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# **ACTA HISTRIAE**

## **27, 2019, 4**

*V čast Claudiu Povolu*  
*In onore di Claudio Povoło*  
*In honour of Claudio Povoło*

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## BANDITRY UNDER THE CROWN OF ARAGON: A HISTORIOGRAPHY IN THE EUROPEAN CONTEXT

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### ABSTRACT

*To propose an analysis like ours, we must start from a series of important methodological problems. The Crown of Aragon were a series of diverse kingdoms with various legal systems for the repression of banditry, which had significance unique to each of these territories. In Catalonia the bandits in the 19th century were romantic heroes, but this was not so elsewhere. What has been a common characteristic is the view of banditry as an expression of political and social malaise, a reaction to the government in Madrid. Towards the end of the 20th century, new currents influenced by the history of crime, infrajustice, microhistory and legal anthropology entered Valencian and Catalan historiographies; nevertheless, our studies have failed to evolve as they have in many other European countries.*

*Keywords: banditry, Crown of Aragon, historiography, methodology, early modern history*

## BANDITISMO SOTTO LA CORONA D'ARAGONA: UNA STORIOGRAFIA NEL CONTESTO EUROPEO

### SINTESI

*Per proporre un'analisi come quella che andiamo a illustrare, dobbiamo partire da una serie di importanti problemi metodologici. La Corona d'Aragona era una composizione di regni diversi con sistemi giuridici diversi per quanto riguarda la repressione del banditismo, il quale ha avuto un significato differente in ciascuno di questi territori. Nel XIX secolo i banditi in Catalogna erano considerati eroi romantici, ma ciò non è accaduto in nessuno degli altri paesi. Quella che è stata una caratteristica comune è la visione del banditismo come espressione di malessere politico e sociale contro il governo di Madrid. Alla fine del XX secolo, nuove correnti influenzate dalla storia del crimine, dall'infragiustizia, dalla microstoria e dall'antropologia legale iniziarono ad entrare nella storiografia valenciana. Progressivamente questa tendenza si è diffusa anche in Catalogna. Nonostante ciò, i nostri studi non si sono evoluti come in altri paesi europei.*

*Parole chiave: banditismo, Corona d'Aragona, storiografia, metodologia, storia della prima età moderna*

## INTRODUCTION<sup>1</sup>

A historiographical review of banditry in the Crown of Aragon's kingdoms, raises a number of challenges, in modern times, both of methodology and historical tradition.

The first issue concerns the framework of the Crown of Aragon itself, particularly in the modern era. In a historical sense, it is complicated to give an overview that is not simply a juxtaposition of cases, if the analysis includes Sicily and Sardinia, moreover, if we add Naples. As evidence of this limitation, the Mediterranean context of the Crown of Aragon has been used merely to follow the adventures of particular bandits, who went from kingdom to kingdom, or to trace ties of patronage, which haven't been sufficiently researched yet. In general, however, the Iberian and Italian worlds have been viewed as distinct realities, that were linked, not to the context of the Crown of Aragon, but rather to a broader arena of Mediterranean banditry, where it has been characterised by Fernand Braudel as "ubiquitous". The lack of internal political unity was the most striking. The legal framework was marked by several differences, though common elements did exist and would become accentuated under the Habsburgs, when the viceroys attempted to increase the presence of royal power in the territory. While increased royal power was indeed a single aim in all the kingdoms under the Crown of Aragon, it was implemented as a function of the balance of power between the crown and the estates in each kingdom, and as a function of the ability of each kingdom's institutions to resist the crown's intentions.

The second issue is that "banditry" is a label that encompasses different realities. While these realities have a certain elements in common, they also have enough differences, for Francesco Manconi to argue, in his days, that "banditries" in plural better suited the facts (Manconi, 2003). As we shall see, the word is an umbrella term that covers, not only the strife among noble and social factions, but also, in other cases, ordinary petty lawlessness. Although, scholars are moving towards a narrower definition that focuses on the "bàndols" (armed bands), that formed around patronage networks or territories.

The third issue lies in the historiographic tradition itself. In Catalonia, Aragon, Valencia and Majorca, the study of banditry has begun from different starting points. In Catalonia, bandits were presented as popular heroes by nineteenth-century historians, because the aim was to incorporate them into an account of nation-building. However, this has not occurred in any of the other cases under the study and, if it has, only in very specific cases and never with the same ideological baggage as in the Catalan case.

For the Catalan historiographical tradition, based on the study of institutional and political sources, the new forms of study have led to an abrupt break and given rise to a major change of theoretical framework. The result has been an introduction to the new levels of analysis revolving around issues, such as the study of violence,

1 This work is part of the *Grup d'Estudis d'Història del Mediterrani Occidental* (GEHMO) of *Universitat de Barcelona*, consolidated research group for the *Generalitat de Catalunya* (reference 2014SGR173).

the existence of common law, the conflict among communities and growing power of the state. For the historiography of the Crown of Aragon, it has become necessary to turn attention to local and seigneurial sources, relegating the more commonly used sources of royal and viceregal administrations to the background, and therefore to accentuate the differences among kingdoms, which become even more conspicuous at the local level.

In Catalonia, the banditry of the sixteenth and seventeenth centuries produced a literary movement in Spanish-language literature, and thus became the popular memory of the eighteenth century (Garrich, 2004), and later on one of the elements chosen by Romanticism as part of the Catalan national identity. In Aragon, by contrast, the memory of banditry was not recovered until the twentieth century, when studies of the figure of Lupercio Latrás first appeared. In Valencia, it was Joan Reglà who initiated a lively series of studies on the subject in the nineteen sixties while in Majorca. It was a decade later when the research of Joan Barceló launched a systematic study of Majorca's banditry.

The aim of this paper will be to offer a dual view. The initial focus will be to examine the chronological evolution of the historiography by territory and provide the context, in which the various authors and their hypotheses have appeared, while the subsequent focus will be directed towards the chief points of interest, uncovered by the research.

The intention is not to offer an exhaustive list of titles. It is rather to identify the most significant works of leading historians, in order to track down the proposals, ideas and reflections that have constructed one of the most characteristic historiographic subject of the Crown of Aragon as a whole: banditry.

#### CATALONIA: FROM ROMANTICISM TO MICROHISTORY AND STUDIES OF 'INFRAJUSTICE'

As noted earlier, banditry has been a subject of historiographical study since the nineteenth century, in Catalonia, where it has received a treatment, marked by varying degrees of Romanticism. In 1840, among bundles of files set to burned, Joan Cortada came across the legal proceedings against the bandit Serrallonga and published an extract of his findings in 1868 (Cortada, 1868). Indeed, before the appearance of Cortada's publication, knowledge of the trial may well have served as raw material for Victor Balaguer in his own rendering of the bandit (Balaguer, 1858).

In the twentieth century, a clearer historiographical approach gets underway with Fernand Braudel and his theories on Mediterranean banditry. The model proposed by Braudel appeared to fit banditry in Catalonia very well. By summarising and simplifying, he turned the notion of banditry into a phenomenon of the periphery: an economic and social periphery, where the nobility was impoverished and the mountainous areas were unable to supply sufficient provisions for their inhabitants, as well as a political periphery, that was made of petty and middle nobility, on



whom the doors to political and social advancement had been closed, who lived in peripheral territories, which were geographically and politically remote from the centres of power and therefore where the central power was weaker. If we add the border into the equation, who can doubt that this was indeed the case in Catalonia, Aragon and, to a lesser extent, Valencia and the Italian territories?

Joan Reglà saw the clear validity of the model. Building on Braudel and also on Vicens Vives, regarding the case of Catalonia, Reglà became the first scholar to put forward a comprehensive account of banditry, which would serve as the chief benchmark for later scholars in Catalonia and Valencia, though not yet in Aragon (Reglà, 1961; 1962). Reglà stripped banditry of its Romantic baggage and proposed a theoretical framework that made Braudel's analysis—the only one existent in the European arena at the time—compatible with the interpretation of Vicens Vives on the duality of sea and mountain, that had appeared in the book *Notícia de Catalunya* (Vicens Vives, 1954). As we shall see, Reglà's influence also proved to be crucial in the case of Valencia.

This is one of the reasons Reglà's work was marked a genuine watershed in the break with Romantic historiography (Belenguer Cebrià, 2015). It was the first treatment of banditry in Catalonia that reflected a clear scientific approach. Reglà chiefly used political sources, but also legal sources to a lesser extent, to reach a set of conclusions that included a timeline limited to the sixteenth and seventeenth centuries, the population density of the mountains, the nature of the border regions, and so forth. In short, Reglà focused on popular banditry and only secondarily on aristocratic armed bands. He also added the Huguenot factor in the expansion of armed bands in a banditry whose golden age came in the early decades of the seventeenth century (Belenguer Cebrià, 2011).

These succinct lines on the state of the question shouldn't fail to note the importance of Martí de Riquer as well. Riquer's studies of "lletres de batalla i de-seiximents" (battle letters and challenges to combat), as well as his research of his own family history, have provided huge clarifying insights into the persistence of medieval bands in the modern world—a fact that has been all too often ignored—despite the differences that they may have exhibited (de Riquer, 1963). It is somewhat surprising that Riquer's studies, which are based on the reconstruction of very well documented family networks (de Riquer, 1979) and the study of the cultural expression of factional struggles through written challenges to combat, are not held in higher regard by later historiography specialists.

It came down to the historian Xavier Torres to increase the complexity of the analysis and break with Reglà's legacy. On one hand, Torres freed the historiography from much of Braudel's theoretical apparatus (Torres i Sans, 1991). On the other hand, however, he maintained the timeframe of what had become regarded, since Reglà, as "Baroque banditry" (Torres i Sans, 1993). Torres demystified some of the vestiges of the subject's Romantic interpretation, rejecting any political background or resistance to the monarchy in the bandits' actions. In his studies, Torres demonstrated that the bandits were not so much the heirs of penury and the mountains, as Braudel had argued, as they were the sons of feudalism and medieval

social networks that had become gradually deformed. According to Torres, the result was a “bastard feudalism” (Torres i Sans, 1998). As a result, he rejected the notion of social banditry, a hypothesis of Hobsbawm that had gained ground in European historiography since the appearance of the latter’s book on the subject (Hobsbawm, 1976). Torres was one of the first, if not the very first, to introduce the concepts of *infrajustice* and *armed bands* as part of the reality of the period. This is the line that later writers would further develop and deepen.

Another approach, which does not entirely contradict Xavier Torres, appears in the work of Núria Sales. Sales, in her study of the Banyuls family, the lords of Nyer, refutes a good deal of Reglà’s structure: the Banyuls were not an impoverished noble family, nor did they have any links to French Huguenots (Sales, 1984). Rather, Sales points to the feudal logic in the inner workings of noble families and their location along or near the border as more useful elements to understand a family’s link to banditry. In another study, Sales raised doubts about the very notion of “Catalan Baroque banditry”, arguing instead for the continuation of the wars of armed bands from the Middle Ages into the seventeenth century and rejecting any chronological or territorial exceptionalism, instead presenting various other examples of banditry in Occitania and Switzerland (Sales, 2002).

In 2005, Agustí Alcoberro proposed a new hypothesis to account for the causes of banditry (Alcoberro i Pericay, 2005). Taking the three authors mentioned above—Reglà, Sales and Torres—as his points of reference, Alcoberro sets out a theoretical framework marked by the emergence of the modern state and the economic shift that Garcia Espuche proposed for the period 1550–1640 (Garcia i Espuche, 1998). The timeframe remained firmly bound: Alcoberro takes the starting date of 1539 proposed by Reglà, originating in the then earliest known pre-trial proceedings in the prosecution of bandits, and ends in the decade of the sixteen-thirties, when Serrallonga was captured and the structural change of the Catalan economy reached completion. The leading figures in banditry, therefore, were the losers of a twofold process of political and economic change: the petty nobility, who were still too far from the advantages that the new state framework could offer in the form of posts and income, and the more traditional sectors of the peasantry, who suffered economic harm from new forms of rural industry and market pressure on agricultural production.

More recently, the journal “Jornades sobre Violència, Bàndols i Territori” has published studies conducted by a number of promising young researchers. Lluís Obiols, for instance, has carried out exhaustive local research in order to explain the workings of the armed band surrounding the Cadell family in the Cerdanya region of the Pyrenees (Obiols Perearnau, 2012) and its conflicts with the bishopric. He has studied the broader geographical framework of banditry in the Cerdanya. Likewise, Elisenda Collelldemont has reconstructed the networks of bandits in Vic in the fifteenth century, producing a remarkable study of the Altarriba family, enemies of Vic’s municipal authorities and allies of the House of Trastámara, which had transplanted them to the Cerdanya under Ferdinand II of Aragon (Collelldemont i Vives, 2018).

## THE HISTORIOGRAPHY OF ARAGON: BETWEEN SOCIAL INTERPRETATION AND POLITICS

Aragon presents a historiographical paradox in comparison to the other kingdoms. Significant information exists on the armed bands of medieval Aragon (Sarasa Sánchez, 1981; Torreblanca Gaspar, 1993). As a consequence, the modern era has been studied to a much lesser extent.

Instead, research has focused on the role of Aragonese bands at high points in the history of medieval Aragon, such as the interregnum period of 1410 to 1412, which led to the Compromise of Caspe (Garrido i Valls, 2011). The strife between the Lunas and the Urreas has been identified as one of the reasons for Aragon's siding with Ferdinand of Antequera and for the defeat of James II, Count of Urgell, in the struggle for succession to the Catalan-Aragonese crown.

In relation to the modern era, it is not until the nineteen-seventies that a systematic study of Aragon's banditry appears, save for the exception of Amando Melón, who published a doctoral thesis on Lupercio Latrás (Melón, 1917). The chief problem has been a lack of documentation, since practically nothing has been preserved in the royal, viceregal or legal archives. In 1976, Colás Latorre and Salas Ausens published a paper inspired, in large part, by the ideas of Sebastià Garcia Martínez on Valencia. Their paper, however, had the distinctive feature of identifying strongly with Marxist historiography, particularly Hobsbawm's work. In this paper and in later ones, the two authors, both together and apart, have insisted that banditry contained an element of "social protest" (Colás Latorre & Salas Ausens, 1982). In addition, their studies do not consider any continuity that might link the armed bands of the Middle Ages with banditry in the modern era.

Three points of reference have been fundamental to the study of Aragon's banditry: the figure of Lupercio Latrás, the War of Ribagorça and the legal framework as it relates to public order. In the case of Latrás, there have been no specific studies beyond the one mentioned earlier, though he does appear as an example of a major bandit leader in other studies of Aragon, in the second half of the sixteenth century. Indeed, Latrás has become a character whose literary presence is more pronounced than his historical one.

The war that gripped the county of Ribagorça between 1554 and 1591 mobilised bandits, including Latrás himself, and not only those in the kingdom of Aragon, but also many Catalans (Torres i Sans, 1989), such as the Cadells and the bandit known as "Minyó de Montellà", who took part in different phases of a conflict whose background included, not only a clash between the monarchy and the Count of Ribagorça, but also a social conflict between the county's vassals and their feudal lord. The virulence of the conflict and its violence likely eclipsed any outbreaks of violence in other corners of the kingdom.

Also included in the study of banditry are the so-called "Disturbances of Aragon" in 1591. Beyond the examination of specific events that led to the invasion of the kingdom by the army of Philip II of Spain, the execution of Chief Justice Juan de Lanuza on 20

December 1591 raises fundamental questions. Upholding a very harsh feudal regime as a consequence of the Sentence of Celada in 1497 gave rise to ceaseless peasant unrest throughout the century. Moreover, the struggle for control over public order and the relative failure of the viceroys to safeguard roads and control the border only compounded the ongoing constitutional strife between the kingdom and the crown (Contreras, 1989). The instability that resulted from these factors not only sparked a political uprising, but also encouraged violent lawlessness (Gascón Pérez, 2007, 129–149). Given this state of affairs, banditry was interpreted as an expression of anti-absolutist “foralism”, a movement in defence of local laws and prerogatives, by the same authors who framed it as a social conflict (Colás Latorre & Salas Ausens, 1976).

In the nineteen-eighties, an alternative approach appeared in the studies of Pilar Sánchez-López. Studying the documentation of the Inquisition, Sánchez-López individually identified the studied bandits and their links with the Holy Office. Like Sánchez-López, most of Aragon’s historians have treated the issue as an element of political relations with the monarchy or as a symptom of political and social clashes in the context of Aragon’s feudal framework (Gascón Pérez, 2016).

Unfortunately, a lack of documentation poses many challenges to the identification of banditry in the seventeenth century. However, it cannot be ruled out that the Aragonese nobility, as Xavier Gil has argued, shifted after the defeat of 1591 toward a stance of collaboration with the monarchy that precluded any diminishment in the warring of armed bands or in the support for bandits (Gil Pujol, 1989). Nor can the possibility be dismissed that the impact of the Reapers’ War in Aragon had similar effects to those in Catalonia with respect to the disappearance of banditry.

## THE VIGOUR OF VALENCIA’S HISTORIOGRAPHY

In all likelihood, Valencia has been the source of some of the most innovative recent studies on the subject of banditry.

Without the presence of Joan Reglà, as a professor at the University of Valencia, Sebastià Garcia Martínez may not have taken an interest in the subject in the nineteen-seventies. Garcia Martínez’s propositions are still the mainstays of any interpretation of Valencia’s banditry. He drew a distinction between aristocratic armed bands, that were a consequence of noble factions, popular armed bands, that were an expression of social inequalities, and other armed bands, that grew out of power struggles in various territorial and municipal settings. For Garcia Martínez, the study of banditry was inseparable from the efforts to suppress it. As a result, he introduced a political and institutional dimension in the Valencia case and proposed a significant time lag in relation to Catalonia. Whereas Valencia’s banditry came into its golden age with the Spanish monarchy’s crisis in 1635, this was precisely the moment when banditry in Catalonia was in terminal decline (García Martínez, 1991).

Subsequently, the Irish scholar James Casey also addressed banditry in his work on the kingdom of Valencia. For Casey, the continued existence of the phenomenon could be explained by the support that the armed bands received from the

aristocratic authorities. Casey's hypothesis cast doubt on whether banditry could be regarded as an attack on the political and social system rather than being a part of the system itself. This hypothesis gained strength with his proposal to focus on the family and social structures of communities in order to grasp their internal workings (Casey, 1981).

Lluís Guia, who partly qualified Casey's position, is another leading name in the studies of Valencia's banditry that kicked off in the final third of the twentieth century. Guia's doctoral thesis, which was overseen by Sebastià Garcia Martínez, examined banditry in Valencia during the Reapers' War (1640–1652) (Guia Marín, 1982). His approach was dialectical in nature: the bandit emerged out of adverse social and economic circumstances, but at the same time became absorbed into the system, as illustrated in the case of the bandit known as "El guapo de Benimaclet" (Guia Marín, 2012).

Amparo Felipo also devoted a chapter to banditry in the sixteen-thirties, in her doctoral thesis. Felipo's study drew primarily on political documentation from the viceregal administration and offered a politically oriented approach that sought out the mechanisms of suppression and their political consequences rather than striving to characterise the bandits per se. The result was a very useful approximation to a subject that was not well understood yet: the repressive policies of the viceroys of Valencia (Felipo Orts, 1985).

The culmination of the historiographic strand, that had been launched by Joan Reglà, comes with the studies of Emilia Salvador. Salvador has delved into the political dimension of the phenomenon. According to her core thesis, the monarchy itself had an interest in the continued existence of banditry, because factional disputes served to neutralise the nobles' ability to oppose the expansion of the monarchy's absolutism (Salvador, 2003).

All of these works share characteristics in common. For example, they have a chronology that focuses primarily on the seventeenth century. They also treat banditry as part of a broader reality, one which is actually of greater interest to most of the authors, such as the crisis of the monarchy under Philip IV of Spain and its impact on Valencia, which had already been battered by the 1609 expulsion of the Moriscos, descendants of Spain's Muslim population that had converted to Christianity, in a decision whose consequences also needed to be evaluated. As a result, the influence of Reglà and Casey, as well as the long shadow cast by John Elliott (Elliott, 1982), served to constrain the frameworks of their investigations. This explains why sixteenth-century banditry continued to remain absent from the historiographical studies in Valencia.

While they do not directly offer studies of banditry, the first investigations into the history of criminality also deserve a mention. In 1988, Pablo Pérez García submitted a chiefly institutionalist thesis on criminal justice in Valencia from a jurisdictional and legal viewpoint (Pérez García, 1988). From his initial research, Pérez García moved into the more expansive field of the history of criminality (Pérez García, 1993). Examining the link between justice, social discipline and the construction



of the modern state on the one hand, and the related resistance of various social groups on the other hand, Pérez García developed a much richer and more complex analysis of the phenomenon of banditry. Indeed, he may be regarded as the one of the first writers in the Catalan-speaking territories whose reflections on the study of criminality, in line with European historiography as a whole, shifted from a legal study into an anthropological, social and even cultural examination.

Jorge Catalá Sanz has helped to overhaul and update the study of Valencia's banditry. His research, which initially focused on Valencia's nobility, gradually turned toward the behaviour of nobles in relation to violence. This shift inevitably led him to regard banditry as a mechanism of private violence engaged in by nobles (Catalá Sanz, 1994). His approach also introduced strands of the "civilising process" proposed by Norbert Elias in order to show that, in spite of the opinions expressed by García Martínez and Casey, the links of nobles to armed gangs of bandits remained intact until the start of the eighteenth century (Catalá Sanz, 1996). In a highly interesting convergence of viewpoints, Jorge Catalá and Pablo Pérez García have collaborated on a variety of studies: the ideas of civilisation, social disciplining and state-building appear to be profoundly wrapped up with the phenomenon of banditry. Indeed, the crime of banditry attracted the greatest number of death sentences in Valencia in the seventeenth century, amounting to 58,53 % of the total (Catalá Sanz & Pérez García, 2000).

More recently, the studies undertaken by Sergio Urzainqui, a student of Jorge Catalá, stand out. Urzainqui's doctoral thesis on Valencia's banditry in the seventeenth century offers an exhaustive compilation of cases and a hugely necessary prosopography of bandits. Urzainqui's findings confirm the error of any deterministic reading: the bandits were not heirs of penury and destitution, nor were they attached to a specific geography. Quite to the contrary, the armed bands contained a mix of classes and could be found across the entire kingdom at the time, especially in the more economically dynamic territories. Urzainqui also argues for a distinction to be drawn between banditry that involved common crime and lawlessness and banditry that was connected to noble factions, though he acknowledges that there were links between the two types (Urzainqui Sánchez, 2016).

Both Urzainqui and Catalá have studied a feature that is particular to Valencia: so-called Morisco banditry. Sebastià García Martínez had been the first to draw attention to its existence, while Bernard Vincent (Vincent, 1987), focusing on the case of Granada, subsequently linked it to the resistance movement of the Morisco community against Christian pressure. Through the study of 611 cases, a number that would arouse the envy of any scholar in the other territories of the Crown of Aragon, they have been able to construct an analysis that perhaps most significantly brings to an end any sort of speculation on a possible political or social character to Morisco banditry and a non-existent relationship with the Barbary pirates (Catalá Sanz & Urzainqui Sánchez, 2016).

Another young researcher to produce a recent study is Vicent Garés, who has studied the violent conflicts in the area of Ribera del Xúquer in the sixteenth century

and has drawn a link between the warring of armed bands and struggles for power at the municipal level (Garés Timor, 2012). To some degree, Garés's studies run in parallel to the research on Catalonia done by Elisenda Collelledmont and Lluís Obiols, who focus on reconstructing networks of territorial power and the substance of their conflicts, which is one of the avenues most in need of further exploration at present.

## STUDIES IN MAJORCA'S HISTORIOGRAPHY

A few years ago, Miquel Deyà completed a thorough, thoughtful state of the question (Deyà Bauzà, 2012). As a consequence, there is little here to add and the following remarks will be limited to an outline and summary of Deyà's work.

Chronologically, the studies of Majorca's banditry are more recent than those of the other territories of the Crown of Aragon. Without doubt, Aina Le Senne's study of the Canamunts and the Canavalls (Le Senne, 1981) opened the way for research into the subject, though Serra Barceló has shed the greatest light on Majorca's banditry, which has proved to be much more intense than one might imagine for an island (Serra Barceló, 1997). Serra Barceló's chief contribution is the description of a banditry that did have medieval origins but did not reach its zenith until the second half of the sixteenth century, when the Royal Audience was introduced in 1571.

For her part, Joana Planas i Rosselló has addressed aspects of the suppression of banditry and the legal mechanisms put in place to control the phenomenon (Planas Rosselló, 1999).

As has been established in other territories, however, the chronology and legal framework do not provide sufficient responses. Major issues, such as the origin of the armed bands, the nature of banditry itself and its extent, have not yet been entirely clarified. Serera and Deyà, however, have both ruled out that the bandits were heirs of penury and destitution.

Beyond its insularity, the defining characteristic of Majorca's banditry is the historical evolution of the island. It must be remembered, that private war was never legal in the kingdom. However, from the fifteenth century onwards, this did not prevent the eruption of outright wars between noble factions seeking to take control of the island's government and its public finances in order to offset the decline in their feudal rents. The various factions, however, did have one thing in common, their opposition to royal intervention, which took the form of Ferdinand II's policies on the redress of grievances. In effect, the king's policies blocked any solution to the problem of the public debt and exacerbated the tax disparities between city and countryside and between urban groups of artisans and burghers.

The strife among armed bands must also be included among the causes of the Revolt of the Brotherhoods (1521–1523), which would ironically lead to the creation of a new structure of factions (Serra Barceló, 2000). In subsequent events, the factions went from being the crown's interlocutors to mere recipients of reforms, which ranged from the establishment of the Royal Audience in 1571 to the changes made in Majorca's Great and General Council as a consequence of the legislation of 1600–1614. The only option remaining to the factions was to take advantage of the new circumstances to

the extent possible. They were forced to abandon their more violent activities and the resulting vacuum was filled by bandits who were unattached to the noble factions, but who might still put themselves under the protection of one noble or another.

## SECTOR-WIDE ASPECTS: SUPPRESSION AND URBAN FACTIONS

In parallel with the study on the phenomenology of banditry, the forms of suppression have also been examined. Work was focused particularly on two areas: the forms of suppression, that were based on territorial and social organisation and the monarchy's policies to combat banditry.

In the case of Catalonia, traditional forms of self-defence were the subject of a number of studies in the nineteenth century (Coroleu, 1877). These studies were marked by a law-oriented vindication of ancient Catalan institutions and by the gathering of information of all sorts. Nearly a century would pass before the appearance of new contributions, which were more numerous for the medieval period than for the modern era. For the Middle Ages, we have a research that clearly focuses on the workings of traditional forms of self-defence and their social reality, such as the studies by Ferrer Mallol (Ferrer Mallol, 1995) and Flocel Sabaté (Sabaté, 2007) on civilian militias and mutual-protection associations known as *sometents* and *sagramentals*.

For the modern era, we have Vidal Pla's study on the traditional forms of military organisation, in which he focuses more on their military value than on their maintenance of public order (Vidal Pla, 1986). The studies of Ismael Almazán, however, opened up a new perspective on infrajustice and the effectiveness of associations known as unions, which were formed to combat thieves and bandits (Almazán i Fernández, 2000). For Catalonia, we now have a number of studies that offer an ambivalent assessment of the role of the unions, which were constrained by typical issues of jurisdiction and significantly reproduced earlier strife with the military estate. This is precisely what occurred in Tarragona in 1602, for example, when the brotherhood of the Confraria de Sant Jordi, which was made of local nobility, refused to collaborate with the local union, in any way, out of a fear that its seigneurial jurisdictions would be undermined (Rovira i Gómez, 2005), just as had occurred with the Barcelona union in the Middle Ages. The most striking aspect of the unions, however, is the viceregal patronage behind their formation, which has sometimes led to them being regarded as a new mechanism to exert royal pressure on the constitutional system of the country (Sales, 1994, 266–267).

As a consequence of lost documentation from the feudal administrative units known as *vegueries*, it is not possible to reconstruct the activities of each *veguer* in the case of banditry beyond his call-up of civilian militias to pursue armed bands. This loss is even more deeply felt when we look at the findings supported by the limited documentation that has been preserved and studied (Torres i Sans, 2007). The failure in suppressing banditry has also been put down to the limited resources available to royal officials, who received very small salaries, had no support personnel and remained at the mercy of civilian militias and local and baronial authorities for the pursuit and apprehension of bandits (Buyreu, 2012).

The suppression of banditry, without a doubt, became much easier as a consequence of the process that led to the decoupling of bandits from noble armed bands. In Majorca, the process of decoupling began to become apparent in 1645 and helped to ensure the success of the major suppression of bandits that took place in 1666. Pursuit and prosecution revolved largely around the efforts of crown officials known as *comissaris* and their search for compromises among the parties involved. Given the small size of the island, it had not been necessary to create territorial royal posts similar to Catalonia's *veguerias* or Majorca's earlier *governacions*.

In the case of Valencia, by contrast, a territorial administration based on *governacions* still existed. The two administrations of this sort resided in Valencia and Orihuela and the two leadership posts were lifetime appointments, which came with subordinates that had clearly defined duties in relation to public order and military defence (Martí Ferrando, 2000). As in the cases of Catalonia and Majorca, one of the major issues in Valencia was the lack of human and financial resources to carry out a sustained policy against banditry.

As noted earlier, thoughtful contributions in the area of local history have proved to be of vital importance. The studies carried out by Rafael Narbona Vizcaíno on violence in late-medieval Valencia were ground breaking at the time of their appearance. Narbona's works were among the first to identify that, in spite of the findings of the existing historiography based more around laws and institutions, various urban social groups had indeed used violence as simply another mechanism in their strategy for domination. In contrast to writers like Pablo Pérez García mentioned earlier, the originality of Narbona's proposition lay in his coming at violence not through a study of criminality, but rather through social history: "Luchar, pelear y morir en Valencia bajomedieval conforma una dinámica completamente ligada a la vitalidad económica de la Ciudad" ["Combats, skirmishes and dying in late-medieval Valencia gave shape to a dynamic that was entirely bound up with the economic vitality of the City"] (Narbona Vizcaíno, 1992, 176). Later studies have continued in the same direction, looking at armed bands as a power strategy among factions in the different estates (Hinojosa Calvo, 2006).

Vicent Garés has followed the same line, examining the bandits' economic links in relation to his earlier-mentioned studies on the region of Ribera del Xúquer (Garés Timor, 2012). Without moving away from Valencia, Sergio Urzainqui has published a study based on extensive documentary evidence related to the assassination of Diego de Aragón, son of the duke of Segorbe, in a conflict between the Borgias and the Aragó-Folches of Cardona in 1553–1554 (Urzainqui Sánchez, 2007).

To some extent, Catalonia has lagged behind in producing studies of this sort. The earlier-mentioned works by Xavier Torres, Elisenda Colleldemont and others, come later chronologically. Certainly, a major precursor is the study carried out by Martí de Riquer as well as the study conducted by Eulàlia Duran (Duran, 1982), each on the early sixteenth century. In the first case, Riquer focused on the Lleida-based factions of the Pous and the Riquers, two families of knights who fought over municipal control in a battle in which their squabbles began with insults of varying accuracy hurled by one side against the other. Eulàlia Duran focused her work on situating the oft-mentioned

conflict between the Agullanas and the Sarrieras, which was connected to the social unrest in Girona in the early fifteen-twenties in parallel to the unrest among Valencia's brotherhoods.

A host of other local history studies have addressed conflicts of this sort, but it remains striking that none has yet addressed the factions in Barcelona. While Vicens Vives has noted that the introduction of sortition in 1498 acted as an effective antidote against the armed bands that had been endemic to the city in the fifteenth century, he has nevertheless acknowledged that they did not vanish entirely (Vicens Vives, 2010). Yet we know nothing about the urban factions in the Catalan capital.

## THE CULTURAL DIMENSION OF BANDITRY

As noted earlier, banditry had an identitarian dimension in Romantic historiography. However, it shouldn't be forgotten that armed bands have also provided inspiration for the tales of rondallas, legends and works of drama and fiction.

The shared roots of the words "bandit" and "band" have given rise to intriguing studies aimed at distinguishing the various likely roots of the noun. The Germanic word *ban*, which appears in the thirteenth century, referred to both punishment—banishment—and to a form of challenge to combat. From the fourteenth century, the written forms appear in Catalan as *bàndol* and *bandoler*, leading to a case of polysemy that has been a source of headaches for historians.

Beyond the philological debate, banditry gave rise to cultural expressions that were unfortunately transmitted largely by oral culture and ultimately lost or, in other cases, may have been updated in the nineteenth century with a changing cast of characters, telling the same story but in an almost certainly distorted form. The dance known as the "Ball d'en Serrallonga" ["The Dance of Serrallonga"] offers a telling example. It is an oral or spoken dance, which is a genre that blends popular street theatre with dance itself. Drawing its particular inspiration from the titular figure of the legendary bandit, the "Ball d'en Serrallonga" once enjoyed widespread popularity across the length and breadth of Catalonia. Even though it is believed, to date from the second half of the seventeenth century, the oldest known text is that of Perafita (Osona) from the first half of the eighteenth century, and most of the surviving texts come from the second half of the nineteenth century (Garrich, 2004; 2015).

In terms of gathering and describing popular legends on banditry, it is important to highlight the work carried out by the folklorist Xavier Roviró in the case of Catalonia. Xavier Roviró has produced specific works on the most popular bandits, such as Perot Rocaguinarda and Joan de Serrallonga, as well as works on particular regions (Roviró i Alemany, 2006a; 2006b), gathering a host of stories whose origins, in many cases, cannot be confidently known, but which demonstrate a strong tradition that may blend popular rondallas with more learned texts.

Throughout the sixteenth and seventeenth centuries, a host of Spanish-language dramas were focused on Catalan bandits. The first instance is the play written by Lope de Vega about Antoni Roca (Casals Martínez, 2011), that was followed by others, such



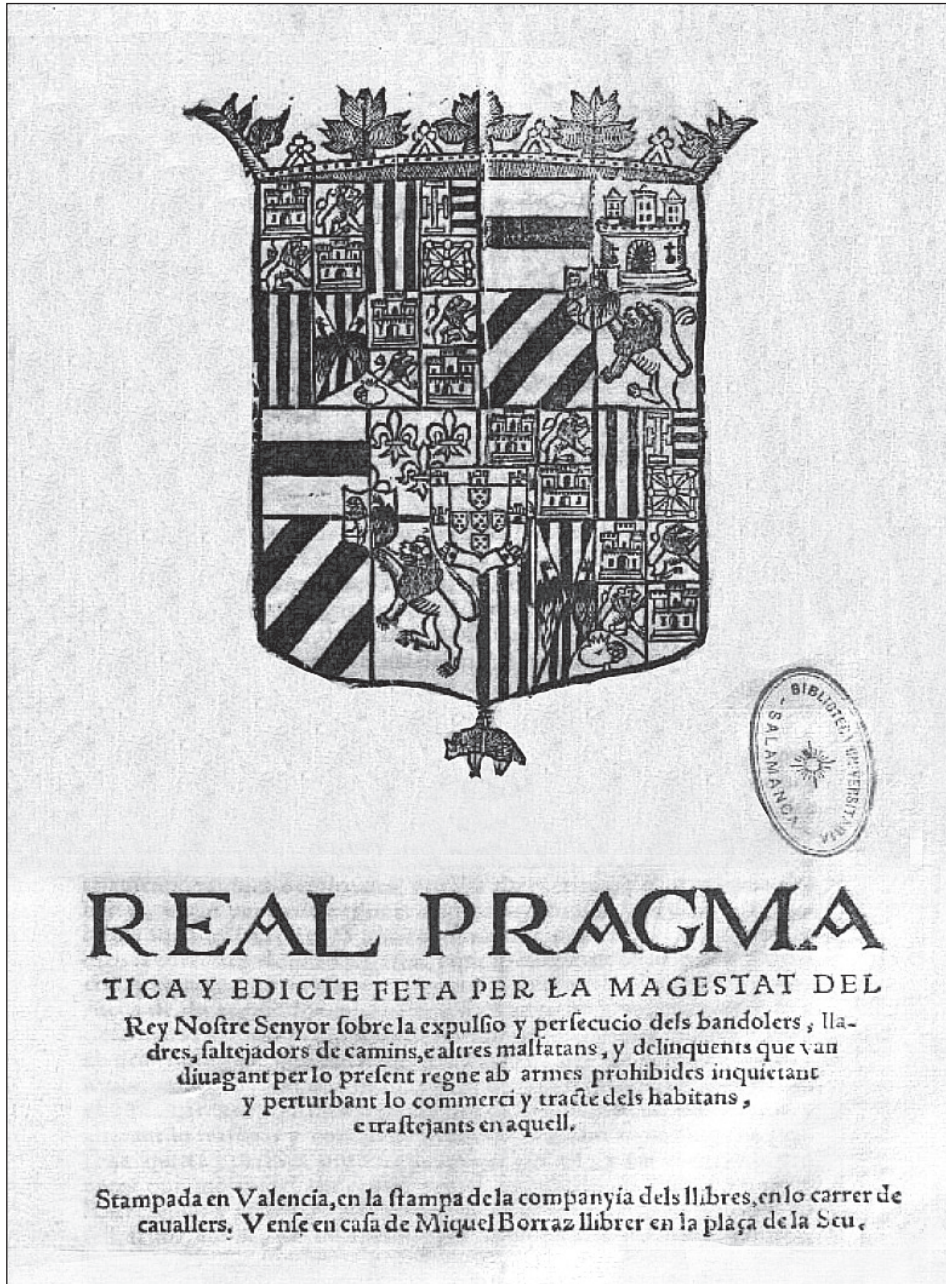


Fig. 1: Royal Pragmatics and Edict on the Expulsion and Persecution of Bandits, Valencia, 1586 (Biblioteca Universitaria Salamanca).

as a drama about Joan de Serrallonga (García González, 2007). Neither can we forget the appearance of Perot Rocaguinarda in the second part of *Don Quixote* by Miguel de Cervantes. In all of these works, the bandit is a character of more or less honourable origins who, through some injustice or error, has entered a life of crime. Of course, his strength of a character soon turns him into the leader of a gang of bandits, where he stands out because of his respect for the gang's victims. Death turns into an act of final remission. As Joan Fuster pointed out, Spanish dramas are responsible for establishing the myth of the bandit in the works mentioned above and in others, such as the writings of Tirso de Molina: together, they constructed a cliché, an Iberian version of the American West, with bandits as the lead characters in a literary genre that would only disappear with the Reapers' War (Fuster, 1991).

One of the newest and most thought-provoking lines of research has been introduced by the Slovak philologist Renata Bojničanová. With her doctoral thesis, Bojničanová began publishing a series of studies that focus on a comparison of the oral traditions of banditry in Catalonia and Slovakia, looking principally at the figures of Serrallonga and Juraj Jánošík, a bandit who lived between 1688 and 1713 in the vicinity of the Slovak Carpathian mountains. Only the briefest glance shows that the two figures have little in common, and yet many of the popular stories about them are the same, even in their implicit social critique (Bojničanová, 2011). This approach, which would include the comparative study of other legendary figures in European banditry such as Zanzanú of Lake Garda (Povolo, 2017), has yet to be picked up and pursued by others.

## WHAT NEEDS TO BE DONE?

In light of the historiographical trajectory reviewed above, a number of ideas surface in relation to our present situation and what can be done next. While it may sound like a radical statement, the political documentation that has been most commonly used throughout the twentieth century has little more to offer. It has proved very useful for constructing a broad overview of the phenomenon and understanding how banditry became a key focus of relationships between the king and the kingdoms under the Habsburgs. Without disparaging the work of Joan Reglà, however, the overhaul and updating carried out by Xavier Torres in Catalonia and by Sebastià Garcia Martínez and his successors in Valencia have brought to an end any strictly political view of banditry, which might possibly give rise to new case studies, but not to new interpretations. The limitations of this perspective were fully laid out in the text presented by Emilia Salvador at the 17<sup>th</sup> Conference of the History of the Crown of Aragon.

The other important element is the definitive rejection of any notion of the uniqueness of the Catalan case or, by extension, the Crown of Aragon. Banditry was not even solely a Mediterranean phenomenon. Rather, it was Europe-wide, though with particular features that may have varied by region or by legal framework (Carroll, 2003; Netterstrøm & Poulsen, 2007).

If we shatter the barriers of geography, we must also shatter the barriers of time. The aristocratic element is an indisputable feature of the genesis of banditry in the Middle

Ages and of the creation of a legal framework to regulate fighting between armed bands. The persistence of an economic and social structure and of a legal system that together retained their nature into the eighteenth century forces us to concentrate on the “long run” in the study both on how these elements worked and on their mechanisms to suppress banditry. The findings presented at the international gatherings organised by Livio Antonelli at the University of Milan under the generic title “Stato, Esercito e controllo del territorio” [“State, Army and Control of Territory”] offer a prime example of the need to focus on the continuities in social and territorial control and on any resistance to such control (Antonielli & Levati, 2013).

This retreat from a strictly political interpretation does not in any way imply that the same fate has befallen research in the field of law or legal anthropology. Moreover, there is a clear tardiness in the use of these tools in the historiography relating to the Crown of Aragon. A number of studies in these areas have been highly useful in tracing the evolution of banditry based on its legal treatment (Serra i Puig, 2003; Casals Martínez, 2017).

As Xavier Torres noted, local monographic studies point to the place where progress can be made in the future (Torres i Sans, 2012). In the case of Valencia and Catalonia, baronial documentation has already shown that the seigneurial courts possess a great deal of revelatory data (Gual i Vilà, 2007). Also very important, however, is the use of patrimonial and notary documents to reconstruct the mechanisms of patronage networks, the litigation in courts and the support given to armed bands or factions. The reconstruction of the mental and ideological world of the military estate, which Jorge Catalá has produced for Valencia to a large extent, is yet to be done for Catalonia and Majorca, though a few exceptions do exist (Güell, 2011).

Returning to local archives is an absolute necessity. In recent years, some of the finest contributions have emerged from the information that they contain. A good sampling appears over the preceding pages, but the list could also be expanded with further examples (Xam-mar, 2015). helping us to better understand how factional struggles were built into the mechanisms of local political life.

Lastly, the integration of the study of banditry into the history of criminality, legal anthropology and the history of mind-sets toward the treatment of violence will—together with the use of microhistory—offer a new avenue to delve more deeply into a phenomenon that can no longer be treated merely as an issue of public order or the political problem of a “disordered society”, as John Elliott proposed, but rather must be examined as a mechanism that was not only perfectly integrated into the operation of European feudal society—and therefore the Crown of Aragon as well—in order to regulate conflict in the realm of infrajustice and social discipline, but also had to be confronted by the legal power of the modern state, when the state sought to gain jurisdictional and territorial control by supplanting the controls already then in existence. The subject, which is now in the midst of a hugely significant process of methodological and theoretical overhaul and updating, offers no shortage of work or lack of challenges for further research.

## BANDITIZEM POD ARAGONSKO KRONO: ZGODOVINOPISJE V EVROPSKEM KONTEKSTU

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### POVZETEK

*Za analizo, kakršno smo si zastavili, moramo izhajati iz niza pomembnih metodoloških problemov. Aragonska krona je bila skupek različnih kraljestev, v katerih so zatiranje banditizma urejali različni pravni sistemi. Na vsakem od ozemelj aragonske krone je imelo razbojništvo drugačen pomen. V Kataloniji so razbojnike v 19. stoletju predstavljali kot romantične junake, kar se ni zgodilo nikjer drugje. Značilnost, ki je bila vsem deželam skupna, pa je bila predstava o banditizmu kot izrazu političnega in družbenega nezadovoljstva z vlado v Madridu. Ob koncu 20. stoletja so se v valencijskem zgodovino-  
pisju pod vplivom zgodovine kriminala, izvensodnega reševanja sporov s posredniki (infrajustice), mikrozgodovine in pravne antropologije pojavile nove struje, trend pa se je postopoma razširil tudi v Katalonijo. Kljub temu se naše raziskave niso razvile enako kot v drugih evropskih državah.*

*Ključne besede: banditizem, aragonska krona, historiografija, metodologija, zgodovina zgodnjega novega veka*



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