

CITY KNIGHTS:
URBAN NETWORKING AND CITY LIFE
IN LATE MEDIEVAL IBERIA

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Rebel cities and urban uprisings are an integral part of current political conversations¹. Such uprisings are not merely masses of individuals challenging current powers and governments. They also raise the question of whether urban expressions and demands for a civil voice imply a turning point in the struggle for power.

These struggles have also propounded, whether explicitly or implicitly, that civil life is a horizontal one in which the concept of fraternity —perhaps only a shadow of revolutionary *fraternité*— has played and is still playing an important role. Slavoj Žižek first considered that this horizontality was one of the pitfalls of the movement because it hampered them from establishing a likely list of demands². This reading is more appropriate, as many scholars have argued, to the uprisings in the West than to those that received the awful name of the *Arab Spring* or the *Arab Awakening* —awful because it is none other than a patronizing, Western, orientalist expression of current prejudices about countries with a Muslim majority³.

Horizontal organizations, however, have a major advantage: they are more prone to expand and to reach, by capillary communication, larger portions of society that normally imagine themselves existing outside of

1. David HARVEY, *Rebel Cities: From the Right to the City to the Urban Revolution*, Verso, New York, 2012. Alain BADIOU, *The Rebirth of History: Themes of Riots and Uprisings*, Verso, London 2012.

2. Slavoj ŽIŽEK, “Occupy Wall Street. What is to Be Done Next?”, *The Guardian*, April 24 2012. <<http://www.theguardian.com/commentisfree/cifamerica/2012/apr/24/occupy-wall-street-what-is-to-be-done-next>>.

3. Lila ABU-LUGHOD, Rabab EL-MAHDI, “News and Views 1: Beyond the ‘Woman Question’ in the Egyptian Revolution”, *Feminist Studies*, 37/3 (2011). Rabab EL-MAHDI, “Orientalising the Egyptian Uprising”, *Jadaliyya*, April 11 2011. <<http://www.jadaliyya.com/pages/index/1214/orientalising-the-egyptian-uprising>>. Lila ABU-LUGHOD, *Do Muslim Women Need Saving?*, Harvard University Press, Cambridge, 2012.

the political struggle. Communication is thus essential for these kinds of horizontal movements and critical of vertical communication as well as official systems of education. We see this in many different instances: new forms of non-corporate communication use available technologies; reading and discussion groups meet in the streets; and universities leave the classrooms in order to face the winter of their discontent in places like the *Puerta del Sol* in Madrid during a cold day of November⁴. The demands might not form a list, but they are far-reaching if they are well interpreted, and they, of course, give a completely different view of what is common; what is the participation of the people in politics; and how civil life may change preconceived structures of power⁵.

Civil uprisings, urban networking, and civil life, no matter how contemporary it is, must also be historicized. The genealogy of current international issues of global nature additionally raises the question of how and by what means city life and urban networking became a crucial element for the opposition of central powers, and why collective practices of power were thus devised to fight against monarchical and oligarchical models. Historicizing uprisings also means investigating the procedures by which urban networking and city life established lists and programs of concrete requests and structures of control that were put forth for negotiation in legally constituted assemblies. Historicizing is definitely a way to understand the process by which a society is created via processes of association and assembly or re-assembly, thus giving us a better understanding of social movements in general⁶.

Medieval associationism, uprising, and popular revolt have always been a privileged area of research for historians interested in linking past to present. One hundred years ago, Julio Puyol published his book, *Las hermandades de Castilla y León*, in which he wrote the following words:

Estos organismos precursors del sistema representativo, en los cuales debieran los modernos tiempos aprender más de una provechosa lección., llegaron a existir no tan solo al lado de la institución real, sino también con independencia de las mismas Cortes y ejerciendo, como verdaderos Estados, las funciones legislativa, ejecutiva y judicial, sin que a pesar de la innegable autonomía de que se hallaban

4. Roberto BÉCARES, "El campus está en la indigencia", *El Mundo*, October 17 2012. <<http://www.elmundo.es/elmundo/2012/10/17/madrid/1350462759.html>>.

5. Jacques RANCIÈRE, "Democracies against Democracy", *Democracy in What State?*, Giorgio AGAMBEN, William McCuaig, Columbia University Press, New York, 2011, p. 76-81. David HARVEY, *Rebel Cities...*

6. Bruno LATOUR, *Reassembling the Social an Introduction to Actor-network-theory*, Oxford University Press, Oxford, 2005, p. 316.

*investidos para todos aquellos asuntos referentes a la unión dejaron de reconocer fundamentalmente el supremo poder del Rey y la unidad del Reino*⁷.

Julio Puyol was a liberal lawyer and humanist in addition to a historian, and he wrote during one of the most convulsive moments of the Borbonic Restoration in Spain. His lead was taken by many scholars and was crucial for a discourse on democracy and popular participation that came from late Francoism to the early stages of the *Transición*, as we can see in the works of Álvarez de Mormes, Valdeón Baruque, Pérez-Prendes, and Teo Ruiz. In hindsight, the ‘medieval modern’ discussion was extremely salutary, even if, for that matter, it became necessary to re-write the past.

In this article, I will also talk about some processes of citizen claims and city networking that took place in the late Middle Ages. I will focus on one of the networks of cities and citizens, and its process of self-institution: the so-called Fraternity of Noble and Non-Noble Knights of 1315 (hereafter Fraternity). As I will show, an examination of this institution reveals a powerful and necessary response on behalf of urban groups to participate in “war by other means” —that is, in politics⁸. This participation is not completely devoid of a military apparatus. On the contrary, it is a continuation of a military life, even when this one presents itself as the life of a professional lawyer⁹. Entering politics as a city knight represents a thesis in itself, and I will hereafter elaborate on the conditions and institutions of this thesis.

Perhaps the most critical feature of this political movement is its redefinition of the order of chivalry as a section of society in which nobles and non-nobles collaborate in their claims to an urban, civil version of politics.

Just like any other historian, I will freely use the noun “power”. However, this noun has become completely naturalized in our discourse, and I would like to narrow down its meaning before configuring my thesis. Power here means jurisdiction. In late medieval Spanish, jurisdiction and power sometimes meet in the word *señorío* (*lordship*), which also means

7. Julio PUYOL Y ALONSO, *Las hermandades de Castilla y León: Estudio histórico, seguido de las Ordenanzas de Castronuño hasta ahora inéditas*, Imprenta Minuesa de los Ríos, Madrid, 1913, p. 9.

8. Michel FOUCAULT, *Il Faut Défendre La Société, Cours Au Collège De France (1975-1976)*, Mauro BERTIANI, Alessandro FONTANA (eds.), François EWALD, Alessandro FONTANA (dirs.), Gallimard, Seuil, Paris, 1997, vol. XI.

9. Jesús R. VELASCO, *Order and Chivalry: Knighthood and Citizenship in Late Medieval Castile*, University of Pennsylvania Press, Philadelphia, 2010.

ownership, property, and other similar concepts, depending primarily on its legal context (for instance, Alfonso's *Second Partida* normally gives a political meaning to *señorío* while titles 30 and on of the *Third Partida* are clearly about property and ownership). Jurisdiction, however, is in turn, a very complicated concept insofar as there is no such thing as a unique jurisdiction, but several ones that interfere and argue against one another. This, in fact, points to one important issue that both Michel Foucault and Roland Barthes pointed out: power is not just a unidirectional phenomenon but is rather "everywhere, from every single corner, there are bosses, and apparatuses, either huge or very little, oppressive groups or lobbying groups; everywhere, there are authorized voices that authorize themselves to give away the discourse of every power"¹⁰.

The other important concept I want to define before using is *sovereignty*. I will understand sovereignty as the expression and acknowledgment of jurisdiction in the act of negotiating and producing new legislation. In this sense, sovereignty is not a given and immutable concept of power but rather a conflictive space in which power as jurisdiction is always disassembled only to be collectively reassembled and deposited on the sovereign (the king) as a result of a new set of laws and regulations produced by a collective expression of many interacting powers, like the Cortes.

The inquiry I am suggesting here stems from the transcriptions of the citizens' petitions during the royal Cortes. I would like to read them not only from the perspective of the content and form of the citizens' voice, but also consider the material difficulties of the production of this voice. Indeed, the public articulation of such a voice in the political space of royal sovereignty encompasses material issues that separate the citizens from their ability to control the texts that transcribe their petitions and institutions.

City knights, a mix of noble and increasingly non-noble individuals, have to fight against the empire of an official notarial system constituted by lawyers. The lawyers and notarial officers are those who are in charge of transcribing in indirect style—at least until 1435—the proceedings of the Cortes. By doing so they also subject the voice of these citizens to a very strict juridical aesthetics¹¹.

10. Roland BARTHES, *Leçon: Leçon Inaugurale De La Chaire De Sémiologie Littéraire Du Collège De France, Prononcée Le 7 Janvier 1977*, Seuil, Paris, 1989, vol. 205, p. 11 (trad. mine).

11. From 1435 onwards, Cortes transcription explore as well other stylistic solutions, following the initiative of Fernando Díaz de Toledo, also known as *El Relator*, and notary to the king Juan II. This issue in juridical aesthetics has not been studied before, and I am including it in my book *Dead Voice: Legislating with Philosophy and Fiction in the Middle Ages*.

I am going to suggest a twofold localization for the city knights, which I will call *civitas* and *urbs*. *Civitas* here refers to the civil and political life of the citizens. *Urbs* refers to the materiality of city life, both in urban and cultural terms. I do not intend to create a polar, irreconcilable separation between both notions, but it can be productive to treat them separately, as it will be shown upon examination of an urban experience that goes beyond the physical limits of the particular cities in which the *urbs* becomes networking¹².

The Fraternity of 1315 constitutes this sort of urban knighthood in which the expression of its civil life or *civitas* lies outside the *urbs*. The knights leave the urban limits in order to cross another symbolic boundary, reaching the bodily and political space of the sovereignty. Their intent is to preserve, and even to reconstruct, the sovereign power of the King.

Incidentally, I will need to articulate here two more notions that are more closely related to knightly life and to the very order of chivalry. One is social hope¹³. For many sections of society in the late Middle Ages, chivalry constituted a social hope insofar as becoming a knight was a legitimate and ultimately legal way to participating in objective politics. This was only possible when the laws enforced the ability of the *princeps* to create new knights and thus make them nobles. This legislation was not enforced everywhere, and it was an important subject for debate. Castilian laws, however, seem to point in that direction, in particular from the *Second Partida* in the late thirteenth century, to the end of the fifteenth century, under Trastámara rule¹⁴.

Knights and other political agents expressed this knightly social hope in chivalresque fables. I don't want to be so structuralist here as to define the chivalresque fable as some sort of stable narrative model. I only want to express how certain narrative elements become essential for the theorization of knighthood in the late Middle Ages precisely because knighthood needs to become a politically productive social class, and not some sort of heterotopian, isolated functional group of defenders. As a matter of fact, in those chivalresque fables of the late Middle Ages, the knight is at the same time an individual and part of a group: the individual is represented in a state of absolute loss in order to show

12. Jesús R. VELASCO, *Order and Chivalry...*

13. Richard RORTY, *Philosophy and Social Hope*, Penguin, New York, 1999. Jesús R. VELASCO, *Order and Chivalry...*

14. Jesús R. VELASCO, "La invención de la caballería", *La caballería y el mundo caballeresco*, Joseph FLECKENSTEIN, Thomas ZOTZ (eds.), Siglo XXI, Madrid, 2006.

how chivalry—which the texts are extremely varied in how they define and theorize—can fulfill the social hope of this individual and grant him what he lost manifold. As a part of a group, the chivalresque fable expresses the means by which knighthood can be interpreted as a system of solidarity with practical effects in real politics¹⁵.

The Fraternity's expression of social hope and self-institution is the *Cuaderno de la Hermandad* or *The Book of the Fraternity* (hereafter the *Book*). *Cuaderno* could also be translated as “quire”, for it is one materially, albeit with the institutional power of a book once the quire has been sewn to another quire—the one that contains the royal regulations decided during the Cortes. The *Book* was produced in 1315 during the minority of king Alfonso XI of Castile and León and therefore during the Council of Regency presided over by the minor king's grandmother, María de Molina¹⁶.

The council of Regency suspends, protects, and enforces the personal sovereignty of a minor king, in this case Alfonso XI. Ideally, the council was comprised of a permanent member, namely the Queen María de Molina, and two tutors elected among the most powerful *ricos hombres*, the Castilian high nobility, which held jurisdictional powers it was reluctant to surrender to a central monarchical jurisdiction embodied in the physical and political persona of the monarch.

The minority of Alfonso XI, however, is tainted by the fact that, at first, María de Molina rejected the possibility of becoming a tutor for her grandson, and also by the way in which some important members of the high nobility—namely Pedro, the brother of the late king Fernando IV—were asked to remain excluded from the council of regency. This complex negotiation, which sometimes encompassed armed hostility and the reorganization of armies, lasted for many years until the Cortes of Burgos of 1315, the ones in which the Fraternity is born. The *Crónica de Alfonso Onceno* compiled by Juan Núñez de Villaizán elaborates on this particular crisis in its first 30 some chapters.

The city knights create the Fraternity in the midst of this crisis as an association by means of which they would participate in the collective process of maintaining the monarchy and, ultimately, the thesis on sove-

15. Jesús R. VELASCO, *Order and Chivalry...*; Jesús R. Velasco, “Teoría de la fábula caballeresca”, *Libros de Caballerías (De “Amadís” al “Quijote”)*. *Poética, lectura, representación e identidad*, M. SÁNCHEZ (ed.), SEMYR, Salamanca, 2001, p. 130-148.

16. Mercedes GAIBROIS DE BALLESTEROS, *María de Molina*, Ana DEL CAMPO GUTIÉRREZ (ed.), Urgoiti Editores, Pamplona, 2010. María Antonia CARMONA RUIZ, *María de Molina*, Plaza y Janés, Barcelona, 2005.

reignty for which it stands. The Fraternity thus is raised as a group of mutual protection in response to the exceptional sovereignty introduced by the council of Regency.

My thesis can be expressed as follows: the *Book* allows us to understand a rather infrequent political dimension in the creation of an *ordo societatis*, a social order (or even a class, insofar as the genealogy and etymology of class encompasses a vocation) to be summoned in order to develop a certain social and public task.

The poetics of the *ordo* proposed by the Fraternity is also exceptional insofar as it is a transgression or overcoming of conventional boundaries between social *ordines* that aims to obtain an executive voice in the political space of a monarchy in crisis. Using the horizontal discourse of chivalry, the extra-urban and networking practice of the *civitas* imposes a voice and an authority within the political space of the royal Cortes, the political and juridical institution in which abstract sovereignty acquires concretion.

The different groups of power perform their tense relationships in the Cortes. In this space the balance of power among social groups is questioned: on the one side, the established ones such as clerics and members of the nobility; on the other, the emerging urban elites which the original sources call “knights and good men”.

This tension is, as a matter of fact, a critical moment of the redistribution of voices by means of an ongoing negotiation concerning the exercise of political and juridical power. Some of the *cuadernos de cortes*, the documents that transcribe the Cortes and extract the regulations derived from the meeting (like the minutes of the Cortes), show the redistribution of voices. The ones that show it more clearly are those produced during the rule of a council of regency. In these Cortes, the resulting *minutes* reveal a rather transgressive voice on the part of the citizens there convened, who oftentimes question the legitimacy of individual tutors or the council in its entirety. In these minutes, the citizens and the representatives of the cities propose themselves as a system of control—a new discourse of objective power—for the political and legislative endeavors of the council of regency.

It is always problematic to determine how we read the Cortes transcripts. To summarize the difficulties, they are selective, and they also look like a fragmentary session of Q&A adapted to an extremely cold juridical aesthetics that deprives them of the citizens’ rhetoric. The only

reason we can presume this is the fact that from 1435 onwards the style of the Cortes transcripts changes from indirect to direct, and therefore there seems to be less intervention on behalf of the notaries. The change, which I consider to be a big leap, seems to have been introduced by Juan II's notary, Fernán Díaz de Toledo, one of the most influential notaries of the late Middle Ages in the Iberian Peninsula.

In order to limit the deleterious effects of indirect style, notarial editing, and juridical aesthetics, I suggest reading the Cortes' transcripts as a series. This serial—or perhaps serialized—reading will allow us to better understand the process by which the citizen representatives or *procuradores* painstakingly create a voice for the bourgeoisie.

The Cortes, as a monarchical instrument for the exploration and exercise of his jurisdiction, are, in the late Middle Ages, *itinerant*. Itinerant, indeed, is the adjective most typically used to convey the constant movement of the royal Cortes, court, and retinue. Castilian monarchs didn't usually celebrate the Cortes in the same place. They summoned them to meet in different locations, generally urban, although sometimes also more rural, throughout the growing Castilian-Leonese geography. The Cortes normally took place outside, in plain sight, and in a very public manner. This constant displacement entails a threefold *mouvance*. First, it makes the whole court be on the move; second, it forces those instances willing to express themselves before the Cortes to travel towards the place where the Cortes are going to be celebrated; and third, it submits all the documents produced for and by the Cortes to material and textual *mouvance*. It does so materially because they have to be transported, and textually because they have to be copied and distributed.

The multiple effects of *mouvances* make the adjective 'itinerant' insufficiently expressive. In this case, I prefer to refer to the nomadism of the Cortes. Itinerancy would mean that the Cortes stop and go across a given path, as in a process of connecting dots on a concrete map, and that they are on the move or at least moving. I would instead argue that this displacement is not the mere following of a path but instead the creation of just one possible route. The Cortes can be considered an essential part of a nomadic politics: once a certain location has been exploited for specific political and jurisdictional purposes, the Cortes then pack up and leave in order to exploit a different one, without subjecting themselves to the circumstances of a predetermined path or map. Instead of following a route, they create a geopolitical map, gathering the political and juridical fruit of their harvest and institutionalizing it in the symbolic

production of a book or a booklet that not only contains the regulations, but also the interactions leading to those regulations in a particular place on a particular date. These elements become part of the juridical library and systems of identification of legislations and regulations in the kingdom. This is exactly what we see when we consider the Cortes transcripts in their seriality, as they are presented in the thick manuscript codices that gather them—codices that establish the succession of Cortes in space and time, conflating their different documental productions.

What the creation of such a map should show is that the king narrows down the space of jurisdictional expression of power to a small, central locus primarily in the center of the Peninsula, from Briviesca to Toledo, and from Zamora to Cuenca, that also stretches to more southern centers like Santa María de Nieva, Sevilla or Córdoba in some periods, in order to narrow it back down to places like Valladolid or Burgos at the end of the Middle Ages and the beginning of the early modern period.

The political and juridical impact of this procedure—the nomadic Cortes and the *mouvances* they imply—is huge. It multiplies the king's body throughout the political geography of the kingdom, as well as at each point where the royal jurisdiction is enforced. By doing that, it creates the political and juridical geography itself, linking urban and rural centers to their role in the constitution of the kingdom's regulations. Each time the king hits one of those centers, he confirms uses, as well as customs and laws, and simultaneously adopts new juridical and legislative resolutions, producing new texts that must be enforced radially to the rest of the cities, from the location where they were first promulgated, which itself becomes inscribed in the law. The nomadic Cortes thus followed a centripetal movement—everything must heed this moving, temporary center—as well as a centrifugal one. Its documentary products are then to be sent to the rest of the cities and other municipal centers across the kingdom, expressing, hence, the expanding frontiers of the royal jurisdiction.

Mouvance implies more *mouvance* in the nomadic Cortes. The civil institutions that participate in the Cortes must be ready to participate in this nomadic politics. The cities' representatives must look for the Cortes, and travel to them regardless of where they take place. Furthermore, the representatives bring, along with their juridical personae, the *corpus* of documents that will serve them as a tool for their public intervention: petitions, institutions, evidence, and other sort of notarial documentation. They *become* juridical personae that express themselves in documentary regulated form.

This is exactly what happens with the *Book*: brought about by the cities' representatives to Burgos, it had to be sewn to the other petitions and ordinances of the Cortes. Once bound in this way, it could then be validated and enforced. This act of binding is the very moment of sovereignty within the court: the acknowledgement and expression of jurisdiction.

This is how the cities, as groups of power participating in the Cortes, are required to abandon the physical and cultural space of the *urbs* to attend to the meeting where sovereignty will be performed on a particular occasion.

The Fraternity is a *civitas*, that is, a civil and political life that overcomes the issue of abandoning the *urbs* by creating a horizontal network that occupies as much space as possible. In the analysis of the *Book* that I am going to propose below, we will see strategies for the occupation of space, and how the Fraternity expands itself by means of a network of urban centers.

The strategies of chivalresque solidarity are the foundations of the Fraternity. Its originality resides in its lack of internal hierarchy. There is no master because there is no vertical structure. The Fraternity is the double result of a confluence and of a binding, both political and bibliographical. These strategies of chivalresque solidarity interact and are bound within the space of sovereignty.

All this is the cause of something extremely original that affects the discourses about chivalry: the Fraternity version of chivalry implies that the latter must abandon its condition as an object of regulation in order to regulate itself from within.

The will to self-regulation singles out the Fraternity among other brotherly associations that require statutes and norms that normally derive from other structures like parishes, cathedrals, or even the king. Good examples of these other fraternities are the once Nieto Soria studies in a recent article.

At the same time, the Fraternity is not the only case of a poetics of fraternity in the complex processes of bourgeois association and societies of mutual aid in late medieval cities. It is, however, from a juridical and political perspective, the most explicit among the other *chartae fraternitatum* that might have been produced, and the only one whose statutes are still preserved.

The Fraternity's poetics of the *ordo* begin when it creates the event that elicits the necessity of creating the Fraternity. This event is the social, political, and legal conflict that opens a gap between the high nobility—the *ricos hombres*—and the local, city powers, represented by those that the *Book* calls *hidalgo* knights and good men from the cities. The high nobility is the one that typically had jurisdiction, owned lordships (*señoríos*, and one must take into account that medieval Spanish *señorío* also means jurisdiction), and advocates for a multiplication of jurisdictions within the kingdom.

The king's tutors negotiate among themselves the jurisdictions of the kingdom, which limits the citizens' political action. The *Book* presents the Fraternity as a mutual aid society that protects its members from this circumstance. To address the event that elicits the constitution of the Fraternity, this one elaborates theses that include forms of control, educational structures, and a form of juridical violence.

In the first moments of this conflict, noble knights (*hidalgos*) and non-noble knights from the cities (*caballeros villanos, hombres buenos, etc.*) tried to form independent associations and brotherhoods.

It is perhaps around 1285 that the *Cofradía de Nuestra Señora de Gamonal* of Burgos was created, with the aim of concentrating the power of several families of well-off merchants who express their will to rise as political persons. Even though this *Cofradía* had a constituent regulation, the extant version—preserved in two beautiful manuscripts at the Biblioteca Nacional, Madrid—are of a later date and seem to have been inspired by another codex, held at the Burgos Cathedral, that contains the regulations, lists, and portraits of another brotherhood, the *Cofradía de los Caballeros de Santiago de Burgos*, of 1338. The creation of this latter *Cofradía* is also exclusively bourgeois and includes the privileged social class of what the documents call the “good men” or *hombres buenos*, that is, citizens who had the means and elements of representation proper to the city knights; a class that had a growing economic power and aspired to have equal administrative power.

Other fraternities seem to have had a more diffuse presence starting in 1312, and even before then. Some of them, except for one created in Andalusia, were to be integrated into the Fraternity of 1315. There seems to have existed one fraternity created exclusively by noble knights (a brotherhood *que fizieron los ffdalgos apartada mientre*) in Valladolid, perhaps in 1299, whose statutes are said to have been amended—with no further details, nor definite date—in the Castilian cities of Torquemada

and Villa Velasco. Of these, it does not appear that we have any information, other than the *Ordenamiento de las Cortes de Carrión* of 1317.

The concrete aspirations of these fraternities appear often in the regulations from the Cortes that took place under the Council of regency operating during the minorities of Fernando IV (1295-1301) and Alfonso XI (1312-1325). The members of the Fraternity vie for the participation of up to sixteen of their own knights, both noble and non-noble, in the retinue of the council. According to the resolution of the Cortes, in which the king always speaks in the first person (although it is only his political person, embodied in the Council of Regency, who speaks), this body of retinue is given “in order to give advice to me as well as the Queen, my mother, and the Infante, my uncle and tutor”. At first, this counsel and company seemed to have been reserved for non-noble knights, but from 1315 on, noble knights also become part of this company, and in 1317 there is a specific reference to one of those knights serving as the king’s *ayo* (counselor or educator).

From very early, the knight alliance takes the form of a juridically established political alliance. This is the sense of the *Book* sewn to the Cortes transcripts of Burgos of 1315. This *Book* is the first one to create a fraternity of an institutional character between these two categories of knights —a fraternity with its own regulation and whose oaths are also binding to the Council of regency and the high nobility.

The Fraternity and its *Book* reveal a profound interest in the poetics of the *ordo* or class they are proposing. The redaction and emission of the *Book* vie for a reordering of the bourgeois, lay chivalry in order to balance its relation to the high nobility. The *Book* is the expression of the consciousness, on the part of the city knights, of their political function, both as citizens and as representatives of a *civitas*, a political and civil life that transcends the concrete localization of the *urbs*. As an alternative to such concrete localization, the Fraternity expands its personality and influence across a large number of cities throughout the kingdom of Castile and León, from the Extremaduras to the Kingdom of Toledo. The signatures of the more than one hundred brothers and their representatives reveal precisely this large network, while history deprives us of the intense negotiations that must have existed in order to create the network itself.

The so-called chivalresque imaginary makes part of this project by evoking the terms of a chivalresque fable with a pedagogical sub-fable in it. In this chivalresque fable, knights of different social origins work for

the construction of their public hope — a necessity to actively participate in the political sphere. Their demands for a public hope look like a contract to be ratified at the Cortes. The public hope in this particularly concrete contract is to become part of the power of the kingdom by keeping the control of the municipal powers.

What this public hope suggests is not merely a function but also the incorporation of a bourgeois civil life to the monarchical and noble political spaces. There is no idealism in this, and hardly any sort of democratic revolution. The issue is strictly jurisdictional.

The writing of the *Book* is the writing of a public document in which all the legal formulae are oriented towards the acquisition of an authoritative voice, or, as they said in the procedural language of the period, towards the creation of an “authentic person” (*persona autentica*). The formula with which the *Book* begins *sepan quantos este quaderno vieren* (“let all those who may see this quire know”), is located in this linguistic use of the notarial idiom, increasingly codified, towards which the knights and good men also desire to get close, whose rules were already exposed along with all the other formulaic models available in Alfonso X’s *Partidas* 3.18.

Chief among the theses of documentary writing is the need for the secularization of the chancery, like the one proposed in the Fraternity’s *Book*. While most notarial writings were undertaken by lawyers from the clergy, the citizens, in front of the Cortes, vie for the acquisition of a lay, secular, legal authority of which they consider themselves apt representatives.

The *Book* is not an autonomous document. It was sewn to the *Cuaderno de Cortes* (minutes and regulations of the Cortes) held in Burgos in 1315. Article 31 of these Cortes confirms and gives life by giving force of law to the *Book* while simultaneously acknowledging the Fraternity as a network of cities from all over the kingdom:

Also, we concede and confirm to you the Fraternity that in these Cortes was proposed by all the *hidalgo* knights, and those of the cities and localities all over the jurisdiction/lordship of our sire the king, in the manner you proposed to do it¹⁷.

The only formal difference between the constituting *Book* and the Cortes transcript that confirms it is the sacred protocol with which all

17. *Cuaderno de la Hermandad de Caballeros de 1315, Cortes de los antiguos reinos de León y de Castilla*, Real Academia de la Historia, Rivadeneyra, Madrid, 1883–1884, vol. I, p. 247–272.

Cortes transcripts begin: ‘In the name of God, amen’, or similar formulae. The aim of these formulae is the sacralization of the juridical instant. The *Book* lacks this kind of sacralization, although those who sign it pronounce a sacred oath in the moment they sign the document.

The initial dependence of the *Book* in respect to the Cortes should have been solved when the Fraternity was first constituted in 1315. However, this is not true in this case, and the Fraternity asks for the confirmation of its *Book* several times until Alfonso XI comes of age and thus becomes king. The confirmation is then required by the Fraternity in the Cortes of Carrión of 1317, Medina del Campo 1318, which elicits a shy response from the Council of regency. It is also required in 1325 in the Cortes of Valladolid, although Alfonso XI, then already king, clearly excludes the Fraternity from being confirmed: “I also confirm them the *cuadernos* that were given to them by my father, don Fernando, in the Cortes he celebrated, all those that do not treat of fraternities”¹⁸.

The *Book* begins by asserting the poetics of the Fraternity. Afterwards, there is an introduction and protocol; 25 articles constituting the by-laws of the Fraternity. Finally, there are the members’ signatures, the signatures of their representatives or *procuradores*, and the oaths pledged by the members and the representatives, as well as the regent and the tutors.

The reason why the Fraternity was constituted is therein explained by noble and non-noble knights, when they express their will to put an end to the ‘damages, and evils, and aggressions that we have hitherto received from the most powerful men’, so that

We all collectively establish this agreement, and contract, and this fraternity so that we love one another and that we wish one another well and that we are in concord, and that we share one single will to maintain our service to the king’s lordship and all the rights that he must have, and also so that we can better guard our bodies and what we own, and our charters, and franchises, and liberties, and uses, and customs, and charts, and books with regulations, that each and all of us have...¹⁹.

The poetics of the Fraternity —that is, the political, juridical, and ethical criteria for creating the fraternity in the first place— points to the preservation of power within the city by the knights. The poetics of the Fraternity is thus a thesis to preserve the *civitas* not only at an individual level, but also as a collective enterprise. This poetics involves

18. *Cuaderno de la Hermandad de Caballeros...*, p. 247-272.

19. *Cuaderno de la Hermandad de Caballeros...*, p. 247-272.

a moral and political discourse of love that glues together the *ordo* they are creating. In it, love is horizontal, and guarantees that everyone loves one another and shares a common purpose or will, a single heart—that is, a sense of concord. All that can be simply interpreted as the Christian commandment that comes as a corollary to the ten mosaic rules in John 13: 34: *mandatum novum do vobis ut diligatis invicem* [ἵνα ἀγαπάτε ἀλλήλους] *sicut dilexi vos ut et vos diligatis invicem*. This thesis about the constitution of a group of power based on love is not self-evident, but it is the founding philosophy for the constitution of both this hybrid *ordo* and the Fraternity.

Such a strategy could be deemed a secularization of a theological concept. This love would not be other than the result of the hyposthesis of the Paulinian concept of *agape*. It would still be necessary to know how this process of secularization takes place within the political, and how the knights make sense of it.

Love is, granted, an affection. It is also a social and political link, or, as the laws conceptualize it, a *deudo*—something that is owed to another. Love does not need a particular location and can expand its linking power throughout the common space designated by the *ordo*. Love, as the *Book* explains, is the unifying will of a group, and it expands as much as the group expands itself. Those who sign the *Book* sign up as well in this will to love.

Love becomes, hence, a juridical-political concept. A strange, new, and overarching link that according to the laws of *Partidas* 4.27 *el verdadero amor passa todos los debdos* (“is superior to all other links”) which means that love is some sort of arch-link that can overcome traditional concepts of social contract and of natural social division to create new forms of sociability and new political rules.

Partidas 4.27.4 deal in particular with love of friendship—the kind of horizontal love with which the *Book* is concerned. It is a sort of love that *según costumbre de España ... pusieron antiguamente los fijos dalgo entre sí, que non se deuen desonrrar, nin fazer mal unos a otros* (“according to the customs of Spain, was anciently established among noblemen in order not to dishonor one another, and not to do evil to one another”). Likewise, this love of friendship may vanish amongst the inhabitants of a land *Quando alguno dellos es manifestamente enemigo della [de la tierra] o del señor que la ha de gobernar e mantener en justicia* (“whenever any of them is an obvious enemy of the land or of the lord who is in charge of governing it and of maintaining it according to justice”). If the love

of friendship leads to the consolidation of a horizontal order, its real meaning dwells outside of such horizontality, in a superstructural system, that is, the land, and above all in a kind of sovereign that is both in charge of the political government and the embodied conceptualization of justice. These superstructural factors allow love to survive. Without them, horizontality itself would also disappear.

The discourse on love as it appears in the *Book* is also a contract of love—an alliance, as it were, like the matrimonial one. This contractual love glues together the group by means of an emotion—albeit legally contracted—the juridical conditions of which are traditionally linked to the knightly nobility of the *fijos dalgo* or noblemen.

The law expresses love with infinite clarity, but it does not invent the link of love. On the one hand, the law conceptualizes it as a custom, a *consuetudo*, or, in other words, a use whose value has been juridically recognized (*Partidas* 1.2.1-3). Only the nobleman can fall within a discourse of the kind of love that has a contractual value in politics. Love politically links more than any other *deudo*, and the acquisition of *deudos* corresponds to such a category of political bindings. On the other hand, the very category of political love pertains to *courtois* literature in which the very capacity of loving is exclusive to the nobility, whereas the other estates only relate erotically within a discourse of procreation and reproduction. In Alfonsine discourse, there is an additional, third element involving its theoretical language: the inextricable inclusion of Aristotle's *Ethics* within the juridical code. The primary philosophy and constitution of the Fraternity is located in this complex philosophical, juridical, and cultural crossroads of discourses.

The strategy is twofold. On the one hand, by writing a contract of love into its institutional contract, the Fraternity locates itself in a bi-dimensional alliance, both horizontal (that of the nobility), and vertical (in relation to the sovereign). The Fraternity therefore includes itself within the political boundaries where sovereignty takes place. On the other hand, the Fraternity represents itself as a chivalresque congregation that works according to the rules and references of *courtois* culture, a certain type of social hope expressed by means of chivalresque fables.

The *Book* is comprised of 25 articles in which the city knights express their fears towards the behavior of the infants and tutors that participate in the council of regency, which is deemed juridically and politically unbecoming and arbitrary. The knights join in this Fraternity against such behavior in order to establish a series of by-laws that make

them recognizable by the regency and ultimately the king, as suitable agents in the process of control of regents and tutors. Articles one and two of the *Book* establish the right of the Fraternity to recuse the tutors' powers, and even those of the regent Queen, in the event that one of them would cause physical damages to any of the Fraternity's members. In such a case, the Fraternity retains the right to denounce the tutor's powers before the pertinent juridical officers, *merinos* and *alcaldes*, with the purpose of claiming their legal rights, even if this would involve the demotion of the tutors who, responsible for causing the damages, would not pay for them according to the law and the officers of justice.

The Fraternity does not only establish rights and privileges to defend itself from exterior forces. Some of the articles in the *Book* vie for the consolidation of the Fraternity itself. Articles three and four posit the penal consequences when "one or some from the fraternity would cause evil to other members of the fraternity" (250), while establishing a regime of protection on behalf of the Fraternity that includes not only the members but also the territories, municipal centers, and local powers that the Fraternity wishes to put under its influence:

Also, we establish this contract and agreement among us, that no noble man (*hidalgo*) of this fraternity murders by himself or has murdered by somebody else, any other noble man, nor any knight, nor any other man of those who live in the cities and villages of this fraternity, unless there was a reason to kill him rightfully²⁰.

The Fraternity by-laws convey that they rule themselves according to the same rules that claim rightful also outside the Fraternity. In other words, the Fraternity shares the same principles of justice and equity that rule outside the Fraternity. It is also organized as a group of power with enough influence to solve not only internal disputes but also external issues, proposing thus the existence of *alcaldes desta hermandad* ("judges from this fraternity"), officers given to solve conflicts both within the Fraternity and in municipal centers that are part of the Fraternity. 'The justice of the Fraternity,' that is, the group of officers from the Fraternity in charge of the administration of justice, functions as a seamless body with judicial and policing responsibilities.

This group watches over its own political health, including the class differences that take place inside the Fraternity. The class-separation and

20. *Cuaderno de la Hermandad de Caballeros...*, p. 247-272.

the simultaneous system of solidarity between these same classes that operates within the group result in a fascinating tension: a modern social hybridity guaranteed by the sharing of official and judicial charges (*alcaldes* and *justicias*) not previously assigned to any of the social classes.

In the first articles of the *Book*, the Fraternity represents itself as a first person the in the administration of violence.

And if somebody from outside the Fraternity would kill or had killed any of us, members of the Fraternity—except in the way we mentioned earlier— then all of the members of the Fraternity, or at least those members who happened to be nearby, must kill him, and we also must demolish his houses, and devastate everything he owns, and all that accompanied by the king's *justicias*²¹.

Here, the king's *justicias* are the judges sent by the king, and, therefore, the king's jurisdictional officials. The Fraternity does not intend to be the sole body responsible for judicial violence. It rather intends to establish an alliance, a negotiation of sovereignty that can be expressed by means of this judicial violence.

At the same time, the alliance claimed by the Fraternity is only understandable in the context of the council of regency. The king only exists as a political projection of the council, and the political body of the king is almost in suspension and divided among a variable number of natural bodies until the natural body of the king comes of age, when he can receive his full political virtues. This suspension allows the Fraternity to claim for an aliquot part of the political body of the king with whose *justices* it can work out different political and legal issues affecting the Fraternity. The Fraternity suggests its own participation in the sovereignty of the kingdom by stating that each attack against the Fraternity is, in fact, an exception or emergency that must be answered by means of institutional violence.

The strategy of self-protection and institutional violence is, again, twofold. On the one hand, these judicial and institutional claims shield the Fraternity by making something very concrete of it, something that has a content and a continent, while pointing at those who “are not in this Fraternity”, thereby excluding them from this network and powerful group, constituted as a constellation of cities and other municipal centers. On the other hand, this strategy locates the Fraternity in the space of

21. *Cuaderno de la Hermandad de Caballeros...*, p. 251-252.

sovereignty where exceptions and emergencies are decided. This is the strategic space in which the institution can participate with the other instances (clerics, kings, lawyers, the council of regency, the high nobility, or even those who are not in the Fraternity) in the negotiations of jurisdictional power.

These series or articles from the by-laws, which regard the Fraternity as an administrator of justice and institutional violence in cases of exception, goes beyond the twofold strategy already mentioned. 'Those who are not in this Fraternity' are, in fact, other urban knights who (for unknown reasons) declined to sign the document. They are also, therefore, those who lie outside the networking *civitas* in this crucial moment of incorporation to the process of sovereignty. There is more. The articles following the ones already mentioned show that the goal the Fraternity pursues by obtaining the legitimacy of acting 'with the king's justices' is to control all of the activities of another category of men who do not and cannot belong to the Fraternity, the *ricos hombres* or high nobility:

If some high noble, infante or rico hombre, or anyone else should commit some injury or take something belonging to someone in this fraternity without the authority of a fuero or right, then the plaintiff must present himself before the mayor of the fraternity or of the region where the offense has occurred, and the mayor will then call the king's administrator or the officials of the villages or the region where the offense has occurred, and these will then go to confront the high noble or wealthy man who committed the offense so that he may then set matters right²².

If the nobleman should refuse the reparation, then the Fraternity may act as a punitive and policing group, and directly execute institutional violence, 'for we will then capture the infante or the rico hombre, and we will take from his possessions the amount of the damages he caused, and we will give this amount to the plaintiff having suffered the damages, in the presence of the merinos and other royal officers who happened to be there'.²³

Although the Fraternity here is still in charge of the official exercise of violence, the degree of brutality is inferior to the one expressed against the other knights that are neither *infantes* nor *ricos hombres*. The Fraternity thus limits itself by acknowledging the relative superiority of the high nobility and invoking, for that purpose, all the knights' officers.

22. *Cuaderno de la Hermandad de Caballeros...*, p. 253.

23. *Cuaderno de la Hermandad de Caballeros...*, p. 253.

The *Cuaderno de la Hermandad* progressively constructs the conduct of the fraternity in the manner of previous lay chivalric orders. An example of the group's consolidation is the imposition of fines for those who fail to attend its meetings of solidarity, a move that presumes a rupture in its bases of power:

And all of us who are members of the fraternity that are called to help in this (confrontation with the high noble or wealthy man) but do not show up shall be assessed a penalty of ten thousand *maravedíes* for each *conçejo* not sent, and each of the *hidalgos* who are called but do not show shall be fined one thousand *maravedíes*, and these *maravedíes* shall go to those who attend²⁴.

In this case, the rupture of solidarity is particularly serious because it is broken with respect to the noble classes that it is intended to protect. The idea that the members of the fraternity could not participate in these expressions of solidarity would not only put in danger the institution (by placing its integrity in doubt), but it would also call into question the negotiation of the participants' loyalties.

The *hermandad* places itself into a triumvirate of control and surveillance composed of the regent and the tutors. This body of control and surveillance is perhaps a mere multiple of three, but even so, it is significant within the creation of theological-political mechanisms: twelve knights —half *hidalgos* and half *villanos*— are designated to accompany and control the regent and the tutors. The *Cuaderno* could not be more specific on this point:

We order that twelve knights —six of them *hidalgos* and six knights and good men from the cities— shall accompany the king and his tutors in this manner: two with the king and queen, two with the prince Don Juan, and the other two with the prince Don Pedro. These six knights and good men will accompany them for half of the year, and the other six knights and good men the other half. And those that accompany the king and each of the tutors for this aforementioned time shall be evenly divided between *hidalgos* and non-noble knights, because when something excessive is committed within the land those to whom it was done should be able to present their case to these knights and good men. And these shall present the matter to the tutors and insist that they remedy and undo the wrong. And the manner in which they present the matter to them is to collect testimony from public scribes so that they may show them to the mayors and the members of the fraternity, so that the things

24. *Cuaderno de la Hermandad de Caballeros...*, p. 254.

contained in this *cuaderno* are carried out in the way in which they are set down. And the costs of these *hidalgos* will be paid by the *hidalgos* from the regions from which they come, and the costs of those knights from the cities will be paid by those from their regio²⁵.

This control and surveillance of the body of regency is, as far as I know, among the most original. It is probably based on the king's *mesnadero* knights, those who guard his body²⁶. This vigilant group had already been proposed during the minority of Fernando IV, and it was resuscitated for this occasion. Through the *cuaderno* of the Cortes of Carrión, redacted in 1317, its functioning is called into question upon revealing that some of the designated knights failed to attend the group meeting without specifying a reason. In the Cortes themselves, however, we already know that the king was accompanied by a tutor (*ayo*). The members of the *hermandad* solicited clarification on the matter, however, desiring to maintain their presence *para servir e aconsejar al rey* ("to serve and advise the king"), as their *cuaderno* proposes. The text on the question of the *ayo* and the knights is oriented in this way:

Regarding what the members of the fraternity asked of us with respect to the nobleman assigned to the *ayo* of our lord the king, he must accompany him every day, and if he cannot or will not do so, then we shall put another nobleman in his place who will accompany him every day and guard him and advise him and inform him very well. And there must also be noblemen, *hidalgos*, and good men from the cities and villages that accompany the king as his tutors. May they guard him every day, and may the nobleman serving as his *ayo*, and the other noblemen and good men that we shall place there as tutors remain there with us from among the wealthy men and nobles and good men from the cities and villages that the fraternity may provide for such service²⁷.

In this case, then, the fraternity wants to keep an eye not only on the tutors and the regent but also on the body of the king and the education that he is receiving from the *ayo*, given that the *ayo* is the knight who carries the educative responsibility, converting himself into a living and mobile *speculum principis*. The definition of *Partida* 2.7.3 can seem restrictive. But the figure of the *ayo* is a key piece in the construction of the chivalric subject and forms part of the pedagogical fable that is

25. *Cuaderno de la Hermandad de Caballeros...*, p. 257-258.

26. *Cuaderno de la Hermandad de Caballeros...*, for the issue of the *mesnaderos* and their presence in legal codes, see Chapter 4.

27. *Cuaderno de la Hermandad de Caballeros...*, p. 300.

inserted into the chivalric one. The literature explores these figures, as in the case of Don Juan Manuel in some of his works, for example, Patronio in *El Conde Lucanor* or Julio in the *Libro de los estados*. Ribaldo in the *Zifar*, or Governal in the Franco-Germanic legend of Tristan have an identical function. In all these works, and in others that could be mentioned, the *ayo* is a knight and forms the knight, thereby creating the illusion of a seamless union in the horizontal structure of chivalry and, through it, the simulacrum of a political and ethical continuity within the chivalric group.

In the juridical aesthetics of the law, the whole is greater than the sum of its parts. The voice that speaks is a *nos* (we) that identifies the council of regency in full. But on occasion that *nos* that is the majestic voice of power is not enough, as Brechtian as this might seem, and this is how a *yo* (I) that articulates correct answers becomes independent. This is what happens in the answer of the council of regency upon the petition of the fraternity, where the voice of the regent queen will take responsibility:

To this we respond that the nobleman that we provide to serve as *ayo* to the king shall be selected in light of the counsel of Don Juan Núñez and other good men, because we understand that he is a good nobleman and suited for this. And should this *ayo* fail to carry out his duties because he will not or cannot do so, we will consider another suitable person with the agreement of the wealthy men, noblemen, and the good men that we will call for this. And I, Queen Mary, say moreover, that when the agreement was struck in Palaçiellos and all those of the land gave to me the duty of raising the king, I provided the prince Don Juan with forts so that he might be more secure. It was there established that I would select from among the nobles and good men of the cities who might best be suited to accompany the king based on my understanding of whom I might trust so that I might keep my promise. I gave away forts to secure this arrangement, unless it shall happen that they take forts from me only to install whomever they please²⁸.

The queen, speaking in the first person, is the one who claims her right to elect the knights who will accompany not only the king but her as well, the person to whom the care of the young king had originally been entrusted. The citizenry's need to establish an institution of control over the council of regency gives rise to a movement in which

28. *Cuaderno de la Hermandad de Caballeros...*, p. 300-301.

the reciprocal anxiety to control the groups of power that were being formed around education, protection, and counsel of the minor king is revealed. This does not have to do solely, perhaps not even principally, with the issue of protecting the body of the regent, but rather with the issue of protecting the king's political body. This was especially so after the incorporation of the two estates (noble and bourgeois defenders) that participated, *de jure* and *de facto*, in the administrative tasks of the kingdom into the body of regency. Nevertheless, the reactionary process of the tutors of the high nobility overshadowed these two estates.

The fraternity as a police body of power presumes a fundamental theory about the role of chivalry in the space of the government of the kingdom, a theory that would be perpetuated in the fourteenth and fifteenth centuries through the reconstruction of monarchic-chivalric politics. In this case the knights of this police body, or body of control, did not have a resolute or executive capacity, except that which was placed in messengers or, rather, in trustees, in living memory of the content of the *fueros* and rights that protected both the *hidalgo* knights and the citizen or bourgeois knights. This presupposes a particularly sophisticated form of institutionalization that placed upon this specific group the capacity of juridical interpretation through comparison between the acts and knowledge of the law.

The nonexecutive character of this group of attendants should be read in conjunction with the aspirations of the fraternity to obtain charges as officials to the king, both in political administration and in justice (*merinos* and *alcaldes*) as in the sphere of public faith and other notarial labors. From the moment of its creation, the *hermandad* expressed this desire. In the 1317 Cortes of Carrión, the members of the fraternity asked to manage their own chancery and contribute to its secularization, eliminating clerics from this occupation. They argued impeccably for this as a service to facilitate the application of penal monarchical law:

que en la cañçelleria e en las notarias e en los ssellos e en los otros offiçios que pertenesçien ala chançelleria, que non y andudiese clerigo que touiesse offiçio e que tirassemos ende los clerigos que agora y andauan, e aquellos aquien diessemos los offiçios que sean legos e tales que ssean para ello e que sean dela hermandat, por que ssy en el offiçio algun yerro ffeziessen, que el Rey e nos podamos tomar alos sus cuerpos e a todo lo que ouyeren, lo que non podemos ffazer alos perlados nin alos otros clerigos... Et ssi nos o qual quier denos non quissiessemos tirar los offiçios alos clerigos que agora andan en la chançelleria et en los offiçios della

*o consientiessemos que y andudiesen daqui adelante, que perdiessemos la tutoria e que non fuessemos mas tutores o tutor dende adelante*²⁹.

The negative answer was argued through the principle of the centrality of royal jurisdiction, according to which the king is the only resulting instance of power to name officials. Similar petitions were produced in Valladolid in 1322. In all the court logs prior to 1315, on the other hand, it seems to be a given that numerous *merinos* and mayors (*alcaldes*) are members of the *hermandad*. In some cases (such as in Carrión in 1317), in fact, it was necessary to regulate particularly for those *hidalgos* and good men who did not belong to the fraternity³⁰.

The *hermandad*, through its desire to form part of the administration of royal jurisdiction, seems to have been one of the principals responsible for the process of laicization of the groups of officials. This juridical project is already found in *Partidas* 2.9, within a process of political secularization launched by Alfonso X. But the juridical offices continued to be administered by individuals with university training, who were invariably clerics. On the other hand, there is no doubt that Alfonso XI was the monarch who configured in a more provocative way a new social category composed of the learned laymen for the support of his monarchical project. Between the two, the *hermandad* seems to have been the hinge that opened the door to the secularization of the monarchy and its institutions.

The forging of a public hope from these groups of knights might not appear particularly adventurous or chivalric and, in the end, may seem quite official and administrative. And nonetheless it does not seem to have chivalric aspirations beyond a jurisdictional or executive position in the exercise of power. Not everyone can reach the limit of chivalric fables composed in the sphere of literary fictions created as forms of education for the chivalric class: the cases of *Tirant lo Blanc*, the eponymous protagonist in Joanot Martorell's novel published in Valencia in 1490, and of *Esplandián*, in *Las sergas de Esplandián* (The Adventures of Esplandián) by

29. *Cuaderno de la Hermandad de Caballeros...*, p. 301: "may no cleric serve in the drafting of letters, in the notaries, in the seals, and in other offices that pertain to the chancery, and may we dismiss any clerics that now carry out such duties, and those to whom we might give these offices should be of the laity, suited for such work, and members of the fraternity, because if in their work they should commit some error, then we and the king might take from them all that they have, something that we cannot do to prelates nor to other clerics... And if we should not wish to take these offices from the clerics that now work in the chancery and in its various offices, or if we allow that they work there in the future, then may we lose the right to serve as tutors from that time forward".

30. *Cuaderno de la Hermandad de Caballeros...*, p. 315.

Garci Rodríguez de Montalvo (d. 1505), the councilman and bourgeois knight from Medina del Campo, are extreme, as they carry their heroes to the doors of the Byzantine Empire, after it fell under Ottoman control in 1453. Most surprising, perhaps, is that the impulse of this aspiration or public chivalrous hope came into being because of the fuel supplied by *los de las villas* (“those of the cities”) with the participation, in this case, of the *hidalgo* knights.

In the last articles of the *Cuaderno de la Hermandad*, the document’s rationality and the obligations assumed by those who swore to it are boosted, with as much respect to the regime within the kingdom and the sovereignty of the king as to the treatment of people entering the kingdom from abroad. This interest in both sides of the border suggests a will to overcome local barriers and expand power to all aspects of government and political control of the kingdom. The mercantile and military interests of the social classes allied with the *hermandad* underscore this desire. The position of the chivalric institution with respect to the interior and exterior of the kingdom forms part of a process of institutionalization destined to consolidate the value of the monarchy. In the case of the *hermandad*, however, changes that come from the political demands of the middle and upper-middle classes, stemming from the nobility as much as from the bourgeoisie, are impressed upon it.

One of the fundamental characteristics of all processes of institutionalization is the reestablishment of meetings and assemblies to address control over the institution itself. The nineteenth article of the *Cuaderno* is dedicated to this. The meetings of the fraternity are established two times a year, during the times before the sacred festivals, both in spring (during Lent, before Holy Week) and in the fall (around the day of Saint Martin, before Christmas)³¹.

The constitution of the *hermandad* is not a ritual act. Different from the chivalric ritual, this congregation is based on the oath of the contract. The sacralization formula pursuant to the court logs and other public instruments (the *labarum* in the case of the *privilegio rodado*, for

31. For the centrality of the selection of dates, see Teofilo RUIZ, “Festivités, couleurs et symboles du pouvoir en Castille au XVe siècle. Les célébrations de mai 1428”, *Annales. Économies, Sociétés, Civilisations*, 46/3 (1991), p. 521-546 and Arno BORST, *The Ordering of Time: From the Ancient Computus to the Modern Computer*, trad. Andrew WINNARD, University of Chicago Press, Chicago, 1993. Also important is the summary Michael Shank’s review. On the theologico-political value of time, periodization, and such—a subject on which the bibliography is expansive—see Kathleen DAVIS, *Periodization and Sovereignty: How Ideas of Feudalism and Secularization Govern the Politics of Time*, The Middle Ages Series, University of Pennsylvania Press, Philadelphia, 2008.

example) is no longer there, and the entire sacrament is secured by its content, on behalf of its signatories. The terms “sacrament” and “swearing” seem to have been synonymous at least during the fourteenth and fifteenth centuries —the oath is sworn before God and the Evangelists, touching them *con las manos corporales* (“with bodily hands”). The first of the oaths corresponds to the *ffijos dalgo*, who then appear with their names, surnames, and titles of origin³²; the next ones, arranged by city of origin, are the “*hidalgos* and nobles and righteous ministers of the cities and towns”:

And so that this may be forever firm and stable, all members of the aforementioned fraternity beg mercy of our lord the king and his tutors that they pledge the oath and order it guarded and seal it with their wax seals, and we pray to these public scribes who were present that they should sign it with their signs in tertimony of the truth³³.

This is in fact what takes place, without any added steps of any sort, *quito de chançelleria e de table e ssin vistas* (“exempt from chancery, customs, and without review”)³⁴.

The *Cuaderno de la Hermandad* is not a court transcription. It is a piece *quita de Cancillería* (exempted from chancery control) attached to a *cuaderno*, transcribed by order of the three members of the regency council, who approved its content. Ferrán Pérez and Fernando Miguélez served as witnesses and placed their respective signatures, as scribe and notary, ‘by order of the aforementioned tutors and by the requests of the *hidalgo* knights, the *hidalgos*, noblemen, and righteous ministers of the cities and towns’ of the fraternity. There is no record of how many copies of this notebook were salvaged, although academic editors mention up to four dating from the fourteenth and fifteenth centuries. No trace of the *hermandad* remains in effect after Alfonso XI ended his minority in 1325. The *Compilación de las leyes del reyno* (“*Compilation of the Laws of*

32. Some of the *hidalgos* who signed the *Cuaderno de la Hermandad* went on to become part of the group of nobles faithful to Alfonso XI and, around 1348, joined the knights of the Sash; among the bourgeois from Burgos were some future members of the confraternities of urban knights of Gamonal and Santiago. The orders of the Sash and Santiago arose after the *hermandad* had lost its validity. Both seem to have responded to projects of reordination of the *ordines* and social strata, even though their political means were totally different from those of the fraternity. In the *hermandad*, the will of power of these middle groups was crucial, while in later orders the authority of the king (and his intention to reconfigure the stratum according to traditional categories and *ordines*) would be more influential, limiting the institutional spaces where noble chivalry and urban chivalry could mix.

33. *Cuaderno de la Hermandad de Caballeros...*, p. 271.

34. *Cuaderno de la Hermandad de Caballeros...*, p. 271.

the Kingdom", 1484) does not include anything on the subject, nor does the better part of the several codices with resolutions that began to be compiled during the reigns of Juan I and, above all, Enrique III. Until the redaction of the *Copilación*, these documents formed the largest legal corpus systematically produced in Castile and León. The validity of the fraternity shines with its own light between 1315 and 1325.

The practical totality of the chivalric organizations contemporary to the fraternity are supported either by a regal regulation —as happens in the case of the secular chivalric orders— or by papal legislation that recognized the suitability of a monastic regulation for a military group. This was the case with the Christian military orders and those of the Reconquest. When compared to all of those, the *hermandad* is a completely original initiative. Although the *Cuaderno* remained recognized, sworn, and therefore promulgated by the regent, María de Molina, and by the tutors, the princes Don Juan and Don Pedro (which amounts to a regal promulgation), the effective cause of it was a group of knights. It was they, and not a central power with legislative and jurisdictional privileges, who supported the poetic charge of this *cuaderno* and the fraternity based upon it. This group was, furthermore, to a certain extent unique and irreproducible: these knights crossed, upon proposing the constitution of their fraternity, the borders of *ordo*, of social class, and of political stature that would turn out to be rare in the sphere of chivalric or military orders.

Thus, we may advance a theory according to which the constitution of an *ordo* like that of the *hermandad* situates us in an important dialectic of *ordines*. The *hermandad* is an exceedingly modern and eclectic *ordo*, in which aspirations of a political, economic, administrative, coercive, and even educational character were simultaneously integrated —and all of this crossing *de facto* and *de jure* barriers of *ordines* and pre-established social classes or states. In this way it is as though the statutes of the fraternity organized a public hope that was extraordinarily original and that, basing itself above all on discourses and semantic or functional supports of chivalry (from which its members' practical totality originated), aimed to break the borders of a seigniorial and monarchical social division. And that is not all, as this "calling into question" did not arise from anywhere but the fraternity itself, which enriched constitutional problems with theoretical expression and the practice of power.

By acting this way, the fraternity placed on the political and juridical scene the need to redefine the relationship between order and

estate, between a traditional social division of feudal origins based, on the one hand, on both secular and clerical categories of nobility and their confrontation with new knowledge and, on the other, new political, economic, and administrative functions. The problem presented here is not the mere recognition of certain class rights on behalf of a booming bourgeoisie. The fraternity could have a clearly bourgeois or, perhaps better said, civic impulse. What is rather being posed is a more complex transformation that incorporates certain noble categories; that aims to reduce the power of other noble categories; and that also energetically exhibits its theory on administrative secularization, which should come to be the responsibility of the fraternity itself, that is to say, of *hidalgo* knights and citizens in general. All of that rewriting in the different court logs throughout the ten years it was viable—a constant pulse to establish the *hermandad's* areas of power—situates this viability amid an obsessive inchoateness that requires permanent validations of its primitive *cuaderno* or its particular functions, and even its extension.

The constitution of the *hermandad* entails a discourse of power that can be abbreviated to the name of *chivalry*. The *hermandad* not only wanted to constitute itself as an association, institution, or confraternity, but it also wanted to do so from the perspective of the discourse on chivalry. Beyond their sociopolitical and economic differences, *hidalgos* and bourgeoisie mutually recognized one other in chivalry. That recognition was so decisive that it was not even necessary to define chivalry itself or the meaning of life as a knight. Similarly, they did not seek precise signs of distinction nor representation to the exterior. Therefore, the power of this fraternity, which gave it meaning, emerged from a type of consciousness, or rather class will, that had not been heard before with such clarity. The fact that the bourgeoisie, on one hand, and the *hidalgos*, or the members of a more extensive noble class without jurisdictional power, on the other, decided to meet in the common denomination of chivalry is, at the same time, a strategy and a creative act. It is a strategy because it uses the concept recently regulated by Alfonso X and that, in fact, carried enormous cultural prestige throughout Europe. It is a creation because it presumes a poetics of new knightly order in which neither ritual, nor investiture, nor any other type of prerequisite for entry in the *ordo* is implied by the by-laws. The oath has the same character of a modern juridical speech act: it is like notarially recognizing the fit between the signing of the contract and the physical person who has carried it out. On the other hand, it is about an oath that does not

part the seas of power. On the contrary, it was requested by the knights of the fraternity themselves and finished by linking itself to the regency council, which utilized the same expressions as the signing knights.

This indicates that the *ordo* of chivalry can also function as a theory to organize a new political power. For Alfonso X, years before the foundation of the *hermandad*, just as for Don Juan Manuel, who wrote more than a decade after the organization's creation, it was necessary to separate noble knights from their bourgeois counterparts. Both authors imagine a theory of power in which the social division based on *ordines* or estates is not only functional but also has to maintain itself as a permanent model. But this, from what we see, is only one of the expressions of an extensive and intense debate on chivalry. In a genealogy of chivalry that takes this debate into account, the theory proposed by the fraternity takes fundamental prominence, as it takes the chivalrous *ordo* as a public hope to transform government structures, social structures, and, above all, power relations, all through the insertion of the fraternity in this political space.

The *hermandad* represents, perhaps, an ephemeral project. Later royal secular orders would be prone to a concrete separation of *hidalgo* knights and bourgeois knights. The fraternity's signatories themselves would participate in this separation project. They tried to put the monarchy on knightly political models that would allow for the transformations to be exercised in the relations of power between the nobility and the objective exercise of the government. The bourgeois knights never lost their instinct of confraternity, however, which would lead to successive creations or constitutions of many other guilds of bourgeois knights, like the society of Santiago de Burgos, the *Cuantiosos de Jaén*, and the *Cabildo de Caballeros Guisados de Caballo de Cuenca*, to mention only the most prominent guilds. After the mid-fourteenth century such organizations sought to be acknowledged with the same marks of recognition as noble knights and, in groups with increasingly strong bonds and structures, also sought collective ennoblement, arguing that membership in an *ordo* allowed them to be referred to as knights.

