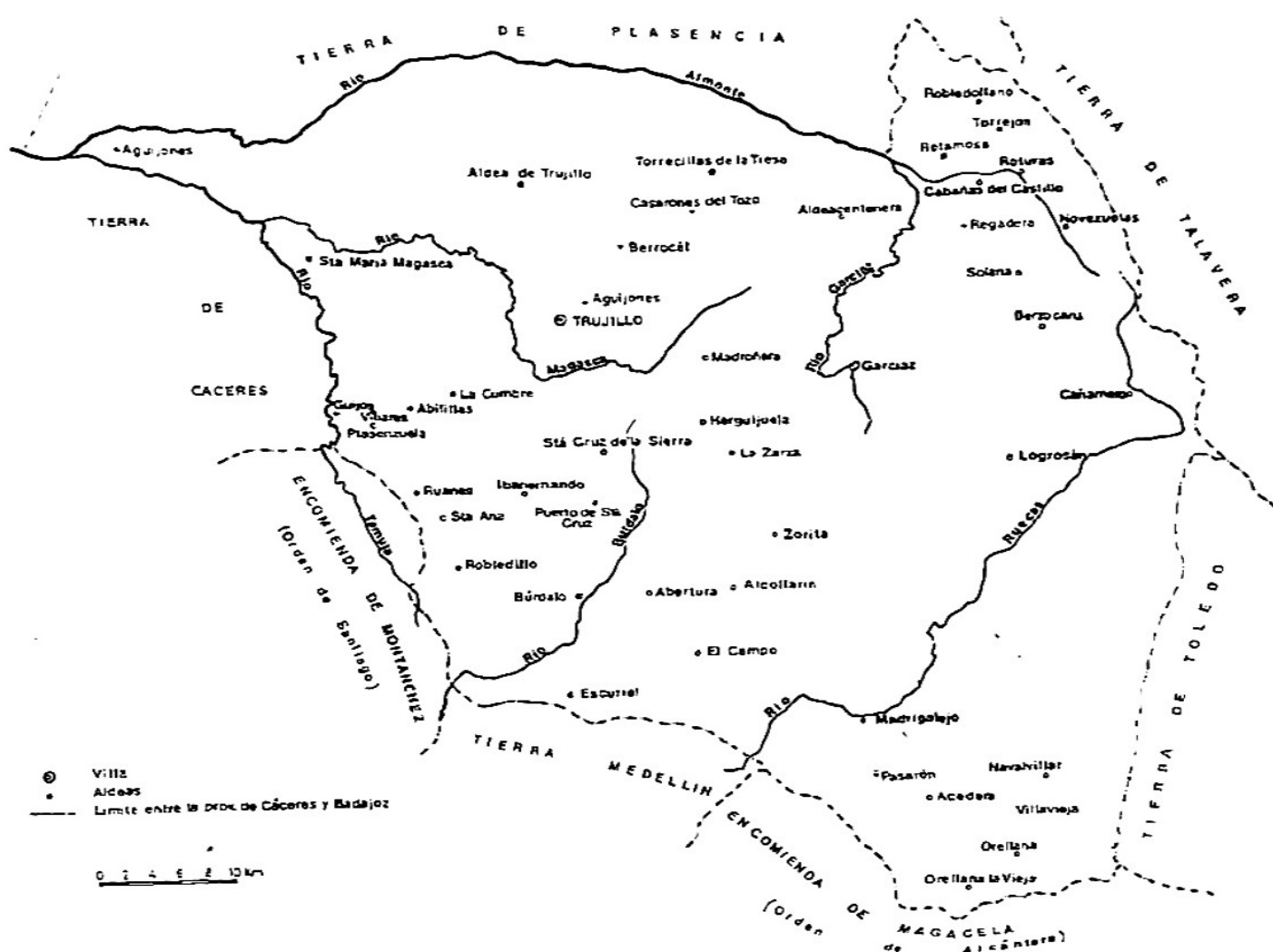


Figure 5: Map of Trujillo's District

In Carmen Fernández-Daza Alvear. *La Ciudad de Trujillo y su Tierra en la Baja Edad Media*. Madrid: Universidad Complutense, 1991. 76.

Indeed, in this case Gonzalo Fernandez ruled in favor of the council and against Gonzalo

Blazquez and his widowed mother Maria Alfonso. Although Blazquez was a member of the Bejarano lineage –which was closely allied with the Añascos against the Altamiranos –his kinship ties and legal arguments were not enough to persuade Fernandez to cede the community’s rights to this valuable commodity. However, this was not to be the last of the matter, and Gonzalo Blazquez “said . . . that he took [the sentence] as an offense to his honor (*agravio*) and he petitioned . . . the aforesaid notaries that [they] give him a copy of it to present to . . . the King and seek his arbitration in the matter.”<sup>42</sup> Similarly, the council’s representative (*personero*), Blasco Sanchez de Solana –a member of the Añasco lineage –asked the notaries for a copy to “guard the rights of the said council.”<sup>43</sup> In this way, Gonzalo Blazquez reveals the way the majority (13, 68%) of magnates in these cases chose to use the rhetoric of honor. The case of Gonzalo Blazquez is also interesting because four years later he sold two-thirds of his family’s *dehesa* of Las Abiertas –near La Zarza –to a Jewish family. His nephews and nieces, likewise sold many of their lands in Madrigalejo and El Toril to the Monastery of Guadalupe, indicating the financial difficulty of this family and inability to continue maintaining and using their lands.<sup>44</sup> Regardless of the economic decline this family was likely facing just after the devastation of the plague in 1349; in 1353 they still fought to maintain the boundaries of these lands and intended to petition the monarch. The most convincing explanation for this mentality is their connection of honor with maintaining one’s patrimony against conceivably illicit seizures.

The magnate’s attribution of honor with the preservation of patrimony is similarly illustrated in a sixteenth century chronicle from Trujillo that records events of the fourteenth

<sup>42</sup> AMT. Leg 1.1 N° 10 Fols. 26v-28r; in Sánchez Rubio, *Documentación Medieval*, 39.

“que lo tomava en agravio e que pedia a nos los dichos escrivanos que le diesemos dello testimonio para lo mostrar a nuestro señor el rey e pedille merced sobrello”

<sup>43</sup> Ibid. “guarda del derecho del dicho concejo”

<sup>44</sup> Cerro Herranz, *Documentación del Monasterio de Guadalupe: Siglo XIV*, 84, 113, 116. See Blasco Blazquez Family Tree and Fernand Blazquez Bote Family Tree in Appendix 2 below.

century. The author, Diego de Hinojosa (a resident of Trujillo born in 1489 to a prominent family with wide-ranging social connections but limited financial means) records the beginnings of one of the many blood-feuds (*bandos*) that plagued Trujillo in the aftermath of a land transaction gone wrong. Familial honor was the main casualty. Pascual Gil de Cervantes, the head of a prominent family of the Bejarano lineage, had a nephew that he was supporting through legal training –probably at the university in Salamanca. This nephew, however, wanted to sell some of the land Cervantes had given him in his *heredad* back to his uncle. Cervantes reluctantly agreed, but for a price that was too low for the nephew, who argued that he “could get more for it and so more he [Cervantes] ought to give.”<sup>45</sup> Cervantes was insulted that his nephew implied he had been trying to sell it to others (*almonedando*) and dared him to try to sell it to someone else, as it was part of his own *heredad*. Indeed, he sold it to Hernando Alonso de Orellana, Lord of Orellana la Vieja, not only selling the property outside the family and the lineage group, but selling it to the Bejarano’s most bitter rivals, the Altamiranos. Orellana sent a number of retainers, (*escuderos*) with notaries in tow, to take possession of the property, who were pushed off the land by Cervantes’s retainers. Seeking revenge, the retainers of Orellana killed a son of Cervantes on his way to the grammar school in town, launching –according to this chronicler –the first of the *bandos* in Trujillo, each side avenging themselves against the other with escalating violence. The root of this blood-feud was the perceived illicit transfer of familial patrimony to an outsider or rival that affronted the honor of the family and lineage.

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<sup>45</sup> Diego Hinojosa, *Cronicas Trujillanas* 20.





Figure 6: Map of Cañamero in Trujillo's District

In Carmen Fernández-Daza Alvear. *La Ciudad de Trujillo y su Tierra en la Baja Edad Media*. Madrid: Universidad Complutense, 1991. 61.

Gonzalo Fernandez was also entrusted by the monarch and the council with the power to grant communal lands to the villages and hamlets within the district of Trujillo. On June 10, 1353, he granted an *ejido* to the village of Cañamero, located on the western edge of Trujillo's district. In his study on land in sixteenth-century Castile, Vassberg describes the *ejido* as a "multi-purpose piece of land that could serve as pasture . . . as a threshing floor, as a garbage dump, for loafing, and as a keeping-place for stray animals."<sup>46</sup> For the council, granting a public *ejido* for the use of its citizens and the residents of subject villages within the district was expected to attract settlers to the under-populated area and assist in the economic development and resettlement of these places that had been previously ravaged by constant warfare. The document states that the *ejido* was being granted "through the honor of the said council [of Trujillo] so that the said place of Cañamero might be better populated and so that those who already live or will come to live hence forward might be able to water and pasture [their flocks]."<sup>47</sup> Residents of the village of Cañamero, as citizens of Trujillo, could expect to use this land year-round for

<sup>46</sup> Vasseberg, *Land and Society*, 27.

<sup>47</sup> Documentacion Trujillo, 48. "pro e onra del dicho concejo porque el dicho lugar de Canamero sea mejor poblado e los que agora y moran o venieren morar de aqui adelante puedan y bevir e pascen"

gathering firewood, hunting, and fishing, as well as to have access to the other communal lands and natural resources throughout the district.<sup>48</sup> The *regidores* of the council had a number of motivations for personal and familial gain in granting the *ejido*—since as a communal property they would have greater possibilities to exploit it without needing to purchase it—but the traditional ideology of communitarian land use and the connection of land with honor remained at the forefront. The honor of the council and its members was tied to the land that became the *ejido* of Cañamero as part of the council's growing patrimony, just as the magnate's own lands and patrimony were tied to the honor of the individual and the lineage. As their representative institution, the council's honor—and thus the lands of the council—was also highly important to the magnates when challenged by outside institutions, such as the Monastery of Guadalupe in the latter part of the fourteenth century and the *Mesta* (an administrative body representing the transhumant herders of Castile) in the fifteenth century.<sup>49</sup>

Castilian monarchs had a long history of leaning on this practice of granting rights and privileges through *fueros* (town charters) in order to attract settlers to newly reconquered areas.<sup>50</sup> For Extremadura—especially the region of Trujillo—this system was only minimally successful because of subsequent conquests in the much richer region of Andalucía, which held a greater attraction to settlers who bypassed the depopulated and wooded lands of Extremadura. These examples of property disputes, ranging from litigation to blood feuds, among the magnates of Trujillo reveal the underlying issues of a system that was reliant on an institution (the council) whose members became accustomed to a certain degree of autonomy under previously distracted monarchs. As a result of the magnate's oligarchical control of the council, conciliar lands often

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<sup>48</sup> Ibid. “*aprovechar en todo tiempo de la lande e madera e lena e cortido a caca e pescado e aguas e aves e venaciones de todo el dicho exido*”

<sup>49</sup> Vasseberg, .

<sup>50</sup> Ibid., 20.

became monopolized by their families and retainers, much to the general discontent of the rest of the populace.<sup>51</sup> The council's inability to successfully restrain the local magnate families –since they, or their retainers, held almost all of its offices –and bring stability and settlers to this frontier likely prompted the monarchy to look to a more promising institution with a somewhat different attitude towards land rights. The promotion of such an institution that was allied more closely with the monarchy was intended to be a loss of power for the council, checking the magnates that controlled it. In addition it would be a general economic and social benefit for the region where the older institutions had lukewarm results.

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<sup>51</sup> Fernández-Daza Alvear, *La Ciudad de Trujillo*, 171.

### Chapter 3

## The Growth of the Monastery and Its Royal and Local Connections

The Monastery of Guadalupe has an early history that is shrouded in myth and the miraculous. At the religious center of the monastery is an image of the Immaculate Conception, a rarer black Virgin (with a dark complexion), which was claimed to be a gift from Pope Gregory the Great to St. Leander. During the Muslim invasion, a couple of prudent priests deposited the image with a note detailing its history –now lost –in a cave near the Guadalupe River in the mountainous region to the east of Trujillo. It was rediscovered during the reign of a certain King Alfonso<sup>52</sup> by a shepherd from Cáceres named Gil Cordero after he followed a stray cow and witnessed its resurrection by the Virgin after he had cut a cross into its chest in preparing to eat it. The Virgin revealed to him the location of her image and the glorious future that her future church and town would have. Cordero went back to Cáceres, where he found that his son had just died. The Virgin performed her first miracle by resurrecting the child, and all of Cáceres was astonished.<sup>53</sup> With the help of the city officials,



Figure 7: The Virgin of Guadalupe  
In Antonio C. Floriano, *El Monasterio de Guadalupe*, Madrid: Everest, 1977, 61.

<sup>52</sup> Thought to be either Alfonso X –the commissioner of the *Cantigas de Santa Maria* –or his great-grandson Alfonso XI, who attributed his victory in the Battle of the River Salado to the virgin and was its first real royal supporter. See: Sebastián García “El Real Santuario de Santa Maria de Guadalupe en el Primer Siglo de su Historia,” *Revista de Estudios Extremeños* 57, no. 1 (2001): 359.

<sup>53</sup> Sebastián García “El Real Santuario de Santa Maria de Guadalupe,” 360-365.

Cordero found the image and built a hermitage church in the mountains that he and his descendants maintained for local pilgrims.

In his examination of one of the oldest documents concerning the Monastery of Guadalupe, Peter Linehan has been able to fill out the early history of the monastery from the building of the first hermitage to the more documented period of royal involvement after the Battle of the River Salado in 1340.<sup>54</sup> In 1326, the church of Guadalupe received a benefaction that gave an indulgence to pilgrims going to Guadalupe from the pope in Avignon, which depicts the church as flourishing and already attracting a number of pilgrims. However, by 1335 a letter from Benedict XII described the church as in danger of collapse and in a grave position as a result of battles between the diocese of Plasencia and the archdiocese of Toledo for jurisdiction over the church.<sup>55</sup> With the great pilgrimage center of Santiago de Compostela becoming increasingly more difficult for pilgrims to access due to popular revolts in Galicia, Guadalupe seemed a way to rejuvenate the archdiocese by claiming it under the ecclesiastical jurisdiction of their subject diocese, Plasencia. It is through the cardinal Pedro Gomez Barroso that Alfonso XI's attentions were turned firmly to Guadalupe, and in December 1337, the king ordered that the monastery and the town be given a district taken from those of Trujillo and Talavera at the cardinal's request.<sup>56</sup> After Alfonso stepped in, the monastery regularly received royal privileges aimed at spurring the growth and development of the pilgrimage center and their growing livestock enterprise.

Once the monastery had become firmly established with the help of Alfonso XI, its

<sup>54</sup> Peter Linehan, "The Beginnings of Santa María de Guadalupe and the Direction of Fourteenth-Century Castile," *The Journal of Ecclesiastical History* 36, no. 2 (1985): 284-304.

<sup>55</sup> Linehan, "The Beginnings of Santa María de Guadalupe," 295-296.

<sup>56</sup> Sanchez Rubio, *Documentacion del Monasterio de Guadalupe siglo XIV*, 1. c.f. Linehan, "The Beginnings of Santa María de Guadalupe," 290.

second prior, Toribio Fernandez de Mena, avidly purchased lands in the neighboring districts of Talavera and Trujillo to expand the monastery's economic base. The lands bought in the district of Trujillo were the most numerous and ranged from entire villages and their surrounding lands to small vineyards and orchards.<sup>57</sup> The monastery also purchased mills and houses in addition to agricultural land. A large portion of the best lands of the monastery were acquired through donations, and the monastery acquired most of its wealth in that way in addition to its royal privileges and exemptions. Nevertheless, under the priorate of Toribio Fernandez, the monastery purchased—or otherwise obtained—thirty-two properties, with more than half (62.5%) of those properties being purchased in the decade from 1360-1369.

The upsurge in purchases resulted from a privilege granted by Pedro I to the monastery, which allowed the monks to purchase as much land as they could within the districts of Talavera and Trujillo for sixty-thousand *maravedis* (Spanish silver currency). Without this privilege, it would have been considered illegal, according to the “order of the courts (*cortes de Castilla*) and the monarchs,”<sup>58</sup> for monasteries to alienate land from neighboring cities under royal jurisdiction (*realengo*). This royal privilege assisted in consolidating the economic base that the monastery had begun to build in the preceding decades through isolated purchases and donations.<sup>59</sup> In addition, this privilege also granted the monastery the tax revenue from and the enactment of justice on those who lived and worked on the lands they purchased.<sup>60</sup> Even more telling is the

<sup>57</sup> Perez de Tudela, “Guadalupe y Trujillo,” 329-330.

<sup>58</sup> Sanchez Rubio, *Documentacion del Monasterio de Guadalupe siglo XIV*, 76. See also Perez de Tudela, “Guadalupe y Trujillo,” 343. “*por quanto segunt ordenamiento de cortes e de los reyes onde yo vengo las iglesias nin las ordenes de mios regnos non puden aver heredit ninguna en el mio rengalengo sin licencia.*”

<sup>59</sup> Luis Vicente Díaz Martín, “La Consolidación de Guadalupe Bajo Pedro I,” in *En La España Medieval*, 2 (1982): 315-36.

<sup>60</sup> Sanchez Rubio, *Documentacion del Monasterio de Guadalupe siglo XIV*, 76. “*e que las heredades que assi conpraren para la dicha iglesia que los vezinos que y moraren e los pechos e derechos que ovieren a mi pechar, que os den a la dicha iglesia e non a otra parte e que la justicia de los que moraren en las*

letter sent by Enrique II (1369-1379) in 1366 confirming a privilege granted by Alfonso XI that the lands of the monastery were to be protected by the neighboring councils of Trujillo and Talavera from their citizens' desire to use them communally.<sup>61</sup> In effect, this privilege opted out the Monastery of Guadalupe from the traditional system of communal use and supported their pretensions to privatize access to their lands. These purchases and privileges engendered conflicts with the citizens of Trujillo especially, who were losing their local revenues, and they retaliated against the monastery by charging fines and seizing monastic herds as payment for the use of lands in Trujillo's.

Although the monastery's lay neighbors, as will be discussed in the succeeding chapter, were a source of harassment and conflict, they were not alone, and the monastery's increasing wealth from their livestock enterprise and pilgrims again caught the attention of their ecclesiastical neighbors. The bishops of Santiago de Compostela, Plasencia, and Toledo were again enticed by the potential riches that the monastery could bring if it was brought under the jurisdiction of their episcopal sees during the reign of Pedro I.<sup>62</sup> However, the bishop of Plasencia was by far the most violent and persistent in his attempts to incorporate the monastery of Guadalupe. On one occasion in July of 1350, he even went with a large number of armed men to take control of the monastery, but after not finding Toribio Fernandez—who was with the king in Seville—he sacked its sacristy and took five hundred *maravedis* (Castilian silver currency).<sup>63</sup> Pedro I, whose reign was plagued by tumultuous relationships with Castilian bishops and the papacy, came to the rescue of the monastery. After the king intervened firmly on the monastery's

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*dichas heredades que sea de la dicha iglesia.*"

<sup>61</sup> Ibid., 119.

<sup>62</sup> Linehan, "The Beginnings of Santa María de Guadalupe," 295-296. and Díaz Martín, "La Consolidación de Guadalupe Bajo Pedro I," 320-36.

<sup>63</sup> Díaz Martín, "La Consolidación de Guadalupe Bajo Pedro I," 320.



behalf, the bishop of Plasencia attempted to go over his head and appealed to Pope Clement VI, arguing that the monastery should at least pay a portion of its income to the papacy. Pedro met this affront, insisting that the monastery was under direct royal patronage and owed nothing to any bishop or the papacy. He even sent letters to Trujillo, Caceres, and Talavera in 1352, insisting that they protect the monastery and its prior from the villainous ecclesiastics.<sup>64</sup> Once Pedro I had dealt with the

competing ecclesiastical powers and solidified the Monastery of Guadalupe under royal jurisdiction and patronage, the monastery was again able to continue its pattern of economic growth.

The monastery bought land within the eastern and southeastern portions of the district of Trujillo, which bordered the lands already under the monastery's jurisdiction.

The majority of the lands purchased

by the monastery were purchased from families of the Añasco and Bejarano lineages, who were the beneficiaries of lands in this area of Trujillo's district after the reconquest.<sup>65</sup> Although devotion would have likely played a part in these transactions, the devotion of the sellers to the

### Sellers to Monastery

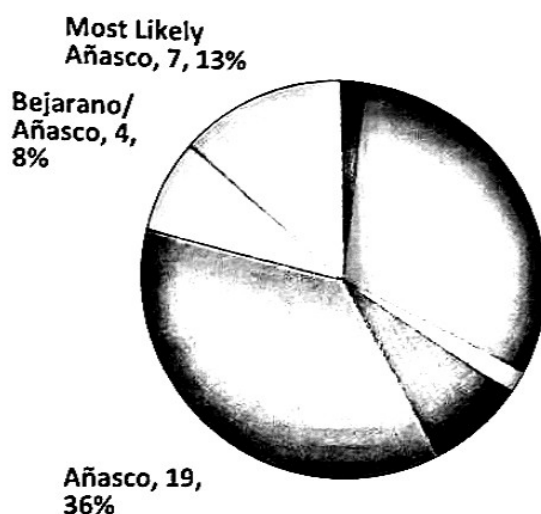


Figure 8: Seller to Monastery Familial Distribution

<sup>64</sup> Sanchez Rubio, *Documentacion del Monasterio de Guadalupe siglo XIV*, 36-37, and Diaz Martin, "La Consolidación de Guadalupe Bajo Pedro I," 320.

<sup>65</sup> Fernández-Daza Alvear, *La Ciudad de Trujillo*, 168.



The sellers often came from magnate families, making their sale of patrimony problematic, as discussed in the previous chapters, if it was not more clearly for their spiritual benefit or to increase their prestige. In such sales it would have behooved these families to be sure that the charters reflected these circumstances to preserve the aggrandizement of the family in these charters.<sup>66</sup> The absence of these glorifying features suggests that a lack of liquid currency, which religious houses were often in a better position to provide, was the reason why these families would act in a way so different from what can be expected from the patterns described earlier.<sup>67</sup> These families –particularly the Añascos –would have likely been affected economically by the Black Death in that their large landholdings would have been more difficult to maintain and work effectively during the aftermath of the epidemic. Many of the sellers were the widows, minor orphans, or married children of recently deceased parents, who likely died of plague, leaving their children with few liquid resources. These circumstances also explain the willingness of these families to sell lands in their patrimony to the monastery with no clearer religious or prestigious motivations. It is through the dire situations of these families that their willingness to sell their patrimony to an outside institution, without clearly pious benefits.

By the end of the fourteenth century and with the early support of the monarchs Alfonso XI and Pedro I, as well as with the continued favor of their successors, the monastery became one of the most powerful and visited shrines on the peninsula. It had also turned its royal privileges into a territorial empire, purchasing lands that had mostly been within the district of Trujillo. The monastery used the economic foundation of rents and pastures to support their booming livestock enterprise which, in addition to regular donations and income from pilgrims, provided the monks with everything they needed to prosper. They looked at their properties in a much more restrictive way than the council had. The early priors of the monastery –especially Toribio Fernandez de Mena –obtained royal privileges that guaranteed private access to their lands in addition to the taxes of people who lived and worked on their lands. These privileges show the beginning of the monarchy's intent to shift the way land was used and accessed in this rugged region, while also giving the monastery seigniorial powers in these lands at the expense of the council of Trujillo and the magnates who controlled it. For the monastery, ownership

<sup>66</sup> Warren Brown, "Charters as Weapons: On the Role Played by Early Medieval Dispute Records in the Disputes they Record," in *Journal of Medieval History*, 28, (2002), 247.

<sup>67</sup> Jonathan Riley-Smith, "Early Crusaders to the East and the Cost of Crusading, 1095-1130," in *The Crusades: The Essential Readings*, ed. by Thomas F. Madden (Oxford: Blackwell, 2002), 164-165.

entitled only the owners and their workers to utilize the land and its resources, favoring private use rather than the traditional system of communal access to be discussed further in the succeeding chapter.

## Chapter 4

### The Patrimony of the Monastery, the Loss of the Council?

Many historians have viewed the growth of the monastery into the district of Trujillo as an insurmountable wave of royally-backed, abbatial colonization.<sup>68</sup> However, previous understandings of the extent to which these conflicts were losses for Trujillo have not taken into account the ideological achievements of the council and the magnates who controlled it. Even when the monastery received the economic advantages and protections it sought most in its arbitrations with the council, it still had to operate under the communitarian system, foregoing their royal privileges to reach an enforceable compromise. The triumph of the council's ideology of land use is important in understanding the central position of the traditional communitarian use of land, not only in Extremadura but in the rest of medieval and early modern Spain. Likewise, it further reveals the relative inability of Castilian monarchs to back the monastery in more than writing, especially during the often weak reigns of the early Trastámara monarchs.<sup>69</sup> The persistence of the conciliar ideology is exemplified in the arbitrations of 1394 and 1417, which resulted from the earlier conflicts between the monastery and the council.

<sup>68</sup> See: Perez de Tudela, "Guadalupe y Trujillo," 329-330. Perez de Tudela, "Pleitos Entre Guadalupe y Trujillo por la Aldea de Valdepalacios," 537-48.

<sup>69</sup> When Enrique II of Trastámara overthrew his half-brother Pedro I, he initiated a new ruling dynasty in Castile—and later Aragon—known as the Trastámaras. Many of these early monarchs were faced with the repercussions of Enrique II's choice to reward the nobles that supported him against Pedro I with generous grants decentralizing the power of the monarchy that was often controlled by powerful nobles such as Alvaro de Luna (1388-1453) and Juan Pacheco (1419-1474). Interestingly, both Alvaro de Luna and Juan Pacheco were granted the city of Trujillo as a lordship but neither could effectively control the unruly city that fought against its subjugation to a lord, protecting the patrimony of the monarch. See Fernández-Daza Alvear, *La Ciudad de Trujillo*.

The loss of local revenues often prompted vigilante citizens of Trujillo to retaliate against the monastery by seizing herds and charging fines. The secular prior often responded by asking the monarch for a letter addressed to the council of Trujillo demanding that the council enforce the compliance of its citizens with the privileges and rights that the monastery possessed. However, with the replacement of the secular monks by the entrance of the Jeronimites—a new religious order based on the rule of St. Jerome—who became the new caretakers of the monastery, these conflicts came to a head during two arbitrations. These arbitrations were sparked by alleged hostilities committed by *Trujillanos*



Figure 9: Epitaph of Juana Sanchez de Trujillo  
The epitaph of Juana Sanchez de Trujillo, Lady of Valdepalacios, whose husband is claimed to be the inspiration for Cervantes' Don Quijote, located below the choir of the monastery church of Guadalupe. In L. G. Hortigón. *Don Quijote en Guadalupe*. S.l.: The author, 1996. 13.

against the Monastery of Guadalupe and were centered around the monastery's land, and the village of Valdepalacios, in particular.<sup>70</sup> Valdepalacios was particularly important among the vast holdings of the monastery within the district of Trujillo because it consisted of an entire village and—according to charters held by the monastery—it was the only place in the district that was donated to the monastery as a fief (*señorio*), entitling the monastery to the benefits of tax

<sup>70</sup> The hostility alluded to in the arbitration of 1394 was the confiscation of a *piara* of swine that belonged to the monastery. See AHN, Clero Secular-Regular, carp. 398, doc. 17, fol. 7 r.

revenue and the enactment of justice without relying on royal privileges.<sup>71</sup> The first arbitration was held on October 19, 1394 in Trujillo and was swiftly operated, lasting only one day. The second of these arbitrations was carried on in Toledo, outside the district of Trujillo from October 1417 through January 1418 and was much more formal. In the 1417 arbitration, the opposing ideologies of land use, ownership, and jurisdiction are most clearly exemplified.<sup>72</sup> Both arbitrations involved two judges –each party nominating one who would ideally guard their interests –and two procurators (*personeros*) who actively defended the rights of the party they represented and produced evidence and witnesses in support of their case. Both arbitrations have been described by some historians, such as Perez de Tudela, as a complete win for the Monastery of Guadalupe because of both ended in the monastery receiving the economic benefits of citizenship. However, understanding these conflicts in the broader context of the dynamics of change and continuity characteristic of the fourteenth century rather than the growth of the monastery alone, the results of these arbitrations become more complicated.

The first arbitration was chiefly concerned with guaranteeing the council's cooperation in allowing the monastery to pasture its herds in the communal areas of its own lands, otherwise reserved for those with *vecino* status. For the *Trujillanos* who committed the hostilities that sparked the arbitrations, the monastery was a foreign landowner whose use of communal lands incurred the customary fine. The monastery's claim was supported with royal privileges, as well

<sup>71</sup> AHN, Clero Secular-Regular, carp. 394, doc. 2, and carp. 395, doc. 18. c.f. Sanchez Rubio. *Documentacion del Monasterio de Guadalupe siglo XIV*, 60-63 and 134-136. The village was donated by Juana Sanchez de Trujillo, who inherited Valdepalacios from her father Gonzalo Sanchez de Trujillo, and her husband Ruy Gonzalez Quijada. In return for the donation they would receive a certain amount of money as well as tombs under the choir of the monastery church. L. G. Hortigón, a Spanish antiquarian, argues that Ruy Gonzalez Quijada was Cervantes' inspiration for Don Quijote. See L. G. Hortigón. *Don Quijote en Guadalupe*. S.l.: The author, 1996.

<sup>72</sup> This arbitration is also discussed by: Maria Isabel Perez de Tudela, "Pleitos Entre Guadalupe y Trujillo por la Aldea de Valdepalacios," *Anuario de Estudios Medievales*, no. 12 (1982): 537-48.

as a letter sent from Enrique III of Castile to the council of Trujillo on December 19, 1393 demanding their compliance.<sup>73</sup> At the end of the day, the arbitrating judges Toribio Matheos of Trujillo and Ferran Perez, the mayor (*alcalde*) of Guadalupe, pronounced their sentence, favoring the monastery's case. They explained that the monastery had permission to pasture its herds "at the time of the *montanera*, in all of the *montes* of the district of Trujillo, just as the citizens (*vecinos*) of the aforesaid city [pasture their herds]."<sup>74</sup> The council and the monastery agreed that the sentence would be ineligible for appeal and parted with the hope that the conflict had been resolved.

The swiftness of the arbitration and the judges' deference to the monastery is likely the result of the expansion and consolidation of royal power that was resurgent during the reign of Enrique III after a period of general decentralization.<sup>75</sup> With the threat of royal power, the magnates of Trujillo felt less able to contend with the royally-favored monastery. It is also noteworthy that in 1394, the monastery did not present a claim for jurisdictional rights over the residents of Valdepalacios and their other lands, or attempt to exclude the citizens of Trujillo from using them. Rather, the monastery advanced a much more modest claim focused on the recognition of its right to use the lands it had purchased or that were donated to it. In effect the Monastery of Guadalupe requested to be granted the rights of citizenship (*vecindad*). Although the Jeronimite Order of friars had a privileged relationship with the monarchy from their beginnings in 1373, their installation in Guadalupe had taken place only five years before the 1394 arbitration.<sup>76</sup> As a result, the friars were likely not yet as ambitious, and at that point only

<sup>73</sup> AHN, Clero Secular-Regular, carp. 398, doc. 17, c.f. Perez de Tudela, "Pleitos Entre Guadalupe y Trujillo por la Aldea de Valdepalacios," 538.

<sup>74</sup> AHN, Clero Secular-Regular, carp. 398, doc. 17, fol. 6 r, "puedtan traer al tiempo de la montanera en todas | los mo(n)te(s) del t(er)mino de trujillo assy como los vecinos de la dicha villa."

<sup>75</sup> Joseph F. O'Callaghan, *A History of Medieval Spain* (Ithaca: Cornell University Press, 1983), 537.

<sup>76</sup> J. R. L. Highfield, "The Jeronimites in Spain, their Patrons and Successes, 1373-1516," *The Journal of*

desired relief from vigilante *Trujillanos* that were fining the monastery for using what they considered to be their land.

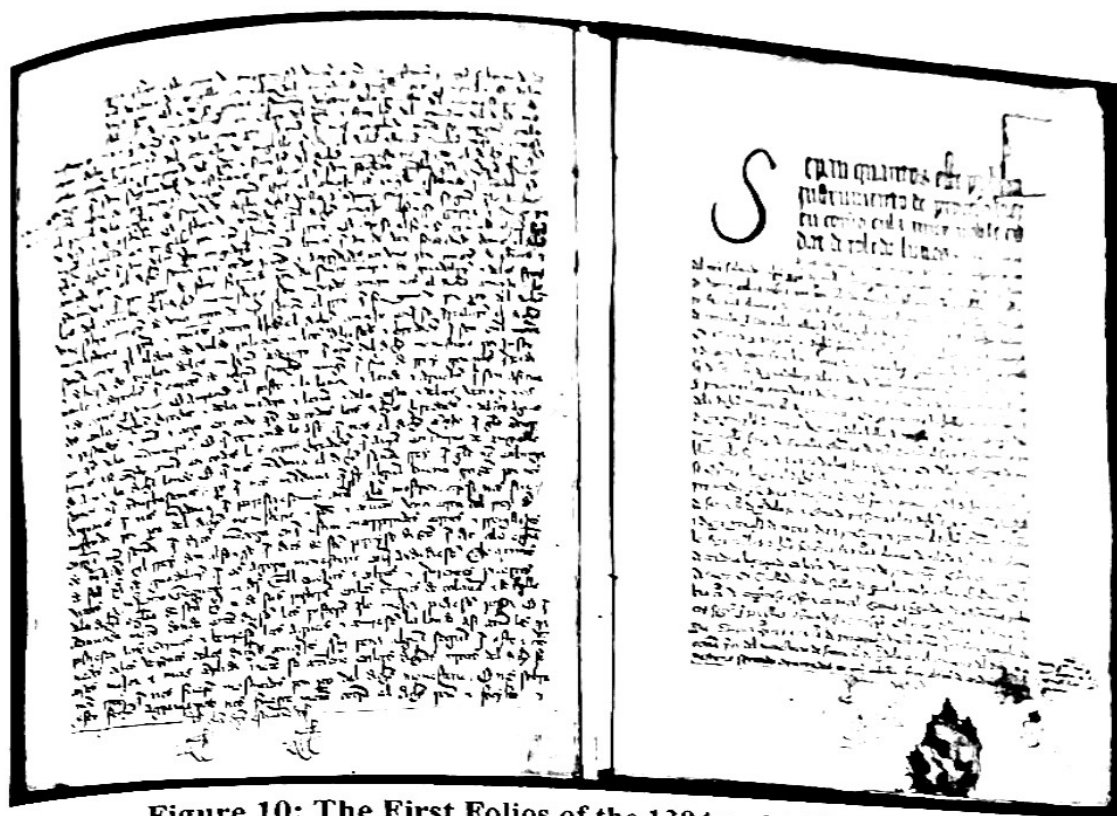
The background of the arbitrating judges is also important to note when considering the outcome in favor of the monastery. Each arbitrating judge ideally represented one litigant. Ferran Perez –as the mayor (*alcalde*) of Guadalupe, and thus under the seignorial jurisdiction of the monastery –was likely to be the most sympathetic judge to represent the monastery. Toribio Matheos, the judge representing the city, was a resident of Trujillo and a member of the city's extended Añasco magnate lineage. As a magnate citizen of Trujillo, his allegiance to the council seems unquestionable; however, his lineage and their allies, the Bejaranos, had close ties to the monastery from an early date.<sup>77</sup> Although these webs of allegiances would have affected the judge's decision, it would be impossible to fully understand the individual's actual preferences. Nevertheless, this questionable association and potential preference for the monastery, as well as the minority of the young Juan II and decentralization of the Castilian monarchy that again ensued, could explain the subsequent relapse of *Trujillanos* and the need for a second arbitration in 1417.

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*Ecclesiastical History* 34, no. 04 (1983): 513-533.

<sup>77</sup> See above Chapter 3: The Growth of the Monastery and Its Royal and Local Connections.





**Figure 10: The First Folios of the 1394 and 1417 Arbitrations**

These pages display the shift in ceremony from the much more informal 1394 arbitration and the much more formal and stylized 1417 arbitration. AHN, Clero Secular-Regular, carp. 398, doc. 17, fol. 1 r. and AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 1 r.

The friars and the council met again two decades later to arbitrate their differences. Now the stakes were higher and the friars more ambitious in their claims. The conflict centered around three main issues: 1) whether the residents of Valdepalacios were vassals and paid their taxes (*pechar*) to the city of Trujillo or to the Monastery of Guadalupe; 2) whether the monastery alone should be allowed to pasture its herds in the *heredades* and *montes* of Valdepalacios, and any other land owned by the monastery, or whether the land should be available to all citizens of Trujillo during the customarily communal times such as the *montanera*; and 3) whether the citizens of Trujillo had a right to collect firewood, hunt, and fish in the *montes* and *dehesas* owned by the monastery, as was the custom on other lands in the district.<sup>78</sup> In effect, the

<sup>78</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 1 v.-2 r.



monastery was fighting for civil and criminal jurisdiction of the land they had purchased in the district of Trujillo and to privatize access to these lands and the economic products therein, such as pastures, firewood, deer, fish, and acorns. The council of Trujillo, in contrast, was fighting against the encroachments of an ecclesiastical lord (*abadengo*) on their jurisdictional rights and the traditional communitarian system of land use.<sup>79</sup>

Fray Martin de Xires, the legal representative of the monastery, supported his claims with royal privileges granting the monastery rights to freely pasture its livestock anywhere throughout Castile and to receive the taxes of people who lived and worked on its lands.<sup>80</sup> Pedro Martinez and Diego Gonzalez de Torres, the legal representatives of the council of Trujillo, argued in response that “the houses and the village of the aforesaid place of Valdepalacios may belong to [the Monastery] but the citizens and residents (*moradores*) who reside and will reside in the aforesaid place are vassals of Trujillo and not of the aforesaid prior and friars.”<sup>81</sup> Further, they

<sup>79</sup> Defending the city from seignorial or other outside encroachments was not a phenomenon known in Trujillo alone and many cities fought against being granted to lords, such as Cáceres Trujillo’s neighbor, or even against other powerful neighboring monasteries. See: María Isabel Alfonso Antón, “Oña Contra Frías o el Pleito de los Cien Testigos: Una Pesquisa en la Castilla del Siglo XIII,” *Edad Media: Revista de Historia*, no. 3 (2000): 61–88.; Carmen Díez Herrera, “Un Ejemplo de Enfrentamiento Entre Dos Instituciones de Poder Local: El Monasterio de Santo Toribio y la Villa de Potes en la Baja Edad Media,” *Castilla y el Mundo Feudal Homenaje al Profesor Julio Valdeón* 3 (2009): 111–24.; José María Minguez Fernández, “La Resistencia Antiseñorial del Concejo de Cáceres Durante el Siglo XV: Un Esquema Para el Análisis de las Minorías Dirigentes de los Concejos,” *NORBA. Revista de Arte, Geografía e Historia*, no. 1 (1980): 219–30.; José Manuel Nieto Soria, “Abadengo Episcopal y Realengo en Tiempos de Alfonso XI de Castilla,” *En La España Medieval*, no. 4 (1984): 707–34.; Hipólito Rafael Oliva Herrero, “Conflictos Antiseñoriales en el Reino de Castilla a Finales de la Edad Media: Viejas Preguntas, ¿Nuevas Respuestas?” *Historia. Instituciones. Documentos*, no. 36 (2009): 313–31.; Juan Ignacio Ruiz de la Peña Solar, “Las Ciudades de Señorío Eclesiástico y los Conflictos por el Control del Gobierno Local (1252–1350),” In *Conflictos Sociales, Políticos e Intelectuales en la España de los Siglos XIV y XV* □: XIV (1350). In *Conflictos Sociales, Políticos e Intelectuales en la España de los Siglos XIV y XV* □: XIV (1350). In *Semana de Estudios Medievales, Nájera, del 4 al 8 de Agosto de 2003*, 113–46. Instituto de Estudios Riojanos, 2004.; Teófilo Ruiz, “Voices of the Oppressed: Peasant Resistance in Late Medieval Castile,” *Castilla y el Mundo Feudal Homenaje al Profesor Julio Valdeón*, 3 (2009): 63–72.

<sup>80</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 6 v. “lo qual dizen q(ue) les p(er)tenescen e han de aver por derecho. Et por p(ri)villegios q(ue) dizen q(ue) tienen del Rey don Ferrnado e del Rey don Alfon(so) e confirmados de n(uest)ro senor(r) el Rey.” Alluding to privileges in *Documentacion del Monasterio de Guadalupe*, 10–12 and 146–148.

<sup>81</sup> AHN Clero Secular-Regular, carp. 401, doc. 11, fol. 6 v. “Et nos el dicho concejo allegamos e degamos

argued that within memory, it had always been the custom that the residents of Valdepalacios paid their taxes to the city of Trujillo and that the council had always been in possession of the right to enact justice in the village of Valdepalacios.<sup>82</sup> For the council of Trujillo and its magnates, the civil jurisdiction of lands could not be alienated through sale or purchase even with broad royal privileges, because their town charter (*fuero*) prohibited it. Therefore, most *Trujillanos*, like their Northern Castilian counterparts, did not equate land ownership with seignorial jurisdiction, as had been the case in Castile before the mid-thirteenth century.<sup>83</sup>

In response to the monastery's second claim for restricted, private access of the *dehesas* and *montes* on their lands, the council's representatives argued that

the acorns (*lande*) of the *montes* of the aforesaid *heredad* of Valdepalacios and of the other *heredades* that the aforesaid prior and friars and convent own in the district of Trujillo or the waters and venison and fish and birds and all other hunted [animals] in all of the aforesaid *heredades* that exist and will be, belong to us the aforesaid council and to our citizens all communally since the settlement of this city.<sup>84</sup>

Once again, the council claimed the town charter (*fuero*) and the custom of their citizens from the very settlement of the city in 1232 as their ultimate support. Accordingly, the citizens of Trujillo shared in communal ownership—held and protected by the council on their behalf—of the natural products of all lands, public or private, within the district. They further argued that:

*q(ue)puesto q(ue) las casas e aldea del dicho lug(ar) de val de palacios sea suyo q(ue) los vezinos e morador(e)s q(ue) mora(n) e moraren en (e)l dicho lug(a)r q(ue) son vasallos de Trujillo e no del dicho p(ri)or e frayles."*

<sup>82</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 6 v. "*Item q(ue) la justicia del dicho lug(a)r q(ue) es de Trujillo e no(n) del dicho p(ri)or e frayl(e)s nin nunca lo oviero(n) nin della usaron ellos ni sus antecesor(e)s desde la poblacio(n) de la dicha villa aca ni lo podrian prova(r) antes nos el dicho concejo tener e poner justicia en (e)l dicho lug(a)r de todo sienpre aca et estar en tal posesion."*

<sup>83</sup> Ruiz, *From Heaven to Earth*, 73.

<sup>84</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 6 v. "*allegamos q(ue) la lande de los montes q(ue) son en la dicha heredar de Valdepalacios e en las otras heredades q(ue) (e)l dicho p(ri)or e frayles e convento tienen en t(er)mino de Trujillo o(tro)s sy las aguas e venaon(e)s e pescados e casa e aves caca de todas las dischas heredades q(ue) era(n) e so(n) de nos el dicho concejo e de n(uest)ros vezinos todas comunalm(e)n te desde la poblacion desta villa"*

when the lands and *heredades* were divided into land for knights (*cavallerias*) and land for peasants (*peonias*) that they [the natural products of the earth] were not given to the owners of [the lands], only the arable farmland (*labores*) and the pasture (*pasto*) of the aforesaid *heredades*.<sup>85</sup>

Thus, when the council granted land to settlers after the reconquest, their ownership only allowed for the private enclosure of farmland and pastures. The natural economic resources of all lands within the district of Trujillo belonged to the community and were available for every citizen's use.

Once the two sides had made known their intentions and the main points of contention, the representatives of either side cross-examined each other.<sup>86</sup> They asked leading questions, attempting to get the other to admit knowing that something had been customary or traditionally done in a way that would prove their argument. In addition, witnesses were presented who were fascinatingly well-read in law, having degrees in law (*leyes*) and decrees (*decretos*), and having held important posts in the local government of Toledo –the site of the arbitration –and at the royal court.<sup>87</sup> Both sides went back and forth admitting things that were beneficial for the case of the other. For example Diego Gonzalez de Torres admitted that “he had heard it said that the aforesaid monastery had entered with . . . thirty pigs during the time of the *montanera*.”<sup>88</sup>

Likewise, Fray Martin de Xires admitted that the council had been enacting justice in Valdepalacios, arresting criminals and enforcing the law.<sup>89</sup> On December 31, 1417, Fray Martin

<sup>85</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 6 v. “Et q(ue) q(ua)ndo se p(ar)tiero(n) las ti(e)ras e heredades por cavallerias e por peonias q(ue) no(n) les fueron dadas a los senores dellas. Salvo las labores e el pasto de las dichas heredades”

<sup>86</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 40 v.

<sup>87</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 42 r. “Et luego los dichos jueces arbitr(os) arbit(ra)dor(e)s dixiero(n) q(ue) oya(n) lo q(ue) desia(n) testigos q(ue) desto fuero(n) present(es) Ruy Lopes bachiller en ley(e)s alcaId(e) en Toledo et Goncalo Ferr(ande)s bachiller en decretos alcaId(e) de la justicia en Toledo et Alfon(so) Gom(e)s de Sevilla e(scr)ivano del Rey para esto llamados especialme(n)te et rogados p(or) el.”

<sup>88</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 39 r. “dixo q(ue) oyo decir q(ue) el dicho monesterio q(ue) traya . . . treynta puerkas en(e)l t(ien)po dela montanera”

<sup>89</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 39 v. “p(er)o q(ue) oyo desir q(ue) de unos anos aca

de Xires made his final petition for the council to recognize the monastery as having the same rights as a citizen of Trujillo. This not only allowed the monastery to use the communal lands of their village of Valdepalacios, but also granted them the ability to “pasture all of their herds freely in the aforesaid land and in all of the woodlands (*montes*) of Trujillo just as a *vecino* of Trujillo would.”<sup>90</sup> This was completely unacceptable to Pedro Martinez and Diego Gonzalez, the representatives of the council, who argued that “the aforesaid monastery and convent was never nor could possibly be a citizen (*vecino*) of the aforesaid city of Trujillo.”<sup>91</sup> The council took issue with this blanket recognition that would allow the monastery to use all of the council’s communal lands, denying that the monastery had ever had –and should ever have –such a distinction.<sup>92</sup> Although this point had been agreed upon in the arbitration of 1394 in the monastery’s favor, the council and its representatives adamantly took issue with granting the monastery the rights of citizenship.

The arbitrating judges Fernando Alvarez de Toledo, the Lord of Valdecorneja –a member of an influential Toledo family with vast holdings across Extremadura –and Fray Bartolome de Cordoba (who had a license in law and was a monk of Guadalupe) came to a compromise that appeared to appease both parties. The council of Trujillo retained control of the civil jurisdiction, taxation, and enactment of justice in Valdepalacios.<sup>93</sup> The monastery was again to be granted

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q(ue) avian levado ala dicha villa de Trug(i)llo a estos om(e)s presos e aun q(ue) avia(n) enplazado a algunas p(er)sonas del dicho lugar p(ar)a Trug(i)llo”

<sup>90</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 41 v. “al dicho concejo e oficiales d(e) la dicha villa que dexan usar e pacer c(on) todos sus ganados libremet(e) al dicho concejo e monesterio en la dicha t(ierra) e en todos los mo(n)tes de Trug(i)llo como a vesino de Trug(i)llo.”

<sup>91</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 41 v. “no(n) devian mandar [...] cosa alg(un)a de lo pedido por el dicho frey Marti(n) de Xires por q(ua)nto dixiero(n) q(ue)l dicho monesterio e co(n)ve(n)to q(ue) n(on) era ni(n) podia ser vesino de la dicha villa de Trug(i)llo”

<sup>92</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 41 v. “ni(n) devia(n) usar ni(n) pacer con sus puerco(n)s ni(n) con otros sus ganados n(in) c(on) p(ar)te dellos en la t(ie)rra et mo(n)tes de Trug(i)llo ni(n) c(on) p(ar)te dellos”

<sup>93</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 46 v.

access to the common lands of Valdepalacios – now firmly under the communal jurisdiction of the council but still owned by the monastery – and was not to be subject to limits on the number of stock it could graze there.<sup>94</sup> The Monastery of Guadalupe was granted the rights of *vecindad* (citizenship) that Fray Martin de Xires had so ardently fought for, allowing the monastery to pasture a certain number of pigs, sheep, and cows in all of Trujillo's communal lands and have access to the prized acorns in its *montes*. This number could be adjusted based on the needs of the monastery, at the discretion of the prior.

Spanish historian Maria Isabel Perez de Tudela argues that this arbitration was a clear win for the Monastery of Guadalupe, which “accomplished one of their most ardent desires, to be considered a citizen (*vecino*) of Trujillo.”<sup>95</sup> Moreover, she argues that Fray Martin de Xires, the representative of the monastery, used the monastery's claim to the jurisdiction of Valdepalacios to manipulate the arbitrating judges into granting them citizen status as a compromise for the loss of their claim to the civil jurisdiction of Valdepalacios. However, what is particularly striking is that the council and the local magnates retained their communitarian rights –at least ideologically. The monastery was not granted private and exclusive ownership of its lands as it had wished, but rather was forced to operate within the traditional communitarian system. In order to incorporate the monastery, the arbitrating judges and the jurists they consulted innovatively reformed the meaning of citizenship (*vecindad*) to allow for the monastery to receive the economic benefits they desired while retaining the traditional system.

It is surprising that not only in 1417 but also in the 1394 arbitration, the jurists and arbitrating judges considered conferring citizenship to a collective entity such as a monastery. I

<sup>94</sup> AHN, Clero Secular-Regular, carp. 401, doc. 11, fol. 46 v.

<sup>95</sup> Perez de Tudela, “Pleitos Entre Guadalupe y Trujillo por la Aldea de Valdepalacios,” 538. “el monasterio ha conseguido uno de sus mas ardientes deseos, al ser considerado vecino de Trujillo.”

know of no other instances where citizenship was conceptualized in this way, since it appears to apply exclusively to individuals who owned land in the district and were granted recognition as a *vecino* by the council.<sup>96</sup> When historian Tamar Herzog describes the conceptualization of citizenship based on sixteenth- and seventeenth-century sources, she speaks about it in its application to individuals alone, with no mention about its possible application to entities or groups.<sup>97</sup> There is a need for further research into the flexibility of the term *vecino*, and the fascinating medieval counterpart of our modern debate over the classification of corporations as people or citizens.<sup>98</sup>



Figure 11: A Modern *Dehesa* in Extremadura

From Grupo Chinato de Montaña: <http://grupochinatodemontana.blogspot.com/2008/11/ruta-ciclista-de-la-dehesa.html>

These arbitrations reveal the importance of communitarian land use in fourteenth-century Extremadura and other parts of Castile. Prized natural resources within the most lucrative types of land (i.e. acorns, *dehesas*) were fiercely defended by the council for communal use in the face

<sup>96</sup> Tamar Herzog, *Defining Nations: Immigrants and Citizens in Early Modern Spain and Spanish America*, (New Haven: Yale University Press, 2003), 14-15, and 17-42.

<sup>97</sup> Ibid.

<sup>98</sup> In the United States this debate is centered in the 2010 Supreme Court decision *Citizens United v. Federal Elections Commission*, which gave corporations certain citizen rights (e.g. free speech).



of increasing pressure to privatize access to the vast holdings of the monastery. Although the monastery allegedly held royal privileges that would enable it to carve out its own monastic fief (*abadengo*) within the district of Trujillo, the traditional system prevailed in the minds of the consulting jurists and arbitrating judges. This was a fact that Fray Martin de Xires, the monastery's representative, learned after a few months of arbitrating. His arguments clearly shifted by January 1417 to work within the existing communitarian system by seeking citizen status for the monastery in order to gain the economic benefits and protections it sought. Councils, magnates, and villagers all fought for the communal system against a variety of different groups well into the sixteenth century.

Historian David Vasseberg notes that, particularly in sixteenth-century Trujillo and Extremadura, access to the prized acorns was guarded with fervor by local communities who demanded equal and free access among the citizens.<sup>99</sup> In Castile, the communitarian system retained its importance and impact on the local population even in places that were mostly comprised of privately-owned land.<sup>100</sup> That is not to say that because communal access was so important, all land could be considered public—as Vasseberg rightfully argues—but rather that it is the importance of communal access to certain natural resources and the protection of public conciliar lands that was the essence of the communitarian system in Castile.<sup>101</sup> This is seen in fourteenth-century Extremadura through these litigations, which reveal the importance of communal access to privately-owned land, the protection of the council's patrimony against invading lords, and a system that would supplant the council and the magnates, setting the monastery in its place.

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<sup>99</sup> Vasseberg, *Land and Society*, 37-38.

<sup>100</sup> *Ibid.*, 83-85.

<sup>101</sup> *Ibid.*, 84.

## Conclusion

The council and the monastery, each with their respective ideologies of land use, represented an earlier and a later promotion of the monarchy. During the early days of reconquest and resettlement in the thirteenth century, Extremadura's town councils were rivaled only by the military orders of Santiago, Alcántara, and Calatrava.<sup>102</sup> The magnates that controlled the local government received little attention from Castilian monarchs, who were preoccupied with the expansion of their realms southward. They used their positions to give themselves, their families, and their retainers access to the extensive – and in the case of Trujillo, one of the largest systems of – conciliar lands granted by the monarchy in order to entice settlers. However, the way the magnates viewed land and the dynamics of their relationships debilitated the council. Land and patrimony, especially, were inseparably tied – as they were elsewhere in Medieval Europe – to the honor of the individual, the lineage, and even the council. The magnates were extremely protective of their lands, misappropriated or not, if they believed they had rightful claims to them. Thus, when disputes arose among the magnates and other citizens, the functionaries of the council (being magnates themselves) were unable to successfully resolve them. Their incessant feuding further complicated the council's ability to maintain peace and protect settlers from bandits (*golffines*).

The inquests into the misappropriation of conciliar lands conducted in 1353 reveal the ineffectiveness of the council. As a result of the magnate's association of land and patrimony with their honor, the judge appointed by the council was unable to effectively settle these disputes. Even those who the judge ruled in favor of threatened to petition the monarch to soothe

<sup>102</sup> The military orders (Santiago, Alcántara, and Calatrava) were similar to other religious military orders like the Templars that combined the regular life of monasticism with military training and knighthood. In Spain these orders became fabulously wealthy and were gifted immense tracts of land throughout Extremadura, where the three most famous orders had their origin in the reconquest.



their damaged honor more than half of the time. Similarly, the infamous blood-feuds (*bandos*) were said to have begun as the result of a perceived alienation of familial patrimony to a member of a rival lineage. Because the magnates controlled the offices of the council through their relatives or retainers, they were impotent to curb the violence they themselves were committing. Lacking in its ability to settle disputes, protect its properties, curb violence, and promote settlement, the council of Trujillo lost the support it once had from the monarchy, which sought new ways of land use and a potentially more prosperous institution to take control of the local government of this rugged region in the king's stead.

When the process of reconquest began to slow in the fourteenth century and monarchs such as Alfonso XI and Pedro I attempted to consolidate royal authority and promote economic development in their realms, the council no longer seemed to be the best institution to tackle the monarchy's wishes. However, the Monastery of Guadalupe, as the most visited pilgrimage site on the Iberian Peninsula, seemed more likely to attract settlers and promote economic growth. The secular priors of the monastery—especially Toribio Fernandez de Mena—were apt petitioners and continued to focus the attention of the monarchy to its potential and defense against ravenous bishops and vigilante citizens. These priors likely intended to promote a system of land use and access that restricted public access to privately-owned lands, particularly the monastery's own, by gaining royal privileges that supported this aim. In this way, they attempted to opt out of the traditional communitarian system promoted by the council and made their monastery the sole beneficiary of its lands.

The priors early procured the royal privileges that were foundational for this shift in land use during the reigns of Alfonso XI and Pedro I, and the monastery continued to have the support of the new dynasty of Trastamara monarchs after the deposal and death of Pedro I in

1369. However, the support of the latter was anemic, at best, because of the decentralization of the monarchy's power when the first Trastámara, Enrique II, came to power. The influx of powerful nobles vying for control of the monarch, as well as the precarious minorities resulting from early deaths all contributed to the ineffectiveness of the monarch to enforce his privileges. There were periods, such as the reign of Enrique III who fought to re-consolidate the power of the monarchy, when the Monastery of Guadalupe could rely on the monarch's threat to gain the submission of the council of Trujillo. In the arbitration of 1394, through the combination of arbitrating judges potentially preferential to the monastery and the threat of Enrique III, the monastery received the council's assurance that they would protect their interests and access to their lands from vigilante *Trujillanos*, who believed they were protecting their community's access to natural resources from intruding outsiders. Nevertheless, the council often had the benefit of a weak or otherwise preoccupied monarch that allowed them to push back against the encroachment of the monastery and retain their communitarian system.

By the beginning of the fifteenth century, the monastery –then under the influential Jeronimite order of regular monks –attempted with greater boldness to claim their royal privileges through their arbitration with the council of Trujillo in 1417. During the four-month arbitration, the monastery's representatives presented a case for the restriction of access to the monastery's lands to its workers alone and for the civil and criminal jurisdiction of their lands –especially the village of Valdepalacios in Trujillo's district. They defended their claims with copies of the royal privileges they had received and through a donation charter that explicitly gave it seigneurial jurisdiction over Valdepalacios. However, the council's obstinate defense of the communitarian system and its jurisdiction over lands within their district –which fortuitously coincided with the minority of Juan II, one of Castile's weakest monarchs –kept the monastery

from reaching an agreement with their institutional rival.

In the end, the monastery's representative refocused their claims to the economic benefits of granting Guadalupe the privileges of citizenship and dropped their claims to the civil and criminal jurisdiction and privatization of its lands. In this way, the monastery would have access to its own lands without the fine charged to outsiders, along with access to the rest of Trujillo's public lands in the district. The arbitrating judges agreed to this compromise, granted the monastery citizenship, and the council retained its jurisdiction and most importantly the communitarian system upon which it was based. As a result of the Trastamaras' inability to defend the privileges they granted to Guadalupe, the monastery was forced to find alternatives to secure its livestock empire and economic growth.

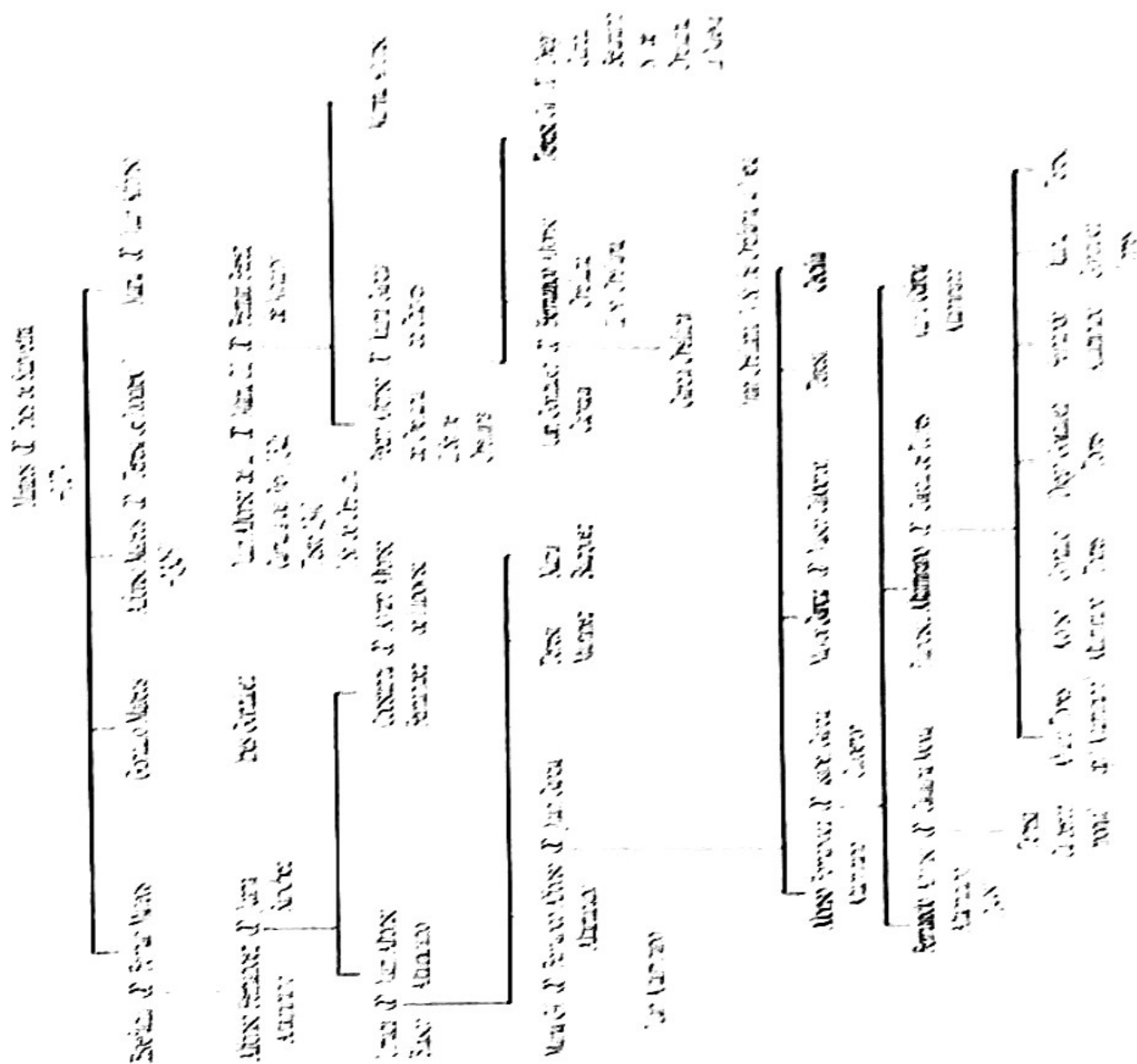
It was by working within the traditional communitarian system that the arbitrating judges and the monastery came upon the fascinating and unique medieval concession of granting citizenship to a corporate entity. The weakness of Castilian monarchs in the fourteenth century prompted the monastery to shelve their claim to the royal privileges they had been granted and work with the magnates in the system of land use that was not only the foundation of their local society, but congruent with the honor of their city, their lineage, and their individual identity. It is precisely the political instability of the fourteenth century of crises that propelled these different groups to grapple with opposing ideologies of land use and experiment with innovative constructs of citizenship. The conflicts between the magnates and monks of this rugged and marginal region over political jurisdiction and the access of their respective shepherds to land and natural resources reveal the dynamics of innovation and continuity that sprang from the anti-seigniorial conflicts characteristic of periods of political and cultural change.

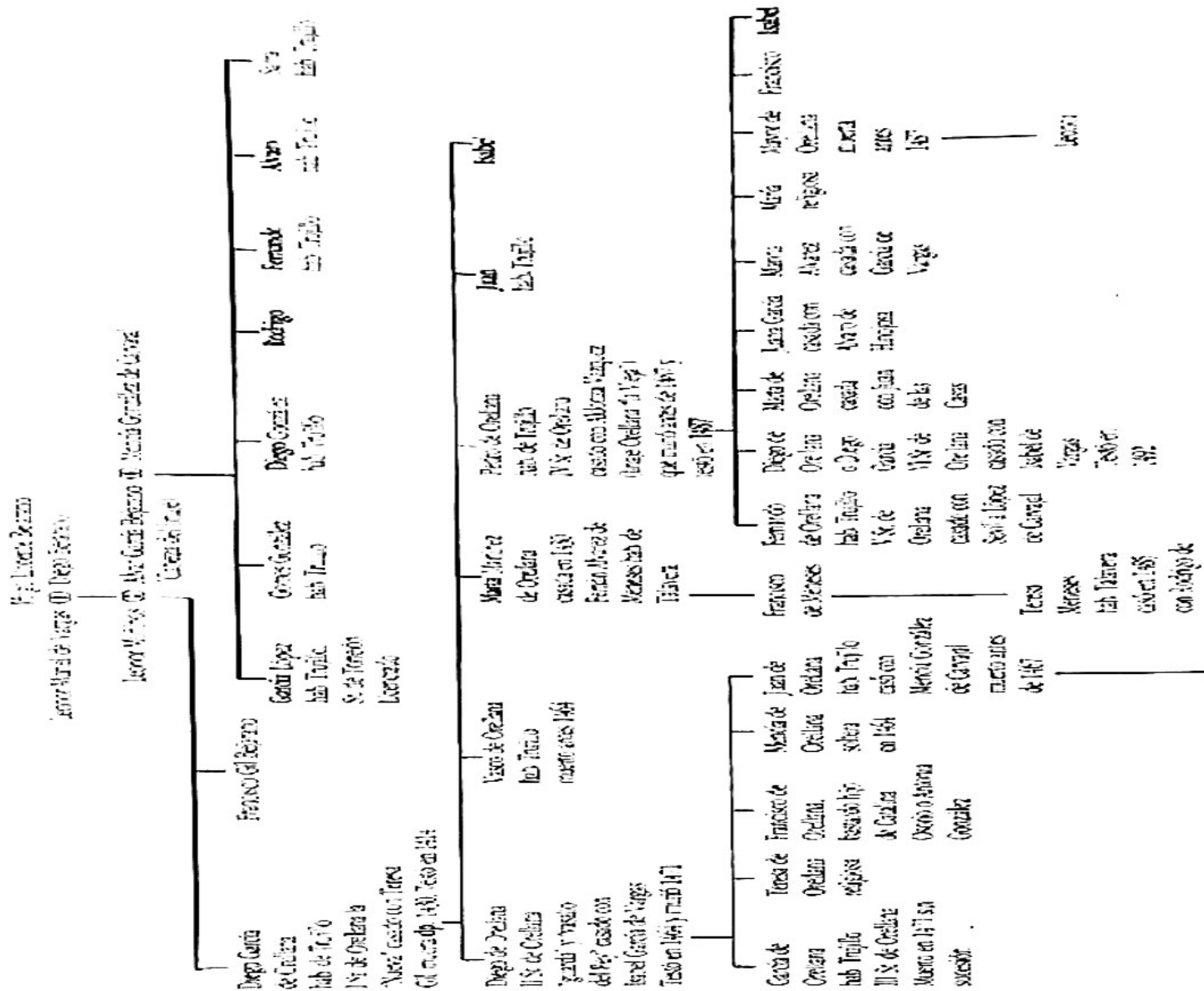
## Appendix 1: Glossary of Terms

- bachengo*: ecclesiastical seigneurial lordship.
- teñato*: offense to one's honor, a prejudiced decision.
- licante*: castellan, castle manager.
- licante*: judge, could also be similar to the mayor of a city or town.
- licazar*: fortress, palace, or castle.
- lilca*: a village.
- Alguacil*: sheriff.
- Almonedando*: to auction off.
- Bandos*: popular name for the blood-feuds which were endemic to Trujillo throughout the thirteenth fourteenth and fifteenth centuries.
- Camarero*: chamberlain, royal butler ran the household.
- Cargos mayores*: greater offices of the town council—composed of eight councilmen (*regidores*) and two deputies (*fieles*).
- Cargos menores*: a number of other local officials that assisted the council in economic regulation and the enactment of justice.
- Cuallerias*: measurement of land, originally denoted land meant to be distributed to knights or horsemen.
- Conversos*: Jewish converts to Christianity.
- Criados*: dependents, sometimes servants.
- Decretos*: decrees.
- Dehesas*: woodland pasture.
- Deudos*: familiars, relatives.
- Ejido*: a multi-purpose public pasture meant for general use by the local population for gathering stray animals, loafing, and dumping garbage.
- Escorial, El*: a Jeronimite monastery center of early modern Spanish court.
- Escuderos*: retainers.
- Extremeños*: people from Extremadura.
- Fieles*: deputies who assisted the councilmen (*regidores*).
- Foros*: galician land contracts.
- Fueros*: town charters.
- Golfines*: bandits.
- Heredad*: land or other property owned and inherited from relatives.
- Hernandades*: urban militias.
- Hidalgos*: petty nobles.
- Jamon serrano*: Spanish ham.
- Labores*: arable farmland.
- Lineage*: a grouping of families connected by marriage blood or patronage bonds.
- Leyes*: laws.
- Maravedis*: Spanish silver currency.
- Mayordomo*: comptroller, one of the lesser offices (*cargos menores*) of the town council.
- Mesta*: an administrative body representing the transhumant herders of Castile.
- Montanera*: time of year when the acorns of live oaks in the woodlands were harvested and used to fatten out pigs before their slaughter.

*Montes*: hilly woodlands.  
*Moradores*: residents.  
*Mozo*: youth, young lad.  
*Pasto*: pasture.  
*Pecchar*: to pay taxes.  
*Pconias*: measurement of land, originally denoted land meant to be distributed to peasants.  
*Personero*: legal representative, solicitor.  
*Presura*: legal and traditional practice of acquiring ownership of land that was 'unused' though active use over a certain period of time.  
*Propios*: property owned directly by the council, could include houses, mortgages, and public land.  
*Puebla*: a town.  
*Realengo*: being directly under royal jurisdiction, as opposed to under the jurisdiction of a lay or ecclesiastical lord.  
*Reconquista*: the reconquest of territory in the south of the Iberian Peninsula from Muslims.  
*Regidores*: the councilmen of the town council, often prominent men in the city and always members of one of the three lineages.  
*Repobladores*: settlers.  
*Santiago Matamoros*: St. James the Moor Killer.  
*Señorio*: a seigneurial fief.  
*Termino*: a jurisdictional district.  
*Testigos*: witnesses of an act or instrument.  
*Trujillanos*: people from Trujillo.  
*Vecindad*: local citizenship, granted by the council.

المجلس الأعلى للدراسات والبحوث





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