Governance (Spain)

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Governance

ANTONIO FEROS

Early in the reign of Philip IV (1621–1665), several of his ministers publicly stated that the government of the Spanish monarchy was a "regal government," government by one, and not a "political government," government by many. For them, and many others at the time, the Spanish ruler was not a "prince" (a primus inter parum) but a monarch, and therefore the lord of the Crown not its tutor or administrator. These views of the Spanish monarch, with full authority and control of his government, stand in stark contrast to other views and also to political and administrative practices. Unlike some of Philip IV’s ministers, Philip II (1556–1598), for example, seemed to hold a different position regarding the capacity of the monarch to rule alone (Fig. 54). "If the kings who must reign and govern their peoples and their universal domains in peace and with justice had no assistance or advice, it is doubtful that they alone would have the strength to withstand and execute such labors." These are the introductory words in the chapter on "Counsel to the King" of the Nueva recopilación, a compilation of laws published in the 1560s under Philip II’s orders. Many political writers of the period also advocated similar views. The Spanish translation of Jean Bodin’s The Six Books of the Commonwealth (1570), a book which many historians believe promoted the formation of an "absolute" monarchy, was equally clear that the king should not rule alone: "The Prince ought to follow the advice of the Council not only on grave and important matters, but also on minor ones. There is nothing that gives greater credit to the laws and commands of a prince, a people, or a commonwealth than to have them passed by the wise and prudent advice of a Senate or a magistrate." 22

The monarch also needed to govern in collaboration with his subjects, because his main obligations were to protect the commonwealth, to respect the laws of the realm, and to administer justice. In other words, the monarch had the obligation to exercise his office not for his own benefit but for the good of the commonwealth. It is fascinating to observe that the metaphors most frequently used for the Spanish monarch were those of father, judge, and protector. According to theories of the time, a stable and harmonious commonwealth could exist only if the monarch inspired the love, respect, and obedience of his subjects and believed that the interests of the king, his kingdoms, and his subjects needed to be in full accord.

In many ways, the best definition of the seventeenth-century monarchical system came from a Dutch writer, Samuel Pufendorf (1632–1694). The main characteristic of a monarchical government, he wrote, was its "irregular form" (respublica irregularis), a type of government in which "we do not find that unity which is the essence of a state completely established, not because of a disease or fault in the administration of the country, but because the irregularity of its form has been as it were legitimized by public law or custom." The seventeenth-century Spanish monarchy was indeed a respublica irregularis: it lacked centralization, unity, and uniformity, and its government was not dominated exclusively by the king’s will.

Several historians and scholars have characterized the early modern state as the coexistence and collaboration of diverse powers and institutions. Contemporaries shared the belief that none of the institutions, and certainly not the so-called central institutions, could monopolize the implementation of policies. In the early modern Spanish world, therefore, the implementation of social order, the main aim of the state, did not derive from the actions of the monarchical authorities alone but was fundamentally a negotiated order agreed upon by the monarchy, the various communities, social orders, kingdoms, and their representatives. The main explanation of the need for political collaboration among the various institutions and authorities was the relatively weak power of the state to "actually penetrate civil society and to implement logistically political decisions though the realms." The state, or the state elite, had neither the legitimacy nor the ability to implement policies without the consent of social groups and regional and local powers.

James Amelang has accurately explained the political foundations that made this negotiated order possible. The key—he writes—for the effective functioning . . . of the [Spanish] Monarchy . . . were the relations between central government, focused around but hardly limited to the figure of the monarch, and a wide range of elites located at both the center and the multiple peripheries of the imperial sys-
tem. This "wide range" should moreover be taken quite literally, as it comprises very diverse groups: urban oligarchies, all levels of the territorial aristocracy, whose principal bulwark of power continued to be the seigniorial regime; state bureaucrats; the Church; merchant and financial interests; and the military, among others.5

Amelang's words remind us of the dominant idea in the early modern Spanish political discourse that considered the Spanish monarchy to be a composite state organized as a hierarchy of "natural" communities—kingdoms, cities, villages, households, and various social estates or groups—and of a "mixed government." In contemporary speech, a mixed government was one that integrated multiple institutions which represented distinct communities. In the Spanish case, the government was made up of monarchical institutions (the ruler and his closest advisors and those institutions that promoted monarchical interests), aristocratic institutions (members of the central elites—nobility and university trained individuals also known as letrados), and popular or "democratic" institutions (parliament, city councils, etc.).

Within this mixed government, the monarch, in the words of the French political philosopher Jean Bodin (1530–1596), had a central role due to his "supreme authority." From 1580 onward during the so-called Baroque period, however, Spanish monarchs began to expand their authority, prerogatives, and influence over regional and local institutions by promoting an "administrative" system of government, which at least partially replaced a "judicial" system that had been dominant. This change reflected

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**FIGURE 54.** Frans Hogenberg, Philip II in Council at Segovia, etching, ca. 1570. Copyright © Trustees of the British Museum.
a new political discourse that was spreading throughout Western European politics, including the Spanish monarchy. Promoted by the ruling circles, this new theory, known as "reason of state," justified an increase in the ruler's executive prerogatives and preeminence. The creation of executive institutions fully under the monarch's control accompanied this change in ideology. Already under Philip II, numerous juntas (ad hoc committees) were created and staffed by members of the monarch's inner circle who were fully committed to implementing the king's orders. The most notable political reform at the time, however, was the appointment of a de facto prime minister, the king's favorite. Although the rise of favorites was a European phenomenon, the favorite's rise to power in the Spanish monarchy was strictly political and institutional. The main function of the minister-favorite was to reinforce monarchical influence over regional and local institutions by appointing and promoting men of his confidence. It is not yet clear whether these reforms and initiatives were successful or whether they succeeded in making the government more "regal" and less "political," but they did create new tensions that would affect the monarchy until at least the late seventeenth century. In many instances, regional and local elites viewed these reforms and initiatives as a breach of contract between the monarch and his subjects. They led in some cases to revolts and rebellions, which John H. Elliott has analyzed in his essay on rebellion.

In the Spanish monarchy, the councils represented the aristocratic component of the government. During the early modern period, fourteen councils were created to manage public affairs and to serve as the main conduits between the monarch, his kingdoms, and his subjects. It is a mistake to view these councils as a part of the "executive" government and as being fully controlled by the monarch and his men. Many times, and certainly by the late sixteenth century, the councils were perceived as autonomous, representing the interests of state and regional elites. Counselors, although appointed by the king, held their offices in perpetuity and also possessed other important prerogatives. They acted as supreme judges in their jurisdictions, proposed candidates for major and minor offices, distributed patronage, and served as an important link between the monarchy, the kingdoms, and the cities. The councils were charged with communicating royal orders to the kingdoms and the cities, and over time they became the ones in charge of transmitting the needs, expectations, and complaints of lower authorities to the king.

According to John Elliott's classic definition, the Spanish monarchy was a "composite monarchy," which made the role of the counselors even more pivotal in the ruling of the empire. As a paradigmatic case of a composite state, the Spanish monarchy was made up of various kingdoms and territories located throughout the European continent, each with its own laws, institutions, and political traditions. Each kingdom had a parliament and in many cases other institutions that dealt with the kingdom's affairs between the sessions of the Cortes (the best-known and most active, although not the only one, was the Generalitat in Catalonia). Although the monarch had his own representatives (viceroys) in each kingdom, their power and jurisdiction were very limited and rather weak, at least in the European kingdoms. In these territories, nothing could be done without the consent and collaboration of the various regional elites, as demonstrated by the revolts and rebellions of Aragon and Castile in the sixteenth century and of Catalonia, Portugal, and Naples in the seventeenth.

I. A. A. Thompson has reminded us that throughout the two centuries of Habsburg rule Castile was a community of "substantial, semi-independent cities," each governed by its own time-honored laws, jealous of its historic privileges and rights. We can apply Thompson's analysis of Castile to all kingdoms belonging to the Spanish monarchy. Nothing could be done in cities and towns without the consent of the local elites and institutions: they were responsible for everything from the minutiae of local administration to the collection of taxes.

Spain, like other societies in the early modern period, had an important and influential seigniorial class. In recent years many historians have mainly been paying attention to the transformation of this class from a land nobility to a court nobility and to the growing indebtedness that led many aristocrats to bankruptcy. Perhaps less attention has been paid to the fact that the power the local nobility continued to hold in the various kingdoms did not diminish during the seventeenth century. The nobility kept its privileges as a class and remained in control of large jurisdictions and populations. Nobles not only had the power to govern their territories and subjects but were also encouraged to take on important governmental roles and responsibilities at the center and in the various kingdoms. Although additional studies on the collaboration between nobility and the monarch are needed, perhaps Henry Kamen was right when he stated that "much of the success of the Habsburg government can be attributed to the excellent working partnership between the crown and its ruling class."
NOTE

1. Recopilación de las leyes destos reynos hecha por mandato de la Magestad Catholica del Rey don Felipe Segundo ... [1569] (Valladolid: Lex Nova, 1582), lib. 2, tit. 4: "Del Consejo del Rey."


6. These councils were State, War, Castile, Chamber of Castile, Italy, Flanders, Aragon, Portugal, Navarre, Inquisition, Military Orders, Finance, Crusade, and Indies. State and War acted in general as dynamic councils, helping the monarch to defend his territories. In fact their jurisdiction was not limited to the Iberian peninsula but included the entire monarchy.


SUGGESTED FURTHER READING


