

UNIVERSITY OF SOUTHAMPTON

ECONOMIC CHANGES AND POLITICAL ATTITUDES DURING THE TRANSITION
TO A CAPITALIST SOCIETY: THE EVOLUTION OF THE AGRARIAN
STRUCTURES IN THE VALLEY OF ARO (NORTH CATALONIA) FROM THE
FOURTEENTH TO THE SIXTEENTH CENTURIES

Antonio Sanz Alguacil

Ph.D.

Department of History

October 1993



UNIVERSITY OF SOUTHAMPTON

ABSTRACT

FACULTY OF ARTS

HISTORY

Doctor of Philosophy

ECONOMIC CHANGES AND POLITICAL ATTITUDES DURING THE TRANSITION
TO A CAPITALIST SOCIETY: THE EVOLUTION OF THE AGRARIAN
STRUCTURES IN THE VALLEY OF ARO (NORTH CATALONIA) FROM THE
FOURTEENTH TO THE SIXTEENTH CENTURIES

by Antonio Sanz Alguacil

The chronological continuity of the documentation in the valley of Aro has enabled us to study the evolution of the peasantry, their changing social conditions, and the differences created within them as a social group. In the cases where this subject has been studied it has been confirmed that the new rural society of the sixteenth century presented a solidly established peasantry, with significant social differences existing amongst the peasants themselves. However, these works relate to a period some decades after 1486 (when peace was signed between lords and peasants), and furthermore did not take into account the economic situation of the peasantry previous to 1486, nor the differences in conditions of servile subjection under which they existed. Consequently, a deeper knowledge of the medieval origins of the peasantry and their subsequent evolution has been instrumental in giving a better explanation of the political postures that they adopted during the wars of the fifteenth century.

List of Contents

- I.1 INTRODUCTION
 - I.1.1 Pre-feudal Catalonia (9th and 10th centuries)
 - I.1.1.1 The agrarian structure
 - I.1.2 Acceleration in the transformation and implementation of the feudal model (11th century)
 - I.1.3 The crystallization of the feudal model (12th century)
 - I.1.4 The origin of the remensa peasantry (13th century)
 - I.1.5 The consolidation of the remensa condition and territorial expansion (13th and 14th centuries)

- I.2 TOWARDS THE FORMATION OF THE FEUDAL ECCLESIASTICAL PATRIMONY IN THE DIOCESE OF GERONA
 - I.2.1 The Gregorian reform in the diocese of Gerona
 - I.2.2 The formation of the feudal ecclesiastical patrimony
 - I.2.3 The consolidation of the patrimony: donations, purchases, exchanges and trials
 - I.2.4 The geography of the feudal ecclesiastical patrimony

- I.3 THE PEASANTRY AND THE LAND IN THE STUDY OF THE AGRARIAN SOCIAL CRISIS
 - I.3.1 Social difefrences within the peasantry
 - I.3.2 The remensas
- I.4 CULTIVATION OF THE LAND AND PEASANTS' AUTO-EXPLOITATION IN THE VALLEY OF ARO
 - I.4.1 Unit of cultivation: masos and grouping of dispersed plots
 - I.4.2. The size of the units of cultivation
- I.5 THE REGIME OF THE LAND TENANCY
 - I.5.1 The sub-leases
- I.6 THE EXPLOITATION OF THE PEASANTRY
 - I.6.1 The types of feudal rent
- II.1 THE AGRARIAN SOCIAL CRISIS OF THE 14TH AND 15TH CENTURIES
 - II.1.1 From the demographic crisis to the sharpening of the agrarian problem
 - II.1.2 The seigneurial reaction
 - II.1.3 The 'capbreu' of 1432-1434
- II.2 THE AGRARIAN CONFLICT
 - II.2.1 The aims of the peasantry in arms
 - II.2.2 The 'Sentencia Arbitral de Guadalupe' or the restoration of the feudal order
- III. 1 THE AGRARIAN STRUCTURES OF THE 16TH CENTURY: A NEW EQUILIBRIUM?
 - III.1.1 The documentation: the 'capbreu' of 1567

- III.1.2 Characteristics of the documentation
- III.2. THE FEUDAL VESTIGES
- III.2.1. The feudal servitudes of the 16th century
- III.3 THE HISTORY OF THE 'MASOS RONECS'
- III.3.1 The economic importance of the 'masos ronecs'
- III.4 THE NEW AGRARIAN STRUCTURES
- III.4.1 The 'new' masos: a question of names?
- III.5 THE DIVISION OF THE LAND
- III.5.1 The maso as the basis of the new agrarian structures
- III.5.2 The residual holdings
- III.6 FEUDAL RENTS IN THE 16TH CENTURY
- III.7 THE NEW PEASANTRY: THE BIRTH OF A RURAL ARISTOCRACY
- III.7.1 Rich and poor peasants
- III.7.2 The proletarization of the countryside
- III.7.3 The self-exploitation of the peasantry

CONCLUSION

APPENDICES

BIBLIOGRAPHY

CHAPTER 1

1. INTRODUCTION

I.1.1. Pre-feudal Catalonia (ninth and tenth centuries)

Catalan society was one of the last to undergo the transition to a feudal society.¹ Although in the Catalonia of the year 1000 the existence of aristocratic and ecclesiastical domains can be verified, the peasant small-holding was still preponderant.² The specific features of a process of feudalization: the disintegration of public authority, the progressive disappearance of the concept of property, the establishment of arbitrary powers on behalf of the aristocracy and the expansion of personal bondage still cannot be observed in the societies of the ninth century.³ This delay in the formation of a feudal society can only be explained by the solidity of the 'condal' public institutions.⁴ While in other regions the process of feudalization was accompanied by violence, in the case of Catalonia the violence

¹ General conclusions of the latest works of J. M. Salrach, 'El procés de feudalització, segles III-XII' in *Història de Catalunya* (Barcelona, 1987), and P. Bonnassie, *Catalunya mil anys enrera (segles X-XI)* (2 vols., Barcelona, 1981).

² It has been confirmed through very well known examples, such as the monastery of Sant Benet, that between 940 and 1020, the peasant small plots made up about 80%-90% of the cultivated land (Cf. P. Bonnassie, *Catalunya mil anys enrera*, I. 200). Georges Duby, studying the region of Maçón, wrote that at that time emerged victoriously the idea of individual ownership of the land (*La société aux XIe et XIIe siècles dans la région mâconnaise* (Paris, 1953)). For the southern area of France, A.R. Lewis points out the predominance of the 'alou' (*The Development of Southern France and Catalan society (718-1050)* (Austin, 1947)).

³ The Catalonia of the year 1000 was not feudal. This is one of the conclusions pointed out by P. Bonnassie, *op.cit.* I. 277.

⁴ They do not have a 'franco' characteristic, as has often been repeated since the publishing of the *Marca Hispanica* in 1688, but a continuity stemming from the visigothic period. See F. Udina Martorell, *El Archivo Condal de Barcelona en los siglos IX-X* (Barcelona, 1951), pp. 19-26 and also R. Abadal i Vinyals, *Els primers comtes catalans* (Barcelona, 1958); *Dels Visigots als Catalans* (Barcelona, 1969). More specifically, M. Mitja Sagué, 'Condado y ciudad de Barcelona. Capítulos de su historia en los siglos IX y X', *Estudios y documentos de los Archivos de Protocolos*, III (Barcelona, 1955).

was limited to one generation.⁵

The history of Catalonia from the eighth to the tenth centuries is the history of conquest and colonisation.⁶ These aspects would have undeniable consequences for the liberty of the men and women who carried out the colonisation, they would be the seeds of the future inequality among the colonists: by the end of the colonisation the winners would be the professional soldiers who would, on the one hand, carry out the military conquest, and on the other, would dominate the peasants who had done the real work of colonisation.

From this perspective we can consider this period as a transitional stage. It is here that the social relations, that can later be qualified as feudal, are engendered.⁷ However,

⁵ In the regions of the Auvergne, Limousin, Languedoc, etc. well before the year 1000 there were bands of 'milites' stationed in the castles (A. R. Lewis, *Development of Southern France*, chs. XII and XV, pp. 220-41 and 297-314). The 'new military system' as defined by Lewis was set up in Catalonia around the years 1020-1060, as was shown by P. Bonnassie, *Catalunya mil anys enrera*, II. 39.

⁶ Common characteristics to all societies located in the 'frontier' areas next to the Arab-Muslim tribes. See A.R. Lewis, 'Cataluña como frontera militar (870-1050)' *Anales de Estudios Medievales* V (1968). Also, J.M. Font Rius, 'Orígenes del régimen municipal en Cataluña', *Anuario Historia del Derecho Español*, XVI, (1945) and XVII (1946). Research about more specific villages can be found in A. Dupont, 'Considérations sur la colonisation et la vie rurale dans le Roussillon et la Marche d'Espagne au IXe siècle', *Annales du Midi*, LXVII, num. 31 (1955), 223-45, 'L'aprision et le régime aprisionnaire dans le Midi de la France (fin du VIIIe-début du Xe siècle)', *Le Moyen Age*, 71 (1965), 179-213, and 375-99; G. Feliu, 'Sant Joan de les Abadesses i el repoblament del Vallès', *Miscellània Fort i Cogull* (1984), pp. 129-35; M. Riu, 'El paper dels 'castra' en la redistribució de l'habitat al comtat d'Osona', *Ausa*, X/102-104 (1982), 401-9; J. M. Salrach, 'La repoblació i la restauració eclesiàstica en el 'pagus' de Berga', *Cuadernos de Historia Económica de Cataluña*, XVII (1977), 7-23; C. Baraut, 'Les actes de consagració d'esglésies del bisbat d'Urgell (segles IX-XII)', *Urgellia*, 1 (1978), 11-182; and R. Vall i Rimblas, 'El repoblament del Vallès durant la Reconquesta', *Arrahona*, 1 (1976), 7-24.

⁷ This is one of the general conclusions of P. Bonnassie in his work on 11th-century Catalonia (*op. cit.*, II. 305-310), although it was common in the feudal Europe of the time as is shown in the works of M. Bloch, *La société féodale* (2 vols., París, 1949); G. Duby, *La société*; R. Fossier, *La terre et les hommes en Picardie jusqu'à la fin du XIIIe siècle* (2 vols., París-Louvain, 1968); E. Magnou-Nortier, 'Fidélité et féodalité méridionales d'après les serments de fidélité (Xe -début XIe siècle)', *Annales du Midi*, (1968). Particularly for Catalonia see G. Feliu, 'Els inicis del domini territorial de la seu de Barcelona', *Cuadernos de historia económica de Cataluña*, XIV (1976), 45-61; J. M. Font i Rius, 'Les modes de détention de châteaux dans la 'Vieille Catalogne' et ses marches extérieures du début du IXe au début du XIe siècle', *Les structures sociales de l'Aquitaine, du Languedoc et de l'Espagne au premier âge féodal* (París, 1969), pp. 63-78; and R. Martí, 'La integració a l'"alou feudal" de la seu de Girona de les terres beneficiades pel 'regim dels hispans'. *La*

perhaps it is necessary to avoid describing this as the Golden Age of the peasants and to define it using a more considered criteria, that is, analyzing also the different forms of exploitation and social domination which began to be exercised over the peasants.

Before going on to an analysis of the agrarian structure of the peasant class in this period, it would be useful, briefly, to examine the different interpretations concerning the chronology and implementation of the above-mentioned transitional stages.

As early as 1962, Pierre Vilar warned of the need to revise some of the classic ideas about the origin of feudalism in general and of Catalan feudalism in particular.⁸ In the first place, the opposition between a Frankish Catalonia and the Spain, dominated by the 'Reconquista', was a factor which led to different social structures, one with individual liberty and the other with bondage to the land, and consequently serfdom. This view considers Catalan feudalism as 'imported' French feudalism, and in contrast to a Castilian feudalism that was less intense, dominated by liberty and the enterprise of free men in a free land.

These arguments have been subject to an intense historiographical debate. The documentary contributions have been as important as the theories, and today a sufficiently detailed picture can be sketched of the chronology, and the territorial diversity, of the process of feudalization. In the theoretical field a consensus has been reached over the necessity of analyzing the contrasts; that is to say, not only the differences between Castile and Catalonia, but also the contrasts of space and time in the different zones that form part of these large territories.⁹ On the contrary, the particular structure of the reconquered Iberian kingdoms is explained by the factors of conquest and repopulation, common to both

formació i expansió del feudalisme català (Girona, 1987).

⁸ P. Vilar, *Catalunya dins l'Espanya Moderna*. (Barcelona, 1987) II. 50; M. Zimmerman, 'La datation des documents catalans du IX^e au XII^e siècle: un itinéraire politique', *Annales du Midi*, 154, 1981, p. 345-375; *Idem*, 'Aux origines de la Catalogne. Geographie politique et affirmation nationale', *Le Moyen Age*, 1, 1983, p. 5-40. To have a comparative perspective with the castilian feudalism, Jose María Minguez, 'Ruptura social e implantación del feudalismo en el noroeste peninsular (Siglos VIII-X)', *Studia Historica*, III, 2, 1985, p. 7-32; Abilio Barbero i Marcelo Vigil, *Sobre los orígenes sociales de la reconquista*. Barcelona, 1974; *Idem*, *La formación del feudalismo en la Península Ibérica*. Madrid, 1979. Trabajos clásicos son los de Claudio Sánchez Albornoz, *España, un enigma histórico*. Buenos Aires, 1962; *Idem*, *En torno a los orígenes del feudalismo*. Mendoza, 1942.

⁹ Cf. notes 6 and 7. Particularly for Catalonia R. d'Abadal i de Vinyals, *Dels Visigots als Catalans.; Els primers comtes catalans*; 'La institución comtal carolingia en la pre-Cataluña del segle IX', *Anuario de Estudios Medievales*, I (1964).

Castile and Catalonia, as previously stated.¹⁰ The societies that developed from these initial factors might be comparable and could be analyzed under the same theoretical framework.

The Spanish medievalist Claudio Sánchez Albornoz has explained the differences between Catalonia and Castile, with the argument that in Castile the reconquest and the repopulation formed a society where free property, free initiative, minimal seigneurial burdens, free election of the lords, a noble middle class, autonomous local councils and the openness of social structures triumphed.¹¹ These factors are an illustration of the nature of the conquest and repopulation, also valid in the case of Catalonia (to a different degree and subject to a different time scale), but it does not explain the consequences that the reconquest of new territories had for society and for the peasants in particular. The argument is over- generalized and it extrapolates in the long term what would be a typical factor of the transitional phase, that is the territorial expansion.¹²

I.1.1.1. The agrarian structure.

The nature of the Catalan agrarian culture of these centuries has been a privileged subject of study by different historiographic schools. At the beginning of this century Eduardo de Hinojosa initiated one of the interpretations that would have most importance for the history of the evolution of medieval agrarian society.¹³ In its origins Catalan servitude derived directly 'from the social organization of the Hispano-Gothic period', where bondage to the land had been transported by the colonizers to the reconquered territories.¹⁴

¹⁰ P. Vilar, *Catalunya dins l'Espanya moderna*, II. 51.

¹¹ C. Sanchez Albornoz, *España. Un enigma histórico*. (Buenos Aires, 1956) II. 36; 'Una obra capital para comprender su enfoque de la 'libertad' castellana, 'Las behetrías'. La encomienda en Asturias, León y Castilla', *Anuario de Historia del Derecho Español*, 1924.

¹² It is in this sense that Pierre Vilar argues: 'las largas pausas y el final precoz de la Reconquista catalana permiten pronto, en las regiones sustraídas sucesivamente a la atracción del frente conquistador, un agravamiento de la condición payesa' (*Catalunya dins l'Espanya moderna*) III. 52.

¹³ E. de Hinojosa, *El régimen señorial y la cuestión agraria en Cataluña durante la Edad Media* (Madrid, 1905).

¹⁴ *Ibid.*, p. 75, num. 2.

This view was more or less generally accepted¹⁵: and it was not until the publication of *Historia de los Remensas* by Jaime Vicens Vives that this interpretation was revised.¹⁶

Recent studies have analyzed the agrarian society of the ninth and tenth centuries from a different perspective considering this stage as fundamental, in as far as it generated a dynamic of internal growth of the forces of production, that would result in a profound evolution towards feudal forms.¹⁷

From the eighth to the tenth century the phenomenon of concentration of the population in the high mountain areas took place, it was what for this period has been called 'the mountain refuge' (la montaña refugio).¹⁸ A variety of documentary evidence indicates that the Pyrenees mountains of the tenth century were densely populated, possibly to saturation point.¹⁹ The availability of food was conditioned by the geography: the relative wealth of pastoral husbandry compared to the sparsity of cereal production which signifies that in a situation of demographic pressure the quantity and quality of food insufficient. In these conditions, the solution was emigration towards the lower unpopulated areas. This first phase of the colonization and repopulation that would have, as a territorial base the lower part of central Catalonia and the river Llobregat, is also the object of debate.²⁰ Who, then, instigated the movement of colonization? Was it the result of a great

¹⁵ F. Altamira y Crevea, *Historia de España y de la civilización española* (Barcelona, 1909-1911); F. Soldevila, *Historia de Catalunya* (3 vols., Barcelona, 1962-1963); A. Rovira i Virgili, *Historia nacional de Catalunya*, (7 vols., Barcelona, 1922-1937).

¹⁶ J. Vicens Vives, *Historia de los remensas en el siglo XV* (Barcelona, 1945); *El gran sindicato remensa*. (Barcelona, 1954).

¹⁷ Leaving aside the basic contribution of the relevant local surveys, a general overview of the most recent works in this area can be found in, J. M. Salrach, 'El procés de feudalització'; P. Bonnassie, *Catalunya mil anys enrera* (2 vols., Barcelona, 1981).

¹⁸ Title of one of the chapters in P. Bonnassie, *Catalunya mil anys enrera*, I. 67.

¹⁹ Although a particular case, the article of R. Abadal i Vinyals 'Com neix i com creix un gran monestir pirinencabans de l'any mil. Eixalada-Cuixà', *Analecta Montserratensis*, VIII (1955-55) highlights the general pattern. It has been demonstrated that in the area of Sant Joan de les Abadesses population density reached an average of 18 inhabitants per square kilometre, (R. Abadal i Vinyals, *El primers comtes catalans* (Barcelona, 1958), ch. VI, note 72), two or three more times than in other areas of Europe, such as Picardy (R. Fossier, *La terre*, I. 155) or Bresse, which was almost deserted (G. Duby, *La société*, pp. 10-12).

²⁰ A particular survey about the repopulation has been carried out for the areas of la Plana de Vic i el Pal del Bosc by Ramon Abadal i Vinyals, *Els primers comtes catalans*, pp. 73-114; and A. Dupont 'Considérations sur la colonisation', *Annales du Midi*, LXVII (1955).

colonizing enterprise organized and planned by the public authorities and the monasteries? This hypothesis has been contradicted by means of the extended documentary evidence of Pierre Bonnassie. According to the French historian, spontaneous colonization motivated by hunger, preceded the official procedures. These procedures consisted of the establishment of an administrative system and an ecclesiastical organisation destined to bring order and control to immigrants, who were already in residence. So the Catalan counts kept the occupation of new lands under control, but as with the monasteries, almost always 'a posteriori'.²¹

The military action of the Carolingians and their comital allies in the 'Marca', therefore, would be followed or sometimes preceded by the conquest of agrarian land, the external manifestation of the forces of production, which was initiated in the second half of the twelfth century and continued until the thirteenth century.

An indispensable condition for bringing to an end the colonising enterprise was the mobility of the population. The freedom of movement of the population of the Early Middle Ages was a characteristic aspect of the first phase of colonisation and extended until the year 1000. As a consequence it is difficult to imagine, in this stage, that the peasant was tied to the land, on the contrary his freedom of movement was only limited by his own economic capacity and the advances of the military conquest.²²

This conquest of agrarian land took the form of the 'aprisson'.²³ In order to effect the rooting of the peasant to the land, under unfavourable external conditions which implied his duality as peasant and soldier, it was indispensable that he had access to free

²¹ P. Bonnassie, *op. cit.*, I. 89. For different examples, sometimes contradictory, about the contribution of the different social segments to the colonization see R. Martí, 'La integración a l'alou feudal' de la seu de Girona de les terres beneficiades pel 'regim dels hispani' in *La formació i expansió del feudalisme català* (Girona, 1987); R. Abadal i Vinyals, 'El renaixement monàstic de Catalunya', in *Dels visigots als catalans* (Barcelona, 1969) I. 369-76; C. Baraut, 'El monestir de Sant Sadurní de Tavérnoles i els orígens del monaquisme benedictí al comtat d'Urgell', *Studia monastica* 22 (1980), 253-259.

²² The granting of franchises ('francheda', 'franqueza', 'francheza') to the colonising population was a guarantee of both their individual freedom and fiscal exemptions which made emigration more attractive, Cf., J. M. Font i Rius, *Cartas de población y franquicia de Cataluña* (2 vols.. Barcelona, 1969); *Idem*, 'Orígenes del régimen municipal en Cataluña', *Anuario de Historia del derecho Español*, XVI (1945) and XVII (1946).

²³ In Catalonia it could be defined as the right to own an uncultivated land, after a period of 30 years of uninterrupted cultivation. Uncultivated land was understood to be common land, Cf. P. Bonnassie, *op. cit.*, I. 181; A. Dupont, 'Considérations sur la colonisation', 'L'aprisson', 179-213 and 375-99.

property, the 'alodium' in the case of Catalonia.²⁴ Freedom, inheritance and exemption from taxes characterised the newly-cultivated lands as a whole. The existence of this small and medium-sized peasant ownership, that we can estimate as between 80% and 90% of the lands colonised between 849 and 1020²⁵, had already been documented by Ramon d'Abadal for the mountainous areas of Pallars and Ribagorça and, as he concluded, 'as a general rule it can be maintained that all the cultivated lands, fields, vineyards, woodland, pastures, orchards, are private property'.²⁶ The preponderance of this type of property is not as evident in the regions of the north-eastern Catalonia (Ampurdán and Rosellón), where the presence of numerous and powerful abbeys, as well as the important territorial concessions made by the Carolingians to the 'Hispani' refugees could have produced a reduced percentage of peasant freeholdings ('alodios').²⁷

Thus in this period it can be stated that the types of land holding were the freeholding and the large rural domain.²⁸ Very little is still known of the (alodial) holding, but it seems evident that it was based on a clear notion of property rights, that is, the land could be sold, donated and exchanged. The large rural domains were made up of two basic elements: 'reservas' (exploited directly by the lord) and tenancies (holdings granted to the peasants in exchange for paid services). These holdings could have been cultivated as a single unit (masos) or as dispersed small plots, differentiated by their geographical

²⁴ The uninterrupted conquest of new territories was followed by an adaptation of the corresponding contracts of settlement 'medium plantum' or 'complantacio', see R. Grand, *Le contrat de compliant depuis les origines jusqu'à nos jours* (Paris, 1917). See also the study of G. Fournier, *Le peuplement rural en Basse-Auvergne pendant le haut Moyen-Age* (Paris, 1962), pp. 299-302 and for Occitania, A.R. Lewis, *Development of Southern France*, p. 169.

²⁵ P. Bonnassie, *Catalunya mil anys enrera*, I. 200.

²⁶ R. Abadal i Vinyals, *Cataluña carolingia*, III, 'Els comtats de Pallars i Ribagorça' (2 vols., Barcelona, 1955), p. 63. This opinion is too drastic. One could think that the agrarian structures in the Catalan Pyrenees were to some extent heterogenous, with ecclesiastical and aristocratic domains intermixed with small peasant properties. See J. M. Salrach, *El procés de formació nacional de Catalunya (segles VIII-IX)* (2 vols., Barcelona, 1978).

²⁷ R. Abadal i Vinyals, *Cataluña carolingia*, II 'Els diplomes carolingis a Catalunya' (2 vols., Barcelona, 1926-1952); A. Barbero, 'La integración social de los 'Hispani' del Pirineo oriental al reino carolingio', *Mélanges R. Crozet* (1966); G. Feliu i Montfort, 'El condado de Barcelona en los siglos IX y X: organización territorial y económico-social', *Cuadernos de Historia Económica de Cataluña*, VII (1972).

²⁸ Summary of the data collected by P. Bonnassie, *op. cit.*, I. 211.

dispersal.

The impositions that the tenants were subject to were fiscal in origin.²⁹ The small holdings were not considered to be a source of labour for the exploitation of the lord's land, but were ceded with the objective of a taxable return. These masos can be divided into two large groups, according to whether a fixed or proportional census of the harvest was levied against them.³⁰ The fixed census, as a whole, had little economic importance for the tenants. This fact can not be attributed to the magnanimity of the lords but to the conditions of this kind of holding: on the one hand the dispersed small plots were worked in their spare time by the small holders of the immediate area, and on the other hand, the units of cultivation in the newly-conquered areas could not be heavily taxed without threatening the survival of the peasants. As for taxation of new lands, the 'tasca' was applied and it represented in this time a deduction of an eleventh part of the harvest.

The above description can not, and should not, hide the existence of a problem within rural society, that began to manifest itself towards the end of the millennium.³¹ On the one hand the increase in taxation of the tenancies of the properties of the counts and the monasteries; on the other hand the difficulties of the smallholder, who most of the time did not have enough land to maintain his family. In this sense the conditions of the initial exploitation of the land implied a reduction in the size of the holding, a fact to which can be added the inheritance customs which tended towards fragmentation. In these circumstances the peasant, legally free, had to fall back on the partial or complete sale of his property. The beneficiaries of the erosion of peasant property holdings were the 'potens' (survivors of the crisis or arising from it) who through judicial decisions, confiscations, or donations started the process of land concentration. Therefore, as José M. Salrach argues 'the domains of the clergy and the nobility are, then, in great part the result of the absorption of the free lands of the peasants'.³²

²⁹ Very few labour services are mentioned. They are only quoted three times in documents from the beginning of the 12th century corresponding to tax surveys. The labour service mentioned is to work one day every year on the harvest (Cf. J. Miret i Sans, 'Documents en langue catalane', *Revue Hispanique*, XIX (1908), 6), to be carried out in the fiscal domain of the count. Other cases in P. Bonnassie, *op. cit.*, I. 218.

³⁰ P. Bonnassie, *op. cit.*, I. 221.

³¹ *Ibid.*, II. 256.

³² J. M. Salrach, 'El procés de feudalització', p. 208.

I.1.2. Acceleration in the transformation and implantation of the feudal model (eleventh century).

At the beginning of the eleventh century the balance of the colonization is remarkable: the spectrum of hunger had been replaced by the capacity to produce an agricultural surplus, that was sold in the urban and rural markets, which appeared in great numbers.³³ Agriculture, therefore, was already producing profits.

This development of the rural economy was achieved through the expansion of the cultivated area, as a consequence of the demographic increase and also by the improvement of cultivation techniques.³⁴ These improvements involved, on the one hand, the construction of water mills, the expansion of vine growing, orchard and vegetable irrigation, which meant an intensification and diversification of production; on the other hand, progress in rural iron working, in hand tools for the peasants and equipment for the work animals, all this marked a considerable evolution in the methods of agrarian labour.³⁵

The family unit of an agrarian holding was made up of a variable number of pieces of land, mostly unirrigated dry land, worked for cereals and vineyards, with some parcels of land for vegetables. The maso, the unit of exploitation of the peasant in Old Catalonia, was formed by the dwelling, the storage buildings, and the lands under cultivation. In J.M. Salrach's words 'it was a form of organization of production and space perfectly adapted to

³³ The first markets are found in Sallent (1017), Montornés (1019), Besalú (1027), Martorell (1032), Granollers (1035). See J. Vilà Valentí, 'Notes sobre el poblament català medieval. El mercat', *Miscellània Puig i Cadafalch* (Barcelona, 1963) I. 225-41; in Castille, see L. García de Valdeavellano, 'El mercado. Apunte para su estudio en León y Castilla durante la Edad Media', *Anuario de Historia del Derecho Español* VIII, (1931). That agriculture is the basis of commercial capital as in Genoa or Milan, see R. López, 'Aux origines du capitalisme gênois', *Annales d'Histoire Economique et Sociale* (1937); and C. Violante, *La società milanese* pp. 121-6.

³⁴ The Catalan rural countryside of the 11th century does not have a particular survey, similar to that of E. Sereni, *Histoire du paysage rural italien* (Paris, 1964).

³⁵ Pierre Vilar has studied the relationship between irrigation and the industrial usage of the water as one of the basic features of the economic expansion of Catalonia (*Catalunya dins l'Espanya Moderna*, III.259-318) the origins of such structure dating back to the 10th and 11th Centuries (P. Bonnassie, *op. cit.*, I. 404). On technical progress see E. Junyent, 'La antigua industria del hierro. Notes referentes a la comarca de Vic', *Ausa*, I (1952-1954).

the demands of colonization and self sufficiency'.³⁶

Until the first half of the eleventh century the majority of the peasants disposed of their production and exchanged lands voluntarily; and in terms of personal bondage established inside the domain, when the expressions 'stantes' or 'solidi' appear they expressed an obligation to stay by civil contract, and in no case was bondage permanent or hereditary. This situation was valid up to the first half of the century when it started to undergo modifications that were a key part of the feudal process.³⁷

'Growth distances misery but engenders violence'.³⁸ This phrase of Pierre Bonnassie sums up the characteristics of the battle that would develop over the agrarian surplus. In effect who would take advantage of the progress achieved? This is the central question, round which would turn the crisis of violence in the second half of the century.³⁹ For a generation (1030-1060) 'these battles formed the birth pangs of the feudal society'.⁴⁰

Before going on to analyze the results of these battles we will make a brief revision of the modifications to the agrarian structure that form its origin. As mentioned above, already by the end of the tenth century a tendency can be seen towards concentration of the cultivated land, at the expense of the small peasant holding. This phenomenon would be seen to increase during the second half of the eleventh century, augmented by the violence inflicted on the peasant who, in order to avoid the pressure of the lords responded by seeking protection in the monasteries and churches.⁴¹ Throughut the century it is noticeable that documents of sale decrease.⁴¹ If the sale of the 'alodios' was increasingly

³⁶ J.M. Salrach, 'El procés de feudalització', p. 208.

³⁷ The expression 'homines solidi' is found applied to the peasants for the first time in 1114 (*Archivo Corona de Aragón*, Monacals, perg. Sant benet, num. 380, quoted by P. Bonnassie, *op. cit.*I. 256) and from the 12th century on will be found together with the term 'homines proprii' (J. Vicens Vives, *Historia de los remensas en el siglo XV* (Barcelona), 1945, p. 30). Their history of enservment is similar to other groups of peasants in other areas of Europe. See R. Boutrouche, *Seigneurie et féodalité* (Paris, 1968), II. 70-1.

³⁸ P. Bonnassie, 'El feudalisme català. Segle XI', *L'Avenç*, 7-8 (1978), 35.

³⁹ *Ibid.*, 37.

⁴⁰ The *Liber Feudorum* y el *Cartulario de Sant Cugat*, ed. J. Rius Serra (3 vols. Barcelona, 1946), give a very exact idea of the process of formation and concentration of personnel bonds. For the Gerona area, F. Monsalvatge, *Colección diplomática del condado de Besalú* (Olot, 1899-1919) and A. Masia de Ros, *Gerona en la guerra civil en tiempos de Juan II* (Barcelona, 1943).

⁴¹ During the tenth century the deeds of purchase of land amount to 70% of all the deeds preserved. From the year 1000 this percentage begins to decrease: 65% in 1025, 55% in

less frequent it was because it was becoming less practicable to sell them. According to Pierre Bonnassie the *alodios* were being 'integrated piece by piece into the great lay and ecclesiastical estates. The small holdings of the peasants diminished slowly. By 1050, it had lost the dominant position that it had still held at the end of the tenth century in the territorial structure of Catalonia'.⁴²

This transfer of ownership had no effect on the social structures until after the year 1000. In effect, until then small holdings were very extensive and their erosion was partly compensated for by new gains in the pioneering areas. When the initial wave of territorial conquest stopped, the aristocracy started a new wave of conquest, but this time with a difference, the object of their war would be the dispossession of the peasants. The latter, who had been armed to take part in the conquest, saw their position being weakened by the new bands of professional soldiers, as at the same time they were made to return from the frontier to a new exclusively agrarian activity.⁴³

At the beginning, the ties of dependency did not appear to be disturbing, but confusion soon developed between the overabundance of individual and diverse statutes, that could go from complete servitude to a merely symbolic tie; and between the small owner who had renounced the ownership of his land, and the tenants who only paid contractual rights, and who ended up being, as before, the serfs of the lords. This was the moment when the contagion of the Carolingian serf became manifest, and therefore, serfdom was the result, and not the cause, of the feudalization process.⁴⁴

The dispossession and attachment to the land of the peasant was only possible through violence. The peasant without arms and deprived of the judicial protection of the counts, would see himself subjected to the authority of those who until then had been the representatives of the power of the counts and who began to exercise arbitrary power from their castles. Around 1050 the 'beheria' was transformed from a public institution to a

1050, 35% in 1075, 25% in 1100. This data comes from P. Bonnassie, *Catalunya mil anys enrera*, I. 43-4.

⁴² P. Bonnassie, *op. cit.*, I. 44.

⁴³ The best known case concerning the evolution of a free community can be found in J.M. Font i Rius, 'Notes sobre la evolución jurídico-pública de una comunidad local en el Pirineo Catalán: Ager' (Zaragoza, 1950).

⁴⁴ The two classical works on serfdom in Catalonia, with most of their information still valid, are W. Piskorski, *El problema de la significación y del origen de los seis 'mals usos' en Cataluña* (Barcelona, 1929) and J. Vicens Vives, *Historia de los remensas*

commonplace private domain.⁴⁵ The foundation of seigneurial power lay in the power of the 'ban', defined by the concepts of 'mandamentum' and 'districtum'.⁴⁶ In the first, the right of control was granted over the men and women that lived in the 'castellania', to enlist the fighting men or to claim the taxes and rights that derived from them. As the independence of the lords of the castles increased, so their power expanded and was exercised in a totally arbitrary form. In the case of the 'districtum', the right to judge or, as often happened, to punish was granted. This right was of great importance, as it gave abundant economic rewards. On the other hand it could be transferred, divided in inheritance, its management entrusted to the 'castla', or donated in part as a payment.

From this moment the growth of production no longer benefited the peasants. The proliferation of trivial deductions, as hard as they were arbitrary, from the income of the peasants, constituted the economic base on which feudal society in Catalonia would be built. The forces of the dominant class increased.⁴⁷ The old aristocratic families ceased to be the only beneficiaries of the work of the peasants. In order to exploit their lands the lords needed assistants (castellans, knights, batlls) who were paid with a share of the feudal bounty.⁴⁸ As this parasitic body increased the confiscations became even harder. Simultaneously the solidarity of the class that took the profit from the exploitation of the peasants was reinforced, giving place to an all-pervading network of personal relationships.⁴⁹

To sum up, in the second half of the eleventh century the crucial moment of the mutation, that was to bring an important qualitative change to social relations, occurred.

⁴⁵ The question of the origin of the seigneurie ('señorio') arises from time to time in discussions. Some, among them P. Bonnassie, think that it derives from a usurpation of public rights and duties; others, such as R. Fossier, see its origins in tenants' rights which stem from the lord's authority (*La terre*, II. 510-34). Other authors who have contributed to the discussion are G. Duby, *La société*, pp. 401-14; and R. Boutrouche, *Seigneurie et féodalité*, I. 114-117; II. 125-40.

⁴⁶ See note above.

⁴⁷ S. Sobrequés Vidal, *Els barons de Catalunya*. (Barcelona, 1957); *Els grans comtes de Barcelona*. (Barcelona, 1961). A work on one of the families which would become one of the most important in Catalonia is J. C. Shideler, *Els Montcada: una família de nobles catalans a l'Edat Mitjana (1000-1230)* (Barcelona, 1987).

⁴⁸ F. Carreras Candi, 'La institución del 'castlà' en Cataluña', *BRABLB*, I (1901); A. García, 'La comenda de castillos en el siglo XI', *Ausa*, III (1958-60).

⁴⁹ P. Bonnassie, 'Les conventions féodales dans la Catalogne du XIe siècle', *Actes du colloque international de Toulouse, Annales du Midi*, LXXX (1968).

However, the change was slow. In the 'Usatges de Barcelona' (1068), issued by the count of Barcelona, the elements indicating serfdom still had not been codified, such as they appeared in the Catalonia of the remensa revolt in the fifteenth century. Although in the eleventh century the origin of the erosion of the peasant small holdings could be seen, the creation of the large domains, the organisation of the different forms of control of the agrarian surplus, and the weakening of the juridic condition of the peasants, the most significant elements of the condition of serfdom did not even affect rural society as a whole nor had it been fully developed. Feudal organisation would arrive completely when the lords managed to tie the peasant to the land and the statute of serfdom became hereditary.

I.1.3. The crystallization of the feudal model (twelfth century).

This century has been defined as the 'hinge' century in as far as it marked the end of one stage and the clear beginning of a new period, that would be completely feudal. More than a dividing line or a hinge, concepts which imply a break, it can be considered as a period of crystallization, as much of, the social structure of the territories of the first colonisation, as of the start of what would be the motor of the survival of the feudal system, and its territorial expansion.⁵⁰ After the violence of the period 1020-1060 the pacts between the different parts of the dominant class opened the door for the return of social peace.⁵¹ The decrease of the infighting did not mean a reduction of impositions for the peasants, or a improvement of their personal conditions, on the contrary the feudal structures were developed systematically by Count Berenguer I, who took the reins of feudal power, subjecting the majority of free castellans to his control and that of the other Catalan counts. 52 The authority of the counts was added, therefore, to the movement of subjection of the

⁵⁰ The beginning of the 'new military system' is discussed by A.R. Lewis, *Development of Southern France*, chs. XII and XV and, 'La féodalité dans le Toulousain et la France méridionale (850-1050)', *Annales du Midi*, LXXVI (1964), 247-260. For the chronological evolution, J. Carreras Candi, 'Lo Monjuich de Barcelona', *MRABL*, VIII (1903). The chronology proposed by Carreras was readjusted by Sobrequés Vidal, *Els gran comtes*, pp. 56-73.

⁵² On the policy of marriages on which the alliances are based, see S. Sobrequés Vidal, *Els gran comtes*, p. 124; on the control of the castles, see J. M. Font Rius, 'Les modes de détention' de chateaux dans la 'Vieille Catalogne', *Annales du Midi*, LXXX (1968), 405-20. The majority of the 'convenientiae' signed among the counts can be found in *Liber*

rural communities, demanding arbitrary exactions and annulling the privileges of the free territories.

From the beginning of the century a change can be observed in the regime of land tenancy. The small free holder practically ceased to exist between 1100 and 1120.⁵³ As a result of the process of concentration developed during the eleventh century, the peasant became subject to the demands of the lords of the castles.⁵⁴ By the end of the process real economic servitude was added to personal serfdom. The reduction to serfdom was a result of the arbitrary 'banal' charges. Originally, in the logic of the 'banal' system, only the taxes that had been imposed over the 'homines commandantes' could be transferred. By a progressive displacement that constituted the essence of the enservitment process these men were ceded with their taxes. In the end, the men were transferred with services and lands, they could be feudalized or granted as owned goods. At this level of serfdom residence would not be the only basis of dependency. The 'homines commandantes' had become 'homines proprii' and therefore the bonds that linked them to the lords were no longer territorial but personal⁵⁵. The submission of the peasants was completed by distinct forms, but the most usual was the imposition, by the lord, of oaths of loyalty for the peasant communities. Through these oaths, the peasants became 'homines solidi' of the lords on whom they were personally dependant.⁵⁶

Feudorum Maior, Cartulario real que se conserva en el Archivo de la Corona de Aragón, ed. F. Miquel Rosell, (2 vols. Barcelona, 1945).

⁵³ P. Bonnassie, *Catalunya mil anys enrera*, II. 256.

⁵⁴ An overall view of the peasant population, see J. M. Font Rius, *Cartas de población y franquicia de Cataluña* (Barcelona, 1969); on the attacks suffered by the peasant population, registered in the 'querimoniae', see T. N. Bisson, 'La crise des franchises catalanes (1150-1200)', *La formació i expansió del feudalisme català* (Girona, 1985); and B. Garí, 'Las 'querimoniae' feudales en la documentación catalana del siglo XII (1131-1178)', *Medievalia*, 5 (1984), 7-49.

⁵⁵ Detailed examples of the different forms of violence to which the peasants were subjected can be found in A. Altissent, 'Un poble de la Catalunya Nova als segles XI i XII: L'Espluga de Francolí de 1079 a 1200', *Anuario de Estudios Medievales*, III (1966), 131-214; P. H. Freedman, 'La condition des paysans dans un village catalan du XIII^e siècle', *Annales du Midi*, 158 (1982), 213-44; The Enserfment Process in Medieval Catalonia: Evidence from Ecclesiastical Sources', *Viator*, 13 (1982), 225-44; 'The Catalan 'ius maletractandi'', *Recueil de mémoires et travaux publié par la Société d'Historie du droit*, 13 (Montpellier, 1985), 39-53.

⁵⁶ The expression 'homines proprii' associated with the one 'homines solidi' was normally employed from the end of the 12th Century and during the 13th Century (J. Vicens Vives, *Historia de los remensas*, p. 30); este mismo siglo aparecerá también la expresión de

Those that were already subject to lease contracts, the 'masovers', suffered a process of degradation of their personal and economic status, of great importance as far as the understanding of the regime over tenancy of the land goes. Some of the tenants, but never the majority, could escape the impositions and services owed to the castle, but they had to pay charges increasingly more like those of the castilian ban ('guaitas', 'receptiones', 'iovás') that were imposed on top of the agrarian taxes, which were increasing. Until the middle of the eleventh century the basis of taxation was the 'tasca', which represented an eleventh part of the harvest. By the end of the century this tax could be considered a privilege, imposed only on land of low quality. In the majority of cases the figure came to represent a quarter of the grain and half of the wine. From 1130, if the landlord provided half of the seed and ploughing oxen, he could claim three quarters of the grain and the wine. Finally in the most typical registers of agricultural partnership were added complementary impositions like the 'bracatge' (one sixteenth part of the grain) over the cereal harvest and the 'vignogolia' over the grape harvest⁵⁷.

This progressive evolution of the taxes obviously affected the economic position of the tenants, but their situation was degraded even more by the tightening of the ties that bound them to their landlords. After this time the maso stopped being a unit of free exploitation and came to be, on the one hand, a unit of exploitation rented in partnership, and on the other, a unit for the imposition of arbitrary taxes. From the twelfth century on, tenants of a maso could no longer leave freely, as before. In the rent contracts it was clearly specified that they were obliged to live for the rest of their lives on the land that they had rented, and this obligation was extensively applied to their descendants. On the other hand, the contracts also added the obligation to pay, in the case of departure, an indemnity to the lord that, certainly, would be above their economic possibilities, and yet more, if we take into account that from the end of the eleventh century the custom of 'selling' masos to their existing tenants was extended. According to Bonnassie the price demanded of the peasant to establish himself on the land could be symbolic or sometimes very expensive: 'but always the tenant of the land paying this right of new establishment, had already paid for his land and also would have to pay for the rest of his life an agreement of a quarter or a half of the harvest, and on top of it all if he wanted to leave, he was obliged to pay

'homines affocati'; E.de Hinojosa, *El régimen señorial y la cuestión agraria*, p. 87. See above, n.37.

⁵⁷ J. Balari i Jovany, *Orígenes históricos de Cataluña*, (Abadia de Sant Cugat del Vallés, 1964), p. 135; and P. Bonnassie, *Catalunya mil anys enrera*, II. 257

again'.⁵⁸ Therefore the peasant went from economic extortion to bondage to the lords and the demands of a fidelity, defined as 'solida'. In this case, as in that of the peasant freeholders, tenants became 'homines solidi et proprii', bonded to their lord through their tenancy and their person.

To sum up, during the twelfth century a tendency can be seen whereby the situation of the tenant and the small freeholders was ratified, converting both into 'homines proprii et solidi' of their lords whether they were the lords of the castles, the monasteries or the ⁵⁹ dynasty of the counts.

As was stated at the start of this chapter, during this century the second stage of the expansion of Catalan feudalism took place.⁶⁰ We will consider the effects that it had on the agrarian structure.

I.1.4. The origin of the remensa peasantry (thirteenth century).

Since it is one of the fundamental themes of Catalan historiography, and an element in the developments that have been dealt with in the introduction it is necessary to consider this subject separately. The problems surrounding the origins of the remensa peasantry has motivated, and still motivates, a polemical debate. Almost always, when we discuss agrarian history, we have to start by talking about E. de Hinojosa the foremost expert in the field and the source of continuous references even today.⁶¹ According to Hinojosa the seigneurial regime was characterized, from the start, by the extension of the charges that

⁵⁸ P. Bonnassie, *op. cit.*, p. 262.

⁵⁹ P. Guichard and P. Bonnassie, 'Les communautés rurales en Catalogne et dans le Pays Valencien (IXe-milieu XIVe siècle). *Flaran*, 4 (1982); and J.M. Font i Rius, *Cartas de población* .

⁶⁰ T. N Bisson, 'Feudalism in Twelfth-Century Catalonia', *Structures féodales et féodalisme dans l'Occident Méditerranéen (Xe-XIIe)* (Rome, 1980); and P. H. Freedman, *Tradició i regeneració a la Catalunya medieval* (Barcelona, 1985).

⁶¹ E. de Hinojosa, 'Orígenes y vicisitudes de la pagesia de remensa en Cataluña', *BRABLB*, 1902; *La pagesia de remensa en Cataluña* (Madrid, 1903); *El régimen señorial y la cuestión agraria*. Hinojosa is considered as a pioneer in the study of the remensa problem, but the thesis sustained by the lawyer Socarrats in the fifteenth century, who considered that during the Carolingian conquest a part of the population remained with the muslims through fear should not be forgotten. As a consequence, this same population was condemned to the 'mals usos' imposed by the Saracens. Pujades took up again this same thesis in the 17th Century in his work *Cronica universal del principat de Cathalunya*.

weighed upon the peasant, by the existence of what would later be called 'mals usos' and by the bondage of the remensa peasant to the land. As a consequence, the condition of the remensas had already been contemplated in the 'Usatges de Barcelona' in 1068. Serfdom, according to Hinojosa, was the origin of the feudal system in the ninth and tenth centuries. This view was revised and clarified by Wladimir Piskorski who, in outline, argued that the cohesion between 'mals usos' and the remensas was not an original reality and that this had to be placed in the thirteenth century.⁶² Following some of the ideas put forward by Piskorski, Jaime Vicens Vives defined the remensa as a new serfdom that could not be fitted into the early Middle Ages, which he considered to be a period of relative freedom for the peasantry. According to his hypothesis its origin occurred in the thirteenth century as 'in this epoch the problem arose of retaining the peasants on the land that they cultivated, and who could emigrate to free lands, or even to the cities, or the newly conquered regions of the New Catalonia'.⁶³ According to Vicens Vives, the Catalan remensa of the Low Middle Ages can be defined as the conjunction of two subjections: on the one hand the submission to the 'mals usos' conceived as a calamitous charge and characterised by serfdom; and on the other hand, the hereditary entailment of tenancy, tied to the obligation of ransom of the peasant and his dwelling, in the case of his leaving this condition.

The work of Vicens Vives has been considered, and is considered still, as one of the fundamental contributions to the history of the remensas. In this sense Pierre Bonnassie argues that from 1150 the conquest of the territories of Lerida, Tortosa, and Pais Valenciano, was a blow against the areas of the first colonisation.⁶⁴ The opening of these new fronts meant the opportunity for the peasants to escape from Old Catalonia. This, in principal, seems to confirm Vicens Vives' hypothesis. But the French historian adds an observation, in the sense that, if during the thirteenth century lords drew up the juridical texts that defined the remensa⁶⁵ and made the new servitude official: they also, with their documents, claimed the legal recognition of a situation that had already existed before 1150. Here, as elsewhere, reality had anticipated legality.

⁶² W. Piskorski, *El problema de la significación y del origen de los seis 'malos usos' en Cataluña* (Barcelona, 1929).

⁶³ J. Vicens Vives, *Historia de los remensas*, p. 17.

⁶⁴ P. Bonnassie, *op. cit.*, II. 263-7.

⁶⁵ *Commemoracions de Pere Albert*, ed. Rovira i Ermengol (Barcelona, 1933); *Consuetudines Diocesis Gerundensis*, ed. Rovira i Ermengol, *Anuario Historia Derecho Espanol* (1928).

Another contribution to Vicens Vives' hypothesis is offered by Pierre Vilar, who in his thesis concerning Catalonia, touches on the subject of the origin of the remensa briefly, but interestingly.⁶⁶ According to Vilar, during the eleventh and twelfth centuries the elements of a society in violent conflict as characterised by the fifteenth century can not be found. Therefore the origin of the remensa has to be looked for in the period of demographic and political growth of Catalan society. Starting from this premise Vilar considers that the lords fought against the emigration through two systems: the concession of free lands and collective privileges on the one hand, and violence and threats on the other.⁶⁷

A conclusion that can be drawn from the different historiographical interpretations of the origins of the remensa peasantry is that, although there is proof of the existence of 'banal' taxes that limited the personal liberty of the peasants, from the second half of the eleventh century the legal crystallization of the demands of the lords would not arrive until the thirteenth century, the moment when the second phase of the territorial expansion came to an end. This second phase must have had different characteristics from those of the first phase, the expansion was realized with a duality of criteria: to reinforce the domination of the established peasants, in order to avoid their emigration to the newly conquered lands, and to ensure, through privileges, the repopulation of those newly conquered lands. However an unanswered question is, under these circumstances, against whom was the seigneurial reaction aimed?

I.1.5. The consolidation of the Remensa condition and territorial expansion (thirteenth and fourteenth centuries).

Given the present state of historiographical knowledge of this period, it is inevitable that an analysis should begin with the recognition of the lack of overall studies, and of the necessity to define the period in the way that has been established for the ninth to twelfth centuries. To these problems can be added the importance given to economic expansion, thanks to commerce and to the activity of the artisans of the cities and, in most cases, the

⁶⁶ For the analysis of Pierre Vilar of the remensas, *Catalunya dins l'Espanya Moderna* (Barcelona, 1965), II. 59-64.

⁶⁷ On the contrasts between the evolution of the 'franquitiae' and serfdom, see P. H. Freedman, 'La condition des paysans'; A. Altisent, 'Un poble de la Cataluña Nova els segles XI i XII'; P. Guichard and P. Bonnassie, 'Les communautés rurales en Catalogne et dans le Pays Valencien'; J. M. Font Rius, *Cartas de población y franquicia*.

absence of an analysis of the evolution of agrarian structures and of class conflict. In this sense we find ourselves in one of the backwaters typical of Catalan history. Although we know quite a lot about the peasant remensa and the situation in the country in Catalonia during the twelfth century, we do not know at what moment the differentiation within the peasantry was articulated in a way that would make possible, on the one hand the relative stability of the countryside in Catalonia during these centuries, and on the other hand the different stances within the peasantry at the moment of the conflict.⁶⁸ If, in the years 1150-1350 the feudal model had crystallized and with it the increase in the condition of serfdom for the peasants, these were also years of great economic prosperity in the agrarian field as they were in the field of commerce and crafts⁶⁹. In discussions of the remensa revolution in the fifteenth century many historians have asked themselves if it was a consequence of economic prosperity or of scarcity⁷⁰. To be able to answer this question we have to go back to the agrarian situation in the thirteenth and fourteenth centuries, and in particular to the demographic crisis that began with 'lo mal any primer', 1333.

In the first place we can see an increase in the juridical pretensions of the lords, pretensions that were satisfied with the legalisation, in the thirteenth century, of serfdom and the five classic 'mals usos': 'exorquia', 'intestia', 'cugucia', 'arsina', 'ferma de spoli'.⁷¹ We find mention in 1126 and 1156 of 'Exorquia' and 'intestia' (the rights of the lord over the succession of peasants who died without descendants or intestate). 'Cugucia' we find

⁶⁸ On this point, see the papers submitted to the Congress 'La formació i expansió del feudalisme català' (Girona, 1985).

⁶⁹ J. M. Salrach, 'El procés de feudalització', p. 85; Antoni de Campmany y de Montpalau, *Memorias históricas sobre la marina, comercio y artes de la antigua ciudad de Barcelona*. (Barcelona, 1961-3); N. Coll Julià, 'Aportación al estudio de los patrones y de la propiedad de las naves en Cataluña en la Baja Edad Media', *Homenaje a Jaume Vicens Vives* (Barcelona, 1965); A. E. Sejous, *Els métodes comercials a la Barcelona medieval* (Barcelona, 1975); A. Altisent, 'Comerç marítim i capitalisme incipient. Episodis de la vida econòmica d'un matrimoni tarragoní (1191-1203)'. *Miscellània Històrica Catalana. Homenatge al P. Finestres*. Poblet, 1970, pp. 161-180; 'Una societat mercantil a Catalunya a darreries del segle XII', *Boletín de la Real Academia de Buenas Letras*, XXXII, (1967-8), 45-65.

⁷⁰ P. Vilar, *Catalunya dins l'Espanya moderna*, II. 63.

⁷¹ Made law by the Courts of Cervera (1202), Barcelona (1283) and Monzón (1289), quoted by W. Piskorski, *El problema de la significación y del origen de los seis 'malos usos' en Cataluña*, and J. Vicens Vives, *Historia de los remensas*, pp. 33-4; as law collections *Commercaciones de Pere Albert*, ed. Rovira i Ermengol. (Barcelona, 1933); and *Consuetudines Diocesis Gerundensis*, Anuario Historia del Derecho Español, (1928).

first mentioned in 1058, and 'arsina' (which represents a reduction of a third part of the property of the peasant, whose house has been burnt down) is first mentioned in 1071. As for 'ferma de spoli' (which represents the price of the lord's consent to the marriage of his subjects) we can find antecedents in the form of the 'presentalias de ipsos aut ipsas qui duxerint maritos vel uxores' of 1087.⁷² Due to the chronology and first examples of the 'mals usos' during the eleventh century the general conclusion must be reached that they derived from the banal taxes of the castellans dating from approximately 1050. The period from their first mention to their legalisation represented a stage of growth in the juridical pretensions of the lords, with a multiplication and confusion of rights that were crystallized in the five lordly rights sufficient to define the condition of peasant serfdom.

The indications of the prosperity of the Catalan peasant seem to be manyfold: enrichment of the Catalan masos⁷³, the export of agrarian products to the commerce of Barcelona⁷⁴, the development of an inland agrarian market⁷⁵, the increase of irrigation⁷⁶, the flourishing of the craft industry,⁷⁷ etc.

The prosperity of the Catalan maso was during the thirteenth century parallel to a reduction of the size of the family group, adapted to the lords' fiscal demands over the basic unit of exploitation, in this case, the maso.⁷⁸ The implementation of the

⁷² For the chronological evolution of the 'mals usos', see P. Bonnassie, *op. cit.*, II. 53-4, 265-6; W. Piskorski, *op. cit.*, p. 36; and E. Rodón Binue, *El lenguaje técnico del feudalismo en el siglo XI en Cataluña (contribución al estudio del latín medieval)*. (Barcelona, 1957), pp. 121-127.

⁷³ Alberto del Castillo, 'El maso medieval A de Vilosi', *Homenaje a J. Vicens Vives* (Barcelona, 1965), pp. 219-28; M. Riu, 'El maso de la Creu de Pedra, en Castellort (Lérida)', *Noticiario Arqueológico Hispánico*, I (Madrid, 1972), 183-96; 'Estaciones medievales en el término municipal de Saldes (Barcelona)', *Noticiario Arqueológico Hispánico*, III (Madrid, 1975), 271-90.

⁷⁴ P. Vilar, *Catalunya dins l'Espanya Moderna*, II. 37.

⁷⁵ J. M. Font i Rius, *Orígenes del régimen municipal en Cataluña*, 194; Prim Bertrán, 'Concessió de mercat i fira a Vilanova de Corbins per Pere el Catòlic (1213)', *Cuadernos de Historia Económica de Cataluña*, XVI (1977), 710; and J. Botet i Sisó, *Les monedes catalanes* (3 vols., Institut d'Estudis Catalans, Barcelona, 1905-1913).

⁷⁶ P. Vilar, *op. cit.*, I. 125.

⁷⁷ A. Altisent, 'Una societat mercantil a Catalunya' and above, note 73.

⁷⁸ For an analysis of the demographic evolution during that time see J.P. Cuvillier, 'La population catalane au XIV^e siècle. Comportements sociaux et niveaux de vie d'après les actes privés', *Mélanges de la Casa de Velázquez*, V (1969). Cuvillier also studied the

'hereditamentum' acted in the same way, as the preponderant practice of succession in Catalonia from the thirteenth century.⁷⁹ This tendency to the indivisibility of the holdings was affirmed from 1333, the moment at which this institution assumed the capacity to pass on integrally three quarters of the property.

Starting from this base in the midst of a period of demographic pressure, the institution of a single heir was of great importance. During the period of commercial craft and territorial expansion the younger sons could choose to emigrate to the city or the new territories, with a part of the means supplied by the family house and as a consequence, would not constitute an element of pressure in agrarian society. This argument has to be shaded according to the position of the family, in this case depending on their possibilities of access into the money circuit (the endowments and payments to the lord due to the emigration of the sons were demanded in cash). The peasants who could not raise the money for the endowments had to fall into debt, or the departure of younger sons had to become clandestine.⁸⁰

Another stabilizing factor in rural life and the family group in particular would be the progressive changes in the 'cartae precariae' in contracts of perpetual annuity or long term annuity. In Catalonia the establishment of perpetuity was called, from the thirteenth century, 'establiment emfiteutic'⁸¹. Through this kind of contract the lord ceded the use of the land, frequently an uncultivated lot, on condition that it was improved by the resultant cultivation. In exchange, the lord reserved the ownership of the land and received payments and duties. According to Vilar, the contract of temporary leasing had never been important in Catalonia, and instead the perpetual annuity is the classic form of possession of the maso in isolation for all Catalonia and for all the newly cultivated land. From this consideration it can be deduced that 'the tight bonds between the peasant and the holding prevailed over any other consideration. When the peasant would fight for judicial indepen-

consequences of the demographic crisis of the 14th Century at a local level, 'Les communautés rurales de la plaine de Vich (Catalogne) aux XIII^e et XIV^e siècles', *Mélanges de la Casa de Velázquez*, IV (1968).

⁷⁹ P. Vilar, *op. cit.*, II. 69.

⁸⁰ J. Vicens Vives, *Historia de los remensas*, p. 34; Pella i Forgas, *Historia del Ampurdán. Estudio de la civilización en las comarcas del Noroeste de Cataluña* (Barcelona, 1983), p. 135.

⁸¹ F. Carreras Candi, 'Notes sobre los orígenes de la enfiteusis en lo territori de Barcelona', *Revista jurídica de Cataluña*, XV (1909), 193-210.

dence, he would never want to receive it by renouncing the farmhouse'.⁸²

From what has been said we can see that, although in the midst of a period of lordly reaction, of the crystallization of the remensa and of the five 'mals usos', part of the peasantry had been able to benefit from what, undoubtedly was a lordly imposition, that is, their bondage to the land and the hereditary condition of serfdom. In this sense the institution of the unique heir and the 'emfiteusis' would benefit the lord in so far as it assured the permanency of the peasants on the land and the generational continuity of their holdings. However, part of the remensa peasantry could benefit from this situation.

Why in this stage of increasing seigneurial pressure had there not been a peasants revolt?⁸³ Although this question deserves a comprehensive answer, that would analyze the role of the church, of peasant sabotage in the form of fire-raising, the violence of feudal justice, etc., we believe it would not be going too far to say that if this was not the result, it was because part of the peasantry had achieved, within their possibilities, compensation for their personal bondage.

Seigneurial reaction worked against the marginal holdings and not against the peasant-exploiters who were enriched and almost the owners of their lands.⁸⁴ In this sense it can be stated that the better- developed areas did not run the risk of being abandoned, but on the contrary, the well-off peasant, who had been able to benefit from the economic impetus and from the density of population through speculation, exports, and in general the benefits derived from a privileged position in the heart of the peasant community, was not going to be the object of feudal violence.⁸⁵ The victims of the violence were the labourers, the poor share-croppers or the peasants who did not have enough land to keep their families and who would see a solution in emigration to new territories. The lords that had sought the legalisation of economic countermeasures to the economic transactions of endowments on the part of sons, or the abandonment of the land, would fight against the clandestine exodus

⁸² P. Vilar, *op. cit.*, II. 68, 139; and E. de Hinojosa, *El régimen feudal en Cataluña*, p. 225.

⁸³ However, some sporadic clashes took place, as noted by Pella i Forgas in *Historia del Ampurdán*, p. 657, which is known as the 'first revolutionary generation'. For some quotations on peasant revolts see J. Vicens Vives, *Historia de los remensas*, p. 31.

⁸⁴ P. Vilar, *op. cit.*, II. 64.

⁸⁵ J. Vicens Vives, *Historia de los remensas*, p. 37; E. de Hinojosa, *El régimen señorial*, p. 220. There are no surveys on prices and wages for Catalonia. As an orientation we could take those established by E. J. Hamilton for the neighbouring countries of Aragón, Navarra and País Valenciano in *Money, wages and prices in Valencia, Aragon and Navarra* (Cambridge, Massachusetts, 1936).

through the hardening of the legislation against the fugitives and would make the profits of the 'dotalis' harder to realize. It is from this perspective that Vilar states that the lords rarely denied authorization for the migration of younger sons, but were content to receive payment instead. Therefore the peasants that could pay were not the victims of the violence, 'only the truly unfortunate were subjected to the risk of brutal sanctions, of a legislation increasingly more severe'.⁸⁶

The balance of this period, despite everything stated above must be positive. There was a demographic increase and an agrarian surplus was obtained through the widening of the area of exploitation and not only by the increase in productivity. There was an increase in livestock with the beginning of 'transhumance' and the livestock specialization of some monasteries. The mancipation movement of the remensas, through the payment of ransom money, the territorial expansion that had overflowed the boundaries of Catalonia, etc., was maintained until the demographic crisis of 1333-1349, as a consequence of which resulted the increasing stratification of the peasantry.

I.2. TOWARDS THE FORMATION OF THE FEUDAL ECCLESIASTICAL PATRIMONY IN THE DIOCESE OF GERONA.

The broad movement of ecclesiastical reform that can be seen in the Middle Ages, and that Pierre Toubert qualifies as a reform, within the constant movement of church reform, had its most important moment in the second half of the eleventh century with the 'Gregorian Reform'.⁸⁷ It dealt with a more or less triumphal attempt at recuperation, both spiritual and economic, that went further than Gregory VII (1073-1085), who gave his name to it. It was, however, during his time that it acquired its maximum development, even though the first stages date back to the general movement of reform that was initiated by Cluny, in the

⁸⁶ P. Vilar, *op. cit.*, II. 64. Through local studies the importance that the rights of dowry and the taxation of the leaving of younger sons had for both peasants and lords can be established. It can be assumed that the payment of these rights created more conflicts than the payment for personal freedom. On this point see, J. Pella i Forgas, *Historia del Ampurdán*; O. Anguera de Sojo, 'Dret especial de la comarca de Vic', *Academia de Jurisprudencia de Catalunya* (Barcelona, 1934), 273-340; J. Vicens Vives, *Historia de los remensas*, p. 34.

⁸⁷ P. Toubert, *Les Estructures de Latium medieval. Le Latium meridional et la Sabine du IXe siècle à la fin XIIe siècle*. (Ecole Française de Rome, Rome, 1973), II. 789.

tenth century.⁸⁸

It is known that one of the first objectives of the 'Gregorian Reform' was the restoration of the bishoprics. In Catalonia this was achieved in a relatively short period of time, as they had already been restored in Barcelona in 878, in Gerona in 882 and in Vic in 888,⁸⁹ so that in the tenth century the dioceses of Gerona, Barcelona, Ausona, Elna, Urgell, and Roda had been fully constituted.⁹⁰ After these restorations the bishop became established as the supreme ecclesiastical authority within the diocese. He was granted the most important privileges and royal donations,⁹¹ and logically he was made responsible for the defence of the interests of the bishopric.⁹² In this function of control and administration of the diocese the bishop was assisted by a group of clerics -'ardiacas', 'preberes', etc.- that, in the case of Gerona, began to live as a community in 882, in the time of bishop Teotario, when they were endowed with the rents of various churches for their maintenance.⁹³

However this new way of life and of ecclesiastical conduct was in the interests of the higher clerical hierarchy which was formed by members of the noble families. The bishop, as the principal promoter of these reforms, named four 'ardiacas' and twenty deacons⁹⁴ thus initiating the organizational process of a hierarchical structure -bishoprics, archdeaconries and parishes- aimed at controlling the rural clergy, dispersed throughout the diocese, and the diocesan patrimony, that is, the cathedral's own goods (buildings, lands, etc.), the fiscal rights ceded by the sovereign, the third of the tithe of the whole diocese and the donations of the parish clergy.⁹⁵ Obviously the institutional hierarchical structure and

⁸⁸ R. Garcia Viloslada, *Historia de la iglesia en España* (Madrid, 1979-82), II.i. 263.

⁸⁹ F. Dorca, *Historia de los Santos Martires de Gerona*. (Gerona, s.d.), pp. 250, 260.

⁹⁰ P. Bonnassie, *Catalunya mil anys enrera (segles X-XI)* (Barcelona, 1979), I. 154.

⁹¹ In Gerona they were recorded in the *Cartoral de Carlemany*, pp. VI and VII; also printed in *Marca Hispanica*, p. 9 and E. Florez, *Espana Sagrada* (Madrid, 1819), 43. 6.

⁹² From the year 893 a whole series of trials can be found, in which the bishops claim against individuals over lands belonging to the diocese (see *Cartoral de Carlemany*, pp. XV, LXXVIII, LXXV, LXXXIII, and CXLII).

⁹³ F. Dorca, *Historia de los Santos Martires*, p. 259.

⁹⁴ *Espana Sagrada*, 44, ap. 4

⁹⁵ These four categories of diocesan incomes are indicated as particular to the Catalan dioceses by R. Abadal I Vinyals, 'La pre-Catalunya', in vol. II of *Historia dels Catalans*

the established principles of inalienability, allowed for the foundation of the church's own patrimony, ruled by the bishop and his cathedral clerics, as a collective seigneurial entity.

This clerical elite, who lived with the bishop, constituted the embryo of what was later to become the cathedral chapter, that is an autonomous institution within the diocese. The formation of these chapters in the cathedrals of what is known as pre-Catalonia appears to have had a certain relationship with the different stages of urban development following the reconquest of territories occupied by Moslem-Arab tribes.⁹⁶

In Gerona the constitution of the chapter took place in 1019 in the time of Bishop Pedro.⁹⁷ The bishop himself, the countess Ermesendis, and her son, count Berenguer, as well as other nobles and clerics participated in the corresponding grants of property. The nobles and clerics were probably members of the recently formed chapter as many carried the titles 'caput scholae', 'propositus', 'presbiter', etc.-, and they had to transfer to the chapter patrimony a part of their own property. In any case it is known that admission into the chapter was accompanied by the transfer of important land holdings. Thus, for example, in 1054 the cleric Guitart made a donation of all of the 'alou' that he had in the parish of Sant Cugat de Fornells, in the area of Campdora and Viladesens;⁹⁸ in 1072, Berenguer Reinart donated a maso, to be chosen by the 'propositus', his son having been admitted to the chapter.⁹⁹ It does not appear that entr into the chapter would necessarily mean the renunciation of all personal property, moreover the new chapter members could continue their enjoyment of those donations so conditioned for their personal use until their death.¹⁰⁰

In this way then the cathedral chapters played a very important role in the

(Barcelona, 1961), 644.

⁹⁶ The Chapter of Vic was founded in 957, that of Barcelona in 1009, of Urgell in 1010, and the Chapter of Gerona in 1019. Cf. P. Bonnassie, *Catalunya mil anys enrera* I. 430.

⁹⁷ The act of foundation can be found in *Cartoral de Carlemany*, pp. XXIX , XXXII; it was also published by Villanueva, *Viaje literario a las iglesias de España*. (Madrid-Valencia, 1803-1852), XII, ap. 31. In the same year new donations were granted to the Chapter. Cf. *Cartoral de Carlemany*, pp. XXXII-XXXVI, printed in *España Sagrada*, 43, ap. 28; and *Marca Hispanica*, ap. 182; and Villanueva, *Viaje literario*, XII, ap. 30.

⁹⁸ *Cartoral de Carlemany*, p. CCLXI .

⁹⁹ *Ibid.* pp. LXXXVII-VIII.

¹⁰⁰ For example, in 1036 one alou was donated to the chapter under the condition that the old owner, canon Arnal, could enjoy it until his death, (Cf, *Cartoral de Carlemany*, p. CCLXIII); in 1039 another donation was made to the chapter under the same conditions (*Ibid.* p. CCL).

accumulation of worldly goods, not only for the great donations of land that they were offered but also, and perhaps especially, for the churches that they came to inherit.¹⁰¹ Logically the appropriation pure and simple of the churches was much more profitable - it implied an economic return, due to the simple fact that they were centres for the reception of rents - than the simple recognition of the 'ius episcopale' over all the existing churches in the territory of the diocese, despite the fact that the exercise of this right must not be depreciated.¹⁰² It appears that the acceptance of the 'libertas christiana', of which the reformists of the eleventh century spoke, became a sort of privileged integration in the ever better organisation of the feudal structures.¹⁰³

I.2.1. The Gregorian Reform in the Diocese of Gerona.

The medieval ecclesiastical reforms continue to be the object of apologists and historical revisions. It is a polemic that has an influence on the area of this investigation, but it must not stand in our way owing to the characteristics of the institutions of the diocese itself. Perhaps we should begin by stating our disagreement with the historian Jose Orlandis in evaluating the effects of the Gregorian reform as a whole, particularly when he considers that it is possible that this early self motivated-reform of Hispanic Christianity (referring to the council of Coyanza of 1055) was one of the reasons why in the Iberian Peninsula, at the time of the Gregorian Reform, the problems of investiture practically did not exist, and the vices of simony and nicolaism, so widespread in other countries, were much less serious, much less extensive here.¹⁰⁴ This at least, is not true in the case of Gerona. As we will see, the decrees of the Councils held in this city in 1068 and 1078 illustrate the interest of the Popes, as much to recover the temporal power of the churches that the laymen controlled, as to achieve the elimination of the simoniac practices.¹⁰⁵

¹⁰¹ At the time of its foundation there were thirty (*Ibid.* pp. XXIX, XXXVI).

¹⁰² J. Orlandis, 'Reforma eclesiastica en los siglos XI y XII', in *La Iglesia en la España visigotica y medieval* (Pamplona, 1976), p. 328.

¹⁰³ The concept of 'libertas christiana' was often used in the works of the reformist Popes. See R. Garcia Villoslada, *Historia de la Iglesia* II.i. 264. This is discussed in relation to Catalonian feudal society by P. Bonnassie, *Catalunya mil anys enrera* II.18, 153.

¹⁰⁴ J. Orlandis, 'Reforma eclesiastica', p. 315.

¹⁰⁵ Although this footnote must be long, perhaps it is worth adding the opinion of E.

We know, that for the whole of pre-Catalonia, the problem started long before the Gregorian reform. Ramon d'Abadal stated that at least two-thirds of the known Catalan bishops in the tenth century owed their appointment to factors outside the purely religious interests of the diocese;¹⁰⁶ and more recently Pierre Bonnassie has suggested that at the beginning of the eleventh century the precarious development of the money economy actively stimulated simoniac practices that are so well documented in his work.¹⁰⁷ The efforts to halt these practices came precisely from outside Catalonia and as early as the second half of the eleventh century. In November 1068 Gerona received the visit of Cardinal Hugo Candidus (sent by Pope Alexander II) who chaired a council in the city.¹⁰⁸ In this council only the buying and selling of ecclesiastical posts and of property pertaining

Magnou-Nortier about the Church in Narbonne in the eleventh century. She believes that 'force nous est de renoncer aux affirmations des manuels qui decrivent le sauvetage de l'Eglise occidentale par les Gregoriens . Societé en un sens ideale, l'Eglise est vulnerable plus que toute autre dans ses structures temporelles, car elles trahissent souvent cet ideal dont elle est messagere. Pour en revenir aux themes classiques, il foudrait rechercher dans l'Eglise meridionale la simonie, le nicolaisme, mesurer l'influence bienfaisante de Cluny et rechercher comment les partisans de la reforme grégorienne l'ont affranchie des laiques oppresseurs. Or, a nos yeux, la vraie tare de l'Eglise meridionale reside dans sa dualité, et son caractere le plus evident est d'etre une église nationale, autonome, et,

nous l'avons dit en empruntant un terme reserve jusqu'a present aux Eglises d'Orient, autocephale. Mais en fait, cette Eglise est double: la haute église d'identifie à l'aristocratie, elle est la chose des eveques, des abbés et des grands laiques; la basse église est celle des clercs ruraux, des paysans et du petit peuple des cités. Tandis que la première reunite des hommes puissants, riches et cultives, l'autre regroupe ceux que l'on qualifierait volontiers de 'pauvres', pauvres en culture, pauvres en influence, plus pauvres aussi, quoique non miserables, en biens materiels.

La reforme, dite grégorienne, ne decela ni ne guèrit le mal. Obnubiles qu'ils etaient par la chasse aux simoniaques, les Grégoriens contribuerent a l'accroitre. L'Eglise meridionale aurait eu besoin de redécouvrir, la haute église surtout, une véritable humilité; elle ne recut que des legats aux allures despotiques. Elle aurait eu besoin de redécouvrir la pauvreté; les laiques, souvent par peur, contribuerent a l'enrichir davantage. Elle aurait eu besoin, la basse église particulièrement, de recevoir une éducation chrétienne, et c'est le moment ou les clercs renoncent à former avec les laiques une société chrétienne indivise' (E. Magnou-Nortier, *La société laique et l'église dans la province ecclésiastique de Narbonne (zone cispyreneeenne) de la fin du VIIIe siècle à la fin du XIe siècle* (Toulouse-Le Mirail, 1974), pp. 16 -17.

¹⁰⁶ R. d'Abadal I Vinyals, 'La pre-Catalunya', 720.

¹⁰⁷ P. Bonnassie, *Catalunya mil anys enrera*, II. 18.

¹⁰⁸ Paul Kehr, ' El papat i el principat de Catalunya fins a la unio amb Arago' in *Estudis Universitaris Catalans*, 13 (1928), 8.

to the church was condemned; those that put under threat the possessions of the clergy were to be excommunicated; there was a reminder to pay the tithe; it was established that the lands and honours pertaining to the church that had been surrendered by the bishops or the clergy to any lay person, had to be returned completely to the ecclesiastical patrimony once the donor had died. Moreover it was specified that those lands that had been surrendered to laymen could not be handed down by inheritance, even though they had been held for a long time.¹⁰⁹

Once the inoperability of these measures had been realised, another reformist council met in Gerona in 1078. This time it was to be presided over by bishop Amatus of Oloron, as the representative of Pope Gregory VII.¹¹⁰ Between one council and the other there was a notable change in the proposed solutions to the Church's problems: the second council focussed on the condemnation of the simoniac practices, threatening excommunication for those who bought ecclesiastical posts and those who retained ecclesiastical properties, that had previously been donated by their parents. On the other hand, it attempted to normalize the existing situation by means of an episcopal confirmation of the positions and sinecures that had already been obtained by simoniac practice. The children of the clergy were also prohibited from inheriting the ecclesiastical positions of their fathers. As far as the restitution of the churches goes, after indicating that as a general principal 'laicis ecclesias non competere', it was arranged that when the total restitution of these churches from lay hands proved impossible, at least they would be prohibited from charging money for the masses, rights and exactions for the cemeteries and the burials.¹¹¹

These two councils logically also dealt with the problem of the moral restoration of the clergy, according to the stated objectives urged by Rome. In this case attention was centred on the civil situation of the clergy: those who held the position of deacon, subdeacon, presbyter, or priest - positions that implied full dedication to the religious life and the celebration of the services - could not marry, or even less live in sin with a woman under the threat of excommunication and degradation to the condition of lay brother. The rest of the clerics were prohibited from carrying on with their incestuous marriages, under the threat of being separated from the church, but if they sought permission they could marry again. The same punishment as before was dealt to those who had abandoned their wives to go with other women, that is if they did not return to their former wives.

¹⁰⁹ *España Sagrada*, 43, ap 49 and p. 230.

¹¹⁰ P. Kehr, 'El papat i el principat', 13, 294.

¹¹¹ *España Sagrada*, 43, ap. 51 and p. 236.

Also the clergy were forbidden to carry arms, and had to plead forgiveness for the crimes they had committed, under the penalty of losing their canonical position and their ecclesiastical benefits; they were prohibited from wearing their hair long and from not showing the crown or of making it so small that they could disguise their condition as clergymen.

It is difficult to measure the real effect of the rules established by these reform councils, but the fact of the celebration of three councils in the short space of ten years (1068, 1077, 1078) is in itself a good indication. Even more so, if we take into account the rejection of these conciliar laws manifested by the lay and ecclesiastical nobility: first Ramon Berenguer and the countess Almoadis did not sign the acts of the council of 1068¹¹² and then the bishops and abbots present in the council of 1077 - including the same Bishop Berenguer of Gerona - adopted an attitude of protest when the pontifical advocate of Gregory VII, bishop Amatus, announced his sentence of excommunication against the simoniacs, which provoked the dissolution of the council by Guifre, the archbishop of Narbonne.¹¹³

The precise result of the papal initiatives does not appear to be that the Church withdrew from the influence of the lay powers at that moment.¹¹⁴ In fact in Gerona the bishops continued to come from the great feudal families of the Moncada, Rocaberti, Cruilles, Montrodo, Creixell, and others while the canons were provided by the second rank of the nobility.¹¹⁵ With respect to the moral restoration of the clerics, we know that even at the start of the thirteenth century (1239) a council of the province of Tarragona dealt with the

¹¹² *Ibid.*, vol 43, ap. 231. It seems that the aversion that the counts of Barcelona showed against the popes' messengers, was due in a large part to the ambitions showed by the popes with respect to the Iberian Peninsule. Cf. P. Bonnassie, *Catalunya mil anys enrera* II. 154.

¹¹³ Paul Kehr, 'El papat i el principat', 13. 294. Only the count of Besalu, Bernat II, offered special protection to the pope's representatives to continue their work in his county (Cf. *Espana Sagrada*, 43. 234).

¹¹⁴ As a general summary of the results that the Gregorian reform achieved, in a work not at all suspect of anticlericalism, Garcia Villoslada points out that some of the scandals were stopped, of course the most spectacular ones, but without achieving the purity and independence of the ecclesiastical sector that has been claimed (*Historia de la Iglesia*, II.i. 271).

¹¹⁵ Cf. *Espana Sagrada*, 44. 3; J. Pella I Forgas, *Historia del Ampurdan. Estudio de la civilizacion en las comarcas del Noroeste de Cataluna* (Barcelona, 1883), p. 503; P. Linehan, *La Iglesia Espanola y el Papado en el siglo XIII* (Salamanca, 1975), p. 55 and J. Clara I Resplandis, *Introduccio a la Historia de Girona* (Salt, 1983), p. 47.

'clericci concubinarii', the intervention of the clergy in lay affairs, and the relaxing of monastic discipline, among other things.¹¹⁶

However it appears that the reforming spirit did triumph in the recovery and consolidation of ecclesiastical control over its temporal possessions, above all from the end of the eleventh century, when the feudal structures began to be consolidated.¹¹⁷ In this sense, and as we shall see later - the profitability of the ecclesiastical domains was secured thanks to good administration, based on the management of the canons. These patrimonies, administratively organised from the middle of the twelfth century, were divided into seigneurial ecclesiastical administrative units aimed at covering the ordinary necessities of the chapter, but they ended up being true sinecures for their administrators, the canons.¹¹⁸ This would explain their opposition to the increase in the number of canons, given that at least a part of the profits came from the direct management of the ecclesiastical patrimony.¹¹⁹

I.2.2. The Formation of the Feudal Ecclesiastical Patrimony.

The origins of the territorial property of the chapter of the cathedral of Gerona go back, as in many other ecclesiastical domains, to the age when the frontiers with the Muslim lands were formed and precedes the organisation of the diocese during the ninth century, once the chapter was reorganised, which established the communal life of the bishops and the canons.¹²⁰ The formation of the territorial patrimony would have been the result of a

¹¹⁶ *Libre Vert*, p. CCC. Cf. Also P. Linehan, *La Iglesia Española*, p. 55.

¹¹⁷ See below 'The formation of the Capitular patrimony of the Cathedral of Gerona' and P. Bonnassie, *Catalunya mils anys enrera*, II. 155.

¹¹⁸ The oldest reference that we have found refers to the year 1172, when bishop Guillem donated the church of Sant Martí de Cassa to the Chapter (ACG, Aro I, 18). In the *España Sagrada* (*Ibid.*, 44. ap. 5) it is said that the first references are around 1170; it is also in these years that the references are found for Vic (1176) (Villanueva, *Viaje literario*, VII. 9 and VI. 63), Tarragona (1164) (*Ibid.*, XIX. 85) and Lerida (1168) (*España Sagrada*, 47. 3). Villanueva nevertheless affirms that in Gerona references could be found at the beginning of the 12th century. Cf. *Viaje literario*, XII. 149.

¹¹⁹ Villanueva, *Viaje literario*, XII. 150. The strong defence set up by the canons in order to maintain their privileges was an obstacle to any plan for reform (Cf. P. Linehan, *La Iglesia Española*, p. 40).

¹²⁰ The process of breaking up the jurisdiction and patrimony of the diocese and its later

particularly long and slow process that lasted a good part of the Middle Ages, to the extent that the last stages would not arrive until the fourteenth century.

Unfortunately it is not possible to reconstruct all the details we would like in the development of this process, because the majority of the documentary sources in the ecclesiastical archives in Gerona still have to be catalogued. But the documents deposited in the archives of the Cathedral together with the 'cartorals', known as 'cartoral de Carlomagno',¹²¹ and the 'Rubricis Coloratis',¹²² both deposited in the archive of the diocese, together with the 'Llibre Vert' of the Archive Capitular,¹²³ contain transcriptions of a good quantity of original documentation. They are sufficient to trace the general lines of the formation of this patrimony, among other reasons because the transcribed documents appear to be the most important, in as far as they are concerned with land property.

Table 1. The formation of the territorial patrimony of the cathedral of Gerona, according to the sources of the chapter archive, Cartoral de Carlemany, De Rubricis Coloratis, and Llibre Vert.

Years	Purchases	Exchanges	Donations		
			Counts	Lords	Private
800-850			2		
851-900			2		
901-950	11	3	1	3	5
951-1000	3	1		4	14
1001-1050	4			9	16
1051-1100	4	1		9	55
1101-1150	13	4		8	43
1151-1200	18	3		2	49
TOTAL	53	12	5	35	182

The first phase of the domain is characterized by the great donations made by the French

reorganisation has been studied by Manuel Torres Lopez in 'El origen del sistema de las iglesias propias', *Anuario de Historia del Derecho Español*, V (1928), 83-217. A summary description of the Catalan dioceses in the 9th century is to be found in R. d'Abadal I Vinyals, 'La pre-Catalunya', vol II, 643.

¹²¹ Ramon d'Abadal, 'La pre-Catalunya', in *Historia dels Catalans*, II, 602-3. See also *ADG*, c. 5, num. 1.

¹²² *ADG*, C. 5, num. 2.

¹²³ *ACG*, ms. 7 (olim 3).

kings during the ninth and tenth centuries. These royal donations, frequently confirmed by successive kings and popes¹²⁴ were the base of the future ecclesiastical structure. In fact the French conquest of the territories occupied by the Muslim-Arabs in the Septimania, carried out during the second half of the eighth century had caused the disappearance of the already weakened ecclesiastical structures in the region; but now, with these donations a process of restoration of the diocese was initiated under the jurisdictional dependency of the archdiocese of Narbonne.

A second phase was started at the beginning of the eleventh century. Until then the Church's own patrimony had been administered by the bishop and the clergy of the cathedral, as if it were a collective domain. After 1019 the chapter of the Cathedral was endowed with its own property, forming, in this manner, an autonomous institution within the diocese.¹²⁵

However despite the fact that these early donations were very important (among other gifts more than 30 churches were donated to the chapter) the increasing participation of the Counts as donors, and others of a socially inferior position, must be emphasized. It was a consequence of the improvement and the deep rooted nature of the ecclesiastical structures in the bosom of the diocese (in which the chapter played a predominant role), and of the more general framework of the Gregorian reform. Certainly the attempt to revive the spiritual and economic order played an important role in the process of the accumulation of temporal goods on the part of the chapter from the second half of the eleventh century onwards, not only for the donations of land that came its way but also, and perhaps more importantly, for the churches that were handed over.

A last phase appears to begin in the second half of the twelfth century. The division of a great deal of the patrimony of the chapter into twelve 'pabordias' (administrative units) allowed the control of the temporal properties and the establishment of the feudal structures, assuring at the same time the profitability of the patrimony by means of a more rational administration.¹²⁶ There is no doubt that the division of the chapter properties

¹²⁴ Several documents can be found in *Llibre Vert*, pp. CIL, CLXXXI, and in the *Cartoral de Carlemany*, p. LIX.

¹²⁵ It seems that the formation of the chapters in the cathedrals of the so called pre-Catalonia was related to the different stages of urban development following the conquest of the territories occupied by the Moslem-Arabs (Cf. P. Bonnassie, *Catalunya mils anys enrera I.* 430).

¹²⁶ The oldest reference found to the breaking up of the patrimony of the chapter is dated

initiated in the second half of the twelfth century had a very favourable economic effect for the bishop and the chapter as institutions. The survival of the chapter and the level of well being of its members, who were considered to be an elite within clerical society, depended on the profitability of the shared patrimonies.¹²⁷

I.2.3. The Consolidation of the Patrimony: Donations, Purchases, Exchanges and Trials.

As we have seen, it was from the second half of the eleventh century on that the great quantity of minor donations were registered, normally carried out by individuals. In general they were made in two distinct juridical forms: donations 'post obitum' and donations with the reservation of use for the donor or other persons ('reservato usufructo'). As we know, in the first case the handing over did not take place until the death of the donor, who meanwhile, continued to be the owner, but without the possibility of selling the property, and in the second case the transfer of the property was immediate, to the point that the old owner was just a 'usufructuario'.¹²⁸

However the most common action was that the donor continued to enjoy the use of the land, although with the obligation to pay a certain quantity as a rent. This was the case

1172, when Bishop Guillermo granted the church of Sant Martí de Cassa to the canon responsible for the months of September and November (ACG, doc. 23-X-1172). In the *España Sagrada* (44. ap. 5), 1170 is quoted as a first reference. The chapters of Vic were broken up in 1176 (Villanueva, *Viaje literario*, VII. 9, and VI. 63), Tarragona in 1164 (*Ibid.* XIX. 85) and Lérida in 1168 (*España Sagrada*, 47 3). Villanueva, however, asserts that in Gerona the property of the chapter was already divided up at the beginning of the 12th Century (*Viaje literario*, XII. 149).

¹²⁷ The canons of the cathedral of Gerona had to belong to the 'genere militari ex utroque parente', according to *España Sagrada*, 44.3, Villanueva, *Viaje literario* XII.151. Also noted by P. Lineham, *La iglesia española* p. 40. Georges Duby, studying the chapter of Sant Vicent de Mâcon, pointed out that 'le clergé ressemble riches et pauvres, fils de chevaliers et fils de paysans. Toutefois, à l'image du monde laïc, l'église séculière est fort hiérarchisée; les rustres sont cantonnés dans les bas offices, et les meilleures dignités, les bénéfices fructueux son en fait réservés aux grandes familles et se transmettent d'oncle à neveu: ainsi, à la fin du XIe siècle, le chapitre de Saint-Vincent de Mâcon est un cercle chevaleresque qui ne s'ouvre qu'aux nobles' (G. Duby, *La société aux XIe et XIIe dans la région mâconnaise* (Ecole des Hautes Etudes en Sciences Sociales, Paris, 1982)

¹²⁸ These two different types of donations and their corresponding juridical evolution have been studied by J. Rubio in 'Donaciones post obitum y donaciones reservato usufructo en la Alta Edad Media de León y Castilla', *Anuario de Historia del Derecho Español*, IX (1932), 1-32.

- to give a more or less common example - of the patrimony of Ramon Vidal and his wife Carsetenet, who transferred a field to the chapter with the obligation to pay 'tasca' and 'bracatge'.¹²⁹

We must not ignore the fact that many of the donations made by the peasants were not spontaneous -that they were not made voluntarily, for reasons of religion and piety - but were a form of taxation related to ancient economic relations, as between the individuals and the chapter, for example mortgages or accumulated rents to be paid.¹³⁰

From the twelfth century on, the chapter property continued to increase thanks to private purchases that were not generally of large territories, but pieces of 'alou', masos, vineyards, houses, etc.¹³¹ Similarly it has been noted that some exchanges of land between the chapter and the bishops or individuals were made although they may not have been numerous, together with the purchases, they satisfied the need of the chapter to complete its possessions.

This policy of extension and rationalization of the territorial property was complemented during the thirteenth and fourteenth centuries with the extension of the seigneurial domain by means of the acquisition of rights over different parishes, like Rupia, Pals, Parlabà, Bascara, Serra, etc.¹³² However it was noted that after the fourteenth century this policy of concentration of property on the part of the chapter had become less resolute. For example, the 'pabordia' of Juliol, that, like the other eleven, was a territorial unit relatively easy to control at the moment of its formation, in the first half of the fourteenth century started to own lands and rents, quite removed from those of its original territory. Specifically, in 1319 a pact was agreed between bishop Pedro and the chapter of Gerona¹³³, which ceded to the bishop the domain of the castle of Sant Sadurní because, - according to the declaration-, the castellan Ramon Arnau had risen in arms and incited the people without being detained¹³⁴; for his part the Bishop conceded the rents of the

¹²⁹ *Cartoral de Carlemany*, p. CCLVII.

¹³⁰ Cf. G. A. Barrios, *El dominio de la catedral de Avila* (Avila, 1973), p. 100, and José A. García de Cortázar, *El dominio del monasterio de San Millán de la Cogolla (siglos X al XIII)* (Salamanca, 1969), p. 59.

¹³¹ As we will see later these purchases were carried out in the proximity of Gerona. See *Cartoral de Carlemany*, p. CCLXXXIII, as an example.

¹³² J. Pella i Forgas, *Historia del Ampurdan*, p. 501.

¹³³ ACG. Pabordia d'Aro, vol. 3, pp. 1854, 1955.

¹³⁴ For more information about this affair see J. M. Plangaguma Marques, *El cartulari*

chaplaincies of Montfulla, Bascara, Bescano, Dosquers, Crespia, Ultramort, Corts, Navata, Canelles, and Orfans.

In this manner the feudal ownership of the chapter was the result of an accumulation of properties, jurisdictional and seigneurial rights, rights of market, etc. Therefore a good part of the chapter's interest was directed towards the appropriation of churches, principally those that were not included in the ecclesiastical episcopal network, those that were controlled by lay lords; because, for both the laity and the ecclesiastics, the churches were the nucleus of the parish, that is to say, they were the centres for the reception of rents, apart from their role as social and religious entities.¹³⁵

It appears that the process of appropriating churches on the part of the cathedral of Gerona, was developed with the most intensity over the length of the twelfth century, very probably as a consequence of the sequel to the Gregorian reform, with the regulation of the 'iglesias propias'¹³⁶ and more specifically of the third Lateran Council of 1179, by which the founder of the church was left with a certain right of patronage.¹³⁷ It is very probable that this solution was not easily reached, above all because of the resistance of the untitled holders of the churches. In fact some documents show the 'retention' by lords of the churches and of the corresponding rights¹³⁸; not a strange attitude if it is considered that the feudal lord and founder of a church collected the taxes on the fruits of the land as well as the ecclesiastical benefits that belonged to the ecclesiastics.¹³⁹

Despite this resistance it appears that in the fourteenth century the majority of the churches were under episcopal control (some 400 in the case of the diocese of Gerona¹⁴⁰), because their title holders could be punished with excommunication and pecuniary

'*De rubricis coloratis*' de Pere de Rocaberti, bisbe de Girona (1318-1324) (Barcelona, 1981), p. 48; and ADG, '*De rubricis coloratis*', pp. 117-119, 121.

¹³⁵ P. Linehan, *La Iglesia española*, p. 235.

¹³⁶ The name is due to M. Torres Lopez, who translated from the German 'Eigenkirchen': it approximates to the term 'ecclesia mea propria' ('La doctrina del sistema de las iglesias propias en los autores españoles', *Anuario de Historia del Derecho Español*, II (1925), 402-461).

¹³⁷ R. Garcia-Villoslada, *Historia de la Iglesia*, II.i. 139.

¹³⁸ *Cartoral de Carlemany*, pp.CIX, CLXI, CLIX, CLX, CLXII, etc.

¹³⁹ Cf. M. Torres López, 'El origen del sistema', 191, and *España Sagrada*, 43. 230.

¹⁴⁰ J.M. Pons Guri, 'Nomenclátores de la Diócesis Gerundense en el siglo XIV', *Anales del Instituto de Estudios Gerundenses*, 17 (1964-65), 5-77.

fines for the unjustified failure to attend the provincial synods.¹⁴¹

A last field for the activity of the chapter, related to the formation of its dominions, was the judicial. The activity brought to a head in this sense by the chapter in its domains was very intense in the twelfth century, during the time of the division of the patrimony. Examples taken in the area of the Valley of Aro illustrate that the tendency was in the field of lordly justice.

The majority of the trials were caused by disputes related to the land, quite normal in a predominantly peasant society. In some cases the suits were truly important: in 1198, Ramon, abbot of the monastery of Sant Feliu de Guixols, and Alamando, canon, disputed a feudal estate in Palou, another in Villalbi, a mill, the tithe and the 'primicias' of an 'alou' in Santa Cristina de Aro, the tithes of Pou and a house¹⁴²; in 1179, Arnau Constantis, canon, and Gilabert de Cruilles, very probably a noble¹⁴³ litigated for the domain of Malvet that consisted of at least five masos¹⁴⁴; in 1180 the same Arnau Constantis and Ramon de Sant Miquel disputed a domain of eight masos in Riera, as well as a maso in Romanya, lands in Puig Tudiga and in Coma Ladria and some houses near the church of Romanya.¹⁴⁵ Significantly these processes developed in the second half of the twelfth century only a few years before the division of the patrimony, which indicates that this operation allowed for the completion of control over the ecclesiastical properties.

The available documentation is not enough to allow much more depth of investigation in these aspects, but perhaps it is important to point out who received the benefit from these legal disputes: if we leave out the cases that were resolved by compromise - including in this category those where the sentence stipulated a division between the two parties of the property in litigation - in the other disputes it was always the church that won the litigation. This fact was not in any way unusual given that the exercise of feudal seigneurial justice was normally the attribution of the lords.¹⁴⁶ There is no doubt that during the twelfth, thirteenth and fourteenth centuries the noble omnipotence in the

¹⁴¹ *Ibid.* 6.

¹⁴² ACG, Pab. de Aro, 1st book, pp. 13, 35.

¹⁴³ The Cruilles family were one of the highest ranked families in the area. Cf. J. Pella i Forgas, *Historia del Ampurdán*, p. 503.

¹⁴⁴ ACG, Pab. de Aro, 1st book, p. 4.

¹⁴⁵ *Ibid.*, p. 7.

¹⁴⁶ E. de Hinojosa, *El regimen senorial*, p. 205.

judicial sphere continued to be a reality, above all when cases like that of canon Antonio Galiana who named a judge, in a conflict started in 1340 between his representative Ramon Torrent and one Pedro Medir, who was then revoked, perhaps for not being favourable and another was named.¹⁴⁷ In this way all the processes with which the ecclesiastics were affirming their progressive domination of the lands and the men of their jurisdiction can be measured.

The origin and formation of the domains of the Valley of Aro logically must have followed the general lines which have been traced. In the 'Cartorales' many documents can be found that refer to this area, but they are insufficient to illustrate its step by step evolution. Despite this documentary vacuum, we know that the Valley of Aro formed a part of one of the first donations of the French kings to the bishop and the cathedral of Gerona in the ninth century¹⁴⁸, although from the second half of the tenth century the presence of lands belonging to the Monastery of Sant Feliu de Guixols are also shown.¹⁴⁹ The presence of two important landlords in the same area perhaps explains why the majority of the disputes were between the cathedral and the monastery.¹⁵⁰ As always the most affected by these disputes must have been the peasants of the area which, as the historian Pella i Forgas wrote, 'were always placed between the vila (with reference to Sant Feliu de Guixols, controlled by the monastery) and the impositions of the cathedral of Gerona'.¹⁵¹

In 1020, when the chapter of the cathedral of Gerona was restored and endowed, among other donations were included the churches of Sant Marti de Calonge and Sant Marti de Romanya presented.¹⁵² The church of Santa Maria de Santa Cristina de Aro was

¹⁴⁷ ACG, Pab. de Aro, 1st book, p. 134.

¹⁴⁸ ACG, Aro III, 453-2104. This document was transferred to the *Cartoral de Carlemany*, p. 1, and was published by Villanueva (*Viaje literario*, XIII, ap. 5), and in *España Sagrada*, 43, ap. 105.

¹⁴⁹ A list of its properties can be found in *Marca Hispanica*, ap. CVIII and CCCCXL, and in *España Sagrada*, 45, ap. 42. These documents have been repeatedly published and reviewed, as for example J. Pella i Forgas, *Historia del Ampurdán*, pp. 421ff, and E. Grahit, 'Memorias y noticias para la historia de San Feliu de Guixols', in *Asociación Literaria de Gerona*, 1873, pp. 116ff.

¹⁵⁰ ACG, Aro I, 1-1; 9-13; etc.. E. Grahit, in 'Memorias y noticias', p. 127 also writes about these disputes.

¹⁵¹ J. Pella i Forgas, *Historia del Ampurdán*, p. 596.

¹⁵² *Cartoral de Carlemany*, pp. XVII-VIII, XXXII, XXXVI. The first document was

a concession of Bernat Gaufred, realized in 1069 along with certain lands.¹⁵³ Reference to the castle of Aro survives in the will of Reimbaldo de Balcells dated 1132, who handed it over to the cathedral together with lands in Santa Cristina de Aro, Santa Maria de Fenals and Sant Feliu de Guixols.¹⁵⁴

I.2.4. The Geography of the Feudal Ecclesiastical Patrimony.¹⁵⁵

On the subject of the territorial patrimony of the diocese of Gerona at the beginning of the twelfth century, some studies already exist.¹⁵⁶ The boundaries of the diocese more or less coincided with the old counties of Gerona, Besalu, Ampurias and Perelada.¹⁵⁷ The division of the diocese into archdeaconries was also similar to that of the county geography, because the archdeaconries of Besalu and Ampurian coincided with the counties of Besalu and Ampurias-Perelada, respectively, while the archdeaconries of Gerona and La Selva were the result of the division of the county of Gerona, probably as a consequence of its size.¹⁵⁸ We see then that the basis of the archdeaconries was adapted to the old political geography and to the population that existed at that time.¹⁵⁹

published by Villanueva, *Viaje literario*, XII, ap. 31; and the second document in *Marca Hispanica*, ap 182, *España Sagrada*, ap. 28, and also in Villanueva, *Viaje literario*, XII, ap. 30.

¹⁵³ ACG, Aro III, 455-2110.

¹⁵⁴ ACG, Aro III, 456-2111. Published by J. Pella i Forgas, *Historia del Ampurdán*, p. 596.

¹⁵⁵ All the geographical notes in this chapter are based on a personal knowledge of the territory and to the information collected by J. Botet i Sisó en 'Provincia de Gerona', vol III of *Geografía General de Cataluña*. Barcelona, s.d.; J. Carandell Pericay in *El bajo Ampurdán*. Diputación Provincial de Gerona, 1978; P. Bonnassie, *Catalunya mils anys enrera*, and the corresponding maps of *Mapa Topográfico de España*, escala 1:50,000, serie M-781, published by the Army Geographic Service.

¹⁵⁶ P. Negre i Pastell, 'La diócesis de Gerona: su importancia histórica', *Anales del Instituto de Estudios Gerundenses*, XII (1958), 359ff. and P. Alsius Torrent, 'Estudis geogràfics sobre el bisbat de Girona durant l'Edat Mitjana', *La Renaixensa*, III (1873), 4ff.

¹⁵⁷ A description of the frontiers of each of the counties can be found in J. Botet i Sisó, 'Provincia de Gerona', p. 176.

¹⁵⁸ P. Negre i Pastell, 'La diócesis de Gerona', 360.

¹⁵⁹ The territorial matching between the limits of the 'episcopatus' and the 'comitatus'

Lower in the hierarchy, at a territorial level, there were the parishes, which constituted the basic units of jurisdiction in the diocese. They were divided more or less in a manner proportionate to the extent and volume of the population of the four archdeaconries, in such a way that, in Gerona, corresponded to a parish for every nine square kilometres, in Ampurias and Besalu, one every ten square kilometres and in La Selva, the least populated, one every 18 square kilometres.¹⁶⁰ Definitively the administration and control of the rights and of the properties of the diocese were based on three different types of circumscriptions with an organic hierarchy (the parish, the archdeaconry and the diocese), governed respectively by the rural clergy, the archdeacon, and the bishop.¹⁶¹

The chapter of the cathedral did not follow the same system in organizing its territorial properties. It had been endowed with rights and lands from 1020 on, but it did not have a completely autonomous function, because on the one side the canons sometimes brought their chapter duties into line with the direction of the archdeaconry¹⁶², and on the other side, the bishop intervened in the private affairs of the chapter.¹⁶³ However despite this institutional relationship the feudal patrimony of the chapter was totally differentiated from the bishop's possessions, including the respective rents.¹⁶⁴

After the middle of the twelfth century the chapter divided up its patrimony between twelve canons, who came to administer the lands in its name, and in this way assured the perfect control of the possessions and the regular collection of the rents. Thanks to the

from the 11th Century onwards has already been noted by P. Bonnassie, *Catalunya mils anys enrera I.* 155.

¹⁶⁰ The data was taken from the work of J.M. Pons Guri, 'Nomenclátores de la Diócesis Gerundense', 18.

¹⁶¹ The diocese of Gerona, its possessions, and frontiers were confirmed by Pope Pascual II in a letter addressed to the Bishop and Chapter dated on 22nd January 1116. Cf. *Llibre Vert*, p. 197, and *Cartoral de Carlemany*, pp. LXI-II. Edited in *Marca Hispanica*, appendix, 353; in *Espana Sagrada*, 43, ap. 199, and Villanueva, *Viaje literario*, XIII, also quoted.

¹⁶² We know three cases: Arnau Soler, archdeacon of Besalú (ACG, 40-43), Francesc Alguer, archdeacon of Ampurdán (ACG, Aro I, 40-43) and Pere de Pontós, also archdeacon of Besalú (ACG, AroI, 38-41).

¹⁶³ For example Bishop Arnau and the chapter approved the establishment of land arranged by Canon Antonio Galiana (ACG, Aro I, 129-168; 130-159; etc).

¹⁶⁴ In Gerona, the first date in which the distinction between the property of bishops and canons is mentioned is in 1172. Cf. *ADG*, Cartoral de Carlemany, p. CCCXXI.

books that have been conserved from these administrations, in the archive of the cathedral, it has been possible for us to almost completely reconstruct the geographical distribution of what was the territorial property of the chapter.¹⁶⁵

(See map on next pages 46, 47)

By looking at the map we can begin to understand some of the reasoning behind the distribution. In the first place, we can see that the division tended to form territorial units of relative uniformity and easy control. Perhaps the best reflection of these conditions is the Valley of Aro, situated in the east and having the castle of Aro as a centre - where the peasants made their payments. Initially it controlled lands and men in the parishes of Santa Cristina de Aro, Santa Maria de Fenals, Romanya, Bell-lloc, Calonge and Sant Sadurní, that is to say, an area where the dispersal of the parishes was not very accentuated. On the other hand it appears that the properties in the rural environment were concentrated near the chapter. Only those properties situated in the far North and the far West, or so it appears, escaped the norm, although even the most distant were found within a radius of fifty kilometres from Gerona.¹⁶⁶

In this way the canons would not have had too many problems combining their ecclesiastical and religious duties in the seat of the chapter with the management of the patrimonies (payment of lordship, control of lands and taxes, administration of the surplus, etc.) at least as far as geographical distance goes. In this sense it would have to have been taken into account, that after the great donations made by the kings and nobles, the acquisition of land by purchase, exchange or donation was carried out in the vicinity of the chapter where, to be sure, its influence was more effective. The following maps referring to the location of the lands, acquired by the Cathedral over the ninth, tenth, eleventh, and twelfth centuries, demonstrate this, the feudal patrimony of the chapter tended to extend itself in the areas of Rupia, Cassa de la Selva, Sords, Canet d'Adri, Salt, Estanyol, etc., that is to say, in the parishes of Gerona and the surrounding area, generally within a distance of between twenty and thirty kilometres.

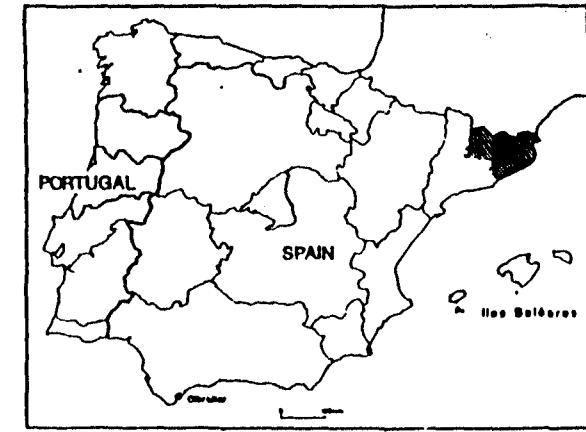
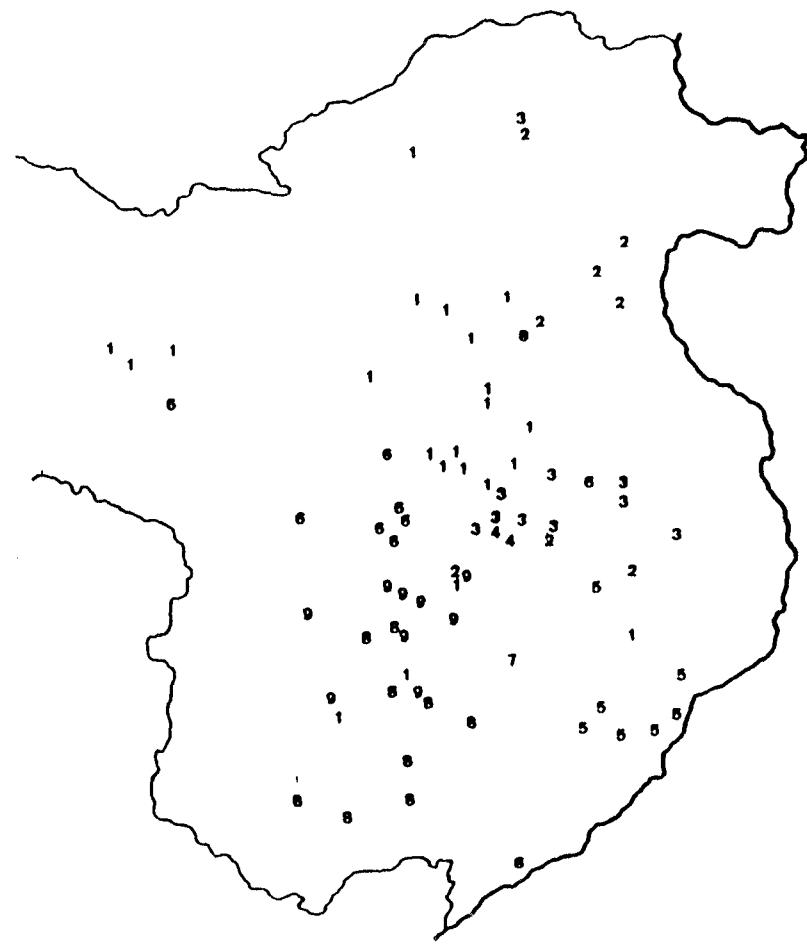
(See maps on following pages 48, 49)

¹⁶⁵ In the map the parishes have been underlined which were administrative centres on behalf of the chapter.

¹⁶⁶ The most extreme locations are in Darnius (52 km), in the north, and Lloret (47 km), in the south.

Geographical Distribution of the Land Patrimony of the Cathedral of Gerona, 14th Century.

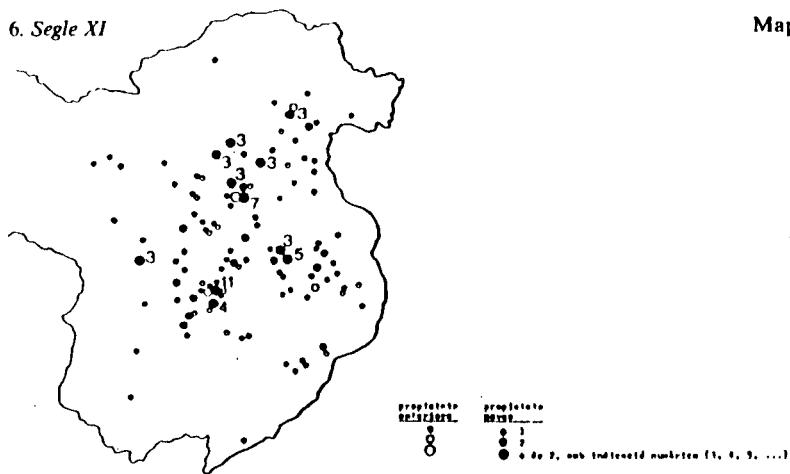
(1) January	(3) May	(7) September-October
Vall de Vianya	Campdura	
San Joan les Fonts	Celra	Cassa de la Selva
Santa Coloma de Farnes	Bordils	
Darnius	Flassa	(8) November
Sant Cebria dels Alls	Mollet de Perelada	Pontos
Cabanelles	Juia	Caldes de Malavella
Borrassa	Sant Martivell	Sils
Navata	Parlaba	Massanet de la Selva
Crespia	Ultramort	Sant Feliu de Baixalleu
Pujals dels Pagesos	Peratallada	Massanes
Serinya		Sant Dalamay
Parets	(4) June	Aiguaviva
Sords	Celra	Estanyol
Vilafreser	Palegret	Salitja
Borgonya		
Corts	(5) July	(9) December
Viladesens	Santa Cristina d'Aro	Bescano
Cervia	Santa Maria de Fenals	Monfulla
Medinya	Romanya	Fornells de la Selva
Vilobi d'Onyar	Bell-lloc	Angles
Castellar	Calonge	Castanyet
Girona	Sant Sadurni	Salitja
(2) February-March-April		Aiguaviva
Castello d'Empuries	(6) August	Vilablareix
La Bisbal	Foixa	Girona
Riumors	Camos	
Vilamacolum	Sant Cristofol les Fonts	
Garrigas	Cartella	
Mollet de Perelada	Canet d'Adri	
Girona	Montbo	
Sant Martivell	Montcalp	
	Sant Marti de Llemana	



Geographical location of the land donated to the cathedral of Gerona, 11th and 12th centuries

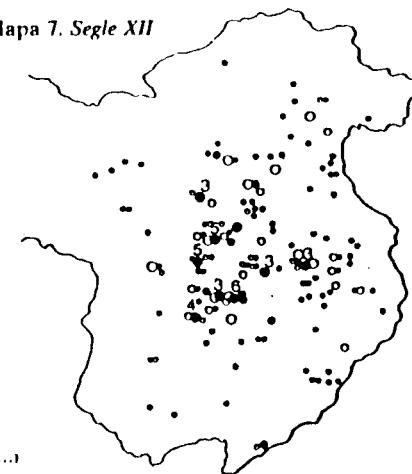
Localització de les donacions efectuades a la catedral de Girona durant els segles XI i XII.

Mapa 6. Segle XI



Donacions segle XI: Agullana, Aiguaviva, Anglès, Arcs, Arenys d'Empordà, Armentera, Bàscara, Calonge, Campdúrà, Canapost, Canet d'Adri, Cartellà, Cassà de la Selva, Castanyet, Castellfollit de la Roca, Castelló d'Empúries, Celrà, Cervià, Cornellà de Terri, Crespià, Cruilles Fontcouverte, Estanyol, Fallunes, Foixà, Ter, Lloret de Mar, Malvet, Mata, Medinyà, Monells, Montagut, Montcalp, Navata, Ordí, Orriols, Palafrugell, Palau-sacosta, Parets d'Empordà, Pedret i Marzà, Pera (La), Perelada, Póbols, Pujals dels Pagesos, Riumors, Roda, Romanyà, Roses, Rupià, Saldet, Salitja, Salt, Sant Daniel, Sant Feliu de Buixalleu, Sant Feliu de Boada, Sant Gregori, Sant Julià de Ramis, Sant Martí de Llémama, Sant Martívell, Sant Pere Pescador, Sant Sadurní, Santa Cristina d'Aro, Santa Eugènia, Serinyà, Serra de Daró, Sords, Ullastret, Verges, Vilablareix, Vilademany, Vilademuls, Viladesens, Vilafreser, Vilanova de la Muga, Vilobí d'Onyar.

Mapa 7. Segle XII



Donacions segle XII: Arcs, Arenys d'Empordà, Armentera, Bescanó, Bisbal (La), Borgonyà, Cabanelles, Camós, Canet d'Adri, Cartellà, Cassà de la Selva, Castanyet, Celrà, Cornellà de Terri, Corts, Domeny, Estanyol, Foixà, Franciach, Gallinés, Girona, Gualbes, Juïà, Lladó, Lloret de Mar, Maçanes, Mata, Medinyà, Monells, Montcalp, Navata, Olives, Parets d'Empordà, Pedret, Pera (I a), Rupià, S'Agaró, Salt, Sant Cebrià dels Alls, Sant Feliu de Boada, Sant Gregori, Sant Joan les Fonts, Sant Julià de Ramis, Sant Llorenç de les Arenes, Sant Martí de Llémama, Sant Martí Sastres, Santa Cristina d'Aro, Santa Pellaia, Serinyà, Serra de Daró, Sords, Tornavells, Torroella de Montgrí, Ullastret, Vidreres, Vilabertran, Vilablareix, Vilacolum, Viladesens, Vilafreser, Vilamari, Vilarroja, Vulpellach.

Geographical location of the land purchased by the cathedral of Gerona, 10th, 11th and 12th century Localització de les compres del Capítol de la catedral de Girona durant els segles X XI i XII.

Mapa I. Segle X.



Comarca XI: Borrassà, Pàrets d'Empordà, Vulpellac, Domènec i Coromines.

Mapa 2. Segle XI.



Comptes segle XI: Celrà, Calonge, Cervià, Corçà, Foixà, Girona, Sant Sadurní i Serinyà.

Mapa 3. Segle XII.



Comptes segle XIII: Caldes de Malavella, Campillo, Cariellà, Cassà de la Selva, Castellar, Ceira, Coris, Girona, Lloret de Mar, Palam-sacosta, Sant Martí de Llúmannà, Sordà, Viladecans.

Geographical location of the land donated to the cathedral of Corone 8th and 10th century

Localització de les donacions efectuades a la catedral de Girona durant els segles IX i X

Mapa 4. Sección IV



proprietus anteriores

6

8

8

Mapa 5. Sonda Y



• 1

1

1

Pragmatic skills X: Alfon, Bassam, Camilleas (1)

Alfar. Aro. Bascara. Corçà. Crespíà. Domeny. Girona. Moller de Perellada. Petratallada. Terradelles. Ullà.

Donacions segle X: Alfarràs, Bascara, Campllong, Cassà de la Selva, Castelló d'Empúries, Celrà, Cornellà de Terri, Corts, Corçà, Crespià, Domènec, Estanyol, Fontcuberta, Formells, Girona, Malvet, Mollet de Perelada, Monells, Pals, Parets d'Empordà, Pontós, Sales de Llierca, Sant Aniol de Finestres, Sant Daniel, Sant Esteve de Llemanya, Sant Feliu de Boada, Calonge, Torrent, Ullà, Verges, Vilamalla, Vulpejat

Another observation serves to corroborate this evident cohesion and relative facility of communication: the patrimony of the cathedral is found in the area situated in the East of the districts of Gerona. Towards the North in the foothills of the Pyrenees, the mountainous area of La Garrotxa in the West, and also the plateau of La Selva in the South West, the lands of the chapter were mainly distributed on the plains and surrounding country in the sedimentary and alluvial basins, that always contained the most fertile lands.

The assertion that the patrimony of the cathedral of Gerona was very large must come as no surprise, but up to now it has been very difficult to estimate its total area. Nevertheless, a comparative approach gives an idea of its extent: the territorial patrimony of the cathedral of Segovia is considered as 'very large' with some two thousand hectares¹⁶⁷, whereas that of the cathedral of Gerona amounted to three thousand 'vessanes', i.e., between 633 and 645 hectares, only taking into account the property of the parishes of Santa Cristina de Aro and Santa Maria de Fenals.¹⁶⁸ So, bishop Tomas Noguer had good reasons to assert that 'the cathedral of Gerona was the strongest feudal power in the north of Catalonia'.¹⁶⁹

I.3. THE PEASANTRY AND THE LAND IN THE STUDY OF THE AGRARIAN SOCIAL CRISIS.

It is some time since J. Vicens Vives, in his book on the Remensas, put forward the hypothesis that the reaction of the Remensas of the Ampurdán region (where the Aro Valley is located) to royal policies contrasted with that of the Remensas of the mountain region (Guilleries, Montseny and the upper Ter and Fluvia valleys). According to him, this difference was due to the fact that the Remensas of the mountain region lived under more

¹⁶⁷ Vicente Perez Moreda, 'El dominio territorial del cabildo', *Propiedades del Cabildo segoviano, sistemas de cultivo y modos de explotación de la tierra a fines del siglo XIII* (Salamanca, 1981), p. 50.

¹⁶⁸ The data was taken from the information contained in the capbreus corresponding to the 'capbreus' of these parishes, in appendix 1.

¹⁶⁹ Tomas Noguer i Musqueras, 'Transcripción de las rúbricas del Cartulario 'De rubricis coloratis', *Anales del Instituto de Estudios Gerundenses*, I (1946), 138.

miserable physical and economic conditions. However, further on he seems to become more reserved in his judgement pointing out that, 'it is very difficult to make clear and precise distinctions which suppose the existence of a situation we are far from being able to establish with documentary evidence'.¹⁷⁰ To this end the following section will attempt to fill this vacuum thanks to previously unknown, substantive data about the holdings of the peasantry in Catalonia.

In the first place, it is important to point out that, apart from their own lord's land, the Catalan peasants were also able to use the land of other lords; this is a well established fact. The peasant's declaration to be his lord's 'homo proprius et solidus' did not pose him any difficulties when it came to working another lord's land. In fact for a long time the lords had had their own measures to prevent any abusive practice of this right from harming them. Thus, for example, at the beginning of the fourteenth century it was decreed in the 'Consuetudines Diocesis Gerundensis' that, 'dominus directus potest compellere emfiteotam cum capibreaverit sibi terras quas pro tenet quod in capbrivio exprimat terras quas pro alio vel aliis tenet etiam si per diem tenuerit'.¹⁷¹

This must have been one of the preoccupations of the Canon-administrators of the Aro Valley when the 'capbreus' were ordered to be enforced during the first half of the fourteenth century (that is, if it was not already a traditional practice), for after the peasants had declared their own lord's land they then declared land granted by other lords. We can be almost sure that we are confronted with the total of the peasants' land holding.

I.3.1. Social differences within the peasantry.

Is it correct to talk about 'land ownership' of the peasants? One thing is certain, the use of such terms as 'ownership' and 'proprietors' when referring to the Middle Ages involves the anachronistic use of capitalist juridical terms to refer to pre-capitalist societies -in this case feudal- and such a use implies the existence of 'feudal ownership', that is to say, absolute ownership.

Care must be taken when considering forms of tenancy or land ownership in periods

¹⁷⁰ J. Vicens Vives, *Historia de los remensas (en el siglo XV)* (Barcelona, 1978), pp. 20-1.

¹⁷¹ J. Cots i Gorchs, *Consuetudines Diocesis Gerundensis* (Barcelona, 1929), p. 154.

prior to capitalism so as not to distort the very real existence of the lord's 'ownership' which overlapped with that of the peasant, which the latter conventionally and perhaps mistakenly called 'possession'.¹⁷² Mistakenly, since 'possession' of land by the medieval peasantry was not the result of rent contracts as we understand them today and since such contracts are in fact a juridical concept characteristic of capitalism which imply absolute ownership by the tenant. Under the most common feudal practice the peasant enjoyed 'lordship' ('dominio') over a tenancy on which the lord had the right to impose a census and also could often demand labour services, except perhaps (though not always) in the case of 'alous'. Normally a peasant could sell, exchange and bequeath his land but the lord had certain measures of control at his disposal (such as the right of 'fadiga') which allowed him to intervene decisively in the constitution of farms within his domain.¹⁷³

The levels of ownership of each peasant were determined by means of declarations made in the 'capbreus' of 1334 and 1343 in which the extent of their tenures was disclosed.¹⁷⁴

Certainly this is not the best way of determining the social and economic conditions under which the peasantry lived, since the latter were determined not only by the amount of land cultivated, but also by its quality, the particular conditions of tenancy and types of cultivation.¹⁷⁵ However, the volume of land remains one of the first and perhaps most important indicators of these conditions.

It is well known that from the eleventh century the Catalan agrarian structure began a process of reorganisation, mainly due to the action of the large land-owners who tended to

¹⁷² These considerations and the corresponding bibliographic references are gathered in J. Portella i Comas' paper, 'Notes de lectura sobre la qüestió del feudalisme a Mallorca', *Estudis de Prehistòria, d'Història de Mayùrqa i d'Història de Mallorca*. (Mallorca, 1982), pp. 231-2. See also P. Vilar, 'Histoire du droit, histoire totale', *Revista de Historia del Derecho*, I (Granada, 1976), 15-49.

¹⁷³ W. Piskorski, *El problema de la significación y del origen de los seis 'malos usos' en Cataluña* (Barcelona, 1929), p. 13.

¹⁷⁴ See appendix 1.

¹⁷⁵ Georges Duby wrote in this respect: 'Le distribution des richesses ne dépend pas seulement de la répartition des terres, mais encore de celle de leurs produits. Tandis que celui qui cultive lui-même son alleu ou son b'en'efice recueille tous les fruits de son travail, les récoltes d'une tenure paysanne sont partagées entre le propriétaire et l'exploitant' (*La société aux XIe et XIIe siècles dans la région mâconnaise*, p. 73).

re-group their plots of land whenever an occasion arose partly forming 'masos'.¹⁷⁶ Thus from the middle of the fourteenth century we can consider that the patrimony of the peasants was a result of this re-grouping process, from which all would have tried to benefit.¹⁷⁷

The following table is the result of calculating the total surface areas of the different plots belonging to each peasant.

Table 1. Surface area of peasant holdings in the Aro Valley, 1343. (See next page).

It goes without saying that the criteria initially adopted to summarise primary information are always quite arbitrary. The table has been divided into twelve sections with intervals of fifteen 'vessanes' which we now divide conveniently into three groups: less than 30 'vessanes', from 31 to 90 'vessanes' and more than 91 'vessanes'. For the moment these subdivisions serve purely as orientation.

The clearest result is the obvious difference between the patrimonies at each end of the table. Peasants with less than 30 'vessanes' (6.56% has.) account for 52.15% of the total, while their total amount of land accounts for less than 11.8%.¹⁷⁸ However, this first analysis is far too general to show the even greater inequalities which can be detected within this same group. Notice, for example the difference between Pere Julià¹⁷⁹, remensa, inhabitant of the castle area, who declared himself to have 25 'vessanes' (5.46 has.), eleven of which were woodland, and, Bernat Pla¹⁸⁰, also remensa, who had the Pla de Canyet 'maso', and who declared 30 'vessanes' (6.56 has.), twelve of woodland. On the other hand,

¹⁷⁶ P. Bonnassie, *Catalunya mil anys enrera*, II. 260.

¹⁷⁷ Rodney Hilton has pointed out that before the demographic downturn in the middle of the 14th Century the already better-off peasants perhaps enjoyed the best opportunities to enlarge their holdings (R. Hilton, 'La pagesia i l'ordre feudal', 1er. *Colloqui d'Història Agrària* (Valencia, 1983), p. 18. See also G. Duby, *Economia rural y vida campesina en el Occidente medieval* (Barcelona, 1973), p. 438.

¹⁷⁸ The 'vessana' in the region of Sant Feliu de Guíxols is equal to 21.87 areas = 2,187.43 m² = 0.21 has. Cf. S. Llensa de Galcen, *Breve historia de las medidas agrarias de la antigüedad y estudio particular de aquellas cuyo uso es tradicional en Cataluña*. (Barcelona, 1952), p. 78, and J. Pella i Forgas, *Historia del Ampurdà*, p. 643.

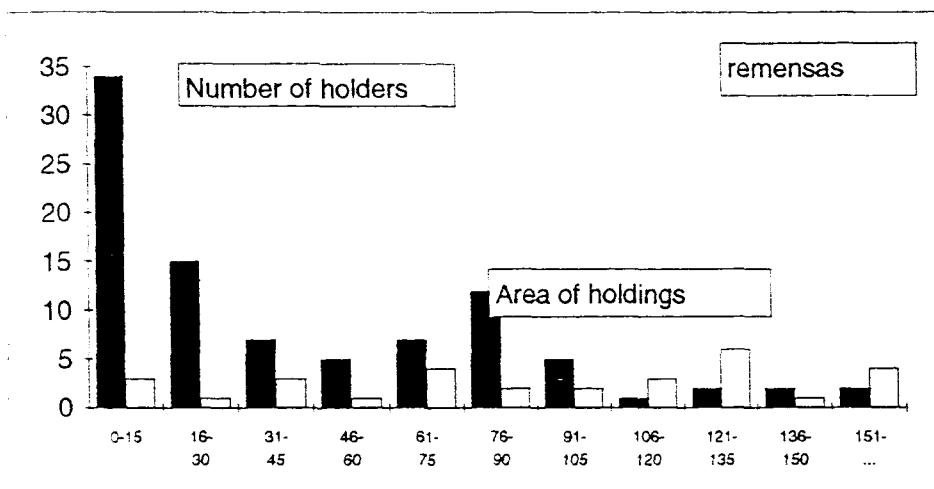
¹⁷⁹ Aro I, 141 s8-328.

¹⁸⁰ Aro I, 141 s26-393.

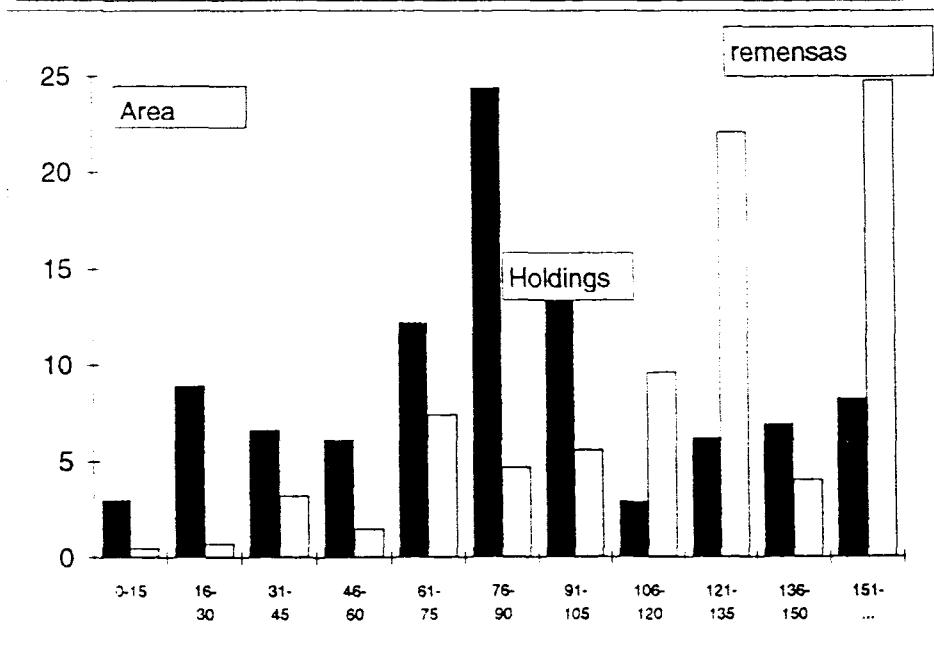
TIPOLOGY OF THE HOLDINGS IN THE VALLEY OF ARO (14th CENTURY)

Vesanes per holding	Holders	%	Total land	%	Remensas	% total land
0-15	34	36.9	121	3	3	0.5
16-30	15	15.2	351	8.9	1	0.7
31-45	7	8.7	264	6.6	3	3.2
46-60	5	5.4	245	6.1	1	1.5
61-75	7	7.6	489	12.2	4	7.4
76-90	12	13	971	24.4	2	4.7
91-105	5	5.4	562	14.1	2	5.6
106-120	1	1	114	2.9	3	9.6
121-135	2	2.1	250	6.2	6	22.1
136-150	2	2.1	278	6.9	1	4
151-...	2	1.2	327	8.2	4	24.8

Area of the Holdings



% of land of the different groups of holdings depending on their area



a certain Guillem Garoart¹⁸¹ only had a house inside the castle and a vegetable garden of 4 'saions' (0.10 has.)¹⁸². Let us look at Bernat Avinent¹⁸³, who only had a house and a piece of land the size of one 'vessana'. It must also be pointed out that these smallholders were the most numerous, as can be seen in the following table.

Table 2. Distribution of peasants with holdings of less than 30 'vessanes'.

Size of field (vessanes)	Number of owners	%
0-5	26	53.06
6-10	4	8.16
11-15	5	10.20
16-20	6	12.24
21-25	3	6.12
26-30	5	10.20
TOTAL	49	100

It appears that a large part of the poorest peasantry had, in fact, land, houses, vegetable gardens, etc., obtained by subrenting from other peasants, which meant that they were obliged to pay more burdensome rents and dues.

Table 3. Amounts paid by subletting tenancies.

Doc. ref.	Amount	Surface area
Aro I, 140 s2	1 m.o.	5 s
141 s3	1 m.f., 1 hen	house, 2 feixa, 1 alou
141 s11	18 s	4.5 v
141 s14	13s 6d	house, 3 feixa, 2 gardens
141 s15	1 m.f., 12s	house, 2 feixa, 1 garden
141 s69	9 s	15.5v 5 s
141 s77	1s 7d	house, 1 feixa
141 s79	6s, 1 m.f.	house, 3 grardens

¹⁸¹ Aro I, 141 s2-305.

¹⁸² '8 sayons fan una vessana' (8 'sayons' are equal to 1 'vessana') is found in a document of the middle of the 18th Century written by canon Sulpicio Pontich, and quoted by A. Masià de Ros, 'Derechos señoriales y dominicales de la comarca de Gerona', *Anuario de Historia del Derecho Español* 19 (Madrid, 1948-1949), 551.

¹⁸³ Aro I, 141 s45-504.

141 s80	2 hens, 3 s, 1 m.f.	house, 1 garden, 1 feixa
141 s82	10 s	1.5v 6s
141 s84	2 m.f., 2 hens	house, 1 feixa
141 s85	2 m.f., 1s 10d	1 feixa, 1 garden
141	1 m.f.	37.5v
141 s18	10d	3v
141 s25	7s 6d	50.5v
141 s29	2 m.f.	house, 1 garden
141 s30	2 m.f.	47.5v
141 s38	8s 6d	house, 1 feixa, 1 garden
141 s39	1.5 q.f	1.5v
141 s40	19s 6d, 1 m.f., 0.5 q.f.	3v
141 s42	9s 8d, 1 m.f., 0.5 q.f	17v 2s
141 s42	2d	1v
141 s66	2 m.f.	12v
141 s 67	10s	house, 1 feixa

Key: m: mitgera; o: wheat; f: rye; s: sou; d: dinar; v: vessane; q: quartera

At the other extreme of the conventional patrimony structure we find peasants with more than 91 'vessanes' (20 has.). These represent only 13.10% of the total and own 38.48% of declared lands. Each had a 'maso' as a unit of cultivation and, except one¹⁸⁴, all declared themselves remensas. Given these conditions it is therefore not unusual that they should be the main beneficiaries of rent from land sublet to other peasants as can be seen from the following table.

Table 4. Social and economic condition of peasants sub-letting land

Doc. ref.	Name / condition	value of rent	surface area
Aro I, 140 s14	Pere Ferrer / remensa	14d	100v
s8	Pere Oli / remensa	2 hens, 107s 10d., 11/5 q.f., 1/4 tasca	100v
s11	Pere Pol	12d	4v
s23	Ramon Torra	2 m.o.	72v
s31	Guillem Eybelli / remensa	1 m.f., 18d	76v
s44	Arnau Corb / remensa	14s 8d, 1.5. q.o.	65v
s48	Bernat Puig / remensa	2s 8d	73v
s63	Guillem Bussot / remensa	2 hens, 4s 8d	118v
s86	Pere Mir	36d	8.5v

¹⁸⁴ It refers to the peasant Pere Riembalt of parish of Santa Cristina d'Aro (Aro I, 141, s91-665).

s89	Pere Bosch / remensa	1 m.o.	69v
s91	Pere Riembalt	2 m.f., 12s	92v
s92	Jaume Coma	12d	19v
Aro III, 436	Guillem Julia / remensa	2s 6d	82v
Aro III, 436	Berenguer Refard	32d	93v

Key: s: sou; d: diner; v: vessana; m: mitgera; o: wheat; f: rye.

In the remaining group, of patrimonies between 31 and 90 'vessanes' we do not find the largest number of peasants. This group represents only 34.76% of the total number of peasants compared with 52.15% for peasants with less than 30 'vessanes'. However, on the whole, it does account for the greatest quantity of owned land (49.95% of the total), being declared for the most part remensa. This group shared certain aspects with the previously named group such as the subletting of land and houses to other peasants. The characteristics, particular to this middle group, show the arbitrary nature of a classification of the peasantry into three social groups, at least based on the size of holdings. Note for example that it was the peasants with the most land who most declared themselves 'Remenses'¹⁸⁵. However, it is not insignificant that the group with less than 31 'vessanes' should represent 52.16% of the declarers and, who on the whole held only 11.85% of the land while the remaining 47.86% owned 87.93%.

I.3.2. The Remensas.

What, then, was the importance of the Remensas as a social class, as distinct from the rest of the peasantry?.

Unfortunately it has only been possible to calculate their number with any certainty for the parishes of Santa Cristina de Aro and Santa Maria de Fenals. Even so, these figures can be considered representative, since the Aro Valley was one of the focal points of the Remensa Wars and there are no previous studies of this subject. In their declarations, apart from their lands, corresponding payments and services, the peasants also declared their personal status, usually - in the case of the Remensas - using a formula such as this: 'Berenguer Canal, de la parròquia de Santa Maria de Fenals, de grat confessa 'esser homo propi i sòliu del señor Antoni Galiana, canonge y paborde de la present pabordia del mes de juliol de la iglesia de Gerona y de dita sa pabordia, junt ab sa prole nada y naisedora, per rahó de la sua mansada baix escrita, per ocasió de qual mansada baix escrita, per ocasió de qual mansada la dita pabordia ha acostumat i deu perpetuament haver personas

¹⁸⁵ See below tables num. 5 and 6.

que fassen en lo hospici de dita mansada personal residència, en quals persones dita pabordia té y deu haver intèsties, exòrquias, entradas y redempcions de homes y donas, y als demés drets y servicis que lo señor directe y natural té y deu haver en sos hòmens propis y sòlids tant de consuetud com de dret¹⁸⁶. Out of 112 peasants 45 used this formula, defining themselves as Remensas.

Apart from that, of the 34 'masos' we know of, 33 belonged to Remensa peasants, while the other 12 Remensas lived in the Aro castle and held units of cultivation made up of dispersed groupings of plots. However, in the following table and graph it is shown that in general Remensa holdings were the most extensive in the Valley and at the same time accounted for most of the land.

Table 5. Compared land-surface areas of peasant holdings (Remensa and non-Remensa) in the Aro Valley. fourteenth century.

(See above, table 1)

The great majority of tenancies in the Aro Valley which are documented and which had more than 31 'vessanes' (8.52% has.), were occupied by Remensas who possessed 65.4% of the land belonging to the cathedral, 97.6% of the land of the monastery of Sant Feliu de Guixols and all the land belonging to the other lords of the area (Arnau Lebià de Calonge, Dalmau de Sant Miquel, etc.) apart from 83.7% of 'alou' lands. On the other hand they only possessed 25% of lands jointly owned by the cathedral and the monastery of Sant Feliu de Guixols as the following table shows.

Table 6. Percentage of Remensa land compared with the rest of the peasantry (fourteenth century).

(see next page)

Thus, by the beginning of the fourteenth century the Remensas of the Valley already constituted an 'elite' within the social grouping of the peasantry, an economic difference which would lead to the conditioning of their 'moderate' attitude during the struggles which were to follow in the fifteenth century. It is for this reason that access to Remensa tenancies, despite bringing with it the condition of entering into servitude, i.e. the

¹⁸⁶ Aro I, 140 s2-191.

Table 6. Percentage of remensas' land owned in 'alou' or established by the lords of the Valley (1343)

	<u>Cathedral</u>	<u>%</u>	<u>Cathedral</u> <u>-Monestir</u>	<u>%</u>	<u>Monestir</u>	<u>%</u>	<u>Others</u>	<u>%</u>	<u>Alou</u>	<u>%</u>	<u>Total</u>	<u>%</u>
Remenses	1715	65.4	20	25.3	1005.5	97.6	117	100	116	83.7	2974	74.6
Others	906	34.5	59	74.6	24.5	2.3	-	-	22	15.8	1012	25.3
Total	2622	100	79	100	1030	100	117	100	138	100	3986	100

recognition of 'homo proprius et solidus' and the paying of tributes, could represent a certain 'economic freedom' for the peasants.

I.4. Cultivation of the land and peasant self-exploitation in the Valley of Aro.

By the middle of the fourteenth century territorial ownership of the Valley of Aro was already consolidated along general lines. However, we do not know exactly how this process of consolidation developed during the previous centuries as surviving documentation does not give much detail about the buying and selling transactions which took place. The establishment of new holdings was, however, documented, these being on land abandoned by previous owners, due to land that was no longer under cultivation, or through the division and adjudication of what, until then, had constituted seigneurial reserves. For the moment, then, it is difficult to reconstruct the evolution of peasant holdings prior to the fourteenth century, but the years up to the Black Death can be analyzed. Indeed, this is more rewarding because these were times of notable changes, symptoms of peasant discontent could be seen and much of the surviving documentation is related to the lords' efforts to safeguard the recognition of their lordship.¹⁸⁷

I.4.1. Units of cultivation: masos and groupings of dispersed plots.

Masos consisted of a house, a threshing floor, a garden and a 'quintanal'¹⁸⁸ or a 'ferregenal'¹⁸⁹, which must have formed a compact unit, given that they always appear in the census numbered correlatively. After this came a series of plots which were not indicated individually in the census but as one unit, and which seem to correspond to the

¹⁸⁷ In 1336 Pere Molla was put into prison for calling people to rebellion (Aro I, 90-111).

¹⁸⁸ In Pella i Forgas' opinion the 'quintanal' was 'the land surrounding the main building of the maso, the area that in primitive times the peasants cleared out of the woodland and surrounded with a fence as their private property' (*Historia del Ampurdán*, p. 643).

¹⁸⁹ Again Pella i Forgas is of the opinion that the 'ferregenal' would have been 'the land assigned for forage' (*Orígenes históricos de Cataluña* (Instituto Internacional de Cultura Románica, Abadía de Sant Cugat del Vallés, 1964), p. 650). On the contrary, A. Masià de Ros in 'Derechos señoriales y dominicales', 553 quotes a document of canon Sulpicio Pontich, of around the middle of the eighteenth century, where it is said that 'ferregenal' is 'a aquella terra en la qual sembrar hom blat com hom ha cremat lo bosch' (that land where one sows wheat after burning the woodland).

land of the original maso. After these came the plots which had been added later, with a detailed indication of the census which were paid and of the proportion of land which belonged to the peasant, who part-owned the land with other peasants. Finally there came a whole series of cultivated plots granted by different lords, sometimes very numerous.

The largest masos, with a maximum of 180 'vessanes' (39 has.) had up to 100 granted plots (as was the case of the Maso Canal¹⁹⁰) but it was more normal for them to have between thirty and sixty, depending on their size. However, these plots were not always individually owned, but very often shared amongst different peasants. This can be seen in table no 2.

Practically all masos had a certain amount of this type of land and it was not unusual to find that they accounted for more than half of the land of the holding.

Table 1. Land granted 'per indivis' in the masos of the Valley, 1343.

Doc. ref.	Total service area (vessanes)	Surface area 'per indivis' (vessanes)	%
Aro I, 140 s1	92.5	8	8.69
s2	232	114	49.13
s3	94	31	32.97
s4	150	17	11.33
s5	59	17	28.31
s7	39	17	43.58
s8	166	124	74.69
s10	49.5	18.5	37.37
s12	98.5	37	37.56
s14	156	56	35.89
s15	79	21.5	27.21
121 s21	100	20	20
s27	80	20	25
s34	25	17	68
s43	79	6	7.59
s44	72	6	8.33
s53	63	29	46.03
s61	46	9	19.56
s63	126	8	6.34
Aro III 436	90	40	44.44
436	135	42	31.11
TOTAL	21	1828.5	658

This type of shared tenancy was not only limited to sharing between two peasants, but

¹⁹⁰ Aro I, 140 s2-191.

cases of multiple sharing were also frequent - between three or more peasants - who divided the land into thirds, quarters, fifths, etc., despite the resulting plots being small or even minute.

Table 2: Plots shared 'per indivis' between 3 or more peasants.

Doc. ref.	No. of peasants sharing one unit	Land surface area (vessanes)
Aro I 140 s1	3	6
s2	4	5
s4	3	7
s8	3	25
	5	5
	5	8
s11	3	3
s12	3	3
	3	3
	5	5
	5	8
Aro I 141 s4	3	0.5
s41	3	0.5
s74	3	4.5
Aro III, 436	3	6
	3	5
	3	6

However, not all the lands which made up the peasants' tenancy were from the same lord. In fact, a peasant could have land granted by the cathedral, by the cathedral and the monastery of Sant Feliu de Guixols together, by the monastery alone or by other lords (Arnau Lebia de Fenals, Sibila de Cruilles, etc.) and also, of course, land from other peasants.

Table 3: Tenancies with lands granted by different lords, 1343 (in vessanes)

Doc. ref.	Cathedral	Cathedral / Monastery	Monastery	Others
Aro I 140 s1	65.5		19	
s2	91		126	
s3	68	2	10	14
s4	48	1	100	
s5	24	2	12	21
s6	0.5		23.5	

s7	24	4.5	10.5	
s8	58		86.5	22
s10	19		22	8
s12	39		57	
s14	42		114	
s15	31.5		26	1
141 s7	83		6	1
s8	57		42	
s9	19		5	
s21	88		10	
s24	64.5		25.5	
s25	40.5		10	
s26	22		7	1
s27	20		36	4
s28	112.5	2	6	16
s30	68	0.5	9	
s31	53	1	19.5	2
s32	49		27	
s43	63	2.5	12.5	
s44	50.5		21	
s48	26.5		4	2
s51	59.5		17	2
s58	27	15		
s61	20.5		12	4
s62	64			10
s63	69	0.5	45	3
s66	10	2		
s69	5	10		
s70	123.5		12.5	0.5
s75	22.5		5.5	5
s87	0.5			1
s89	8	1	36	16
Aro III 436	28.5		62	
436	64	0.5	12	3.5
436	30		59	3

Mixed with the masos, poorer tenancies were to be found, made up of a house and a variable number of plots - normally three or four, exceptionally as many as thirty.

These smaller tenancies were held mainly by the inhabitants of the Aro Castle and the 'cellera' of Calonge, for which, apart from the house, they had a fold and a patio or a 'celler'¹⁹¹. These tenancies had almost no land from the different lords, but being remnants of a theoretically free peasantry, they did have 'alous', which were sometimes exten-

¹⁹¹ Aro III, 433 s32-2000; Aro I, 141 s2-305; etc.

sive.¹⁹² Although 'alous' did not pay any census, they were, however, also controlled by the lord.¹⁹³

All this makes us think that holdings made up of a number of dispersed plots bore a higher level of taxation than the masos because an individual census was paid for most units of cultivation, plot by plot, besides which, these holdings were those which received sublet land from other peasants who had had them granted by the lord.¹⁹⁴

As a whole, of the 197 well documented holdings only 45 were masos (22.8% of the total), which shows a strong imbalance in the relation of the number of masos to the number of peasants. The particular characteristics which certain holdings showed, together with the economic and social imbalance seen in the heart of the peasant community would give new data for an understanding of the differences facing the peasants during the uprisings of the fifteenth century and the 'moderate' or 'revolutionary' stances which were adopted during the conflict.

I.4.2. The size of the units of cultivation.

In general it can be said that peasant holdings were subject to extreme fragmentation consisting of very small units of cultivation rather than of one or more large fields, although there were some like this, generally of woodland.¹⁹⁵

1,378 pieces of land along with their sizes are mentioned in the period between 1324 and 1343. Of these, 230 were rectangular ('quadres'), 624 strips ('feixes'), 58 plots of land ('peces de terra'), 71 vineyards 'vinyes', 24 orchards 'orts', 61 small strips 'feixioles', 110 land 'terra' and 201 fields. There seems to have been a reason for this variety of terms referring to land of which we are not aware today (apart from the more obvious terms)

¹⁹² One peasant called Guillem Terrats had one 'alou' of 31 'vessanes' (6.51 has.) (Aro I, 141 s92-663); another called Pere Mir had another of 7 'vessanes' (1.5 has.).

¹⁹³ Cf. J. Cots i Gorchs, *Consuetudines Diocesis Gerundensis*, Rub. XIX, chapter XVI, p. 153, where it states that 'Item, alodium fiscalinum vocatur de cuius alienatione permutatione vel similibus non datur domino nisi foriscapium et certos census de ipsa re et de tota mansata, nam in talibus alodiis non habet dominus tasca nisi censum et foriscapium et tertia laudimia, et sic est de consuetudine'.

¹⁹⁴ See capbreu 1343, ACG, Aro I.

¹⁹⁵ As, for example, the 103 'vessanes' owned by Pere Oliver (Aro I, 141 s70-587), the 100 'vessanes' of Arnau Savall (Aro I, 141 s28-407) or the 62 'vessanes' of Pere Riembalt (Aro I, 141 s91-655).

although it is very probable that they were related to the type of cultivation, the shape, geographical situation and size of plots. We know that 'feixas' and 'feixoles' were parts of fields sometimes joined together and possibly situated on sloping ground.¹⁹⁶ But what was the difference between 'quadres', 'camps', 'terra' or 'peces de terra'? Perhaps a large part of these plots (except the vineyards and orchards) were normally cultivated with cereals, because the census in kind was only paid in 'forment', wheat and barley.

The average size of all these units of cultivation together did not exceed two 'vessanes' nor the median one 'vessana'.

Table 4: Averages and modes of the plots of the Aro Valley. 1343

	Arithmetic average	Mode	Arithmetic average	Mode
	vessanes		hectares	
small strip	0.54	0.2	0.11	0.05
orchard	0.77	0.2	0.16	0.05
square	1.04	1	0.21	0.21
strip	1.09	1	0.22	0.21
piece of land	1.69	1	0.35	0.21
vineyard	1.72	1	0.36	0.21

Obviously the contrast between the median and the average is due to exceptional cases of very large plots.

To complete our picture of the limited size of most of the plots, let us look at the high percentage of plots - especially 'feixoles', orchards, 'quadros' and 'feixes' - which did not exceed the average size:

Type of plot	%	arithmetic (vessanes)	average
small strip	93.47	0.54	
orchard	75	0.77	
square	78.60	1.04	
strip	76.73	1.09	
piece of land	55.17	1.69	
vineyard	53.52	1.72	

¹⁹⁶ The peasant Pere Rocha stated that he owned 'en la parrochia d'Aro i en el lloc anomenat çes Deveses en el camp del mas Oli una feixa que afronta...' (Aro I, 141 s67-582); Guillem, Bernat Bas' wife, also declares that she owns another 'feixa' in the same field (Aro I, 141 s77-624).

We could also add that 41.31% of feixes and 38.4% of quadros were less than half the size of their averages.

As for the two groups of remaining plots, these need to be examined separately because they had much higher averages (4.5 'vessanes' (0.93 has.) for the cameos and 2.27 'vessanes' (0.47 has.) for the tares), and we find that 62.18% of 'cameos' and 71% of 'tares' had a surface area less than their respective average.

In sum, the 1,378 units of cultivation give an average size of 1.51 'vessanes' (0.33 has.) and a median plot of one 'vessana' (0.21 has.).

The documentation used merely allows us to establish this notable fragmentation of cultivated land. The how, when and why, however, today escapes us but we can be sure that it was related to the growing use of the land by a population which had been increasing since the tenth century.¹⁹⁷

I.5. THE REGIME OF LAND TENANCY

One of the basic differences between the lay and ecclesiastical domains in the twelfth century was that the latter were administered by members of the Church which turned them into veritable private domains. This was due to the very characteristics of the granting of land: the obligation to pay fixed sums to the Cathedral Chapter¹⁹⁸, the time lapse between the collection of the rents and payment to the Chapter, the granting of land which was normally for an indefinite period, the conditions of tenancy which did not vary through transfer from one member to another, etc.¹⁹⁹

Contrary to what was usual with seigneurial domains of the period, the cathedral kept some of its land under direct cultivation until the middle of the fourteenth century. These lands, situated in the area between the parishes of Santa Cristina de Aro and Santa

¹⁹⁷ J. M. Salrach, *Història dels Països Catalans*. (Barcelona, 1981), I. 593 ; P. Vilar, *Catalunya dins l'Espanya Moderna*, II. 48 and J. Sobrequés i Callicó, 'La crisi social agrària de la Baixa Edat Mitjana: els remences', *Estructura social i econòmica del camp català* (Barcelona, 1978), p. 49.

¹⁹⁸ With exceptions, as in 1313 when the chapter agreed to the payment of certain quantities of wine every five years by the canons (Cf. *Llibre Vert*, p. 119).

¹⁹⁹ *Llibre Vert*, p. 109. where it was said that the holding belonging to Arnau de Olivis was empty because of the death of its owner and it was passed on to Ramon de Villarico, with no variation of the rent.

Maria de Fenals in the place named 'coromines del paborde'²⁰⁰, were cultivated by means of the labour services of some of the peasants of both parishes.²⁰¹ In 1340 the remains of this seigneurial reserve were divided into farms, as the bishop and chapter reasoned when approving the holdings, 'sabent y attenen que com la pabordia del mes de juliol tingues en ma paropia en les parroquies d'Aro y Fenals una gran tinguda de terra en lo lloch anomenat coromines del paborde, y que com aquella no fos de alguna utilitat a dita pabordia tenirla a propia laboracio... atenent que lo dit establisment fou fet ab gran utilitat de dita pabordia ates la prestacio del cens que ab aquell se imposa, com de la dita utilitat los consta per la delacio que los han fet los comissaris que est assumpto anomenaren, per lo tant loan, ratifican y firman...'²⁰²

The granting of the land in tenancies was effected by emphiteusis²⁰³: the peasant bound himself to pay census to the lord in exchange for dominion of the land. Formally this was an act of free contract, of mutual consent between lord and peasant, but in which it is easy to see that in practice the freedom of the peasant was often practically non-existent; his choice was limited to deciding between acceptance of the conditions, as established by the lord, or starvation. Finally, then, the feudal rents amongst which, naturally, was included the emphiteutical census, were the result of a coercion exercised by the class of the feudal lords, lay and ecclesiastical. A coercion which was made more explicit and harsher when the consolidation of the tenancy was dependant on entry into serfdom after a certain time. In this way we have in 1264 the case of the maso Mola which was granted to Bernat Sabater on condition that on his death his children would be the lord's 'homini proprii et solidi'²⁰⁴; and again in 1296, a certain Estrany understood that his son Guillem would enter into serfdom in a period of three years, as a result of being established on the

²⁰⁰ Aro I, 129-168.

²⁰¹ These labour services were subcontracted when the land was handed over to other peasants (Aro I, 120-154).

²⁰² 'Acknowledging that we had to our own benefit in the parishes of Aro and Fenals a large quantity of land in the place called Coromines del Paborde, and as it happens that that land has no longer any utility for us... knowing that the land has been established with very good profit given the payment of census imposed upon them, as we have been informed by the representatives named to this effect, we approve...' (Aro I, 112-139).

²⁰³ Aro I, 112-139; 113-141; etc. For its origins and a juridical definition see Carreras Candi, 'Notes sobre l'origen de l'emfiteusi en lo territori de Barcelona'. *Revista Jurídica de Cataluña*, XV-XVI (Barcelona, 1909-1910).

²⁰⁴ Aro I, 18-23.

maso Exoli.²⁰⁵

I.5.1. The Subleases.

In any case the social and economic situation of the peasantry was not homogeneous, because of the stated existence of subleases, that is to say, the use between peasants of the model of feudal exploitation. In effect despite the fact that in the tenth and eleventh centuries the lords did not permit the peasants to sublet land²⁰⁶, later - in our documents from 1307 onwards - they changed their attitude, among other reasons because the transfers of land resulted in a good source of revenues, not only did they earn important sums by way of rights of entries to the direct leases but also because they received 'lluismes' for the leases effected between peasants.

The importance of the payments for entry to the holdings that were made by the peasants is illustrated in the following table:

Table 1: Quantities paid for entry to the establishments in Aro, 1307-1341.

(See table next page)

In these nine cases it has been possible to compare the quantities paid as entry with the census for the land to evaluate their importance, given that they are all specified, unusually in money. The high percentages that the entries represented, in relation to the census, which the peasants were obliged to pay -in the most extreme case 1,775%- make clear the economic cost that access to the land represented for the peasants.

Now, as has already been stated, the peasants also made subleases amongst themselves. This subject has been completely overlooked by Catalan medieval historians. Each one of the emphiteutic levels carried a progressive increase in the census, in such a way that the last in line, the peasant who effectively worked the land, had to bear a very heavy tax burden, taking into account that the first level was based on the particular agreements between the chapter of the cathedral of Gerona and its canon-administrator that assured part of the rents for the institution of the chapter. Table number 2 shows how widespread this phenomenon was and the socio-economic dominance that the emphiteutic

²⁰⁵ Aro I, 39-42.

²⁰⁶ Carreras Candi, *art. cit.*, 30.

Table num 1 . Taxes paid as right to hold an establishment of the cathedral (1307-1341)

<u>Holder -Reference</u>	<u>Tenant</u>	<u>Establishment</u>	<u>Front end payment</u>	<u>Census</u>	<u>%</u>
Pere Curvi Aro I, 51-53(1307)	Guillem Coma	1 field	20 sous	8 sous	250
Berenguer Mateu, Aro I, 108-31(1316)	Guillem Coma	1 strip of land	10 s	4 s	250
Arnau Soler Aro I, 77-97(1326)	Galceran Esteve	1 field	5 s	4 diners	1500
Antoni Galiana, Aro I, 89-09(1335)	Arnau Fontanella	1/4 of coromina	40 s	25 s	160
Bernat Saguer, Aro I, 91-112(1336)	Jaume Sagrera	4 houses & 1 field	142 s	8 s	1775
Antoni Galiana, Aro I, 100-121(1338)	Pere Marti	1 field	5 s	2 s	250
Berenguer Perafort Aro III, 429-1957(1339)	Bonanata Llor	1 field	6 s	18 d	400
Guillem Olei Aro I, 125-161(1341)	Pere Pol	1 strip of land	10 s	10 s	100
Pere Sicarts Aro I, 127-165(1341)	Bernat Dexeca	1 piece of land	5 s	6 d	1000

links had in the peasant community.

Table 2. Emphiteutic links in Aro, 1334-1343.

(See table next pages)

Entire units of exploitation were never granted, only cultivated plots of land (parcels of land, orchards, vineyards, etc.) were considered as units for the purpose of taxation, although nine cases can be found of peasants that had all of their tenancies subject to payments to other peasants. On the other hand the subleases were quite a general phenomenon given that approximately 42% of the peasant tenancies (82 out of a total of 198) had some land subject to this form of payment. Of course, logically not all of the peasants had to bear the same tax burden. This depended a great deal on the emphiteutic levels that had mounted up on any piece of land. In this way we find an exceptional case where there were five levels accumulated, 15 of four and 145 of three levels.

In this sense it must also be considered that the area of the granted plots of land, as can be seen in the table, was very small, the exception made by one subleasing of eight 'vessanes' (1.74 has.) effected by Jaume Sabater, although in this case there were three leases.

What there is in respect of the chain of leasers was very varied, leaving only the cathedral and its canon as basics. But frequently it appears that a part of the rents were collected by individuals, peasants or not, related in some way with the management of the lord's land. It can be seen from the table that this was the case of Berenguer Alia, cleric of the parish of Calonge, and Bernat Saguer, bailiff of the parish of Santa Cristina de Aro, leading us to believe that they were dealing with subletting of the rents.

There is only one recorded example of the rents that were paid by one to the other in the chain of subleases. This was related to a plot of land established in the following way:

	equivalence
Chapter	-
Canon	-
Berenguer Alia (1/4 'migera' ²⁰⁷ wheat)	10 litres
Bernat Rotland (1 'migera' wheat)	39 "
Pere Vidal (1 'quartera' wheat)	19 "

²⁰⁷ The 'migera' was a measure for wines and cereals that in Gerona in the 19th century was the equivalent of around 39 litres or two 'quarteres' of about 19 litres each (S. Llensa de Gelcen, *Breve historia de las medidas agrarias*, p. 61, and J.M. Madurell Marimon, 'Derechos enfitéuticos en la diócesis gerundense', in *Anuario del Instituto de Estudios Gerundenses*, 16 (1963), 277.

Table num. 2 Enchainment of sub-establishments in the Valley of Aro, 1334-1343.

Reference Cathedral	Land&area 1sub-letting <----Canon	Census <----	2sub-letting mas cols	Census <----	3sub-letting Berenguer Canal	Census <----	4sub-letting	Census <----	5sub-letting
Arol,140s2. 191	1 strip 1 vesana		Pere Ferrer " " " "	1 diner 8 d 4 d	Arnau Juanals Pere Ros mas Descort				
s14.277	1 strip 1 strip 1 field		Bernat Seguer Mas Bosch	4sous,6 d 1 m.o.	Guillem Garoart "				
141s2.305	1 strip, 4sayons 1 strip, 1s		Mas Eymenrich Mas Eybely Bernat Seguer	1chiken 1m.f. 1m.f.	Ramon Viader " "				
s3.307	1 house 1strip&vinyard 1 strip								

s29.417	garden		Bernat Seguer	2m.f.	Guillem Pla					
s30.418	land		Mas Riembau	2m.f.	Guillem Pla					
s31.429	1 strip		Guillem Eibeli	18d	Pere Sabet					
s33.451	house		Bernat Seguer	2s	Gillema					
s38.472	vinyard, 1v garden		Bernat Seguer "	5s6d 5q.f.	Feliu Cerdà "					
s40.475	land		Bernat Seguer	8s	Arnau Riera					
	land		"	1m.f.	"					
	vinyard, 1v		"	5s6d	"					
	?		"	?	Guillem Blanc	6s	Arnau Riera			
	house		Bernat Seguer	14d	Berenguer Coma					
s42.483	field		"	7s6d	"					
	1 strip		"	1m.f.	"					
	?		Arnaud Corb	4s	Jaume Sabater					
	?		"	1.5q.o.	Guillem Carbonell					
s44.496	?		"	2s8d	Ramon Costa					
	?		"	12d	Pere Julia					
	?		Priest castle	1chiken	Bernat Avinent					
	?		Bernat Seguer	18d	Guillem Oliver					
s47.506	house		?	1m.f.	"					
	garden		?	4s6d	"					
	1 strip		?	3q.f.	"					
	1 strip		Bernat Puig	2s	Pere Sabater					
s48.509	?		"	1d	Mas Pla					
	?		"	5d	Arnau Vall					
	?		"	2d	Guillem Senier					
	?		Guillem Bucot	2chiken	Guillem Blanc					
s63.557	?		"	3s	Jaume Sabater					
	land		"	20d	Mas Mates					
	?		Bernat Seguer	3q.f.	Bernat Oliver					
s66.578	1 strip, 1v		Arnaud Venrell	2m.f.	Bernat Seguer					
s68.583	1 strip, 3s		Bernat Seguer	3q.f.	Bernat Oliver					

s69.584	house vinyard ?		Mas Busot Bernat Seguer Mas Corb	3s 2s 4s	Jaume Sabater " "				
s79.626	garden garden		Bernat Saguer Bernat Saguer	1m.f. 6s	Bernat Carbonell "				
s80.628	house garden 1 strip		Bernat Eymerich Bernat Seguer "	2chiken 3s 1m.f.	Guillem Ravell " "				
s81.630	house 1 strip 1 strip		Bernat Seguer " "	2chiken 4s6d 3q.f.	Guillema " "				
s82.632	house house garden, 7s		Guillem Blanc Bernat Seguer Mas Oli	16d 2chiken 10s	Bernat Vidal " "				
s83.635	garden		Bernat Seguer	1m.f.	Bernat Bruno				
s84.636	house 1 strip		Bernat Seguer "	2chiken 2m.f.	Berenguer Gaylart "				
s85.637	house 1 strip		Galceran Esteve Bernat Seguer	22d 2m.f.	Bernat Seguer Galceran Esteve				
s89.646	garden		Pere Bosch	1m.o.	Guillem Garoart				
s90.654	garden		Bernat Seguer	1m.f.	Guillem Terrals				
s91.655	land land vinyard		Pere Riembalt " "	4s 2m.f. 8s	Berenguer Ricolf Guillem Blanc Jaume Coma				
s92.662	forest		Jaume Coma	12d	Jaume Sabater				
142.667	1 strip, 2s		Bernat Seguer	1m.f.	Guillem Terats				
Aroll1,436.2 052	vinyard		Guillem Julia	2s6d	Guillem Bas				
436.2052	?		Berenguer Refar " "	22d 8d 2d	Mas Vidal Mas Juanals Mas Torrent				

433s2.1975	garden		Ramon Sabater	1q;f;	Guillem Bous				
s5.1977	houses house garden 1 strip land	1/4 1/4 1/4	Berenguer Alia Sibila Arnau Bernat Berenguer Alla Frances Martore	2chiken 1chiken 17d 1q.f. 1m.f.	Ramon Sabater " " " "				
s6.1978	garden houses		Pere Vidal Guillem Oliver	1q.f. 2chiken	Francesc Marco "				
s7.1979	house		Berenguer Alia	2chiken &1d	Arnau Cosit				
s9.1980	1 strip	1/4	Berenguer Alia	1m.f.	Berenguer Coulina				
s10.1981	houses&garden		Ramon Bernat	2chiken	Arnau Olm				
s11.1982	houses&garden garden	1/4 1/4	Berenguer Alia "	1chiken 1m.f.	Pere Vila Francesc Marco		Pere Vila		
s12.1983	houses&garden		Ramon bernat	2chiken	Arnau Olm				
s13.1983	houses		Berenguer Alia	2chiken &6d	Bertomeu Sabater				
s14.1984	house		Berenguer Alia	2s	Arnau Buada				
s15.1985	houses		Berenguer Alia	1chiken	Jaume Galia				
s16.1985	house		Sibila	1chiken	Guillem Rocher				
s19.1989	garden		Pere Reverter	10d	Berenguer Eras				
s20.1990	garden land		Ramon Bernat Pere Reverter	10d 10d	Jaume Mola "				
s21.1991	houses garden	1/4 1/4	Berenguer Alia "	1m.f. 3s	Bernat Agut "				
s23.1993	house		Pere Romeu	1m.f.	Ramon Montius				
s26.1994	1 strip houses	1/4 1/4	Berenguer Alia "	1m.f. 2chiken	Pere Oliver "				
s28.1996	garden		Ramon Benet	20d	Pascual Fabar				
s29.1997	garden		Bernat Rotland &Berenguer Alia	1m.f;	Pere Massanet				

s31.2000	garden		Berenguer Alia	?	Bernat Roland	1/4 q.f;	Bernat Mola		
s32.2000	house	1/4	Berenguer Alia	12d	Ferrer Guardia	1d	Ramon Masanet		
s33.2001	house		Berenguer Alia	3s8d	Bernat Peiro				
s39.2005	1 strip		Berenguer Alia	?	Guillem Negre	1m.f.	Guillema		
s43.2008	1 strip	1/4	Berenguer Alia	1m.f.	Ramon Salaveia				
s44.2009	1/2 strip land	1/4	Bernat Rotland	1q.f.	Pere Vidal				
		4d	Ramon Bernat	2s	"				
s45.2010	1 strip	1/4	Berenguer Alia	1m.f.	Ramon Berenguer	1/2q.f.	Pere Gascons		
s46.2011	1 strip		Berenguer Alia	?	Ramon Masanet	1q.f.	Barcelo Arguila	1m.f. 1/2m.f.	Bartomeu Roger Guillem Arguila
s47.2011	garden	1/4	Berenguer Alia	?	Ramon Berenguer	1/2q.f.	Pere Gascons		
s50.2014	house land 1 strip garden		Arnau Rotland	2chiken	Bartomeu Martorell				
			Berenguer Alia	6d					
			"	1q.f.					
			Ramon Sabater	1m.f.					
s57.2023	1 strip		Arnau Bernat	10d	Bernat oli				
s63.2030	house 1 strip	1/4	Berenguer Alia	2chiken 1q.f.	Bernat Polin	"			
s64.2031	garden	1/4	Berenguer Alia	2chiken	Ramon Roig				
s66.2033	garden ?		Berenguer Alia "	?	Guillem Olivera Barcelo Aguilar	1/3q.f. 1m.f.	Guillem Arguilar	"	
s68.2034	land		Berenguer Alia	?	Arnau Sabet	1q.f.	Bartomeu Andreu		
s69.2035	houses 1 strip	1/3 1/4	Berenguer Alia "	2chiken 1q.f.	Arnau Terrats	"			
s79.2044	1 strip	1/4	Berenguer Alia	1m.f.	Bernat Rotlan	1q.f. 1m.f. 1m.f.	Pere Vidal Pere Masanet Bernat Mola		
s83.2047	1/3 strip	1/4	Berenguer Alia	?	Arnau Sabet	3m.f.	Bernat Boquer		

Key: m.o.= mitgera ordi; m.f.= mitgera forment; q.o.= quartaera ordi; q.f.= quartaera forment.

Pere Macanet (1 'meitadenca' wheat)	5 "
Bernat Molas (1 'meitadenca' wheat)	5 "

The first three peasants would each have a different sized piece of land, from Bernat Rotland, given that the rent they had to pay was different. Together they would pay him one 'quartera' and a half of wheat (28 litres). He in turn would pay a 'migera' (39 litres) to the cleric Berenguer Alia because, it is to be supposed, he cultivated a piece of the land himself. Finally Berenguer Alia would have to pay 10 litres to the administrator. The payment of the administrator to the chapter must also be taken into account given his obligation to make good a certain quantity for the whole dominion.

These systems of enclosed establishments demonstrate the most obscure and unfortunate side of the peasantry, by transferring to the core of the peasant community the system of exploitation, before then only used by the lords against the peasants.

I.6. THE EXPLOITATION OF THE PEASANTRY.

From the eleventh century onwards, when the Catalan peasant holdings can be clearly distinguished, those subjected to fixed rents and those that were obliged to pay a rate proportional to the harvest²⁰⁸, the feudal rents were multiplying, combining and diversifying in an extraordinary way.²⁰⁹

By the middle of the fourteenth century it is possible to prove that the taxation of the peasantry had become very complex, the social incidence of which could only be evaluated - and even then with difficulty - through specific studies on the different areas and lordships of the country.

I.6.1. The different types of feudal rent.

Table 1. (See table next page)

In general the Aro holdings belonged to the category of the 'censales', according to the

²⁰⁸ P. Bonnassie, *Catalunya mil anys enrera*, I. 219.

²⁰⁹ P. Bonnassie, *Vocabulario básico de la Historia Medieval* (Barcelona, 1983), p. 204.

Table num.1 Classification of holdings by the type of census paid,

	Number of payments	%	Amount paid	Equivalent	Holdings affected	% Holdings Total (198)
CENSUS FIXED						
<u>Census in kind</u>	269	29.92			126	63.63
Ordi	35	13.01	93m. 11q.	3830 litres	31	
Forment	108	40.14	27m. 61q.	2236 l.	76	
Civada	20	7.43	26m. 11q. & 1 eymina (16)	1324 l.	19	
Chikens	80	29.73	128		54	
Chesses	18	6.69	20		17	
Others (10)	8	2.97			8	
<u>Census in cash</u>	212	23.58	332sous 6 diners		94	47.47
<u>Labour Services</u>	42	4.67			42	21.21
<u>Banalites: Llauc(11)</u>	73	8.12			29	14.64
Ordi	29	39.72	42m.	1633 l.	29	
Forment	22	30.13	28m. 6q.	1205 l.	22	
Wine	17	23.28	3m. 11q.	331 l.	17	
Cheeses	2	2.73	2		2	
Cash	1	1.36	3s. 6d.		1	
Others	2	2.73	?		1	
Batlliu	8	0.88	10s. 8d.		8	4.04
PROPORTIONAL TO THE HARVEST						
<u>Tasca (1/11) (12)</u>	171	19.02			97	48.98
<u>Tilbe (1/10) (13)</u>	64	7.11			51	25.75
<u>Quar (1/4) (14)</u>	28	3.11			10	5.05
<u>Batas (1/11) (15)</u>	32	3.56			29	14.64

most frequent feudal rents to be paid.²¹⁰ Payments in kind were the most predominant - as would be normal in a basically agrarian society still far from a monied system - although only 29.92% of the total payments were of that sort, despite the fact that 64% of peasant tenancies were subjected to rents in kind to a greater or lesser degree. The majority of the payments in kind were made in cereals (60.58%), mainly in wheat (40.14%), much less in rye (13.01%) and barley (7.43%), despite the fact that they constituted the greatest volume of collected cereals: 3,830 litres of rye against 2,236 of wheat and 1,324 of barley.

By the fourteenth century the payment of feudal rents in cash in the Valley was quite common, given that approximately 50% of the tenancies paid in this manner, although the 212 mentioned only represented 23.58% of the total. In this sense it is significant that the rest of the money taxes, stated as such, were evidence of the conversion to money from payments in kind, of banalities ('llauc')²¹¹, of payments proportional to the harvest ('tasca'²¹², tithe²¹³ and 'bracatge'²¹⁴) and labour services, such as can be seen in table 2.

Table 2: Money rents of ancient payments in kind and labour services in Aro, 1333 and 1343

Doc. ref.	Old rent	new rent
Aro I, 141s7-317	wine and grapes	6s 2d
s8-328	wine and grapes	5s 8d
s23-367	wine and grapes	3s 6d

²¹⁰ For a definition of the peasant holdings depending on the sort of payments they were burdened with, see *Ibid.*, p. 125.

²¹¹ In latin 'locidum'. This was a tax which all peasants were forced to pay for bringing their tools to be repaired in the forge of the lord. Cf. J. Balari i Jovany, *Orígenes históricos de Catalunya*, (Abadia de Sant Cugat del Valles, 1964), p. 552, and P. Bonnassie, *Catalunya mil anys enrera*, II, 59.

²¹² It is said in the *Consuetudo Diocesis Gerundensis* in the 14th century: 'tasca est undecima mesura'. (Cf. E. de Hinojosa, *El régimen señorrial*, p. 175, and P. Bonnassie, *Catalunya mil anys enrera*, I, 221).

²¹³ J. Cots i Gorchs, *Consuetudo Diocesis Gerundensis*, Ch. XXXVII, p. 176, where it is stated: 'primo solvitur decima, que est decima mesura'.

²¹⁴ In Aro I, 140 s1-183, where there is a reference to the year 1343 indicating that 'explets de la qual terra dona quart, so la quarta part' (product of that land gives a fourth, i.e., one of four).

s26-393	wine and grapes	5s 4d
s27-398	wine and grapes	12d
s28-407	wine and grapes	2s 10d
s31-429	wine and grapes	7s 2d
s43-487	wine grapes and llauc	3s 2d
s44-496	wine and grapes	6s 4d
s48-509	wine grapes and llauc	6s
s61-545	wine and grapes	4s 5d
s63-557	wine grapes and llauc	3s 8d
s75-608	wine and grapes	7s 2d
s79-626	tithe and tasca	2s 8d
s85-637	tithe and tasca	9s
s92-662	wine	2d
Aro III, 433-1968	labour services	5s 4d
s12-1983	tasca and bracatge	3d
s19-1989	tasca and bracatge	4d
s20-1990	tasca and bracatge	2d
s28-1996	tasca and bracatge	4d

With this conversion to money of the payments, that affected all the rents of wine and grapes and of some labour services, the collection of the rents was simplified, as much by the greater control of the rents as of their payment, which was set for the end of the year (at Christmas).²¹⁵

However, the documentation on sales and grants of land, where the rents to pay were specified, does not suggest that we are looking at a policy that was really decided in increasingly imposing the rents in money; as can be seen in the following table, between the years 1326 and 1343 nine contracts were signed in money rents, seven of those were proportional to the value of the harvest.

Table 3. Type of rents documented in the Sales (S) and Establishments (E) of Aro, 1195-1343.

Years	Money Rents				Kind Rents			
			Fixed				Proportionals	
	S	E	S	E	S	E		
1195-1225	1	-	1	-	-	-	-	-
1226-1250	-	-	-	-	-	-	-	-
1251-1275	2	-	1	1	-	-	1	
1276-1300	-	1	-	2	2	-	-	

²¹⁵ Aro III, 140.

1301-1325	3	2	-	1	3	1
1326-1343	-	9	2	8	6	7

Perhaps another significant detail in respect of the imposition of new payments was that of the establishments that were signed in 1340, at the moment of the distribution of the lands of the ancient seigneurial domain, there were eight establishments obliged to pay fixed rents in kind, always of rye, and in addition of tithes.

Table 4. Payments for the lands of the seigneurial reserve established in 1340.

Doc.Ref.	Land	Payment
Aro I, 112-139	2 feixes	2 migeres forment
113-141	1 feixa	4 migeres forment, 1 quarteres forment, tithe
114-143	1feixa	3 quarteres forment, tithe
115-145	1 feixa	4 migeres forment, 1 quartera forment, tithe
116-147	1 feixa	3 quarteres forment, tithe
117-149	5 feixes	7 migeres forment, 1 quartera forment, tithe
118-151	1 feixa	3 quarteres forment, tithe
119-153	1/2 feixa	1 1/2 quartera forment, tithe

A fifth part of the peasant tenancies were obliged to pay labour services. It appears that they were not very heavy or very numerous, but they were enforceable, among other reasons because they were connected to the labour of the seigneurial domain. When in 1340 the lands of this domain were granted they went together with their corresponding services, as was said at the time 'given that we have no more land in the said places and parishes (referring to Aro and Fenals) and accordingly advantage can not be taken of the said things'.²¹⁶ All in all the lord reserved the right to recover the said labour services if the lands were returned.

Table 5. Labour services paid in Valley of Aro, 1134-1343.

(See table next page)

The 'llauç' - an arbitrary tax on the making and repairing of iron tools - was another source of income for the lord. Both this payment and the labour services were often

²¹⁶ 'atenent que no té en mà propia terres en dits llocs i parròquies i per consegüent treure poca utilitat de les referides coses' (Aro I, 120-154).

Table num. 5 Labour Services in the Valley of Aro, 1134-1343.

Reference	Holding	Area (vesanes)	Jova	Tragina	Batuda	Obres	Guaita	Others
Arol,140s2.191	mas	175	0.5	0.5	0.5	0.5	0.5	
s3.206	mas	78	0.5	0.5	0.5	0.5	0.5	
s4.215	mas	141	1	1	1	1	1	
s5.224	mas	51	0.5	0.5	0.5	0.5	0.5	
s8.238	mas	93	1	1	1	1	1	
s12.264	mas	77	0.5	0.5	0.5	0.5	0.5	
s15.286	mas	79	0.5	0.5	0.5	0.5	0.5	
Arol,141s7.317	mas	91		2		1	1	1
s8.328	mas	100				1	1	
s9.336	-	24	0.5	0.5				
s21.358	mas	90	2	2		1	1	1
s24.375	mas	91	2	2	1	1	1	
s26.393	mas	30					1	
s27.398	mas	70					1	
s28.407	mas	152	0.5	0.5	0.5	1	1	1
s30.418	-	47	1	1		1	1	
s31.429	mas	76	0.5	0.5		0.5	1	
s32.440	mas	76	1	1	1	1	1	1
s43.487	mas	76	0.5	0.5	0.5	1	1	1
s44.496	mas	68	2	2	1	1	1	
s48.509	mas	74	2	2	1	1	1	2
s51.516	mas	79				1	1	6
s61.545	mas	41		0.5		1	1	
s63.557	mas	122	1	1	1	1	1	

s70.587	-	136	2	1	1	1	1	4
s75.608	mas	35	0.5	0.5	1	1	1	5
s89.646	mas	70				1	1	
Aroll,436.2052	mas	70				1	1	
436.2052	-	85	1	1	1	1	1	
436.2052	mas	114	0.5	0.5	0.5	0.5	0.5	
Aroll,433.1968	mas	?	1	1	1			
s1.1970	mas	?	1	1	1			
s17.1986	mas	?	2	1				
s18.1988	-	?		1				
s30.1997	mas	?	1	1	1			
s49.2013	-	?	1	1	1			
s53.2017	mas	?	1	1	1			
s56.2020	mas	?	1	2	1			
s58.2024	mas	?	1	1	1			
s59.2026	mas	?	1	1	1			
s64.2031	mas	?	1	2	1			
s74.2039	mas	?	1	2	1			
TOTAL			35.5	40	24	24.5	26	22

imposed jointly and in a selective form to the biggest masos and tenancies. So it could be inferred from the fact that 72% of the peasant holdings were subject to the imposition of labour services and also obliged to pay 'llauç'.

Table 6: Peasant holdings subjected to the payment of 'llauç', 1343

Doc.ref.	Type of holding	Surface area (vessanes)	'Llauç'	
			Lord	Smith
Aro I, 140 s7-233	Mas	30	1 m.o	
s9-250	Mas	?	1 m.o, 2.m.f.	
s14-277	Mas	128	4 m.o., 2 m.f.	
Aro I, 141 s7-317	Mas	91	2 m.o.	1 q.wine
s8-328	Mas	100	1 m.f, 1 m.o.,	1 q. wine
s9-336	?	24	1 m.o, 1 q. f.	
s21-358	Mas	90	2 m.o., 2 m.f.	
s24-375	Mas	91	1 m.o., 1 m.f.	
s25-385	Mas	50	1 m.o, 1 q.f.	1 q.wine
s26-393	Mas	30	1 m.o.	
s27-398	Mas	70	1 m.o., 1 m.f., 1 q.f.	
s28-407	Mas	152	1 m.o, 1 m.f.	1 q.wine
s30-418	?	47	1 m.o.	
s31-429	Mas	76	1 m.o., 1 m.f.	1/2 q. wine
s32-440	Mas	76	2 m.f., 2 m.o.	1 m. wine
s43-487	Mas	76	3s 2d, 2 m.o., 2 m.f.	1 m.wine
Aro I, 141 s44-496	Mas	68	2 m.o., 2 m.f.	1 m.wine
s48-509	Mas	73	2 m.o., 2 m.f.	1 m.wine
s51-516	Mas	79	1 m.o.	
s53-524	?	48	1 m.o., 1 q.f.,	1 q. wine, 1 cheese
s61-545	Mas	41	1 m.o.	1 q.wine
s62-551	Mas	86	1 m.o., 1 m.f.	1/2 q.wine
s63-557	Mas	122	2 m.o., 2 m.f.	1 q.wine
s70-587	?	136	2 m.o., 1 m.f.	1 q.wine
s75-608	Mas	35	3 m.o., 2 m.f., 1 q.f.	1 q.wine
s89-646	Mas	70	1 m.o.	
s91-655	?	93	1 m.o.	
s92-662	?	19	1 m.o., 1 q.f.	
Aro III, 436-2052	Mas	85	1 m.o., 1 m.f.,	1q.wine

Key: m: migera; q:quatera; o: wheat; f: rye; s: sou; d: diner.

So, 'llauç' was a much heavier imposition than labour services. Usually it was paid in kind (wheat, rye, barley, etc. and in wine to the blacksmith), and for the lord it amounted to half of the cereals received by way of rents .

'Llauç' Equiv. liters Rents Equiv.liters %

Wheat	42 m.	1, 633	93m 11q	3830	42.63
Rye	28m 6 q	1205	27m 61q	2236	53.89
Wine	3m 11q	331	--	--	100

Key: m: migera; q: quatera.

The payments proportional to the harvest -'tasca'(1/11) tithe (1/10), quart (1/4) and 'bracatge' (1/11) - do not seem to be particularly widespread in the middle of the fourteenth century, both as regards the number of peasant holdings that paid them and for the area of lands that were affected by them.

	Affected holdings	% of total registered holdings (198)	Area	% of total area (2864 vesanes)
Tasca	97	48.98	1416 v.	49.44
Tithe	51	25.75	419v.	14.62
Braçatge	29	14.64	?	
Quart	10	5.05	?	
	187	94.42	1835 v.	

Despite the fact that it is impossible to be exact about the area of the lands subject to payments of quart and 'braçatge' - not mentioned in the records -, it does not appear that this type of imposition was widespread because the number of holdings affected was very small. Neither was the tithe charged in three quarters of the registered holdings, that is to say on 75% of the lands, and we do not know if anyone had to pay it. On the other hand it appears that the 'tasca' was quite a common payment among the peasant holdings, to the extent that approximately half of them were obliged to pay it. Moreover, the 'tasca' affected large percentages of the lands of the peasant holdings, as can be seen in the following table:

Table 7: Percentage of lands corresponding to peasant holdings due to pay 'tasca' and/or tithe

Doc. ref.	Total land holdings	Land owing		%	
		Tasca	Tithe	Tasca	Tithe
Aro I, 141	28-407	112	102	100	91.07 89.28
	30-418	68	24	24	35.29 35.29
	31-429	53	27	27	50.94 50.94
	32-440	48	18	15	37.5 31.25
	33-451	20	16	16	80 80
	35-458	31	4	4	12.9 12.9
	42-483	13	4	-	30.76 -
	43-487	63	35	35	55.55 55.55
	44-496	50	15	15	30 30
	48-509	26	4	-	15.38 -
	50-515	1	1	-	100 -
	51-516	60	34	34	56.66 56.66
	53-524	44	32	-	72.22 -
	54-532	7	7	-	100 -
	55-534	7	7	-	100 -
	57-536	8	8	-	100 -
	58-538	8	3	1	37.5 12.5
	62-551	64	42	20	65.62 31.25
	63-557	77	30	-	38.96 -
	64-568	29	1	-	3.44 -
Aro III	70-587	123	92	-	74.79 -
	75-608	25	2	2	8 8
	76-620	14	2	-	14.28 -
	88-645	4	4	-	100 -
	89-646	8	5	-	62.5 -
	91-655	88	69	-	78.4 -
	436-2052	28	28	-	100 -
	436-2052	64	21	21	32.81 32.81
Aro I	140-181	3.5	3.5	-	100 -
Aro I 140	sl-183	70	70	-	100 -
	2-191	90	88	-	97.77 -
	3-206	59	59	-	100 -
	4-215	48	44	-	91.66 -
	5-224	20	15	-	75 -
	7-233	28	26	-	92.85 -
	8-238	58	58	-	100 -
	10-253	26	26	-	100 -
	11-260	21	21	-	100 -
	12-164	42	34	-	80.95 -
	13-276	26	26	-	100 -
	14-277	42	42	-	100 -

	15-286	38	26	-	68.42	-
Aro I 141	298	20	3	-	15	-
Aro I 141	s7-317	91	12	-	13.18	-
	8-328	100	26	-	26	-
	9-336	20	12	10	60	50
	18-354	3	3	-	100	-
	19-355	1	1	-	100	-
	20-356	17	17	17	100	100
	21-358	87	63	-	72.41	-
	22-366	3	3	3	100	100
	23-367	66	52	30	78.78	45.45
	24-375	63	31	31	49.2	49.20
	25-385	40	14	14	35	35
	27-398	39	3	-	7.69	-

A third of these tenancies had to pay the 'tasca' for all of their lands and 52.83% paid it for more than 75% of the land of their holdings.

Nevertheless, the payment of the 'tasca' (and also of the tithe, quart and 'braçatge') does not seem to have been imposed upon the peasant holding as such, as a taxable unit, even if it affected 100% of the holding. The opposite happened with the imposition of fixed rents, the majority of which probably dated back to the first establishment of the holding and were always enumerated at the end of the documents. On the other hand, the introduction of payments proportional to the harvest, was the result of constant seigneurial pressure, to take advantage of new land contracts to increase their rents, as can be deduced by the peasant declarations where they enumerate scattered plots of land burdened with this type of imposition.

The conclusion is that, by the fourteenth century the peasant holdings were burdened with different types of tax, themselves an historical result of continuous seigneurial pressure upon them. So it was normal to see that the average peasant holding was charged with fixed rents - in kind, money, labour services and 'llauç' - and payments proportional to the harvest -'tasca' , tithe , 'quarto', and 'braçatge' - in different combinations which had been systematized:

Table 8 . Payments due for the peasant holdings in the Valley of Aro, 1334 and 1343.

						No. of holdings
Kind	Money	Tasca	Tithe	Labour	Llauç	11
Kind	Money	Tasca	Tithe	Braçatge	Llauç	1
Kind	Money	Tasca	Labour	Llauç		10

Kind	Money	Tasca	Braçatge	Labour	1
Kind	Money	Tasca	Braçatge	Quart	1
Kind	Tasca	Braçatge	Quart	Labour	1
Kind	Money	Tasca	Labour		8
Kind	Money	Tasca	Tithe		4
Kind	Money	Tasca	Llauç		2
Kind	Money	Labour	Llauç		2
Kind	Money	Tasca	Braçatge		2
Kind	Braçatge	Quart	Labour		2
Kind	Tasca	Braçatge	Labour		1
Money	Tasca	Tithe	Llauç		2
Money	Braçatge	Quart	Labour		1
Tasca	Tithe	Braçatge	Quart		1
Tithe	Braçatge	Quart	Labour		1
Kind	Money	Tasca			8
Kind	Money	Braçatge			1
Kind	Money	Labour			1
Kind	Money	Llauç			1
Kind	Tasca	Labour			1
Kind	Tasca	Braçatge			2
Money	Tasca	Tithe			3
Tasca	Tithe	Braçatge			3
Kind	Money				7
Kind	Tasca				5
Kind	Tithe				12
Money	Tasca				2
Money	Tithe				1
Tasca	Tithe				2
Tasca	Braçatge				4
Tasca	Llauç				2
Quart	Labour				1
Kind					16
Money					21
Tasca					12
			TOTAL		156

For nearly 50% of the peasant holdings their tax burden was the result of a combination of three or more different type of payments. In this group in which were included all the masos, 7.74% of them were registered with six different type of payments, the maximum possible combination. The other 54% of the tenancies, most of them holdings made up of several plots of land but not large enough to be a maso, were charged with one or two.

As a result the totality of the feudal rent for the Valley of Aro would be impossible to calculate, because of the documentary difficulties. It is however feasible to approximate,

thanks to the 'Capbreu' of 1343.²¹⁷ The most important income paid in the castle of Aro to the cathedral administrators was in cereals: some 140 'migeres' of 'ordi' (5463 litres), 88 'migeres' of 'forment' (3,421 litres) and 1 'eymina' and 32 'migeres' of 'cebada' (1,324 litres), plus other payments in kind, economically not so important (80 hens, 20 cheeses, 1 'quarteró' of oil (1.44 litres),²¹⁸ 4.5 bundles of wood and 4.5 bundles of grass and 2 eggs.

The second largest revenue was money rents: 336 'sous'. This is an important quantity if it is considered - as a comparative element - that in the year 1340 25 'sous' were paid for two pieces of land, part of the seigneurial domain measuring one 'vessana' each²¹⁹, and even more when it is realized that this would be above the normal price given the particularly high quality of this type of land.²²⁰ With reference to the payments in proportion to the harvest, we know the quantity of land that was subject to the 'tasca' (1/11) and to the tithe (1/10). As can be seen above (table n.7) 1,416 'vessanes' paid the 'tasca' (309 has.) -approximately 50% of the total land - of whom 580 (126 has.) paid it to the cathedral administrators. On the other hand it appears that the tithe was surprisingly less extensive, as it only affected 419 'vessanes' in total (92 has.), that is to say, approximately 15% of the total land area.

The administrators had to send a certain quantity of these rents to the chapter probably in money, but the quantity for the moment is unknown.²²¹ Taking this into account we know the list of payments that these administrators made in 1313, and where it is indicated that in Aro will be paid 116 'sous' and 8 'diners'.²²²

Obviously the difference between the collected rents and the quantities paid to the chapter placed these people in an economically privileged position, one which enhanced the social prestige that they enjoyed from their connection with the cathedral.

²¹⁷ All this data has been taken from appendix 1.

²¹⁸ S. Llensa de Gelcen, *Breve historia de las medidas agrarias*, p. 73),

²¹⁹ Grant made by Antonio Galiana to Guillem Bussot in the 'Coromines del Paborde', (Aro I, 112-139 and Aro I, 141 s63-557).

²²⁰ In Pierre Bonnassie's opinion when referring to 'connamina', 'connomina', or 'condomina' in the 11th century (Cf. *Catalunya mil anys enrera*, I. 214).

²²¹ R. Villacorta Rodríguez, *El cabildo catedral de León. Estudio historico-jurídico* (León, 1974), p. 407, and J.L. Martín Martín, *Propiedades del cabildo segoviano, sistemas de cultivo y modos de explotación de la tierra a fines del siglo XIII* (Salamanca, 1981), p. 81.

²²² *Libre Vert*, p. 117.

CHAPTER 2

II.1. THE AGRARIAN SOCIAL CRISIS OF THE FOURTEENTH AND FIFTEENTH CENTURIES.

Catalonia, like most of the European regions, demonstrated between the eleventh and fifteenth centuries a spectacular agricultural development. However, when the agrarian conflict, generally known as the 'remensas' wars, arose in the fifteenth century it was no more than the culmination of the difficulties which for many years had existed in Catalonia.

As we have seen in the preceding chapters, the peasantry tended towards a growing economic differentiation amongst themselves, as well as a general decline in their social condition. It is undeniable that at the root of this problem was a profound seigneurial ~~reaction~~ which tended to sharpen the agrarian conflict, as is demonstrated by the numerous entries into servitude recorded in the valley of Aro.

The economic and social differences amongst the peasants themselves are, without doubt, of the utmost importance. They help us to better understand the 'moderate' or 'radical' attitudes adopted by different peasant groups during the 'Hundred Years War' of the Catalan countryside. It is this which allows us to question whether the wars of the fifteenth century were conducted exclusively by the 'remensas' - peasants fighting only for personal liberty - or by all the members of the peasantry - aiming at the disappearance of feudal property, or, in other words, attacking the whole feudal régime.

Finally, it is interesting to ask again whether the Arbitral Sentence of Guadalupe (1486) - which put an end to the conflict between the lords and the peasants - was as favourable for the whole of Catalonia, as affirmed by J. Vicens Vives and repeated in the history textbooks or if, on the contrary, it represented no more than the restoration of the feudal order.

II.1.1. From the demographic crisis to the sharpening of the agrarian problem.

1333, 1347, 1351, 1358, 1362, 1371, 1375, 1381, ..., until the middle of the fifteenth century Catalonia suffered time and again from the plague. To this was added, above all in the eastern part of Catalonia, the earth tremors of 1373, 1410, 1427, 1428, 1448.¹

Although we do not have enough precise facts for a general study of the impact of the plagues on the demography their consequences are undeniable.² In those areas where a detailed study has been carried out the great impact with which it hit the Catalan countryside is demonstrated. For example, in the Plana of Vic it has been established by means of the parochial archives, that of the 16.500 inhabitants before 1348 only some 5.500 survived, which implies a mortality rate of approximately seventy per cent.³ Pella y Forgas, basing his research on the chronicles of Gerona, has described the attacks of the plagues on the southern area of Gerona in the second half of the fourteenth century.⁴ Some facts pertaining to the Valley of Aro demonstrate the depopulation which occurred in the tenancies and the growing difficulties which the lords encountered in reestablishing them, difficulties which seem to go back to the beginning of the fourteenth century.

In 1311, Arnau Soler settled on Arnau Maringuella and Pedro Erols the 'Mas Ferrer' because it had been returned to him due to a lack of people who would cultivate it.⁵ The same is true of the 'Mas Suard' which the deputy of the canon Antonio Galiana settled on

¹ E. Fontseré and J. Iglesias, *Recopilació de dades sismiques de les terres catalanes entre 1100 i 1906*. (Barcelona, 1971) and P. Vilar, *Catalunya dins l'Espanya Moderna. Recerques sobre els fonaments econòmics de les estructures nacionals* (Barcelona, 1968) I. 461-64.

² For the impact of the plagues in the documentation of the period, see A. Lopez de Menses, 'Documentos acerca de la Peste Negra en los dominios de la Corona de Aragón', *Estudios de la Edad Media de la Corona de Aragón*, VI (1953-1955), 291-435. See also J. Iglesias, 'La població de Catalunya durant els segles XIV i XV', VI Congreso de Historia de la Corona de Aragón. (Cagliari, 1957); 'El fogatge de 1365-1370: contribución al conocimiento de la población de Cataluña en la 2 mitad del siglo XIV'. MRACAB, 34 (1962).

³ A. Pladevall, 'La disminució de poblament a la Plana de Vic a mitjans del segle XIV', *Ausa*, 4 (1961-1963), 365. See also A. Lopez de Meneses, 'Datos acerca de la Peste Negra en Vic', *Ausa*, 6 (1968-1971), 280-285; and J.P. Cuvillier, 'La population catalane au XIV siècle. Comportements sociaux et niveaux de vie d'après les actes privés'. *Mélanges de la casa de Velázquez*, V (1969).

⁴ Pella i Forgas, *Historia del Ampurdán*, II. 650-70. The plagues, however, will continue past the 14th century into the 15th century hitting heavily in the areas of Garrotxa and Alto and Bajo Ampurdán, and less in the Girones and La Selva. Cf. R. García Carcel and V. Martínez Ruiz, *Población, jurisdicción y propiedad del obispado de Gerona. Siglos XIV-XVII* (Gerona, 1976), p. 44.

⁵ Aro I, 53 (1311).

Pedro Soler, indicating in the document that for more than forty years it had been uninhabited and that it had fallen into ruins.⁶

Nevertheless, in spite of the difficulties which the lords encountered in establishing the unoccupied masos ('masos ronecs') it can not be said that the demographic crisis benefited all the peasants equally. Obviously, the first fact to point out is that the mortality rates produced a great increase in exchanges, and above all purchases of land. As can be observed in the following table, it was during the years 1350-1425 that these transactions reached their peak, above all between 1401 and 1425, a short time before the peasant struggles for land ownership commenced.

Table 1: Purchases, exchanges, and grants in Aro, 1276-1567

	Purchases	Exchanges	Grants
1276-1300	-	-	5
1301-1325	-	-	4
1326-1350	9	2	17
1351-1375	24	2	-
1376-1400	20	7	2
1401-1425	36	11	4
1426-1450	18	4	3
1451-1475	11	-	-
1476-1500	16	1	4
1501-1525	17	-	2
1526-1550	54	-	-
1551-1567	4	1	20

However, given the economic differentiation demonstrated amongst the peasants of the Valley of Aro in a year such as 1343,⁷ it should be asked if the peasantry as a whole was able to benefit from this mobility in land transactions which occurred during the 75 years following the Black Death or if, on the contrary, the plague provided no more than a opportunity for the well-off peasants to increase and to rationalize their holdings at the cost of the depopulated 'masos'.

In the following survey the social condition '-remensas' or non'-remensas'- of the peasant and of his tenancy '-masos' or simply a group of pieces of land- has been established,

⁶ Aro I, 137 (1343).

⁷ See chapter I.3.

as well as the extent of the exploitation and the number of purchases, exchanges or grants carried out.

Table 2: Transfers of land in Aro in relation to the social condition of the peasants and the size of their holdings

Name	Social Condition	Area of Holding	Purchase	Exchange	Grant
Miquel Samir	R(emensa)M(as)	113	ves	6	1
Grau Dolca	R-M	124	v.	2	-
Nicolau Fontanella	R-M	80	v.	1	-
Antoni Riembau	R-M	141	v.	4	-
Antoni Oliver	R-M	193	v.	8	-
Bernat Riembau	-	14	v.	5	-
Antoni Sicars	M	21	v.	4	-
Miquel Ravell	R-M	128	v.	9	-
Montserrat Besard	R-M	24	v.	1	-
Vicens Tarre	labourer	9	v.	4	-
Pedro Sitjar	R-M	95	v.	4	-
Geronim Saguer	labourer	15	v.	7	1
Antoni Agusti	R-M	45	v.	1	-
Pere Torrelles	R-M	107	v.	6	-
Antiga Torres	-	101	v.	7	-
Joan Cifra	R-M	169	v.	5	-
Antoni Bussot	R-M	118	v.	4	-
Joan Bosca	-	4	v.	-	-
Jaume Blanch	labourer	3	v.	2	-
Rafaela...	-	5	v.	1	-
Jaume Samir	-	2	v.	1	-
Antoni Roquer	-	6	v.	4	-
Jaume Vilaret	weaver	13	v.	1	-
Jaume Torrelles	"	6	v.	4	-
Jaume Sicars	labourer	3	v.	-	-
Pere Geli	"	4'5	v	2	-
Miquel Sicars	"	-	-	-	1
Jaume Torrelles	labourer	-	-	-	1
Antoni	mason	4	v.	1	-
Mordenyach					-
Miquel Oliver	labourer	3	v.	1	-
Montserrat Bru	bracero	-	-	-	1
Pons Xifra	shoemaker	-	2	-	-
Feliu Agusti	labourer	-	-	1	-
Joan Rifa	"	-	1	-	-
Miquel Maymir	"	-	1	-	-
Miquel Bas	"	7	v.	-	-
Pere Sicars	"	-	-	-	1
Roc Geli	"	4	v.	3	-
Joan Oliver	"	-	1	-	-
Joan Oliver	shoemaker	-	1	-	-
Eulalia Vilaro	?	-	-	1	-
Rafael Roquer	mason	-	1	-	-

Miquel Sicars	M	119	v.	9	-	-
Francesc Llombart	cordemaker	-	2	-	-	-
Jaume Vergonyos	pot maker	-	2	-	-	-
Joan Vilar	trader	-	3	-	-	-
Mas Madir	R-M	62	v.	1	-	-
Joan Gispert	labourer	7	v.	1	-	-
Jaume Bas	"	1'5	v	1	-	-
Geronimo Borrell	"	1'5	v	1	-	-
Pere Ramis	dressmaker	15'5	v	1	-	-
Nicolau Fontanella	labourer	-	1	-	-	-
Eulalia Vilaret		9	v.	5	-	-
Caterina Torres		41	v.	1	-	-
Antiga Prohensola		1	v.	2	-	-
Antoni Font	labourer	4	v.	-	-	1
Nicolau Samir	labourer	3	v.	-	-	1
Bartolome Geli	shoemaker	2'5	v	-	-	1
Pere Tixer	dressmaker	4	v.	-	-	1
Nicolau Samir	fisherman	3	v.	-	-	1
Joan Riba	labourer	4	v.	-	-	1
Guillem Vivon		-	3	1	2	-
Antoni Sicars		57	v.	4	3	-
Agusti Ros	R-M	34	v.	5	3	-
Pere Sunyer	M	70	v.	2	1	-
Narcis Boscan	R-M	64	v.	5	1	1
Antoni Puig	R-M	78	v.	1	-	1
Francesc Groart	R-M	131	v.	1	3	-
Pere Reimbalt		110	v.	1	-	-
Antoni Sitjar	R-M	78	v.	1	-	2
Joan Saguer		3'5	v	1	-	-
Constancia Bussot	R-M	101	v.	1	1	-
Pere Cateura		-	3	-	-	-
Bartolome Torrent	weaver	-	1	-	-	-
Eleonor ...		-	3	-	-	-
Ramon Barcelo	R-M	40	v.	4	2	1
Guillem Blanch	blacksmith	-	2	-	1	-
Berenguer Corp	R-M	85	v.	1	-	1
Pere Fontanella		38	v.	2	-	-
Bartolome Medir	R-M	81	v.	16	7	-
Jaume Ordí		5'5	v	4	-	-
Joan Cifra	R-M	108	v	18	5	-
Pere Ferrer	R-M	54	v.	10	-	-
Antoni Oliver	R-M	194	v.	2	-	-
Antoni Font	labourer	4	v.	-	-	1
Joan Bas	"	1'5	v	1	-	-

The most important point in the survey is that the most well-off peasants are 'remensa', owners of a 'mas', who make the most purchases of land. The great 'masos' such

as Oliver, Samir, Ravell, Cifra, Sicars, with properties larger than 100 'vessanes', were in general the most benefitted. In this context, the exchanges or the agreement of grants of land were no more than established known mechanisms of rationalisation of the exploitations used by the peasants in order to concentrate their dispersed properties in one single unit.

Together with these, the 'medium' or 'small' peasants - a conventional division to classify them against the well-off (or 'large') peasants - had a marginal access to the land because of their very economic weakness. They had just one opportunity for improving their economies and that was the acceptance of grants of land, which as we know, in reality were no more than sub-grants conducted by the well-off peasants, which only worsened their conditions of tenancy.

On the other hand, even though they bought land, this does not mean that their condition of tenancy would improve. Many historians have argued that after the Black Death the condition of the peasants improved, due to the labour shortage that helped the peasants to negotiate with their landlords the reduction of rents and the condition and number of labour services from a stronger position.⁸ In fact, in the Valley of Aro, in spite of the difficulties that the landlords found in granting lands, it does not seem that they suffered a loss in the value of entry fines. The abandonment of lands that was mainly evident in the first third of the fifteenth century confirm this situation.

Table 3. Surrender of lands in Aro, 14th-15th centuries (see table next page)

Of the nine known rejections of land, it must be pointed out that seven were due to having to pay 'censos' that were too high, in another the exact cause is not known, and in the last the peasant was unable to pay due to illness.

The fact that the conditions under which land was held had worsened is demonstrated by the case of Pedro, son of Eloy Ros, who renounced some land which he had in 'Coromines del Paborde' -an ancient seigneurial estate - eighty years after this land had been granted to his grandfather in 1340.⁹ The same can be said about the harsh conditions under which lands during the first half of the fifteenth century were granted. The peasant Bartolome Riba gave up some woodland some five years after buying it (1425).¹⁰ More

⁸ H. Nabholz, 'Medieval Agrarian Society in Transition', Cambridge Economic History, 1 (Cambridge, 1942), pp. 530-533.

⁹ Aro I, 145 (1340).

¹⁰ Aro I, 153(1425).

Table num. 3 Surrender of lands in Aro, 14th-15th centuries.

Reference&Year	Peasant	Lord	Holding	Reasons given
Arol, 179-1343	Bernat Eymerich	?	2 Bordas	Due to illness he can not work and pay the census
Aroll, 816-1416	Juan Vinyes	Frances Bordils	2 strips	Census is too high. The lord being ill did not accept it.
Aroll, 847-1422	Pere, son of Aloy Ros	Roger de Cartella	1 strip	Extortionate census
849-1426	Pere Gerones	Francesc de Bordils	1 strip	Extortionate census. The lord being ill did not accept it.
845-1426	Pere Castell	Joan Pavia	1 strip	Extortionate census.
848-1426	Geralda	Roger de Cartella	1 strip	Extortionate census.
852-1429	Nicolau Garrigues	Roger de Cartella	1 strip	Not accept it because of legal matters..
1058-1430	Bartolome Riba	Roger de Cartella	1 land in forest	Census too high. Not accept it till declares all lands.
1102-1483	Llorens Blanch	Pere Terrades	land	Census too high

significant is the case of Juan Vinyes who gave up two parcels of arable land in the 'Coromines' months after buying them from Jorge Bru¹¹ for 20 'sous'; this is the more significant when we realize that 'Coromina' was considered to be very good quality land.¹²

A second factor which goes against the opinion that the peasants were in better condition to negotiate with the lords as a result of the depopulation is the fact that the lords often refused to accept the surrender of lands. The feudal power of these lords and their ability to offset the lack of manual labour should not be underestimated. In the case of Joan Vinyes, the canon Francisco de Bordils replied he could not accept the said renunciation of land because 'as he was bed bound, he would not accept that surrender...'. It is surprising that ten years later in reply to the request to surrender land made by Pedro Gerones, that he should have replied in similar terms namely that 'he would not allow the said renunciation because he was ill and he could not attend to this matter...'. The skill with which these problems were negotiated could also be demonstrated in administrative terms; for example, Nicolas Garriguer asked Joan Roger de Cartella if he could leave the 'castellania' of Castell de Aro and he was told that he could if the lord 'did not accept his renunciation of the land because he had not made his petition in the correct manner', or take the case of the peasant Bartolome Riba, who was told that his petition 'would not be acceptable unless the said Riba recognized the lord's possession of certain other lands'.

The peasants who surrender the land are not usually found amongst the holders of large tracts of land. In both cases mentioned here - that is, the case of Pedro, son of Eloy Ros, and Pedro Gerones - we know for certain what their economic or social position was, they belonged to the 'medium' group of peasants who were 'remensas' and with 'mas'. That is to say, they belonged to a social group which tended to disappear, as a result of the loss of lands to those who were cultivating the land on a large scale, as we will see below.

Therefore, it is difficult to maintain that the majority of the peasantry benefitted from the depopulation which resulted from the plagues. The documentation relating to the Valley of Aro allows us to affirm that the plagues in the second half of the fourteenth century only benefited economically that sector which was already wealthy before 1348; on the other hand, for the majority of the peasantry the Black Death only represented a worsening of their economic position. The demographic crisis only worsened the agrarian problem.

¹¹ Aro I, 816 (1416).

¹² P. Bonnassie, *Catalunya mil anys enrera* I, 214; and G. Duby, *Economia rural y vida campesina*, p. 345.

II.1.2. The Seigneurial Reaction

As we have seen, at the turn of the fourteenth century, the peasantry of Aro, although still maintaining the condition of 'libertus et absolutus ab omni dominio', were nevertheless more than ever obliged to sign a legal declaration of entry into serfdom. From then on, in promising that they would be 'legalis et fidelis in omnibus sicut servus debet esse suo domino', the peasants 'libero et solido' were legally bound to the land and submitted to the seigneurial power, and even more they found themselves subjected to customs, and uses and payments imposed upon them by the lords in a long process of feudal reaction.¹³

Not until recently have studies begun to be made of the stages of this process.¹⁴ It seems that the worsening of the peasants' social condition happened mainly in Old Catalonia (which included the diocese of Gerona), far away from the areas of the Reconquista of the twelfth century, a part of Spain sensitive to the emigration of inhabitants to New Catalonia (south of Barcelona), Valencia and the Balearic Islands. Paul Freedman has explained, basing his research on documentation which is limited to the western area of Barcelona (Vic), that for Catalonia there is less doubt than elsewhere that the conditions of the peasants worsened considerably between 1000 and 1400 despite the numerous franchise charters issued to encourage new settlement. In his work he establishes three stages in this enservit process: the first, until 1200, would be that when the 'malos usos' began to appear. Although, in general, Freedman concludes that 'almost no indications of serfdom existed in twelfth-century Vic'; the second, until 1348, would show the appearance of documents in which a man recognises that he is the property of another, although if he has money he could buy his liberty; the third, that would begin after the Black Death and which would extend up to the 'remensas' wars, would lead to the generalization of the 'remensa' condition in

¹³ The variety of definitions of 'remensa' which historians have come up with is very wide. At least in the 13th and 14th centuries the condition of being 'remensa' is defined in terms of 'homo de redemptio', 'de redemptio', 'de redimentia', or 'de remensa', but also the 'remensas' are often called 'homine proprii et solidi' or 'homines proprii solidi et affocati'. The attempt to define the conditions of being 'remensa' in 'pure' juridical terms evades a social reality which was less subtle than the definitions themselves. Thus with regard to the use which is made of the expression 'homo proprius et solidus' in the Middle Ages, a good deal of the meaning of the term as it was understood in the 11th and 12th centuries had been lost, and now, in the 14th century, could be applied to non-remensas peasants who would pay their redemptions as if they were remensas.

¹⁴ P. Freedman, 'The enservit process in medieval Catalonia: evidence from ecclesiastical sources', *Viator*, 13 (1982), 225-44. See also, J. Vicens Vives, *Historia de los remensas*, especially the Introduction, and E. de Hinojosa, *El régimen señorrial y la cuestión agraria*

Catalonia, that is, the application of the 'malos usos' and the prohibition of the abandonment of the land.¹⁵

The documentation which survives relating to the Valley of Aro, helps us to understand in greater detail this chronology, and also to understand how the access of the peasants to the land and the aggrandizement of their tenancies depended to a large extent upon their submission to the lords, both in respect of their persons and the land they cultivated. Therefore, it is not surprising that a good deal of late medieval documentation should refer to the matter of feudal control, that is, the entries into serfdom, the recognition of serfdom and the transfer of serfs from lord to lord; these are typical examples to be found in the documentation intended to guarantee the dependence of the peasants upon the lords.

In the Valley of Aro in the second half of the thirteenth century, the grants of 'masos' to free peasants were conditional upon their entry into serfdom and that of their children, in their turn. This process of enservment which we note appears not to have had any direct link with the feudal expansion towards New Catalonia, rather it was the result of a process of seigneurial reaction.¹⁶ Paul Freedman has located the context of the change in the condition of the peasants of the thirteenth century not as a response by the lords to conditions of political disorder, but rather as a consequence of the political order itself.¹⁷ We need to add to this observation the fact that the peasants needed land and this need obliged them to accept tenancies on the terms imposed by the lords, that is to say, they had to enter into serfdom. Some documents clearly demonstrate this. Let us give two examples: in 1296 a maso was established in the name of a certain Estrany, in the parish of Santa Maria de Fenals, with the promise that his son would become a *homo proprius et solidus et de servitute* within three years¹⁸; another peasant, Guillermo Serrat, accepted the grant of Mas Mola on condition

¹⁵ P. Freedman, 'The enservment process', 241-244. Also W. Piskorski, *El problema de la significación y del origen de los seis 'malos usos' en Cataluña* (Barcelona, 1929); J. M. Salrach, *El procés de formació nacional de Catalunya*, pp. 136-39; and M. Riu, 'La feudalització del camp català', *Cuadernos de Historia Económica de Cataluña*, 19 (Barcelona, 1978).

¹⁶ See chapter II.1.2..

¹⁷ P. Freedman, 'The enservment process', 238. A more general example in M.M. Postan, 'Economic relations between Eastern and Western Europe' in *Eastern and Western Europe in the Middle Ages*. London, 1970, quoted by Freedman, *ibid.*, 241, n. 79.

¹⁸ Aro I, 42 (1296).

that his children would be obliged to live in the maso and they too would become *homini proprii et solidi* of the cathedral of Gerona.¹⁹

This seigneurial policy which obliged the peasants to accept grants at the cost of their liberty contrasts, nevertheless, with the apparently surprising fact that from the beginning of the fourteenth century the lords had difficulty in granting land. When the peasant renounced the lands on account of not being able to pay the dues, the lord always, nevertheless, was able to grant the lands to a wealthy tenant.²⁰ In the end, we can conclude that the difficulties the lords had in granting their lands were more apparent than real. No peasant ever intended to give up his lands, rather he intended to maintain them, even to increase them. The entry fines which had to be paid in the first half of the fourteenth century for the grants of lands (which vary from 160% to 1775% of the annual rent had to be paid in respect of the tenancy) make it quite obvious what the intentions of the peasants in the face of their needs for lands were.²¹ The peasants accepted any price that they were asked to pay by the lord.

Given this state of affairs the lords also did their utmost to cause a reaction in the juridical field, which resulted in huge entries into serfdom. In the table that follows we can see clearly the chronology of these entries.

¹⁹ Aro I, 23 (1264). Another examples, Aro I, 45 (1297); 43 (1297); 45 (1297).

²⁰ For example, Bernat Eymerich, Aro I, 63 (1343).

²¹ See chapter I.5.1. Earlier examples of heavy entry fines are given in P. Freedman, 'The enservit process', 232.

Table 3 bis. Entries into serfdom in the valley of Aro, 1250-1475

	Men	Women	Total
1250-1275	5	4	9
1276-1300	-	-	-
1301-1325	8	20	28
1326-1350	3	4	7
1351-1375	1	-	1
1376-1400	-	1	1
1401-1425	2	2	4
1426-1450	3	7	10
1451-1475	1	-	1
... -1569	1	-	1

The first entries into serfdom occurred between 1250 and 1275 and correspond to a period in which serfdom was now being legally defined.²² The lords benefitted from this legal aspect making the grants dependant upon the entry of the peasant to serfdom. It was not only the land which was a cause of enservitment, marriage also was²³, as occurred in the case of Ermessen when she married Pedro Calvera who lived in a serf maso²⁴; or it could result from the desire to place oneself under the protection of the lord as Domingo Grau, his sister, brother, son and mother recognize, who although alleging themselves to be free, nevertheless, submitted themselves as *homini proprii et solidi* of Pedro, Bishop of Gerona.²⁵

In this way, the entry into dependence was a condition of the access to the 'remensa' tenancies, that is, the recognition of being 'homo proprio et solidi' and to the recognition of homage. Our documents, as we have seen and as we will see, tell us about this practice from

²² The juridical texts were drawn in the Cortes de Cervera (1202), de Barcelona (1283), Monzón (1289) (quoted by W. Piskorski, *El problema de la significación*, pp. 54-56, and J. Vicens Vives, *Historia de los remensas*, pp. 33-34. Las cortes de Cervera are published in *Marca Hispanica*, ap. 493, col. 1394) and the 'Commemoracions de Pere Albert' and 'Consuetudines Diocesis Gerundensis' (ed. Rovira i Ermengol, (Barcelona, 1933) and *Anuario Historia de Derecho Español* (1928), pp. 450-85, respectively).

²³ One is aware that 'classic serfdom' is defined by the fact that peasants were bound to the land, freedom to marry and inherit was restricted, the lord could act arbitrarily against them, a fine was paid to obtain freedom, and the lord received a large portion of the peasant's harvest (M. Bloch, 'Liberté et servitude personnelles au moyen âge, particulièrement en France: contribution à une étude des classes', *Mélanges historiques*, 1 (Paris, 1963), 336-55.

²⁴ Aro I, 26 (1275).

²⁵ Aro III, 1919 (1268).

the middle of the thirteenth century, but it must be stated that it was not until 1322 when the entry into serfdom of the peasants was made systematic. This was precisely the moment in which the second group of the 'Consuetudo Diocesis Gerundensis'²⁶ was compiled, where it was established that 'femina propria alicuis , tenetur facere evenire virum suum cum prole sua nascitura ratione mansi quem tenet vel habet se redimere et mansum renuntiare domino. Et econverso, homo meus tenetur facere evenire uxorem suam de dominio meo'.²⁷ This confusion, between the homage and servitude, impeded the redemption of the peasants and, consequently, was an important factor in order to assure the lords of the indefinite collection of rents.²⁸

The greatest number of entries to serfdom occurred between 1301 and 1350. But of the 28 which occurred in the first quarter of the fourteenth century, we must take into account the fact that 24 of them occurred in one year, 1322. This fact is significant because it demonstrates how the new legislative development in respect of feudal serfdom was not just a theory but also that its application permitted seigneurial arbitrariness, and that this did not necessarily depend upon a change in economic circumstances. Some facts confirm the arbitrary aspect of the lords policy. Of all those who accepted serfdom not one confessed that it was in order to enter a maso and this means that serfdom extended to those who had not previously been granted land. But the lords did not stop here, for the entries were also extended to the wives of the tenants. Indeed these were the most affected for out of the 24 declarations made 18 apply to them. In this way, the lords not only assured their dominion over their persons and the lands they cultivated, but also they compromised the freedom of the future offspring of the serf marriage. The oath of allegiance ('prestacion de homenaje') which everybody without exception had to take, was the last of the legal devices by which the lord could submit the peasantry.

The almost complete absence of entries into serfdom in the fifty years that follow the Black Death and its resurgence in the first half of the fifteenth century allow us to question the generally accepted thesis proposed by Vicens Vives. According to Vicens Vives (the historian who has most deeply studied the question of the Catalan serfs) the worsening in the condition of the peasants resulted from the plagues²⁹, and he also contradicted the opinion

²⁶ Valls i Taberner, 'Els usatges i consuetuds de Girona', Revista de Catalunya, 35 (Barcelona, 1927), 492-503.

²⁷ Pons i Guri, Consuetudo Diocesis Gerundensis. (Barcelona, 1988), p. 280.

²⁸ J. Vicens Vives, Historia de los remensas, p. 33.

²⁹ J. Vicens Vives, Els Trastamares: el segle XV. (Barcelona, 1956), pp. 26-35.

of Anguera de Sojo³⁰, according to which the Black Death did not initially provoke a worsening in the social condition of the peasants.³¹ More recently Paul Freedman, has affirmed that the condition of being a 'remensa' became widespread amongst the Catalan peasantry during the fifty years following the Black Death.³²

The investigations carried out relating to the Aro Valley oblige us to put back by fifty years this sequence of events, thereby leaving an interval between the years of the plagues and the period in which the worsening of the conflicts initiated by the peasants on account of the conditions of exploitation of the land. This sequence of events, although to some extent supported by the number of entries, is most significantly confirmed by the investigation carried out in respect of recognitions of serfdom. In fact both these factors complement each other.

The strategy decided upon by the lords in order to bring about the subjugation of the peasantry which held lands and to bring them instead into serfdom can be seen clearly in the fact that the majority of entries belong to women who for reasons of marriage went to live with an enserfed peasant. There is only one case of a woman, Antonia, who openly declared herself to be a *femina propria, solida et de servitude* as a result of establishing a manso.³³ But even in this example later on her husband declared himself to be a serf on account of having married her.³⁴

By the beginning of the fifteenth century, therefore, the almost complete enserfment of peasant holding lands was more or less completed, given that there was not enserfment of the ancient grants. The peasants' access to the land was exactly the same thing as the entry into automatic serfdom.³⁵

In the legal field a second aspect of seigneurial control was concentrated above all, at the beginning of the fifteenth century, in the recognitions of serfdom. In the diagram below the recognitions have been separated according to the reasons alleged, eg. for being the son

³⁰ O. Anguera de Sojo, 'Dret especial de la comarca de Vic', Academia de Jurisprudencia de Catalunya. Conferencies sobre varietats comarcals del dret català. (Barcelona, 1934), pp. 273-340.

³¹ J. Vicens Vives, El gran sindicato remensa, 1488-1508 (CSIC, Madrid, 1954), pp. 11-12.

³² Paul Freedman, 'The enserfment process', 239.

³³ Aro I, 846 (1436).

³⁴ Aro II, 1067 (1436).

³⁵ See chapter I.5. Some examples Pedro Guerau, 841 (1417); Bartolome Cifra, 1065 (1433); Antonio Gil, 1069 (1436); Gaspar Soler, 1088 (1470).

of *proprios et solidos* peasants or for having being born in a *mas affocat*, or for both reasons, or for having established a serf mas.

Table 4: Recognitions of Lordship

- (1) Sons of 'proprios et solidos'.
- (2) Born in 'mансо afocado'.
- (3) (1) + (2).
- (4) Being established in manso.
- (5) Not specified.
- (6) Total.
- (7) Pay homage.

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
1250-1275	-	9	-	-	-	9	-
1276-1300	-	-	-	-	-	-	-
1301-1325	-	-	-	-	1	1	1
1325-50	-	1	-	1	2	4	3
1351-1375	-	1	-	-	-	1	1
1376-1400	-	-	-	-	-	-	-
1401-1425	1	31	7	7	3	49	49
1426-1450	1	1	-	8	2	12	12

The most remarkable fact is that the recognitions of serfdom took place for the most part in the first fifty years of the fifteenth century, a sequence of events which confirms the sequence regarding the entries into serfdom. How can one explain, then, this gap of fifty years during which the lords left their peasants in relative tranquillity, and the lords' later resurgence? In fact we are dealing here with the years following the plagues when the surviving peasants had occupied the depopulated land and once more brought them into cultivation. This is the time when the 'masos ronecs' were added to the peasants' tenancies. For this reason, once the peasants' holdings had been restructured the lords once more began to demand their dues from the enlarged tenancies. The recognitions of serfdom were intended to be the legal instruments which would enable the lords once more to reaffirm their rights, which now they would exact not only against the main mas but also against the large masos 'ronecs' (depopulated) added to them.

Can we assert, then, that the interest of the lords was focussed above all on the recognitions of serfdom, mainly by rich peasants who cultivated masos? Two observations must be made before attempting to answer this question: firstly, the documentation relating to the masos has been better preserved because it relates to units of cultivated land which remained relatively stable through a period of time; secondly, the names of the peasants who

held these units of land comprising only isolated strips of land unfortunately disappear very rapidly from the documentation.

However, if we only take the year 1417 as an example, when 31 recognitions of serfdom took place, only three did not possess a mas. But, not only were the heads of family obliged to recognize serfdom, but also their children, even though they were minors.³⁶ Indeed, the different formulae used in the documents vary according to the differences in age and servile condition of those making submissions. Thus, the peasants owning a mas and their heirs generally confess their condition of 'homines proprii et solidi', whether on account of being descendants of 'proprios et solidos' parents and of having been born in a mas of serf condition³⁷, or on account of marriage to a person of serf estate³⁸, or for having cultivated a mas on which was obliged to take residence men and women 'proprios et solidos'.³⁹

So then, this documentation although it complements the entries into serfdom, nevertheless presents a significant difference. Whereas the entries related principally to women who came into land holdings by marriage or related to peasants who received a grant, by contrast the recognitions of serfdom were principally intended to ensure the dependence of peasants established on ancient masos. That is to say, the lords attempted to account for

³⁶ Aro I, 801 (1411); 837 (1417); 838 (1417); 1070 (1436); 1083 (1448).

³⁷ Model. 1. (Aro I, 232 (1411)): '...confessa que es y deu esser homr propri y solidi... junt ab sa dessendent prole y bens mobles presents y esdevenidors per raho de esser fill del dit son pare home propri y solidi y per haver tret son origen del Mas Saguer de dita parroquia de Aro, de qual la dita pabordia te y deu haver homens y donas prorpis y solidos que fassen foch, llar y residencia personal en lo mateix mas...'. Model. 2. (Aro I, 241 (1417)): '...señor util y proprietari del Mas... de la parroquia de Sta. Cristina confessa que es y deu esser home propri y solidi del...junt ab sa prole procreada i procreadora y bens mobles presents y esdevenidors per haver tret son origen del dit Mas...,de qual la dita pabordia te y deu tenir homens y dones propriis y solidos que

fassen foch, llar y personal residencia en lo dit mas...'.

³⁸ Model. 3. (Aro I, 245 s13 (1417)): '...confessa que es y deu esser home propri y solidi... junt ab sa prole procreada y procreadora y bens mobles presents y esdevenidors per raho de haver entrar per causa de matrimoni en lo dit mas... de dita parroquia de qual la dita pabordia te y deu haver homes y dones propriis y solidos que fassen en aquell foch, llar y personal residencia'.

³⁹ Model. 4. (Aro I, 266 (1436)): '... señor util y proprietari del mas ... confesss que es y deu esser home propri y solidi ... junt ab sa procreadora prole y bens mobles presents y esdevenidors per rao del dit son mas... que se te a domini directe de dita pabordia y de qual la dita te y deu haver homens y dones y altres servituts...'

every eventuality in order to impede any possible breaking away from the tenancies by the peasants, and even more so after the 'masos ronecs' had been united with the peasants' land holdings.

The fact that all these entries into serfdom and recognitions of serfdom should have produced some isolated cases of individual redemptions is irrelevant, as we are going to see.

Table 5: Redemptions and personal transfers of serfdom in the valley of Aro, 1226-1425

	Redemptions	Transfers
1226-1250	1	-
1251-1275	1	-
1276-1300	6	-
1301-1325	17	9
1326-1350	7	4
1351-1375	-	-
1376-1400	1	1
1401-1425	1	1

Firstly, no peasant who cultivated a mas figures amongst those who redeemed themselves. After the aggregations of the abandoned lands they were rich enough to think about giving up their holdings, and had nothing to fear from the new juridical compilations, intended to impede the peasants freedom to move away, for they did not intend to do any such thing. If as we have already seen, in 1343 the masos were already of reasonable size, by 1567 they were even bigger and there were even fewer owners. Given this state of affairs, it is not surprising that the number of redemptions should have been relatively few and that when they did occur, in almost half the cases, it was in order to once more enter into serfdom with yet another lord.

Indeed, studying more closely the redemptions we notice that the lords did not permit them indiscriminately. In the first place, the redemptions of masos were not permitted.⁴⁰ There is only one case, of a certain Bonanata, who in 1344 redeemed her servile payments in respect of the Mas Pla, in the parish of Santa Cristina de Aro, on payment of 6 sous which she made over to Antonio Galiana.⁴¹ Then, it was the second sons and daughters who received seigneurial permission to leave, upon payment of a sum of money for their liberty,

⁴⁰ *Nullo casu tamen potest rusticus dimitere mansatam pro qua prestitit homagium solidantie, nec mansum renuntiare in diocesi gerundense domino invito* (c. 24, *Consuetudo Diocesis Gerundensis*, p. 302).

⁴¹ Aro II, 2083 (1344).

given that their leaving would not affect the cultivation of the land.⁴² Finally, those peasants who did not possess a mas paid the sum arbitrarily demanded by the lords.

Table 6: Sum of money paid for the redemptions

	Male	Female
1226-1250	1 (60 sous)	-
1251-1275	1 (80s)	-
1276-1300	1 (40s)	5 (16 diners, 10s, 2s 8d, 2s 8d, 1 ll. wax)
1301-1325	2 (50s 30s)	5 (each 2s 8d)
1326-1350	1 (50s)	2 (2s 8d, 6s)

To conclude, the seigneurial reaction took two directions: first, the juridical pressure upon those peasants who possessed a mas and who found themselves obliged to recognize their dependence in respect of the lands they cultivated and who never intended to give them up; and secondly, the economic pressure upon the rest of the peasants who found themselves obliged to redeem themselves on account of their need for a certain mobility to enable them to find lands or on account of matrimonial requirements.

Hence, we cannot assert, after all, that the plagues of the second half of the fourteenth century opened up the possibilities for improvements in the social condition of the peasantry. Quite the contrary. From 1343 no redemptions of serfdom occurred at all.⁴³

II.1.3. The 'Capbreu' of 1432-1434.

This 'capbreu' records 32 declarations from the peasants of the parishes of Belloch, Canyet and Santa Cristina de Aro. It was carried out by order of Roger de Cartella, canon and

⁴² 'Si vero fuerit femina virgo puella incorrupta que matrimonio vellet contrahere, tunc dando domino, vel illo recipere nolente in altari die benedictionis nuptialis coram testibus deponendo, duo solidos VIII denarios, absolvitur et erit libera a dominio sui domini...' also, 'Si vero fuerit puella unica filia iuvenis hominis, tunc dominus cogitur illa dare redemtioni si matrimonium contrahere velit, sed tenebitur pro redemptione domino dare tertiam partem bonorum mobilium, sicut pro exorquia, quia dominus eam amittit in totum...'. 'Si vero iuvenis homo masculus qui non sit unicus, nec habeat parentes quorum sit spes proles procreande velit uxorem ducere vel se stabilire, tunc si velit se redimere, nisi aliter cum domino convenerit, tenerit pro redemptione dare domino tertiam partem omnium bonorum quecumque sint...', (c. 7 and 8, *Consuetudo Diocesis Gerundensis*, pp. 282- 3).

⁴³ The last one was Aro I, 176 (1343).

'paborde' of Gerona cathedral between the years 1432 and 1434.⁴⁴ The capbreu records the social condition of the peasants, the extent of the lands which they had been given by the different lords (above all, Gerona cathedral and the monastery of Sant Feliu de Guixols) and in 'alou', the payments in money and kind that they pay for them, the obligations in labour services and the payment for the blacksmith's services.

The date in which the capbreu was drawn up (1432-34) is significant. These years were during the intermediary period between the years of the plagues and a short time before the beginning of the wars between the lords and the peasants.⁴⁵ However, the disputes had already begun at the beginning of the fifteenth century. About 1413, in the countryside of Catalonia signs of threats against the lords appeared. The peasants raised crosses and dug graves in front of their masos.⁴⁶ What was the cause of these threats? It could be said that their aim was to free themselves from the 'mals usos' and from the 'remensa', but what is undeniable is that these threats were the result of the dispute surrounding the 'cosas feudales o emphiteoticarias', of the 'masos ronecs'.⁴⁷ The lords never tried to compensate for the fall in their revenues by granting lands since, as we have already seen, they never intended to expel the long established peasants mainly because of the difficulties that they had in re-granting the masos. Therefore, the question seemed to revolve around the recuperation of the 'masos ronecs' (the abandoned lands) with the aim of cultivating them, and consequently

⁴⁴ See appendix 2.

⁴⁵ In J. Vicens Vives, *Historia de los remensas en el siglo XV*, one can chronologically follow the general development of the conflict, pp. 49-55.

⁴⁶ In 1402 they were already talking about 'nafres, morts, bandos e altres grans mals', caused by groups of peasants. Cf. J. Vicens Vives, *Historia de los remensas* p. 51; Pella i Forgas, *Historia del Ampurdan*. (Barcelona, 1983), p. 660. Also J. Coroleu i Anglada, *El feudalismo y la servidumbre de la gleba en Cataluña*. (Gerona, 1877), pp. 21-2.

⁴⁷ These actions of the peasants were enumerated in the 'Corts' of 1413, reproduced later on in *Constitutions y altres drets de Cathalunya*, ed. Barcelona, 1588, title VIII, 'De desafius', p. 476. ('Y si despues que el señor se haya apropiado de los bienes en virtud de la presente constitucion los dichos hombres de remensa o no de remensa, de palabra, escrito o persona interpuesta, hicieran amenazas, plantaran cruces, cavaran fosas, o hicieran signos representando la muerte o amenaza contra los dichos señores, o sus representantes, o contra los hombres que ocuparon los bienes...'). The text of the 'Corts' has been explained by J. Vicens Vives, *El gran sindicato remensa*, p. 13; and *Historia de los remensas*, p. 40. Also published in *Cortes de los antiguos reinos de Leon y Castilla* (Academia de la Historia. Madrid, 1861-1903), XI. 226.

around the rights of the lords over these lands, now productive.⁴⁸ In this sense, the capbreu of 1432 is extremely informative.

The fact that most interests us about this argument is that the lords managed, in great part, to get the peasants to recognize their rights. Of the seven cases in which we know that the peasants had 'masos ronecs' added to their tenancies, there are five confessions in which the rights of the lords are recognized (Bucot, Estrany, Mola, Calvera, Torra, Bertran y Canal).⁴⁹ Although the capbreu is incomplete the tendency is significant, on the one hand, because it demonstrates the relative triumph of the lords and on the other hand, because it shows the resistance of the peasants to recognizing their obligation to pay rents for the newly developed, but once abandoned lands.

During the years of the plagues the lords probably permitted the abandonment of the lands as an inevitable consequence of circumstances.⁵⁰ However, in 1432, if not before, the lords began to demand the rights attached to the abandoned lands.⁵¹ The capbreu of 1432 is the recognition of the peasants before a notary of those rights; a recognition in which the lords were interested because it was then that the peasants began to extend their tenancies, to recultivate them, to concentrate them, to make them profitable.

Effectively, in the cases in which it is possible to compare the extents of the tenements between 1343 and 1432 one observes how the already large tenancies tended to grow in size. Such is the case of Mas Oliver⁵² which went from possessing 152 'vessanes' to 194 'vessanes', or of Mas Corp⁵³ which had 65 'vessanes' in 1343 and 80 'vessanes' in 1432. Nevertheless, one cannot generalize about this tendency. In the documentation, peasant tenancies appear which in 1432 declared the same amount of land as in 1343, as can be seen in the case of Mas Madir⁵⁴ (80 'vessanes' in 1343, 81 'vessanes' in 1432); of Mas Pla⁵⁵

⁴⁸ This argument was already defended by Anguera de Sojo at the beginning of this century and later on by P. Vilar, *Catalunya dins l'Espanya Moderna*, p. 315. In this respect the *Consuetudo Diocesis Gerundensis*, ed. Pons Guri, p. 331 legislated on the 'quando mansus devenit ad benevismum qualiter possunt ipsum sibi adiudicare et alii stabilire, seu alienare, aut sibi retinere'

⁴⁹ For all the information concerning the 'capbreu' see appendix 2.

⁵⁰ *Consuetudo Diocesis Gerundensis*, p. 331.

⁵¹ Vicens Vives, *Historia de los Remensas*, p. 125.

⁵² Aro I, 141 s28 (1343); Aro II, 256 s32 (1432).

⁵³ Aro I, 141 s44 (1343); Aro II, 256 s25 (1432).

⁵⁴ Aro I, 141 s27 (1343); Aro II, 256 s28 (1432).

(30 'vessanes' as opposed to 34 'vessanes' in 1432), or of Mas Puig⁵⁶ (73 'vessanes' as opposed to 78 'vessanes' in 1432); or worse still, they lost lands, as can be seen in the confession of Mas Bussot⁵⁷ which had 122 'vessanes' in 1343 and 101 'vessanes' in 1432, or that of mas Sitjar⁵⁸ which declared 78 'vessanes' in 1432, when in 1343 it had 85.5 'vessanes'. In fact, the contradictions which the growth of the peasant holdings seems to present are not more than apparent. These fluctuations in the size of the holdings correspond to different groups within the peasantry. As we will see later, in 1567 the peasantry would be clearly defined in two different economic groups.

However, the peasant holdings did not owe their growth merely to the aggregation of the abandoned lands, but also to the fact that areas of woodland were brought into cultivation. The tendency, in this case, is general; the area of the woodland tended to diminish, as can be seen in the following table:

Table 1: The area of forest in the peasant holdings in 1343 and 1432 (in 'vessanes')

Name	1343	1432	%
Mas Bucot	22	14	-36.3
Mas Sitjar	42	32	-23.8
Mas Corp	5	3	-40
Mas Madir	25	18	-28
Mas Oliver	100	103	+3
Mas Xicola	11	7	-36.3

These lands were a new source of revenue for the lords since they did not become integrated in the free holdings ('alou') of the peasants. On the contrary, the peasant saw how their lands, those for which they did not have to pay, were generally reduced more and more, or became practically non-existent, with the unique exceptions of Mas Puig and Mas Oliver. Only in the case of the latter can a significant growth in the extension of the land in 'alou' be seen, although not as a consequence of the aggregation of forest lands.

⁵⁵ Aro I, 141 s26 (1343); Aro II, 256 s7 (1432).

⁵⁶ Aro I, 141 s48 (1343); Aro II, 256 s11 (1432).

⁵⁷ Aro I, 141 s63 (1343); Aro II, 256 s19 (1432).

⁵⁸ Aro I, 141 s 62 (1343); Aro II, 256 s15 (1432).



Table 2: The area of the 'alodium' in the peasant holdings in 1343 and 1432 (in 'vessanes')

	1343	1432
Mas Bucot	-	-
Mas Sitjar	11.5	3.5
Mas Corp	-	-
Mas Madir	-	4
Mas Oliver	14	27.5
Mas Pla	-	-
Mas Puig	41	41
Mas Xicola	1	-

The large peasant holdings also became more profitable because they tended, in general, to become more concentrated. If, on the one hand, the plagues offered an opportunity to increase the extent of their holdings, on the other hand, they also allowed the peasants to concentrate the parcels of land of their holdings without actually losing any part of their holdings. This was an important factor of profitability, and more so if we consider the fact that in this region the peasant holdings were formed by the accumulation of very small parcels of land. Nevertheless, this phenomenon was relative since in spite of everything the relation between the size of the holdings and the number of parcels of land which these holdings contained continued to be very high.

Table 3: Number of pieces of land in the peasant holdings in 1343 and 1432 (in 'vessanes')

Name	1343		1432	
	Area	No.	Area	No.
Mas Bucot	122	50	101	30
Mas Sitjar	85.5	23	78	24
Mas Corp	65	36	80	24
Mas Madir	70	48	81	61
Mas Oliver	152	47	194	49
Mas Pla	30	16	34	25
Mas Puig	73	19	78	21
Mas Xicola	23	21	40	19

In the chart it can be seen how, in general, the parcels of land making up the holdings tended to decrease. In some cases, as for example the Mas Bucot, this occurred as a consequence of a loss of land. Nevertheless, what is interesting to note is that the relation between the size of the parcels and the number of parcels significantly improved in the holdings.

The last factor, and perhaps the most important, favouring the profitability of the large peasant holdings, was the very structure of payments which burdened the holdings. In general, the holdings were subjected to fixed annual payments consisting of the annual payment of established quantities of cereal, money, chickens, cheeses, etc. The payments proportional to the harvest were either 'tasca' (1/11) or tithe (1/10). Placing aside a consideration of whether or not the fixed payments were burdensome for the peasants, what is clear is that with time the interests of the lords were jeopardized as, obviously, the payments gradually got less and less. On the other hand, neither the 'tasca' nor the tithe were as important as might have been thought in the beginning. Of a total of 1187 'vessanes' declared in 1432, only 505 'vessanes' were declared as subjected to the payment of the 'tasca' and only 92 'vessanes' to the payment of the tithe. Moreover, the question of obligatory labour services was irrelevant, and was practically no burden on the peasant as the labour services tended to be divided between different holdings. In effect, it was quite common in Catalonia -as noted by E. de Hinojosa - that the personal services were only half a day. This was due to the fact that these services came from a holding which had been divided. The tendency to change them to money payments existed given the number of labour services was small. The most that any peasant would have to give in labour services was seven days a year although exceptionally it could reach as many as 13 and even 20 days. Hinojosa concludes that labour services in Catalonia were not difficult to bear.⁵⁹ We should also consider that only nine peasants out of a total of 32, signed the payment of this sort of services.

Therefore, the peasantry of the large holdings benefitted from the great plagues of the fourteenth century. Not only had the size of their holdings increased thanks to the abandoned lands, but there was no increase in their annual payments. The lords, on the other hand, unable to raise the annual payments or to reestablish or to alienate the holdings, since as we have seen they also fought against the abandonment of lands, tried to avoid their own economic deterioration. Only the abandoned lands (the 'masos ronecs') offered the chance for new rents for the lords. These lands were even more important in the fifteenth century after the peasants again began to cultivate them. Owing to this the lords were interested in having their old land rights recognized, the most obvious proof of which is the capbreu of 1432.

Thus an agrarian conflict arose around these abandoned lands. How, then, should we view the struggles which were produced in Catalonia in the fifteenth century?

⁵⁹ E. de Hinojosa, El regimen senorial, p. 125.

II.2. THE AGRARIAN CONFLICT.

One of the most debated questions in Catalan historiography is the social content of the agrarian conflict which began in a disorganised way about 1380-90 and which ended in 1486 with an agreement between the lords and a sector of the peasantry.

The first study on the structure of Catalan feudalism was carried out by Eduardo de Hinojosa, in 1905.⁶⁰ In his work he centres, according to Vicens Vives: 'on the investigation of the origin and conditions of the judicial and economic social life of the Catalan peasantry, 'remensas' or not; and with regard to the redemption of the feudal serfs in the fifteenth century, only the basic documents interested him: the bill of the settlement of 1462 and the Arbitral Sentence of 1486. It is due to this that we find a number of gaps in the work of the illustrious investigator of legal history; i.e. the role played by the monarchy, the seigneurial forces, the Generalitat of Catalonia, the Consejo de Ciento of Barcelona and the 'remensas' themselves in the mechanism of the emancipation of the serfs. The role played by all these political forces constitutes the basic problem of interpreting the peasant redemption and is the fact which has been discussed with much tenacity by the Catalan authors'.⁶¹

Hinojosa's studies formed the culmination of an historical work based principally on juridical and social aspects. After that time, the interest of historians was centred on political and social aspects⁶²; a field of study which has occupied the attention of historians for more than twenty years, and which has been frequently politicized. The most significant example of this is the polemic which broke out in the thirties during the time of the Republican government about the role played by King Fernando II in the conflict and in its final solution. Thus, while Vicens Vives considered that the king liberated the peasantry from serfdom, Rovira y Virgili considered him to be an astute character who took advantage of lords and peasants alike to reaffirm his policies, while Serra Rafols believed that the fact that the king, being in Andalucia, was so far from the conflict meant that he was unable to be either a liberator of the peasants, or a selfish person who took advantage of both sides.⁶³

In 1934, there appeared a study by Oriol Anguera de Sojo, entitled 'Dret especial de la comarca de Vic'.⁶⁴ Although it was a study of a small area - the Cabrerès - it presented in general terms an explanation of the agrarian conflict, of its content and of the exact nature of

⁶⁰ E. de Hinojosa, *El regimen señorial y la cuestión agraria en Cataluña, durante la Edad Media* (Madrid, 1905).

⁶¹ J. Vicens Vives, *Historia de los remensas*, p. 9.

⁶² Elias Serra i Rafols, *Fernando el Católico y los payeses de remensa* (Lerida, 1935).

⁶³ This controversy and the different articles which referred to it were reproduced in J. Vicens Vives, *Obra Dispersa*, I (Barcelona, 1967).

⁶⁴ O. Anguera de Sojo, 'Dret especial de la comarca de Vic', 273-340.

its causes. Anguera de Sojo tended to minimise the importance of the 'remensa', of the 'mals usos' and other customary rights as principal causes of the conflict. In his opinion, the main reason behind the conflict was to be found in the dispute over the 'masos ronecs' and, therefore, over property.

According to Anguera de Sojo: 'the surviving peasants, economically strong, gradually acquired the inhabited masos which surrounded their lands and which they added to their own masos. The lords permitted their sale, and demanded neither the 'exorquia' nor the 'intestia', and due to a lack of heirs they re-granted them without a fine or with a very reduced fine, often reducing the annual payments, as, for example, was the case with the 'tasca' which virtually disappeared in the new grants. It was then that the well-known problem arose which was to be the true principal motive behind the remensas's revolution. This struggle, which continued after the *Sentencia de Guadalupe* until well into the sixteenth century, had as its objective, on the part of the lords, the repopulation of the abandoned masos, and on the part of the buyer, the avoidance of their reconstruction and repopulation. It is for this reason that we see, in the 'cartas precarias' of the time, how after the inhabited masos are enumerated a series of masos, more or less in ruins... . The problem of the 'masos ronecs'... the key factor in the disturbances caused by the 'pagenses de redemptione', resistance to rebuilding and to redeeming in money payments manual work owing to the lords, from the 'tratinas' to 'hospedaje y cabalgadas'... for masos which did not actually exist. The question of the 'malos usos' and other similar payments was no more than the consequence, and at times the pretext, for fighting stirred up by the lawyers of the time of the Kings of Antequera, a bloody fight more political than judicial, because it is a well-known truth that the law of the 'usatges' had evolved considerably in favour of the peasants without fighting or protests'.⁶⁵

This thesis would be answered years later by Vicens Vives, who was considered with Anguera de Sojo the best historian on the 'remensas'⁶⁶, because of his work on the 'remensas' movement.⁶⁷ Vicens Vives believed that the doctrine expounded by Anguera de Sojo was excessively unilateral. His accusation was based on the fact that 'to argue the creation of an emancipatory psychology on the mere fact of a dispute over the 'masos ronecs', denies the existence in the mental field of the peasant population of Catalonia of the powerful ferment caused by the redemption of the 'mals usos'; the external manifestation of

⁶⁵ *Ibid.*, 289.

⁶⁶ P. Vilar, *Catalunya dins l'Espanya Moderna* I. 467.

⁶⁷ Although the controversy against A. de Sojo is more or less present in all his works, Vicens Vives' clearest arguments can be found in his two best known books dedicated especially to the 'remensa' problem, principally in the introduction to *Historia de los remensas* and *El Gran Sindicato Remensa*.

the desire for individual liberty. There would have been those lawyers who would have misunderstood the terms of the problem, which is equivalent to saying, by analogy, that the democratic movement of the nineteenth century, in essence liberal, was incited by the lawyers with university backgrounds by stimulating the purely economic unrest of the workers. We are, then, within the materialist interpretation of history, which is very far from being supported by the author to whom we are referring'.⁶⁸

Vicens Vives, for his part, analyzing more general and less detailed documentation than that of Anguera de Sojo, established in his work that it was necessary to place the central reason of the agrarian 'remensa' conflict in the fact that: 'the remensa struggle then had as its objective the achievement of personal liberty for the 'remensa' while he continued to possess the same agricultural land. In other words, the 'remensa' aimed at not only freedom from seigneurial servitudes but at the same time to annul, by his redemption, the servile category which the land which he cultivated had acquired'.⁶⁹

Therefore, the social conflict was explained by the two completely contradictory opinions of Anguera de Sojo and Vicens Vives. Should we interpret it as a conflict limited to the subject of the 'mals usos' and of freedom in general, or as a struggle related in great part to the 'masos ronecs' or in other words, to property rights, although the latter interpretation would also involve the question of liberty and the refusal to pay any type of payment to the lords?.

Pierre Vilar, from a much wider chronological and geographical perspective which allowed him to analyze the situation before and after 1486⁷⁰, arrived at the conclusion that 'Il ne nous apparait pas, quant à nous, qu'il faille choisir entre les deux thèses. Elles nous semblent, au contraire, se confirmer'.⁷¹ Nevertheless, rereading the parliamentary papers of 1413, he recognized that '[il s']agit d'une apre dispute autour des 'cosas feudals o emphitheoticarias'⁷², indicative of a crisis in feudal property. He also wrote that it was necessary to reconsider the question of the rehabilitation of the 'masos ronecs' of the abandoned lands. In his opinion, the economic balance between lords and peasants had been subject to revision, in other words, that the foundations of the agrarian system had been questioned.⁷³

⁶⁸ *El Gran Sindicato Remensa*, p. 12.

⁶⁹ *Ibid.*, pp. 10-12 and *Historia de los remensas*, p. 26.

⁷⁰ In his thesis *Catalunya dins l'Espanya Moderna*, he reinterpreted all of the medieval history of Catalonia to place it within his investigations on modern Catalonia (see pp. 461-471; 497-9; 575-84).

⁷¹ *Ibid.*, p. 467.

⁷² *Ibid.*, p. 468.

⁷³ *Ibid.*, pp. 468-71.

In his synthesis Vilar considered the subject in historical and socio-economic terms and not in merely in socio-political or socio-juridical terms, as had been the case up until that time. Thus, he suggested the necessity of studying the evolution of the social relationship surrounding land-ownership from the ninth century, two centuries before the formation of feudalism in Catalonia. He confirmed that a great part of Catalan peasant society was based on the system of grants, in the non-division of the dominions, and in an hereditary familial system. Basing his work on the studies of Ramon d' Abadal⁷⁴, he questioned the idea put forward by Eduardo de Hinojosa that Catalan servitude derived from the gothic-hispanic period, and he denied the possibility of comparing, by analogy, the condition of 'remensa' of the thirteenth century with the French Carolingian 'servage'. He also confirmed that it was not until the twelfth century that the 'redimentia' appeared and he studied its association with the 'mals usos' and the diverse customary obligations which the peasants owed to the lords. He studied the evolution of the words 'solidi', 'affocati', 'redimentia' and appreciated that the expression 'stantes et solidi', when it appeared in the eleventh century, implied a civil contractual obligation of residence but not a permanent and hereditary obligation, it was a means of defence against the instability on which the agrarian system was based. Afterwards, however, from the time of the crisis of 1333-49 onwards, in a different social and economic environment, it could be seen as a demand for continuity in the cultivation of the land.⁷⁵

Nevertheless, the most recent historiography has allowed us to analyze more deeply the work of Vilar, possibly as much in the area of empirical facts as in the area of hypothesis, including those which had already seemed to have been solved, such as the 'remensa' geography and the already mentioned discrepancy between the opinion of Anguera de Sojo and Vicens Vives with respect to the fundamental content of the agrarian crisis of the fourteenth and fifteenth centuries and of the corresponding agrarian conflict.

The importance of specifying the geographical location of the 'remensas' stems from the fact that traditionally a division is recognized between Old Catalonia (the North) and New Catalonia (the South), in the sense that the latter, in contrast with the former, was an area free from servitude.⁷⁶ If one was to provide evidence to show that in New Catalonia servitude also existed, it would no longer be possible to limit the agrarian conflict to the question of fighting for the 'remensa' cause, but if we concentrate on north Catalonia alone, we need not broach the subject of ownership in general.

⁷⁴ Especially, *Catalunya Carolingia. Els diplomes carolingis a Catalunya*. Institut d'Estudis Catalans (Barcelona, 1952), and *Els primers comtes catalans* (Barcelona, 1958).

⁷⁵ See P. Vilar, *Catalunya dins l'Espanya Moderna*, pp. 366-448.

⁷⁶ *Ibid.*, pp. 377-87.

Pierre Vilar supported the idea that a contrast existed between the two halves of Catalonia, but despite this, he studied the effects of the struggle against the Islam population in the internal structure of Catalan society, stating that the privileges bestowed upon municipal groups in Old Catalonia were similar to those granted to the new towns.⁷⁷

The distinction made by the lawyer Pere Albert⁷⁸ in the thirteenth century initiating the myth that New Catalonia was freer than the older northern sector is now being called into question. Paul Freedman⁷⁹ pointed out how Piskorski⁸⁰, at the beginning of this century, rejected this piece of strategic propaganda intended to promote the conquest over Islam. However, to a certain extent, this was what Vicens Vives recognized when he stated 'nevertheless, these peasants who worked the land in New Catalonia - remensas or peasant farmers subjected to the 'bad customs' in the bishoprics of Tarragona, Tortosa and Lerida - carried very little weight in the process of the emancipation of the rural classes, which was led and sustained by the remensas of the North, where they truly represented a social force and a grave economic and human problem'.⁸¹

Vicens Vives' hypothesis indicated that the 'remensa' territory corresponded to areas in the north of Catalonia, - Ampurdan, la Selva, the plains of Gerona and Vic and the mountainous areas of the Guilleries joining the two last towns, but also, although with some peculiar regional characteristics, in Valles, Maresme and Baix Llobregat. On the other hand, Vicens Vives interpreted the radical tendency of sectors of the 'remensa' population in relation to the harshness and misery of the mountains, 'as a permanent focal point of the ideas of armed insurrection; the group of the most audacious leaders of the remensa emancipation and the unyielding redoubt of all resistance to the lords. Attitudes of compromise were only found amongst the Catalan peasants in the more prosperous lowlands (El Ampurdan), reluctant to participate in the armed struggles'.⁸²

⁷⁷ *Ibid.*, p. 385.

⁷⁸ Cf. the 13th-century 'Commemoraciones' of Pere Albert, quoted by Bague, in *Historia social y económica de España y América*, ed. J. Vicens Vives (Barcelona, 1957), V. I. 401 ('porque en alguna parte de Cataluña que lleva el nombre de Cataluña Vieja, tal como en todo el obispado de Gerona y casi la mitad del obispado de Barcelona, que está en la parte a levante del río Llobregat, y la mayor porción del obispado de Vich, los hombres de otro que no son caballeros están de tal modo ligados a sus señores, que sus hijos son hombres de sus señores y no pueden contraer matrimonio o abandonar los mansos, y si lo hacen se tienen que redimir').

⁷⁹ P. Freedman, 'La condition des paysans dans un village catalan du XIII^e siècle', *Annales du Midi*, 94, (1982), 231-44.

⁸⁰ W. Piskorski, *El problema de la significación de los seis malos usos en Cataluña* (Barcelona, 1929).

⁸¹ J. Vicens Vives, *Historia de los remensas*, pp. 24-5.

⁸² *Ibid.*, p. 25.

Recent investigations on the subject sketch out a new geographical concentration of the 'remensas' which scarcely corresponds to that recognized by Vicens Vives. Indeed, instead of a New Catalonia free from servitude, the peasantry suffered all the servile hardships of the 'remensas', as Agusti Altissent observed in the Espluga de Francoli where they paid 'cucutias et exorchias et intestias'⁸³ or in Senan where the peasants were subjected to the 'mals usos' of 'questiis, intestiis et exorquiis'.⁸⁴ Paul Freedman discovered that in La Guardia dels Prats, the peasants were subjected to 'questias', 'toltas' and 'forcias' and, after studying some of the charters of the monastery of Sant Creu, he noted the existence of servile tenancies in the greater part of New Catalonia during the thirteenth century with 'remensas' peasants subjected to the 'mals usos', seigneurial arbitrariness, labour services and heavy payments on crops.⁸⁵ What this signifies is that Agusti Altissent and Paul Freedman both recognized that in New Catalonia, between the eleventh and thirteenth century, a complete feudal structure, including servile labour, existed.

Also recently, Jose Comas noted the existence of an established feudal social structure around Vila-rodona.⁸⁶ According to the population and franchise records taken in 974 by Bishop Vives of Barcelona, the population was free. But two and a half centuries later the local inhabitants were subjected to a powerful feudal régime with respect to their social and juridical position. The inhabitants were 'hominii proprii, solidi et affocati', forced to pay 'tascas', tithe and 'llosol' and moreover they suffered the 'mals usos' of 'intestias', 'exorquias' and 'cugucias'.

This new map of the 'mals usos' and servitude does not correspond to the map devised by Vicens Vives, who intended in his work to typify a revolution against the 'mals usos', since it would oblige us to include the peasants from New Catalonia who lived under poor conditions very similar to those of the peasants in Old Catalonia. In other words, it seems that the earlier locational zone must be increased to encompass New Catalonia but moreover, to extend as far as Andorra, Gerri de la Sal and the Rosellon where Nuria Sales⁸⁷ isolated several dispersed examples of the existence of 'mals usos' and servitude like 'cugucias, intestias, exorquias, arsinas, acaptas, forcias, tolitas, spoli'. As shown, discrepancies do exist amongst all the maps indicating the location of serfs. At certain times

⁸³ A. Altissent, 'Un poble de la Catalunya Nova els segles XI i XII. L'Espluga de Francoli de 1079 a 1200'. *Anuario de Estudios Medievales* 3 (1966), 131-213.

⁸⁴ A. Altissent, 'Per a la historia de Senan (1159-1264)', *Aplec de Treballs num. 3 del Centre d'Estudis de la Conca de Barberà* (Montblanc, 1981), 155-95.

⁸⁵ P. Freedman, 'La condition des paysans'.

⁸⁶ J. Comas i Pie, *Demografia i societat rural a Vila-rodona durant l'antic regim (segles XVI-XVIII)* (Barcelona, 1986).

⁸⁷ Nuria Sales, 'Feudalisme a França i Espanya en els segles XVI a XVIII: alguns aspectes', *Manuscrits*, 1, (Barcelona, 1985).

before 1486, there were peasants who were free from servitude. Miguel Golobardes in his recompilation of documents offers more than one example of cases of redemption of censos and servitude between 1300 and 1330 (from Perpinia Sacosta of the parish of Sant Julia de Galliners, (1333), from Pedro Corps of the parish of Sant Marti de Vilallonga (1368), and from Pedro Villar of the parish of Galliners (1412)).⁸⁸ Montserrat Richou also uncovered documents showing varied reductions in servitude in 1348 and 1365 amongst men from the parish of Sant Julia de Argentona, from Sant Genis de Vilassar and from Premia.⁸⁹ The fact that redemptions of servitude were for the first time recorded in these documents does not preclude the probability that there were unrecorded redemptions previous to these, or that the peasants of times anterior to the documents lived under servile conditions. Similarly, the constant existence of the 'remensa' system, or a more or less servile system, did not preclude the possibility of wide variations in the conditions and status of the peasants, (both 'remensas' and the non-'remensas') as we shall see later. M. Richou, besides finding these redemptions, came across peasants who became 'hominii proprii, solidi, affocati et de redemptione' of the baron of Sant Vicens at dates as late as 1349 and 1416.

The theme of the location and heterogeneity of the map of servitude in Catalonia lead us to consider the social factors of the agrarian conflict which developed in Catalonia between the end of the fourteenth and the fifteenth centuries.

II.2.1. The Aims of the Peasantry in Arms

To limit the Catalan agrarian conflict to a simple question of claims for freedom by the serf would imply, against the evidence, leaving out of the fight a large percentage of the Catalan peasants who were not 'remensas' and who therefore participated for personal objectives. So the question whether these conflicts were peasant wars or 'remensa' wars would be the same as asking whether it was a revolution against the 'mals usos' or over ownership.

As we have seen with respect to the valley of Aro, in the mid 1300s, of the 112 declared tenancies, less than half were 'remensas' although in general all the largest holdings were held by this sector of the population. Moreover, 'remensas' possessed more than 65% of the land declared in the 'capbreu'. Therefore, the free tenancies, or rather the non-

⁸⁸ M. Golobardes i Vila, *Els remences dins el quadre de la pagesia catalana fins al segle XV* (Perelada, 1970-1973).

⁸⁹ Montserrat Richou Llimona, *Apoximacio a la historia de la vila d' Argentona a la baixa edat mitjana (segles XIII-XV)* (Barcelona, 1986).

'remensa' tenancies, although under seigneurial dependence, were more numerous despite the fact that they only occupied a third of the total land.⁹⁰

On the other hand, the plagues of the middle of the fourteenth century did not change the previous situation, nor did they stimulate hopes of well-being for everyone. It was principally the peasants that were already rich who benefitted from the new situation, since they could now increase their holdings although, conversely, their conditions of freedom deteriorated. However, for the majority of the peasants, the harsh conditions under which the land was granted and the burden of the payments and seigneurial land taxes charged upon it made it difficult for them to have access to the land under favourable conditions or else forced them to renounce it altogether.⁹¹

Under such conditions is it still possible to consider the struggles of the fourteenth and fifteenth centuries as exclusively 'remensa' wars, as so many books and theses on the history of Catalonia suggest? Did not the free but downtrodden peasants have just reason for rebellion against the feudal lords who monopolized the governing and control over the land and who demanded the payment of 'censos', 'tascas', 'quartos', 'delmes', labour services and many other servile taxes which were as feudal as the 'remensa' fine itself? The documents studied for the valley of Aro allow us to question the generally accepted idea of limiting the agrarian problem of the fifteenth century solely to the claims of freedom by the 'remensa' peasants.⁹² The fact that land tenancy represented harsh conditions for the majority of the peasants allows us to believe that they actively participated in the conflict, questioning the seigneurial right of ownership.

A great part of the problem regarding the participation or non-participation of the other peasants in the 'remensa' battles resides in the fact that no satisfactory definition of who was and who was not a 'remensa' exists. The use of a strictly technical definition ('homo proprius, solidus, affocatus et de redimentia') carries the risk of excluding from this social group some of the peasant population. Some time ago, Eduardo de Hinojosa pointed out the difficulties incurred by the inclusion or exclusion in the 'remensa' group of the peasants who could only be defined by the lords as 'homo proprius, solidus et affocatus' or 'homo proprius et solidus'.⁹³ The solution can clearly only be found in specific studies which show the special circumstances in which the 'remensa' originated and the social-juridical implications of those circumstance for the peasantry.

⁹⁰ See chapter I.4.

⁹¹ See chapter I.5.

⁹² J. Vicens Vives, *Historia de los remensas*, p. 21.

⁹³ E. de Hinojosa, *El regimen señorial y la cuestión agraria*, pp. 118-119.

In this way, Eva Serra shows that in the Valles area, the peasants declaring themselves as 'affocatus' were not 'remensa'.⁹⁴ On the other hand, in the valley of Aro, the 'affocati' granted masos later declared themselves in the capbreus as 'remensas'. One example would be that of Mas Mola which was settled on Bernat Sabater in 1264 on condition that his sons would be obliged to live there.⁹⁵ In 1407, 1410, 1411 and 1417 the fathers and sons declare themselves 'hominii proprii, solidi et affocati',⁹⁶ but in 1569, the 'maso' is recorded as having been redeemed from servitude⁹⁷, that is to say, it was considered as 'remensa'. On this point, Eduardo de Hinojosa made a general observation asserting that in the diocese of Gerona, Cerdanya and Rosellon the descriptions 'homines amansati' and 'abordati' were definite indications of a remensa condition. It is due to this fact that some documents indicate that the peasant was 'affocatus sed non de redemptione', as a guarantee against the danger of the lords reclaiming those who were merely 'affocati' as 'remensas'.⁹⁸

In the same way, a peasants who declared himself 'homo proprius et solidus' might also be regarded as 'remensa' at least in the valley of Aro.

In this area declarations of masos can be found in which the tenant declares himself to be an 'homo proprio et solidus', but must nevertheless redeem his maso as if he were a serf, as in the case of the masos Semir, Cifra or Estrany.⁹⁹ In fact, in the 'Consuetudines Diocesis Gerundensis' (a juridical compilation put together in the mid 1300s), the peasants subjected to the 'remensa' condition, or those who were included in this group due to marriage, entrance into a maso, birth or any other reason, were referred to as 'proprius et solidus'¹⁰⁰, or the even more general term, 'homo'.¹⁰¹

Thus, these terms had already, in the fourteenth and fifteenth centuries, lost a great part of the meaning that they held in the eleventh and twelfth centuries, and the lords took advantage of this change to extend their rights over the peasants. Expressions like 'afocatus sed non de redemptione' serve as proof of a social reality in which little or no subtlety was

⁹⁴ E. Serra, 'El regim feudal català abans i després de la sentència arbitral de Guadalupe', *Recerques*, 10. (Barcelona, 1987), 17-32.

⁹⁵ Aro I, 18 (1264).

⁹⁶ Aro II, 218 (1407); 228 (1410); 230 (1411); 245 (1417).

⁹⁷ Aro III, 124 (1569).

⁹⁸ See E. de Hinojosa, *El regímen senyorial y la cuestión agraria*, p. 213.

⁹⁹ Semir: Aro I, 30 (1434) and Aro II, s26 and s27 (1567); Cifra: Aro II, s7 (1567); Estrany: Aro II, s 117 (1567).

¹⁰⁰ Rub. II, c. 1: 'Si filius homines alicuius sit proprius et solidus, quamvis mater sit libera ex quo est natus ex matrimonio, sequitur conditionem patris...'.¹⁰¹

¹⁰¹ Rub. II, c. 8: 'Si homo alicuius recedat a terra sua et postea ad eam redierit ...'; c. 58: 'Item est consuetudo, quod si homo meus inhabitet in liqua borda que non fuerit mea vel pro me non teneatur, et ducim uxorem, quod uxor quam ducit debet se facere meam feminam...'.¹⁰²

evident in the attempts to confuse the 'remensa' condition with other servile obligations. And as proof of the fact that the lords never indulged in legal subtleties is the 'tall' (tax) ordered by the queen on 16 January, 1449, in which were included not only the 'remensas', but all peasants who were, 'proprios, solidos and afocados' or, as the queen said, 'com vinquen sots aquest vocable del mals usos'.¹⁰²

A further subject for consideration must be the list of claims made by the struggling peasants. Eduardo de Hinojosa pointed out at the beginning of the century that the claims of the peasants concerned not only the abolition of the 'mals usos', but seigneurial rights in general, which would explain that whether they were 'remensas' or not during these struggles the peasants had a common cause.¹⁰³ Vicens Vives, on the other hand, confronted with the evidence presented by the documents he himself published, confined himself to regarding the 'mals usos' as the central cause of the conflict. However, repeated references to the peasant population in general or to non-'remensa' groups who took part in the battles alongside the 'remensa' sector appear in his texts.¹⁰⁴ Even some official documents of the period, published by Vicens Vives, recognize that the struggles were 'peasant' struggles, and were not confined merely to the 'remensas'. So, for example, a text related to the Constitucions of Catalonia of 1413 entitled 'Com a molts entenents' ennumerated the sanctions which should be applied 'si apres lo senyor se haura apropiat los bens per vigor de la present constitucio, per los dits *homens de remenca e no de remenca*, de paraula o en scrits, per si o per interposada persona seran fetas menasses, o batiments, o oposades creus, o fetas fossas, o altres senyals de morts, o menassas designats contra los dits senyors, o llurs procuradors, o aquells que los dits bens tindran...'.¹⁰⁵ This text also reveals the type of demand which led to the popular cry of the peasantry, 'fora censos i tasques', a cry which disturbed the lords and with which the masses were incited to rebellion in 1462. The fear of the lords was justified, as was shown twenty years later in 1482 when the government of the city of Gerona wrote to that of Barcelona, informing them 'de un cas atrocissim y enormissim seguit lo die abans: que havien trobat mort en la parroquia de Sobreroca, ferit de una stralla per la

¹⁰² J. Vicens Vives, *Historia de los remensas*, p. 51.

¹⁰³ E. de Hinojosa, *El regimen señorial y la cuestion agraria*, pp. 305-309.

¹⁰⁴ The following extracts serve as an example: '...los payeses por otro lado, ... incluyen en sus reivindicaciones todo censo o prestacion, alegando que eran malos y no debian de ser pagados...' (J. Vicens Vives, *Historia de los remensas*, p. 70); 'Los payeses se opusieron a la recaudacion de los derechos señoriales...' (p. 71); '...que los dits pajesos e homens de remenca e altres complices e secassos sien de lurs mals fets corregits...' (p. 82, n. 82); 'E axi comen tot aquest vostre Principat, ...en no sols los qui son de remensa, mas encara tots los altres pagesos' (*Idem, Ferran II*, p. 144); 'volen que la diferencia d'ells qui no son de remensa ab lurs senyors hi sia compresa' (p. 157).

¹⁰⁵ *Ibid.*, p. 40; and *El Gran Sindicato Remensa*, p. 13.

spalla a Juan de Vern . . . E investigat lo cas, trobaven que seria que *demanava censos y tascas als pagesos* de aquella montanya, y sabian que aquells pagesos a molts altres actes desordenats.¹⁰⁶

Finally, although it is not necessary to cite endless examples, the inclusion of a quotation from the letter written to king Fernando II by the government of Barcelona dated February 23, 1485, one year before the signing of the *Sentencia* between the peasants and the lords, is perhaps justifiable, as it succinctly expresses the sort of matters that were being discussed, and genuinely preoccupied the feudal lords: 'nosaltres no podem entendre qual praticha de maneig e conduccio de compromis pot esser en aco, car V.M. mane sia fet compromis en V.A. per los pagesos de remenca de les diferencies entre ells e lurs senyors. Ells, senyors, dien que hi sien totes diferencies entre ells, *de remenca e no de remenca, qui volen que la diferencia d'ells qui no son de remenca ab lurs senyors hi sia compresa*. Veen per experiencia que la dita diferencia es sols si pagaran o no lo que duen. E axi, Senyor, mire V.A. quina praticha de concordia ab aquests pagesos es pot tractar la hora que los altres pagesos que no son de remenca se aiusten ab ells e fan un cors en no obeir ni pagar algu. E per co son meravellats qui scriu a V.A. que los senyors son contents de fermar, com sia lo contrari, *car encara que la questio d'ells ques dien mals usos se creu serien contents fe conexenca, empero de la denegacio de pagar censos, taschas, delmes e altres drets qui no son de remensses, no crega V.A. que nengu se enduescha en fer compromis del que es clara la justicia, maiorment que en asso conte no sols los senyors dels qui son de remensa, mes encara tots los ecclesiastichs e militars de Cathalunya que fa la cosa dificil e impossible e apartada de praticha de compromis e maneig*'.¹⁰⁷

The most important point which can be deduced from this letter is that, as the lords themselves recognised, the peasant struggles were not limited to the 'remensa' group nor were the aims of those struggles confined solely to a demand for personal liberty. For a great part of the Catalan peasantry, principally the poorest, the question of the 'censos' and 'tascas' that they had to pay for their land was what most concerned them, and not the payment of the 'mals usos', which generally did not apply to them anyway. Hinojosa wrote that at the end of the fourteenth century the majority of the Catalan population was free from the 'mals usos', 'ya fuera gracias a exenciones generales colectivas o individuales o por medio de la reduccion a censos en dinero'.¹⁰⁸ Moreover, in the works of Vicens Vives, there are numerous references to documents which indicate that the peasants did not confine their demands to the abolition of the 'mals usos' but extended them to the suppression of all the

¹⁰⁶ *Ibid.*, *Ferran II i la ciutat de Barcelon* I. 297.

¹⁰⁷ *Ibid.*, I. 156-7.

¹⁰⁸ E. de Hinojosa, *El regimen señorial y la cuestion agraria*, p. 293.

feudal obligations which they were burdened with. That is to say, in short, a section of the Catalan peasantry was questioning the concept of feudal land ownership.¹⁰⁹

The valley of Aro provides a good illustration of the type of struggles and claims with which the lords and peasants were involved. It is a particularly good example since Gerona cathedral was, in the opinion of Vicens Vives, the most intransigently feudal centre of the country, and its bishop at the time, Bernardo de Pau, one of the most active members of the 'feudalists' extreme right wing'.¹¹⁰ In fact, the bishopric of Gerona was at the centre of the entire 'remensa' conflict.¹¹¹

Some of the occurrences in the valley of Aro indicate an active peasant participation in the 'remensa' struggles, a participation which extended to urban groups as well. In July 1469, Canon Pedro Terrades went to the chapter of the cathedral to ask for financial aid with which to rebuild the Castle of Aro (the centre of feudal lordship in the valley) because it had been 'combustum et dirrutum per armigeros forenses'. A similar action was carried out soon afterwards (December 22, 1469) in the city of Gerona by groups of peasants who set fire to the episcopal archives which contained a great many of the deeds relating to the Aro region¹¹², and the monastery of Sant Feliu de Guixols (the second centre of feudal power in the area) was repeatedly attacked (on the 15 and 27 July, 1485) by local peasants who were principally from Llagostera. But the most surprising thing of all is the evident passivity, or even complicity, with which the town's inhabitants regarded the 'remensas'. Apparently, when the defenders of the monastery asked for help from the town, nobody took the trouble to respond. According to Vicens Vives 'mas tarde se supo que muchos habitantes de la localidad hablaban en favor de los campesinos y les ayudaban en sus desordenes, e incluso que algunos magistrados municipales eran del mismo parecer'.¹¹³

However, despite these examples, we now know that at the end of a few months the 'compromise option' would end up being the one taken between peasants and lords by means

¹⁰⁹ By investigating the documents quoted by Vicens Vives himself this idea becomes clear. See in *Ferran II*, III.134, that Pere Joan Sala, remensa, leading a group of 400 men, was offering to the people of Gerona and Vic, 'que tots aquells qui a la voluntat llur se volran adherir seran franchs e liberts de qualsevol servicis, drets a les quals fossen en qualsevulla manera obligats'. The remensas of Granollers said that the King 'tenia la voluntat de que nos pagassen censos ni taschas ni altres drets, sino que tothom fos franch...' (*Ibid.* 143). See also (157) 'que los altres pagesos que no son de remensa se aiusten ab ells e fan un cors en no obeir ni pagar algu... empero de la denegacio de pagar censos, taschas, delmes e altres drets qui no son de remensa'. See also, 161, 304, 328, and similar quotations in *Historia de los Remensas*, pp. 113, 116, 123, 175, 70, 144, 146, 71, 173, 82, 112, 262-5.

¹¹⁰ *Ibid.*, p. 50.

¹¹¹ P. Alfonsello, *Els comtes de Gerona*, p. 12.

¹¹² J. Villanueva (*Viaje literario por las iglesias*, XII, 272) published the document.

¹¹³ J. Vicens Vives, *Historia de los remensas*, p. 224.

of the Sentencia Arbitral de Guadalupe (1486).¹¹⁴ With this agreement, the feudal lords would end up accepting the claims of the most moderate sector of the peasant population, that is to say, the strictly 'remensa' claims, 'de servitibus illis vulgariter dictibus mals usos et decendentibus ab eis'¹¹⁵, demanded principally by those rich peasants who were owners of large-scale holdings. However, in the same Sentencia the payment of a fine of 50,000 'lliures' was established, to be paid over 10 years, and all the peasants had to participate even if they were not 'remensas' or subjected to the 'mals usos'.¹¹⁶

So, one might therefore ask whether the Sentencia, through the recognition of a part of the peasant claims, was a victory which inaugurated a new era of relations regarding the land or whether, on the contrary, it was nothing more than a juridical instrument by means of which the lords could assure the restoration of the traditional feudal order, with the recognition of the peasants' obligation to deliver most of the customary payments.

II.2.2. La Sentencia Arbitral de Guadalupe or the Restoration of Feudal Order.

On 21 April 1486, the Sentencia de Guadalupe was signed, one of the few legal documents which put an end to an agrarian conflict in medieval times.¹¹⁷ Traditionally, the Sentencia has always been praised when mentioned. In the sixteenth century Solsona, a lawyer, said that it was 'laudabilis est et sancta'¹¹⁸, and more recently Hinojosa assessed it as 'el peso decisivo en la obra de emancipacion de los payeses de remensa'.¹¹⁹ In fact, its promulgation and application in the Catalan countryside helped historians to support a theory that has become classic; its publication initiated a new stage in agricultural prosperity.¹²⁰ Vicens Vives synthesized this idea, pointing out that with 'el desarrollo de los principios legales de aquel fallo asistimos a la misma intimidad del nacimiento de un nuevo orden jurídico en el campo del Principado, el mismo que, manteniéndose inquebratable durante mas de cuatro siglos, habia de probar, con el esplendor dado a la agricultura catalana, el acierto del Rey Catolico en otorgarlo...'.¹²¹ And he concluded his elaborate study on the 'remensas' pointing

¹¹⁴ E. Serra, 'El regim feudal català', 15.

¹¹⁵ J. Vicens Vives, *Historia de los remensas*, p. 139.

¹¹⁶ Cf. cap. XVIII, p. 356. The whole text of the Sentencia was published by J. Vicens Vives (*Historia de los Remensas*, ap. II, pp. 348-365). The quotation of the text refers to this edition.

¹¹⁷ J. Vicens Vives, *Historia de los Remensas*, ap. II, pp. 348-365.

¹¹⁸ J. Solsona, *Stilus capibreviandi* (Barcelona, 1565), p. 72.

¹¹⁹ E. de Hinojosa, *El regimense señorial*, p. 311.

¹²⁰ Prat de la Riba, *La nacionalitat catalana*. (Barcelona, 1910), p. 20; and F. Soldevila, *Historia de Catalunya* (Barcelona, 1962), II. 142.

¹²¹ J. Vicens Vives, *Historia de los remensas*, p. 272.

out that thanks to the action of the King and the peasant leaders 'se pudo solucionar en una atmosfera de positivo beneficio para todas las clases catalanas, una cuestion que durante tres reinados habia amenazado la prosperidad del campo del Principado'.¹²²

In fact, Vicens Vives was referring implicitly only to the richest peasants, owners of the larger tenancies. Thus, it is not surprising to note a certain tendentiousness in his arguments, which led him to a great confusion with regard to terminology, as occurs when he tends to confine to the 'remensa' problems words which could refer to the entire peasant population.¹²³ Similarly, by defending in his theses the belief that the main objective of the 'remensa' struggle was the abolition of the 'mals usos' and the attainment of liberty, which was the objective of the richer peasants, he was obliged to ignore, to a certain point, the actions of the most radical sector of the 'remensa' social group, allied with the rest of the peasant population, who fought for broader objectives; 'no solo la redencion de los malos usos y abusos señoriales, sino tambien la absoluta liberacion de la tierra bajo la consigna de que no habian de pagarse a los propietarios, ni censos, ni tascas, ni cualquier otro gravamen'.¹²⁴ From this point onwards he frequently refers to these wider sectors of the peasantry in scornful terms, judging their claims to be 'arrogantes' or 'demagogicas'¹²⁵, their organization of the struggle as 'confabulacion'¹²⁶, their leaders as 'agitadores' and 'revolucionarios'¹²⁷ and the peasantry as a social group in general to be 'turbas' (a rabble) and 'embaucados' (swindlers), incapable of acting politically for acceptable objectives.¹²⁸

It is probable that the Sentencia did allow the beginning of a new equilibrium in social relations regarding land. The 'moderate' peasants saw their petitions accepted. First of all

¹²² *Ibid.*, p. 337.

¹²³ 'rusticorum' (*ibid.*, p. 290), 'rustici' (*ibid.*, p. 292) and 'pagesos' (*ibid.*, p. 302) instead of 'remensa', Cf. J. Vicens Vives, *Ferran II i la ciutat de Barcelona*.

¹²⁴ J. Vicens Vives, *Historia de los remensas*, p. 44.

¹²⁵ 'Las arrogantes condiciones de los campesinos...' (*ibid.*, p. 173); 'Todo el pleito remensa en su aspecto demagogico gira alrededor de la aplicacion a los censos y prestaciones de la suspension de pago...' (*ibid.*, p. 70, n. 38); 'Las exigencias turbias de una minoria de agitadores remensas...' (*ibid.*, p. 199).

¹²⁶ J. Vicens Vives, *Ferran II i la ciutat*, p. 304: 'La confabulacio entre el partit remensa demagog i la massa camperola...'

¹²⁷ 'Sala atizo cuanto pudo el incendio de la discordia, con el espiritu fanatico y demagogico de los revolucionarios natos' (J. Vicens Vives, *Historia de los remensas*, p. 143) 'Pere Joan Sala... capitost de l'ala ultra-radical...' (*Ferran II i la ciutat*, p. 302); '...campanya subversiva dels Sala ...' (*ibid.*, p. 328); '...les terboles exigencies i proposits falsos d'una minoria d'agitadors remences...' (*ibid.*, p. 328).

¹²⁸ Cf. J. Vicens Vives, *Historia de los remensas*, p. 72: 'No obstante las amenazas, la actitud violenta y el desenfreno de las turbas insurrectas permiten suponer que se hallaban ya adentrados en el camino de la mas radical demagogia...'; 'Sala consigue mediante una propaganda demagogica... atraer hacia su partido a muchos remensas embaucados... por las falaces promesas del cabecilla' (*ibid.*, p. 146)

freedom; the 'remensa' condition was abolished together with the five other 'mals usos'.¹²⁹ Apart from these 'mals usos', the Sentencia also enumerated the abolition of the labour services and a whole array of obligations and small customary dues that the lords had been gradually increasing over the years.¹³⁰ In order to ensure that the lords would not reclaim them the Sentencia denied them the right to maltreat or to imprison peasants.¹³¹

With reference to his holding, the peasant could now dispose of his personal property and belongings and go wherever he pleased. Only the 'cubo mayor' (the main building) and the lands could not be sold¹³², and if the peasant abandoned the land for longer than three months, the lords could take over the property.¹³³ However, the victory was considerable. It was no longer possible to expel the peasant from his land if he wanted to keep it. He could pass on the land through inheritance, although that in itself did not make him a landowner. With respect to the 'masos ronecs', the future of those holdings abandoned through depopulation, was controlled by legal agreement.¹³⁴ If the lord had not formally renounced his rights over the servile 'mas ronec', the peasant had to pay a reclamation fee, no matter how many masos he had. The peasants protested these measures, but the king, obliging them

¹²⁹ Introduction to Sentencia (J. Vicens Vives (*Historia de los Remensas*, ap. II, p. 349)) : 'Sentenciamos, arbitramos y declaramos que los dichos seys malos usos no sean ni se observen ni hayan lugar ni se puedan demandar ni exigir de los dichos pageses ni de sus descendientes ni de los bienes dellos ni de alguno dellos, antes por la present nuestra sentencia aquellos abolimos, stinguimos y anichilamos e declaramos los dichos pageses y sus descendientes perpetuamente ser liberos y quitios dellos y de cada uno dellos'.

¹³⁰ c. X (*ibid.*, p. 352): '...que los dichos pageses no sean obligados a pagar pollos de astor, ni pan de perros, ni drecho llamado bracadella de cavall, ni tampoco los dichos seniores puedan compellir los dichos pageses a usos nombrados cussina, entesquia, alberga, menjar de balles, pernes de cansalada, arages, molto y anyell manyench, porch e ovella ab let, stavall de porch, vi de trescol, vi apellat den beusora, sistella de rahims, carabassa de vi, fe de palla, cercolls de bota, molas de molino, ni adob de resclosas, blat de acapte...' and the labour services '... iovas, batudas, jornals, podades, femades, segades, tragines, e otros sermejantes drechos e servitudes personales...'.

¹³¹ c. VI (*ibid.*, p. 350) : 'Item, repellimos, cassamos y anullamos el drecho y facultat que los seniores pretienden tener de mal tractar y, si della usaran, que los dichos puedan recorrer a Nos ...'.

¹³² c. VII (*ibid.*, p. 351): 'E que los dichos pageses e successores suyos, no obstant el dicho sagrament y homenage, puedan renunciar, lexar y desemparar los dichos masos y casas con las propiedades, tierras, honores e posesiones quando quiere que querran y que se puedan ya liberamente a donde querran y cada y quando querran con todos sus bienes móbiles, exceptado el cubo principal...'.

¹³³ c. VIII (*ibid.*, p. 351): '...declaramos que si los pageses se yran de los dichos masos y dexaron aquellos sin voluntat de sus senyores, que los dichos senyores puedan por su propia auctoritat ocupar aquellos y stablir los a quien querran passados tres meses despues que los dichos pageses se havran ydo, e que durant el dicho tiempo de los tres meses los puedan tomar y encomendar...'.

¹³⁴ *Ibid.*, p. 299.

to pay the reclamation fees, did no more than guarantee the unquestionable annexation of those properties to recognised peasant land.¹³⁵

However, what did the *Sentencia* represent for the other side of the conflict; the lords? First of all, the lords benefitted economically since the *Sentencia* stipulated that the peasants must pay sixty 'sous' for each 'maso' subjected to the 'mals usos'.¹³⁶ On the other hand, it respected the jurisdiction that the lords had over their peasants.¹³⁷ Furthermore, at the same time it authorized the lords to force the peasants, as often as was necessary, to declare the lands that they held, and to give an oath of allegiance, homage and recognition of property rights, recognizing the obligation to deliver payments for the lands.¹³⁸ Also, the lords had the right to occupy lands abandoned by the peasants, and thereby safeguard their property rights over the land.¹³⁹ Moreover, the peasants required the authorization of the lord to sell lands which had been granted by the latter.¹⁴⁰ Thus, the *Sentencia* determined the new relationship between lords and peasants and their lands, although without suppressing the feudal jurisdictional framework itself.¹⁴¹

Should one then speak of the restoration of the feudal regime in Catalan territory or, as Vicens Vives said, of the establishment of a new juridical order? Montserrat Duran supported Vicens Vives theory in her studies. She discusses the possibility of considering the *Sentencia* 'como el punto que señalaría el inicio del proceso de desaparición del sistema económico-social calificado de feudal-señorial'.¹⁴² On the other hand, she offers a more

¹³⁵ *Ibid.*, p. 294.

¹³⁶ Introd. *Sentencia* (*ibid.*, p. 349): '... declaramos los dichos pageses ser tenidos y obligados dar e pagar por cada un capmas sesenta solidos... y aquel imposamos sobre los dichos pageses y masos que a los dichos seys malos usos eran y son tenidos y obligados mentre que luydo no sera, ...'.

¹³⁷ *Sentencia* c. VI (*ibid.*, p. 350): 'No entendemos quitar a los dichos senyores o seniores la jurisdiccion civil, si alguna tienen e les pertenece sobre los dichos pageses'.

¹³⁸ *Sentencia* c. VII (*ibid.*, p. 351): 'Item, sentenciamos, arbitramos y declaramos que los dichos pageses hayan a prestar sagrament y homenage de propietat a sus senyores tantas vegadas quantas aquellos querrán, reconociendo que tienen las masias y casas con sus tierras, honores y possessions por dichos senyores o seniores, pero sin cargo de remença personal y de los otros cinco malos usos restantes...', and c. X (*ibid.*, p. 353).

¹³⁹ See above note 44.

¹⁴⁰ *Sentencia* c. XII (*ibid.*, p. 354): '... arbitramos quel pages sin licencia de su señor o senior pueda e le sea lícito vender, dar, permutar e alicuar de sus bienes móbiles todo a su voluntad, excepto el cubo mayor y principal del mas o casa, el qual mas se pueda vender sin licencia del señor o senior. E nos sentenciamos y declaramos que el pages no pueda vender ni alienar a persona stranya el mas ni las tierras al dicho mas contiguas y affigidas e con las quales lo tiene stablido...'.

¹⁴¹ See above notes 47, 48 and 49.

¹⁴² M. Duran, *Terra, treball i propietat (classes agraries i regim senyorial als Països Catalans)* (Barcelona, 1986), p. 207.

pessimistic outlook than Vicens Vives with respect to the economic aspect, maintaining that 'el regimen señorial catalán entro despues de la Sentencia de Guadalupe en un proceso irreversible de decadencia'.¹⁴³

As we have already seen, the Sentencia openly recognized the right of the lords to demand homage from the peasants; the recognition by the latter of their lords' dominion over the lands, the declaration ('capbreu') by the peasants of the lands they possessed, and the payments levied on the land annually ('censos'); in short, recognition of seigneurial ownership of the land. Economically the Sentencia also perpetuated other charges on land and openly stated: 'que los dichos pageses daqui adelante integralmente sin frau alguno, bien y lealmente a su senyor o senyores a quien pertenescen pagar diezmos, promicias, censos, tascas, quintos, quartos, e otros derechos reales que sean acostumbrados pagar por razon y causa de los masos, tierras y posesiones que poseen y possehiran,...'.¹⁴⁴

Rather than continue fighting, the peasant 'sindics' preferred to sign and accept the Sentencia and the payment of the 'talls', taxes imposed by the King as recompense for his negotiations.¹⁴⁵ The program proposed by the poorest 'remensas' (the 'radicals' according to Vicens Vives) and the rest of the peasantry, who looked for the total suppression of seigneurial rights, had failed. This fact left ill feeling and bitterness amongst the peasants. Perhaps it is only a minor detail, but in 1492 King Fernando himself was stabbed during his stay in Barcelona by a poor 'remensa', peasant 'loco imaginativo y malicioso', who, according to the anonymous writer of 'Relacion de la acuchillada que se dio al Rey', was a 'labrador villano ... el qual es a temporada loco y fuera de seso'. And this took place on the day when the lower classes were supposed to show their allegiance to the King.¹⁴⁶

Much more important and significant was the repression which took place immediately after the publication of the Sentencia, where it was declared who should be punished and in what way. Literally, the Sentencia stated: 'como todos los *pageses de remensa y muchos que no son de remensa*... se han levantado en gran numero a mano armada, han hecho guerra publica... pusieron las manos en matar, robar, apresurar, rescatar, ocupar y derribar fuersas y lo que peor es, quemar iglesias... condemnamos a los sobredichos y cada uno de ellos a muerte corporal en esta manera, que donde quiere que fallados fueren... sean presos y publicamente enforcados e descortizados y los bienes dellos

¹⁴³ *Ibid.*, p. 207.

¹⁴⁴ Sentencia, c. XIII (ibid., p. 354).

¹⁴⁵ There were eight in all; three before 1488, when the fiscal authority of the peasants' 'sindics' was recognized, and five later. Cf. J. Vicens Vives, *Historia de los remensas*, p. 328.

¹⁴⁶ *Ibid.*, p. 321.

assi mobles como immobles confiscados...'.¹⁴⁷ In 1489 the shout amongst the peasants of 'muyren, muyren gentilshomens' could still be heard.¹⁴⁸

It is obvious that this sector of the peasantry was the overall loser, as we shall see later. The case of the valley of Aro is a good example of how the agrarian social crisis in the Late Middle Ages was resolved in Catalonia.

¹⁴⁷ Sentencia, c. XVIII (*ibid.*, 356-357).

¹⁴⁸ For a detailed account of all the incidents that followed the publication of the Sentencia, refer to J. Vicens Vives, *op. cit.*, pp. 312-316.

CHAPTER 3

III.1. THE AGRARIAN STRUCTURES OF THE 16TH CENTURY: A NEW EQUILIBRIUM?

The 'Sentencia', an agreement signed by the lords and a section of the peasantry in 1486, represented one of the few peasant victories of the Middle Ages.¹ The 'moderate' peasants' acceptance of the conditions established in the Sentencia presupposed the end of the struggles over the legal status of the land. There is no record of any new major social crisis occurring in the Catalan countryside until the beginning of the twentieth century, when the 'rabassaires' rose up in arms.²

Basing their assumptions on this fact, the historians of the beginning of the century idealized the prosperity of the Catalan countryside.³ It is not a question of denying the existence of that prosperity, but of reducing it to its rightful proportions. Nobody denies that from the sixteenth century Catalan agriculture prospered, as it did between the eleventh and the first half of the fourteenth centuries. However, it is nevertheless necessary to define the new agrarian structures on which this prosperity was based.

1486 can be seen as the year which marked the change in the agrarian structures of the time. The sharpening of the imbalances within the structure of the peasantry presupposed the predominance of the maso as the nucleus around which agrarian social relationships were formed. However, it is also necessary to consider the effects which this fact had on the rest of the peasant land holdings and on the peasants as individuals.

We know very little about the way in which the changes in the agrarian structures affected the peasantry as a whole. They were suffering defeat and suppression after the struggles of the fifteenth century, and one would suppose that the new social and economic condition which they enjoyed under the new situation would explain the reasons which led them to seek the destruction of the feudal system.

Lastly, it remains to be determined whether or not the Sentencia by means of the abolition of the servile condition of the peasants and of their lands served to exacerbate the social contradictions existing within the Catalan countryside.

¹ As has been pointed out by P. Vilar, *Catalunya dins l'Espanya Moderna*, II. 211.

² *Ibid.*, II. 215.

³ E. de Hinojosa, *El regimen senorial*, p.105.

ronecs'.³⁶ Eva Serra, on the other hand, claimed that the fact that a section of the peasantry did not redeem itself was to be attributed to their lack of sufficient economic means.³⁷ She considered that, if it has been demonstrated that the peasants continued to suffer the 'mals usos' in the seventeenth and eighteenth centuries, it would also be interesting to gauge the degree of poverty of certain sectors of the peasantry, or of given regions, which made it possible for these rights, however symbolic, to be maintained. On the other hand, she also considered it necessary to analyse the peasant sector which, free from threats of bondage, was in the process of consolidating and expanding its property, in spite of being subjected to a still powerful feudal economic and legal system.³⁸ Eduardo de Hinojosa, however, adopted a more moderate attitude when, at the beginning of this century, he studied the problem of the 'mals usos'. In fact, all he claimed was that, owing to the fact that redemption from the 'mals usos' was not obligatory, the Sentencia offering, rather, the possibility of postponing the payment, there were peasants who recognized their subjection to such forms of serfdom many years after the promulgation of the Sentencia.³⁹

As regards the 'masos ronecs', the second centre of interest in the Sentencia, an additional clause dated 9 January 1488 stated that their holders would also have to pay for their redemption, although they would thereby be integrated in the peasant holdings which had acquired them. In this way an attempt was made to put an end to the arguments of those peasants who tried to pay for only one of the mansos. It was established in concrete terms that, if the lord had not renounced his right to collect servile payments on the said masos, the peasant would have to pay the redemption fee for each of the masos in his possession, 'ronecs' or not.⁴⁰ However, there were no changes with respect to payment of the 'censos' by these mansos. As we shall see in the next chapter when studying the 'masos ronecs', these continued to pay the same censos that they would have done had they been autonomous units.

III.2.1. The feudal servitudes of the sixteenth century.

It can be assumed that the documentation on the valley of Aro will provide further data on the subject of the feudal 'vestiges'. If one studies the 'capbreus' documentation, it will be observed, when comparing it with similar documentation of the fourteenth century, that

³⁶ M. Duran, 'Produccio i renda agraria', 207

³⁷ E. Serra i Puig, 'Per una cronologia', 214

³⁸ *Ibid.*, 216

³⁹ E. de Hinojosa, *El regimen señorial y la cuestión agraria*, p. 316.

⁴⁰ J. Vicens Vives, *Historia de los remensas*, p. 294.

there were very few differences between the two. The lands were paid for as individual plots or as group of holdings, depending on the type of tenancy, and the payments as well as the formulae of acknowledgment of peasants were qualitatively the same. However, these documents, which in themselves can be considered as evidence of the strength and continuity of the feudal system in the area, did show a few variations. These appeared after the signing of the *Sentencia*, and as a consequence of its formal enforcement, and their aim was to strengthen the feudal power of the lords.

The most significant change was perhaps the fact that, in the *capbreus* of the valley, the peasants now made an explicit statement of homage of property to the lords at the beginning of their declarations. The *Sentencia* of 1486, in its seventh article, had established the peasant's duty to do this homage of property ('homenaje de propiedad') to their lords as many times as was necessary, while at the same time acknowledging that they held the lands for the lords.⁴¹ The enforcement of this clause of the *Sentencia* was no easy task as the peasants suspected it was indeed a lordship homage ('homenaje de senoria'). For this reason, a specific formula of homage, acceptable to the peasantry, was published in 1488.⁴² It is this formula which appears in the peasants' declarations, along with references to clause seven of the *Sentencia*.

However, it is also true that the old ways were not abandoned as quickly as all that. In 1568, Julia Sola declared himself 'homo proprius, solidus et affocatus' of the cathedral, only to revert to the aforementioned formulae, a little further on, and this is not an isolated case.⁴³ The 'batlle' of the parish of Aro confessed to being 'homo proprio et solidus'

⁴¹ *Ibid.*, p. 351.

⁴² The formula was the following: 'Ego talis talis, parroche, attendens quod serenissimus dominus rex, nunc feliciter regnans, cum Sentenciam per Suam Magestatem inter senores ex (una parte) et pagenses de redimentia et malorum usum ex altera partibus, declaravit et sententiavit dictos pagienses debere prestare sacramentum et homagium corum dominus prout continetur in septimo capitulo dicte Sentencie, tenores sequentis.- Item etc. (inseratur totus tenor dicti septimi capitulo)- Ideo recognosco vobis talis quod teneo talem mansum vocatum sic pro vobis et ratione proprietatis mansi ejusdem, facio et presto vobis tanquam domino et proprietario illius, sacramentum et homagium, ore et manibus comendatum quod in dicto capitulo Sententia continetur et declaratur, reservatis vobis et mihi omnibus juribus per dictum dominum regem sentenciatis et declaratis in et cum dicta Sentencia ad quem me refebo. Deinde subiugantur alio que pro ipso domino tenentur, cum prestacionum annualium inseguendo formam dicte Sentencie'. (*Constitucions de Catalunya*, I, f. 141).

⁴³ This case is an example of the practical limitations of the *Sentencia*: 'Julia Sola, pages de la parroquia de Santa Cristina d'Aro, senyor util i proprietari del Mas Molla situat a la parroquia d'Aro en el veinat de Crota, ... confessa que per rao de Mas Molla anomenat Sola es i deu ser home propri, solidus y affocat de ell y de sos successors en la dita sa pabordia, y attes que lo Serenissim senyor Fernando Rey d'Arago en lo sete capitol de la arbitral Sentencia entre los senyors de una y los pagesos de redimensa de altre declara que los dits pagesos en tre altres coses, hagian y tinguian de prestar sagrament y homenatge de

because of his maso and 'batllia'.⁴⁴ Miguel Samir, although he was not obliged to make this declaration of servitude for his own manso, had to declare himself as being 'proprio et solido' for having bought the mas Corp ... in 1567!.⁴⁵ There were still those peasants who had to declare their servile condition depending on the masos they owned, as was the case with respect to Beneta⁴⁶, Antoni Joanals⁴⁷, or the 'battle' of Fenals, Pere Croanyes.⁴⁸ In the end, we were able to identify twenty-nine declarations of holdings which were acknowledged in the same terms.

The fact that this was rather more than a mere question of formulae is obvious from the careful reference, made by the lords, to disputes previous to the Sentencia and to the changes in ownership of lands or property, however small. Thus, Eulalia Croarda remembered that, although her ancestors had bought a piece of 'alodium' land in 1378, in order to move the manso Groart there (probably to avoid the payments incumbent on a servile holding), her husband still declared himself as a serf, which meant that as a consequence she was also a serf.⁴⁹ The same occurred in the case of the peasant Joan Sola, who, while in possession of a holding as small as nine 'vessanes', nevertheless had to declare himself as 'proprio et solido' in 1566, upon buying part of a house from Miquel Semir, who in turn was also 'proprio et solido'.⁵⁰

In short, the lords maintained those formulae which justified their rights over the lands. Thus the peasant was not really the 'owner' of his holding, since the seigneurial rights were preserved.

Furthermore, a large number of the 'mals usos' and small servitudes abolished by the Sentencia were still in force in the valley of Aro a century after the Sentencia had been promulgated. For example, the 'talls' demanded in payment for redemption of servitude

proprietat, com es de veurer del dit sete capitol que es del tenor seguent -Item Sententiam, etc.- Y per lo tant segons lo tenor de dita real sentencia presta homenatge de proprietat ore et manibus comendatum a dit senyor. Y li fa y fer deu jurament a ell y a dita sa pabordia tots anys en lo dit 21 Abril de 3 sous. Segons tenor de la mateixa Sentencia per los mals usos, quals 3 sous poden lluhirse ab 60 sous segons la mateixa Sentencia...'. (Aro II, 1224 (1569)).

⁴⁴ Aro II, 1288s5 (1567).

⁴⁵ Aro II, 1302s7 (1567).

⁴⁶ Beneta declares herself to be 'propria et solida' in respect of Mas Canals and Mas Gerones (Aro II, 1693s114 (1567)), whereas Antoni Joanals does the same in respect of the masos Estrany y Joanas (Aro II, 1723s117 (1567)), y Pere Croanyes in respect of the masos Croanyes and Ferrer.

⁴⁷ Aro II, s1, 2, 3, 5, 7, 8, 9, 10, 11, 14, 15, 16, 18, 20, 21, 23, 26, 28, 29, 40, 78, 80, 86, 114, 116, 117, 118, 119, 120 (1567-8).

⁴⁸ Aro II, 1508s29 (1567).

⁴⁹ Aro II, 1638s80 (1568).

⁵⁰ Aro II, 1651 s13 (1566).

were still being paid in the valley of Aro as late as the mid-sixteenth century for all those holdings under such an obligation⁵¹, even though in 1501 an end had, theoretically, been put to the payment of these sums.⁵² There are certain indications that the established sum of three 'sous' was not always respected, and that the lords tried to increase that amount whenever holdings were sold.⁵³ In fact, it seems that, on all transactions of land, it was necessary that the lord should make his redemption explicit, in order that the land would not be charged.⁵⁴

The very policy of land alienation pursued by the lords helped to perpetuate the system of payments, or, if such was the case, services in labour. The *Sentencia* clearly stated in chapter ten⁵⁵, that 'los dichos pageses no sean obligados pagar... iovas, batudas, jornals, podades, femades, segades, tragine e otros semejantes derechos e servitudes personales... no sean tenidos pagar o fazer las dichas servitudes, antes cessen y hayan a cessar en toda manera no obstante sean capbrevadas. (...) esso mesmo pronunciamos y mandamos sea fecho en el drecho nombrado locol e fabrega de destret, ...'. However, the masos continued to be alienated or sold with the corresponding servile obligations incumbent on them.⁵⁶ This phenomenon was not limited to the lords only, the peasants following the same practice among themselves.⁵⁷

Perhaps the following extraordinary case of land alienation, effected as late as 1569, is representative of the lords' attitude to the changes established in the *Sentencia*. The canon of the cathedral of Gerona alienated to a certain Pere Colls the *Mas Oliver*, which was in ruins since, for a long time, nobody had wanted to occupy it. In 1569, it was alienated on the condition that it be re-built, a yearly payment of 20 'sous' made, the oath of property sworn, and its occupants declared 'homo proprii, solidi et affocati' of the cathedral. In other words, this formula of servitude, abolished by the *Sentencia*, continued to be used, although at that time probably only as a legal guarantee of seigneurial property rights. Hypothesis apart, the peasants must have suspected that something beyond a mere legal value was hidden behind such formulae since, as is pointed out in the same document,

⁵¹ See note 25.

⁵² J. Vicens Vives, *El gran sindicato Remensa*, p. 220.

⁵³ Antoni Bussot paid 6 sous per annum to redeem the *Mas Pla de Crota* (Aro II, 1497s28 (1567)); Vicent Puigsech paid 5 sous for a house nearby the castle which had been bought earlier in 1492. (Aro II, 1635s79 (1567)).

⁵⁴ This would appear to be the case of *Mas Oliver*, where it was specified when the *Mas* was established in 1569 that it must pay homage as required by the *Sentencia* but without paying the 3 'sous' for the 'mals usos'. (Aro II, 1691 (1569)).

⁵⁵ J. Vicens Vives, *Historia de los remensas*, p. 352.

⁵⁶ For example, *Mas Corp* (Aro II, 1302s7 (1567)); *Mas Dolsa* (Aro II, 1303s8 (1567)).

⁵⁷ *Mas Eybeli* (Aro II, 1342s9 (1567)); *Mas Julia* (Aro II, 1532s40 (1568)).

it had not been possible to alienate the maso due to a lack of applicants.⁵⁸ Obviously, the canon had to wait until a peasant (possibly in despair) agreed to accept these conditions. This same canon felt obliged to justify this measure by pointing out that this alienation had been effected with the purpose of helping and not injuring the said Pere Colls.

What type of services, then, were the local peasants bound to? It can be seen, from the peasant declarations, that a number of labour services still continued to be acknowledged, such as 'joves, trágines, batudes, obres, guaytes, cavades, exobertes, magencades, podades, rentar la tina, estrenyer la tina'. Also collected were the banal taxes of 'batlliu' (rights collected in old times by the 'batlle') and 'llocol' (a tax on the manufacture and maintenance of iron tools), the former usually being paid in currency and the latter in kind.

The acknowledgement of these services and payments, was not a mere remnant from the past, brought up to date because of the inertia of the legal system and recorded in the documents, as they can be seen to have been put into effect. As far as the banal taxes of the 'batlliu' and the 'llocol' were concerned, there is no doubt that they were paid like any other censo, as is recorded in the 'capbreus'. Rather more difficult to ascertain is whether labour services were rendered or not. Traditionally, they were considered as symbolic services, due to the fact that they were very light (a peasant would work up to three days per year, at most, and this only in the case of the larger holdings). Furthermore they appear to be divided in a large number of peasant declarations, implying that the division of the land also meant the division of the labour services the land was subject to, so that their rendering became impracticable. However, as far as the area studied here is concerned, these duties were effectively rendered, although they were not extensive. The best example of this was that the peasants went to the lord's domain to render them, and when that was alienated in different divided parcels, the labour services were granted.⁵⁹ If the peasants wanted to cease the declaration of labour services they had to redeem them with money,⁶⁰ and they made sure that this redemption was recorded in their declarations.

But maybe the best evidence of the rendering of these services can be found in the documents which refer to the people responsible for making them effective, i.e., the 'batlles'. We have access to two statements, one by Joan Saguer, 'batlle' of the parish of Santa Cristina de Aro, and the other by Pere Croanyes, 'batlle' of the parish of Fenals. Among the duties they mention as being obliged to carry out, (the principal of which was

⁵⁸ Aro II, 1691s113 (1569).

⁵⁹ Aro I, 120 (1340). The canon reserved the right of recovering the labour services if the lands were returned to him.

⁶⁰ Aro III 1497s28 (1568) and Aro II, 1635s79 (1567).

the collection of 'censos'), it is clearly stated that they had to 'maniar als homens de la pabordia batudes, tragines, guaytes, obres y totes les demes coses fiscalines que los dits homens deuen fer en lo Castell de Aro'.⁶¹

Having established that the services were in fact rendered, the degree of impact that they had on the peasant community remains to be ascertained, i.e., how many tenancies were subject to them and, consequently, what was their economic importance. A survey of the peasant holdings shows that, of the 123 holdings recorded, 20 were subject to personal services, five to the payment of the 'batlliu', and 26 to the payment of the 'llocol'.

Table I : Peasant holdings bound to feudal service in the valley of Aro in the 16th Century.

Name	Remensa	Labour Services	Llocol	Batlliu
Barcelo	+	+	+	-
Calvera	+	-	+	-
Saguer	+	-	+	-
Samir	+	+	+	+
Dolsa	+	+	+	-
Eybeli	+	+	+	+
Perarnau	-	-	+	-
Oliver	+	+	+	+
Coma	-	-	+	-
Vendrell	+	+	+	-
Carbonell	+	-	+	-
Xicola	+	+	+	-
Sitjar	+	-	+	-
Pla	+	+	+	-
Oli	+	+	+	-
Cifra	+	+	+	-
Bussot	+	+	+	+
Groart	+	+	+	+
Pere Geli	+	+	+	-
Puig	+	+	+	-
Sicars	-	-	+	-
Madir	+	+	+	-
Sunyer	+	-	+	-
Canals	+	+	+	-
Ros	+	+	-	-
Estrany	+	+	-	-
Pejoan	-	+	-	-
Croanyes	+	-	+	-

⁶¹ Joan Saguer, Aro II, 1288s5 (1567) and Pere Croanyes Aro II, 1768 s120 (1568).

III.1.1. The Documentation: The 'Capbreu' of 1567.

The 'Capbreu' is a document of the utmost importance as far as the study of Catalonian agrarian structures is concerned.⁴ Fortunately for agrarian historians, the Sentencia of Guadalupe confirmed the land declarations made in the 'capbreus' ('capbrevacio').⁵ In these documents the respective rights and obligations of the peasants and the lords were established anew, although now under a new social order.

The quantity of these documents that are still preserved and the wealth of information which they provide permit us to reconstruct with relative ease the agrarian situation of the sixteenth century. Specifically, they help the historian to establish what were the new relationships created between the lords and the peasants (whether 'remensas' or non-'remensas'), and are an important aid in the assessment of property structures and the effectiveness of feudal rights.

To complete this information it would be necessary to have recourse to the juridical archives, which contain documentation on the civil processes related to land cultivation, and to the national archives where the 'capbreus' relating to the local baronies can be found.⁶

Nevertheless, it is the ecclesiastical archives (both of the bishop and of the canons) which contain the greatest number of 'capbreus'. It is well known that the institutions of the Church have always endeavored to maintain their archives as a guarantee of their survival as institutions. A great part of the Church's prestige and social power was based on the legal recognition of its extensive dominions which were declared to be non-transferable.

⁴ For the methodology employed in these primary documentary sources see M. Riu, 'Els capbreus, font important per a l'història socio-econòmica dels senyorius laics i eclesiàstics', *Estudios históricos y documentos de los Archivos de protocolos. V Miscelánea en honor de Josep M. Madurell i Maimon* (Barcelona, 1977), pp. 103-128; A. Furio, *Camperols del pais Valencià* (Valencia, 1982), p. 179; G. Feliu i Montfort, 'L'estudi dels capbreus com a font per a la història agrària'. *1er Colloqui d'Història Agrària* (Valencia, 1983, pp. 213-228.,

⁵ Sentencia c. VII '... dichos pageses... reconociendo que tienen las masias y cosas con sus tierras, honores y posesiones por dichos senyores...' (J. Vicens Vives, *Historia de los Remensas*, p.351).

⁶ The 'capbreus' relating to the royal domains can be found in the archives of the 'Patrimonio Royal'. The 'Audiencia' archives contain most of the documentation relating to judicial matters. A model example of this type of work on 'capbreus' - although rather old now - is Anguera de Sojo, 'Dret especial de la comarca de Vic', *Academia de Jurisprudència de Catalunya. Conferencies sobre varietats comarcals del dret català* (Barcelona, 1934), 273-340.

Thus, possible usurpations of lands as a consequence of social upheavals were prevented. The existence of the 'capbreus' is also evidence of a careful administrative step intended to ensure the regular collection of rents.⁷

Maybe the above facts in part account for the frequency with which the 'capbreus' were drawn up in the region of the valley of Aro. While the 'capbreu' of 1343 is significant because it was drawn up immediately after the appearance of the first social upheavals, and the 'capbreu' of 1432 appeared at a time when it seemed most likely that the peasants would give up their revolt due to the effects of the plagues, the 'capbreu' of 1567 permits us to examine the new situation in which the peasants found themselves after the signing of the *Sentencia*. However, due to the lack of more explicit documentation surrounding the subject, it is still not known why a period of nearly eighty years passed before the lords called upon the peasants to declare their lands. Although the question still remains to be studied, we ought to consider the possibility that the pacification of the Catalan countryside did not occur as soon after the signing of the agreement as one might think.⁸

The chronological continuity of the 'capbreus' enables us to study the evolution of the peasantry, their new social conditions and the differences created within them as a social group. In the cases where this subject has been studied it has been confirmed that the new rural society presented a solidly established peasantry, with significant social differences existing amongst the peasants themselves.⁹ However, these relate to a period some decades after 1486, and furthermore did not take into account the economic situation of the peasantry previous to the *Sentencia*, nor the conditions of servile subjection under which they existed. Consequently, a deeper knowledge of the medieval origins of the peasantry and their subsequent evolution would be instrumental in giving a better explanation of the political postures that they adopted during the wars of the fifteenth century.

Furthermore, the 'capbreu', as an assessment of a social situation at a determined moment in time and in a specific location, helps us to confirm the vision of a particular feudal society. In its global context it should enable us to gauge the strength or, if such is the case, weakness of the predominant feudal society. This is owing to the fact that, unlike

⁷ Cf., *inter alia.*, J. Barreiro, *Ideología y conflictos sociales. Siglos XI-XIII* (Santiago de Compostela, 1977), p. 13; M. Artola, *Antiguo Regimen y revolución liberal* (Barcelona, 1978), p. 101; and M. Aymard, *La transizione del feudalismo al capitalismo. Storia d'Italia* (Turin, 1978), pp. 1140-1.

⁸ P. Vilar, *Catalunya dins l'Espanya Moderna*, II. 295, 298.

⁹ L. Ferrer Alos, *Aproximació a l'estructura agrària de la comarca del Bages en el segle XVIII i primera meitat del XIX* (Barcelona, 1984); E. Serra i Puig, *La societat rural catalana del segle XVII: Sentmenat un exemple local del Vallès Occidental (1590-1729)* (Barcelona, 1978).

the studies which centre on a local area, the information provided by the 'capbreu' concentrates on the legal sphere of the seigneurie (baronial or ecclesiastical), thus allowing us to study both the strength or the erosion of that particular jurisdictional system and its chronology.

Nevertheless, the study of this subject still presents certain difficulties. The peasantry had, economically, managed to break out of the jurisdiction of the lord. As a consequence of the freedom of movement granted to the peasants in the *Sentencia*, the peasants enjoyed the possibility of having land in other seigneurial jurisdictions, and it is difficult to find records of this fact in the 'capbreus'.¹⁰ Until 1486, the peasant was legally obliged to declare the lands that he held under other lords, (an obligation which was especially strict in the region occupied by the diocese of Gerona)¹¹, but after that date the peasant's obligations were no longer so clear. Although the 'capbreu' of 1567 specifies the lands that were settled on the peasants by the lords of the region, it is not certain that all the lands were declared. It is possible that those lands declared were lands which had been declared in times past, and which were now impossible to conceal. However, even if we take all this into consideration, the very fact that these lands were registered at all represents a significant difference between the 'capbreus' and the majority of contemporary documentation.

Another problem with which the historian is faced, made apparent by the chronological range of the documentation, is the notable disappearance from the documents of the names of peasant families. However, this is only true with respect to those peasant holdings which were not 'masos'. In those cases where a peasant merely cultivated some parcels of land his holding was registered in his own name. On the other hand, if the peasant entered into a 'maso' he would have had to take on the name of the 'maso'. The fact that we can follow the history of these tenancies (as their names remained constant) enables us to analyze the evolution of these holdings, their dimensions, their composition, the payments they made, and the social and legal status of their occupants.

The last, and perhaps not least important problem presented by the documentation is that its very nature obliges us to work from a social and economic viewpoint. The 'capbreus', as instruments of seigneurial control, were used to register the juridical status of the peasants and their lands. However, studied in comparison to each other they enable us to study aspects of regional agrarian history which would hardly be perceptible using another type of documentation.

¹⁰ To control all jurisdictions it will be necessary to control all capbreus. On the subject, also A. Furió, *Camperols*, p. 179.

¹¹ P. Bonnassie, *Catalunya mil anys enrera*, p. 85.

III.1.2. Characteristics of the Documentation.

The process whereby the peasants were obliged to declare their lands was initiated in 1567 and was not completed until two years later.¹² 122 declarations were registered in all, and most of these were by the peasants of the valley of Aro, although amongst them were included men (peasants and non-peasants) who inhabited the villages surrounding the valley, such as Palamos or La Bisbal, or more distant regions, such as Olot (80 km away).¹³

Generally, the first lands to be registered were the lands settled on the peasants by the cathedral of Gerona. This priority was due to the fact that it was that religious institution which directed the registering process, through Canon Joel Oriol.¹⁴ Second in importance to those lands were those of the monastery of Sant Feliu de Guixols, which was the next most important landlord in the region. Last to be registered were the lands belonging to the rest of the lords of the region, whether they were holders of important ecclesiastical offices of the abbey of Sant Feliu de Guixols, such as the abbot¹⁵ or the Sacristan¹⁶, or different institutions of the cathedral¹⁷ or the same parish of Aro.¹⁸ Generally, the nature of the land-holding was registered in the document (i.e. field, orchard, piece, strip) as well as the type of crop cultivated (vineyards, forests, cereals, or orchards), and the legal status of the land, whether or not it was free from the obligation to make any type of payment. To this information were added details about the particular bordering areas of each plot of land, its typology, and its dimensions. Furthermore, in the case of lands acquired after the holding had been settled, details were given about the type of payments which they were obliged to make.

The fact that the payments required from the holdings (whether they were in cash or kind) are recorded enables us to establish points of comparison and consequently to come to a conclusion about the degree of hardship which the obligation to make these payments represented for the peasant, and whether or not they were modified with time. Study of the

¹² See above, preceding paragraph.

¹³ Appendix num. 3, capbreu 1567.

¹⁴ Aro II, 1256s1 (1567).

¹⁵ Aro II, 1365s11; 1433s18; 1566s64 (1567).

¹⁶ Aro II, 1433s18 (1567).

¹⁷ Such as the 'Pia Almoyna', which was responsible for caring for the poor of the City of Gerona (Aro II, 1365s11 (1567)).

¹⁸ Aro II, 1566s64 and 1365s11 (1567).

documentation also enables us to ascertain the percentage of lands which were subjected to payments proportional to the harvest, whether these payments took the form of the tithe, the 'tasca', or the 'quart'. Also included in the documents are records of those holdings which were under an obligation to provide service in labour, such as 'joves', 'tragine', 'batudes', etc. In conclusion, this set of facts provides us with a fairly clear view of the agrarian structures of the region.

In the social sphere, the peasants' declarations enables us to ascertain the legal status which they held after 1486 (whether or not they were ex-remensas), their social distribution and their places of origin. It is more difficult, although no less interesting, to determine if, and to what extent, sub-grants of lands were made within the peasantry. This would be one of the best means of ascertaining the extent of peasant exploitation within their own social group.

Lastly, there exists a whole series of complementary facts about land purchases, sales and grants between lords and peasants and within the peasantry itself, together with the dates at which they were carried out. Although these facts are few and far between, they enable us to determine the way in which the different holdings evolved. It is obvious that the appearance towards the end of the sixteenth century of large holdings clearly unlike the rest, depended partially on the policy of land acquisition followed by their owners.

The historical context of the last years of the sixteenth century still remains to be explained, as does the reason why more than eighty years passed between the signing of the *Sentencia* and the time when the peasants were called upon to acknowledge their feudal obligations.¹⁹

Although there is a scarcity of studies on the subject, all the facts, including the phenomenon of banditry prevalent in Catalonia during the sixteenth century, indicate that the pacification of the Catalan countryside did not occur until some time after the agreement of 1486. The occurrence of banditry was partly owing to the fact that periods of crisis were frequently suffered during the years 1518-26, 1565-90 and 1605-15.²⁰ Historians have not hesitated to point out that the phenomenon of banditry prevalent in Catalonia during the sixteenth century was the direct consequence of the 'social' wars between the peasants and lords of the Middle Ages.²¹ In fact, the appearance of this phenomenon would prove that tensions still persisted in the Catalan countryside after the *Sentencia*, although now manifested in a different way.

¹⁹ The capbreu was completed in 1569.

²⁰ P. Vilar, *Catalunya dins l'Espanya Moderna*, p. 580.

²¹ R. Altamira y Crevea, *Historia de Espana y de la civilizacion espanola*. (Barcelona, 1909-11) III. 200, quoted by P. Vilar, *Catalunya dins l'Espanya Moderna*, p. 581.

It is a well-known fact that of the 20,000 'remensas' homes recorded in the middle of the fifteenth century, only 9,000 participated in the payment of the 'talls' between 1486 and 1505.²² Given the extent of information that we have on this subject it is very difficult to draw any conclusions from this fact. Although it is possible that some of them refused to accept the Sentencia it is undeniable that a large number of them did not pay because they lacked the means to do so. The example of the peasant community in the valley of Aro would be a good illustration of such a case. The introduction of a new social order arising out of the Sentencia may have been slower than was anticipated.

III. 2. THE FEUDAL VESTIGES.

One of the great problems facing historians today is to try to gauge the strength or the weakness of feudalism following the signing of the Sentencia, that is to say, whether 1486 was indeed the first step towards the establishment of a new social order in the Catalonian countryside. Despite its importance, the topic has only recently begun to raise some interest.²³ That is why there has so far been little research on the whole of Catalonia, that which has been carried out amounting to little more than monographs of regional or local character whose findings lead to opposite conclusions.

Hence, studying the Bages region, Ferrer Alos claimed that the structure of the farming units of the area was a totally new one in the sixteenth century, and that one should consequently minimize the importance of feudal structures in the region.²⁴ Obviously, his difficulty lay in the fact that, given the lack of studies relating to the agrarian and social situation during the Middle Ages, one might consider as new units those which could, rather, have been restructured holdings that had undergone changes in their denomination. On the other hand, Montserrat Duran, studying different isolated areas corresponding to several Catalonian regions (Alt Urgell, Tarragones, Conca de Barbera and Baix Emporda), raised the question as to whether '... no tendriamos que considerar la Sentencia de Guadalupe como el punto que senalaria el inicio del proceso de desaparicion,

²² J. Vicens Vives, *Historia de los remensas*, pp. 279, 328-333.

²³ Apart from the works quoted in the text J. Comas could be mentioned, *Demografia i societat rural a Vila-rodona durant l'antic regim (segles XVI-XVIII)*. (Barcelona, 1986); M. LLimona Richou, *Aproximació a la història de la vila d'Argentona a la baixa edat mitjana (segles XIII-XV)* (Barcelona, 1986); Pasqual Ortega, *La orden de San Juan y Miravent. Primera mitad del siglo XVI* (Tarragona, 1985).

²⁴ Ll. Ferrer Alos, *Aproximacio a l'estructura agraria de la comarca del Bages en el segle XVIII i primera meitat del XIX* (Barcelona, 1984).

en Cataluña, del sistema económico-social que calificamos de feudal-señorial?'.²⁵ Further on, after measuring the level of the seigneurial rents, she claims that, 'el régimen señorial catalán entro después de la Sentencia en un proceso irreversible de decadencia, tanto en el aspecto económico como en el aspecto social'.²⁶

A less pessimistic view, as far as the supposed weakness of feudalism in the sixteenth century is concerned, was held by Anguera de Sojo as early as the beginning of this century.²⁷ In his view, the Sentencia would hardly have presupposed significant changes in the dominant social and economic regime, and would, on the contrary, have helped in the consolidation of large tenancies held by a sector of the old peasantry.²⁸ Pierre Vilar, for his part, while reinterpreting the history of Catalonia, stressed how, after a century and a half of struggles, the Catalan economy had reconstructed its agricultural base. In his opinion, a new balance had been struck by the end of the sixteenth century between the class that rented out their lands and the class which held large tenancies.²⁹ Eva Serra, centering her studies on the economic and legal situation of the peasantry of the Valles Occidental and Bages judged the changes produced after the Sentencia to be of little importance.³⁰ Since the peasants had obtained freedom, (an important fact in itself) no return to serfdom was to be expected in 1486, given the economic status held by the group of more prosperous peasants. In Serra's opinion, the Sentencia was the legal barrier that prevented further advances by the lords in the social sphere, while on the other hand presupposing the economic restoration of a feudal system that had felt itself threatened by the peasant class. Much of the Sentencia centered on confirming the property rights of the

²⁵ M. Duran, 'Producció i renda agraria a la Catalunya del segle XVI' in *Terra, treball i Propietat (classes agraries i regim senyorial als Països Catalans)* (Barcelona, 1986), p. 206.

²⁶ *Ibid.*, p. 207; M. Duran, *Renda i producció agraria (segles XVI-XVIII) a Catalunya: l'Alt Urgell, el Tarragonès, la Conca de Barberà, el Baix Empordà*. (Barcelona, 1984); 'El regim senyorial català a l'època moderna: continuitat i decadència', *Manuscrits*, 1 (Barcelona, 1985); and 'L'evolució de l'ingress senyorial a Catalunya (1500-1799)' *Recerques*, 17, (Barcelona, 1985).

²⁷ O. Anguera de Sojo, 'Dret especial de la comarca de Vic', *Conferencies sobre varietats comarcals del dret civil català* (Barcelona, 1934), pp. 273-340.

²⁸ To judge from the data he had been able to compile on 'el Cabrerès', 16th-century masos on average were 3 to 5 times bigger than those of the 13th century. This data was analysed in relation to Catalonia as a whole by P. Vilar in an attempt to explain the agrarian revolution of the 15th century (*Catalunya dins l'Espanya Moderna*. p. 375).

²⁹ *Ibid.*, p. 586.

³⁰ E. Serra i Puig, *La societat rural catalana del segle XVII: Sentmenat un exemple local del Valles Occidental (1590-1729)* (Barcelona, 1978); 'El regim feudal català abans i després de la Sentencia arbitral de Guadalupe', *Recerques*, 10 (Barcelona, 1980), 17-32; 'El regim senyorial: recomposició del sistema feudal', *L'Avenc*, 1980.

lords, thanks to the peasantry's acceptance of the obligation to make payments and recognition of the lords' dominion and their own allegiance. But, as Eva Serra stressed, it also aimed to avoid the absolute ownership of the land by the peasant, establishing that, if he ever left the manso, he would not be able to reoccupy it. However, later on, in the sixteenth to eighteenth centuries, these tenants absented themselves from the lands, but were still obliged to make payments in kind, proportional to the harvest and to pay homage under legal obligations.³¹

Chapters seven and eight of the *Sentencia* confirmed the peasant's duty to pay homage to the lord, to recognize the latter's dominion over the land and to accept his right to re-grant the manso, if it had been abandoned for more than three months.³² Many modern rural studies, particularly of the sixteenth and seventeenth centuries, have demonstrated the lords' continuous enforcement of this right.³³ It is therefore hardly surprising that some of the feudal rights, whether of jurisdictional or territorial character, or derived from direct lordship, were still in force and were, moreover, burdensome.³⁴

With respect to the 'mals usos' (theoretically abolished after the *Sentencia*) and feudal serfdom, it seems that these were still in force during the seventeenth century, for example in the region of Gerona.³⁵ A sector of the peasantry did not redeem themselves from serfdom, and the interpretation of this fact has differed among historians. In Montserrat Duran's opinion, the fact that at the time of redemption a large number of peasants opted for a yearly payment need not be considered as demonstrating a lack of capital on their part. In her opinion, one should interpret it, rather, as a desire on the part of the peasant, which could have been to put it to better use, such as the acquisition of 'masos

³¹ In her study of *Sentmenat* in 1590, Eva Serra remarks that the settlements of masos are conferred not on new owners but on the former occupiers who had lost their title deeds during the wars of the 15th century. Hence she concludes that the new agrarian structures are not as new as they might appear to be but are simply the former masos in a new guise. See E. Serra i Puig, 'Per una cronologia i interpretació de la crisi del segle XVII' in *Terra, treball i propietat* (Barcelona, 1986), pp. 218-9.

³² J. Vicens Vives, *Historia de los Remensas*, p. 351.

³³ Attention to the importance of the jurisdiction exercised by the lords has been drawn by N. Sales, 'Fins a quan pogueren els senyors alt-justiciers condemnar a mort?' *L'Avenc*, 79 (1985); 'Feudalisme a França i Espanya en els segles XVI a XVIII: alguns aspectes', *Manuscrits* (Barcelona, 1985). For his part, Xavier Torras believed that the free-booting activities of the aristocracy in the 16th century must be seen in the context of the feudal structures which, although in crisis, nevertheless were still operative at the time (*Les bandositats a la Catalunya de l'antic regim 1590-1640* (Barcelona, 1983)).

³⁴ E. Serra i Puig, *La societat rural*, p. 15; 'El regim senyorial', p. 35. Also, M. Duran, 'El regim senyorial català', 18.

³⁵ S. Sobreques y Gaspar Feliu, *Colloqui sobre la formacio*, p. 80; and M. Duran, *Renda i producció agrària*, p. 35.

Leaving aside the labour services, the 'batlliu' tax amounted to 16 'sous' and 4 'diners', while the 'llocol' involved the payment of 37 'migeres' of wheat, 25 'migeres' and 4'5 'quarteres' of barley, 5 'migeres' and 11 'quarteres' of wine, plus 12 'diners' and 1 cheese. If these quantities are compared with the sum total of censos paid by all the peasants the following table is obtained:

Table II. The importance of the 'llocol' in comparison with the sum total of the 'censos'.

(m=mitgera; q=quartera; l=litre)

	Llocol	Censos	(in litres)	%
wheat	37m	96m 14q	1343l.	4010l. 33.48
barley	25m 4.5q	27m 15q	1060l.	1238l. 85.66
rye	-	17.5m 1.5q	-	711l. -
wine	5m 11q	-	404l.	-

Given the high percentage represented by the payments of 'llocol' in 'ordi forment y vi' with respect to the sum total of the censos, one can see why the lords might have wanted to maintain their enforcement. However, the burden this duty laid on an individual holding was relative since the peasant tenancies obliged to pay it were the largest ones⁶², as was true in 1343.

It can be concluded, therefore, that in the valley of Aro the old structure of feudal jurisdictions was in full force, together with a juridical respect for the personal relations of dominion. The Sentencia of 1486, despite having established a new set of relationships between lords and peasants regarding the holdings, gave the lords a guarantee that the feudal jurisdictions would be respected.⁶³ The lords took advantage of such a guarantee,

⁶² All data referring to personal obligations have been taken from appendix 3.

⁶³ Sentencia, ch. VI (J. Vicens Vives, *Historia de los remensas*, p. 351): 'anullamos el drecho y facultat de los seniores pretienden tener de mal tractar los dichos pageses... pero por esto no entendemos quitar a los dichos senyores o seniores la jurisdiccion civil, si algunan tienen e les pertenece sobre los dichos pageses'; ch. VII (*ibid.*, p. 352) '...que sea en facultat del senyor o senior de fazer del mas o casa, tierras, honores e possessiones liberament lo que le plasera como pleno senyor de aquellas e que por res de los sobredicho no sea fecho prejudicio alguno a los dichos seniores en la directa senyoria que en las dichas masias e tierras tienen e les pertenesce con los foriscapis, luismes e fadigas que por respecto de la dicha directa senyoria le son e seran devidos'; ch. XV, (*ibid.*, p. 355) '...pronuncian quanto a los dichos seys malos usos, servitudes, censos y tasquas y otros drechos susodichos sino tan solamente entre los dichos senyores o seniores y los pageses

as has been seen, by using their right to force the peasants to declare their lands in the 'capbreus', demanding from them the homage of recognition and property; collecting the 'censos' and 'banales' dues, and pursuing a policy of land alienation in which the lords reserved property ownership for themselves. Altogether, then, a whole set of juridical measures were taken whereby peasant access to feudal property was prevented, measures which were accepted by the peasants themselves, as late as the mid-sixteenth century. However, their right to continue in their holdings and to the 'masos ronecs' which had been added to them could no longer be disputed. Is it still possible to believe that these were not the main aims of the richest 'remensa' group? The analysis of the agrarian structures predominant in the valley of Aro provides new information on the subject of the 'masos ronecs' and on the peasant holdings in general.

III. 3. THE HISTORY OF THE 'MASOS RONECS'

The history of these abandoned holdings and in ruins is recognized as being essential in distinguishing what were the true objectives of the peasants' struggles, but in spite of the importance of the subject, no attempt has yet been made to carry out a detailed study in this field.⁶⁴ It is very probable that the sheer volume of documentation from the sixteenth century, and the difficulties that it presents, have something to do with this fact. Nevertheless, at the end of that century the peasant holdings were already fully consolidated in the valley of Aro, and fortunately for the historian those lands which appertained to the old maso were distinguished from those which had been added after the plagues. Moreover, as a consequence of the conditions imposed by the lords, the dates of sales, the 'censos' paid, the old tenants, etc., were frequently indicated in relation to these lands. Thus, enough elements are present in the documentation to allow an attempt at reconstructing the history of the holdings. Furthermore, the documentation also permits one to observe how the disputes maintained between lords and peasants were resolved in reality. In short, the following section attempts to gauge the economic impact which the aggregation of these lands represented for the peasant community.

III.3.1. The Economic Importance of the 'Masos Ronecs'.

que son dellos por respecto de masies o casas que dellos tienen y no respecto de senoria de castillo, lugar, termino o jurisdiccion'.

⁶⁴ P. Vilar, *Catalunya dins l'Espanya Moderna* II. 150; E. Serra i Puig, 'El regim senyorial', 33.

Amongst the peasant holdings in Aro, fourteen were declared to be in ruins or abandoned in 1567. Twelve of these appertained to masos and only two were clusters of parcels separated from the old maso. They were distributed in the following manner; the maso Busot possessed the 'bordas' Pla and Lunell; the maso Calvera, the masos Perarnau and Puig; the maso Estrany, the masos Refart and Joanals; and the maso Bertran declared the masos Gonyador and Piferrer. Recorded as declaring only one maso were the maso Canal, which declared the maso Gerones; Fontanella, which declared the maso Eybali; the maso Mola, which declared the maso Marti; the maso Torra, which declared the maso Aulet, and lastly the maso Dolsa, which declared some pieces of abandoned land, and the maso Sicars, some houses with vineyards bought two centuries earlier.

It is due to the very fact that these abandoned and annexed lands continued to be recorded as units of individual holdings that it is possible to reconstruct their history. In principle, these holdings, like any other, were composed of the principal house (in ruins), the lands granted by the various lords and the lands free from tax ('alou').⁶⁵ With respect to their dimensions, most of these masos, in the middle of the sixteenth century, had to be classed amongst the medium sized holdings. Thus, the maso Gonyador had 84 'vessanes'; the maso Eybali 76.5; the maso Gerones 51; the maso Puig 73; the maso Marti 78.5, and only the maso Joanals had decreased a little, with 30 'vessanes'.⁶⁶ That is to say, the facts and figures relating to these holdings corresponded perfectly with those relating to that group of peasants which during the plagues and the course of the wars lost their lands to the large holdings. On the other hand, the large holdings managed to avoid the disintegrations suffered by the 'masos ronecs', and the loss of lands was minimal, with the exception of an extreme case, and as can be seen in the table below, the holdings lost, approximately, between sixteen and thirty-three per cent of the land. As will be seen later, the lords would have benefitted from this fact by considering the lands as units of individual holdings, obliged to pay the redemption fee like any other holding, and subjected to the ancient payments owed by a maso.

Table I. The loss of the lands of the 'Masos Ronecs'

	1343	1567	%
Mas Gonyador	84.5 vessanes	64 v.	23.8

⁶⁵ Aro I, 141s1; 141s31; 141s5; 140s7 (1343).

⁶⁶ Aro I, 141s1 (1343); 141s31; 141s5; 141s48; 141s51 and 140s7 (1343), respectively.

Mas Eybeli	76.5	9	
Mas Gerones	51	34	33.3
Mas Puig	73	53	27.3
Mas Joanals	30	25	16.5
Mas Marti	78.5	52	33.9

So, when did these holdings begin to be annexed or abandoned? It can be deduced from the examples accumulated for the valley of Aro that their abandonment was not always a direct consequence of the Black Death. In the first place, some of the holdings had already been annexed before 1348. In 1343, the maso Busot had received the 'bordes' Pla and Lunell which Bernat Eymerich had previously renounced due to inability to make the payments on the land. In the same year the maso Busot redeemed these holdings from servitude by means of an annual payment of six 'sous'.⁶⁷ The same was true of the maso Torra which, in 1343, declared two 'bordes' that had been annexed (Marti and Aulet).⁶⁸ That the abandonment of these lands went back as far as the beginning of the fourteenth century can be seen from the fact that in 1311 the maso Suard was re-settled, because previously there had been nobody to cultivate it⁶⁹, as was the maso Puig, established in 1343, but which, according to the document, had been uninhabited for more than forty years and was in ruins.⁷⁰

Moreover, we must consider the possibility that the large holdings took advantage of the wars of the fifteenth century to buy or annex lands which until then had not been abandoned. Good examples of this are two holdings whose documentation goes back as far as the beginning of the fourteenth century, the first, the 'borda' Mas Eybeli, already appears in the documentation in 1322, when Guillem Eybeli and his wife declared themselves 'homini proprii, solidi et quitii' of the cathedral for having entered in the said maso. In 1343 the same Guillem Eybeli declared himself to be subjected to the 'mals usos' and declared all his lands. However, in 1410, more than half a century after the plagues, this holding was still neither abandoned nor demolished, since Guillem, the heir of Francisco Eybeli, declared himself to be subjected to servitude on account of the maso and obliged to reside in it. In 1417, exactly the same occurred with respect to another member of the family, also called Guillem Eybeli, and born in the maso. The maso still belonged to

⁶⁷ Aro II, 1497s28 (1568) and Aro I, 179 (1344).

⁶⁸ Aro I, 141s23 (1343).

⁶⁹ Aro I, 56 (1311).

⁷⁰ Aro I, 177 (1343).

the family in 1434, since a certain Antonia, daughter of the previous Guillem Eybeli, also recognized her servile status, inherited from her father. After this point, all news of the maso is lost until 1545, when it was bought by Nicolau Fontanella, although by that time it was in ruins.⁷¹ The history of the maso Puig is very similar. The first information that is available regarding this holding dates back to 1322, when a certain Ermessen recognized the servile status that she took on as a result of her marriage to a member of the Puig family. The same is true of a certain Silia, married to Pere Puig. In 1343, Bernat Puig declared himself and his lands as 'remensa'. From then on, in 1411, 1417 and 1433, all the heirs, upon coming into possession of the holding, recognized that they thus entered into a condition of servitude. However, in the middle of the sixteenth century it appeared as in ruins and in the power of a certain Jaume Bas.⁷²

Thus, it can be concluded that the annexation of neither of the aforementioned masos was a consequence of the Black Death. So, it is necessary to consider other factors, apart from those strictly 'natural', when analyzing the causes which led to the annexation of those holdings. The 'natural' causes (the plagues), although important, were not decisive in the abandonment of the lands, since very probably parts of them were never abandoned but annexed through sales or settlements made on the part of that peasant sector situated in the optimum economic position to negotiate land transactions. It is in this way that one can understand the apparent contradiction represented by the fact that in spite of the supposed 'abandonment' of lands which occurred in the middle of the fourteenth century, the lords did not reduce the amounts to be paid for the settlements.⁷³

This opinion is confirmed by studying how these lands were annexed. Part of the lands were simply annexed through sales. Probably the economic difficulties of the late-fourteenth and fifteenth centuries obliged a sector of the peasantry to sell or renounce their lands. The examples of the masos Busot, Eybeli and Puig have already been cited, and to these can be added the case of Joan Sabater who, in 1391, sold his holding to the maso Sicars, although in 1567 it already appeared as being in ruins.⁷⁴ A good part of the land was also annexed by means of settlements. In 1471, the maso Estrany received, as a settlement, the masos Refart and Joanals, the latter extended at approximately 25

⁷¹ These facts correspond to the following documents: Aro I, s6 (1322); 141s31 (1343); Aro II, 245s24 (1417); 263 (1434); 228 (1410); Aro II, 1342s9 (1567).

⁷² Aro III, 150 (1567).

⁷³ See above chapter II.1.

⁷⁴ Aro II, 1585s67; 1723s117 (1567). Also Aro I, 436 (1343); Aro I, 140s7 (1343).

'vessanes'.⁷⁵ Similarly, the maso Mola obtained the maso Marti extended at 52 'vessanes' in the year 1470.⁷⁶

Therefore, we should neither overestimate the importance of 'natural' causes nor attribute to them the decisive factor for the land transfers which occurred during the fifteenth and sixteenth centuries, nor ignore the fact that the lords did not lose control over the lands.

Effectively, the new annexed lands were always considered by the lords as independent holdings, and were accepted as such by the peasants. The lords had good economic reasons for this, as we shall see. Thus, the declaration generally made a clear distinction between the lands appertaining to the original holding and those which were annexed later. On occasion, the date of sale (or settlement, if such was the case) of the land was also indicated, and the name of the purchaser.⁷⁷ In addition the holding's old name; the siting of each land parcel; the crop cultivated (forest, vineyards, cereals) or if it was uncultivated; the extents of the different pieces of land and whether or not they were exempt from the obligation to make payments, are given. Lastly, before the declaration of lands was begun, the peasant declared his legal status (i.e. whether or not he was subjected to 'remensa' condition) and that of his lands, as well as specifying the different payments to which the holding, as such, was subjected. In this way it was, legally, practically impossible for the peasant to avoid the payment of a redemption fee for the masos. In fact, the peasants had argued that even in spite of having a principal maso and other 'ronecs', they ought only to pay a single amount of sixty 'sous' and a single 'censo' (land payment). A new provision laid down by the king stated that if the lord had not expressly renounced his rights over those masos of servile condition, the peasant would have to pay the redemption fee or 'tall' for each maso.⁷⁸

In spite of the peasants' protests against the King's stipulation of 1488, the case of the valley of Aro shows that it was strictly adhered to. All the 'masos ronecs' subjected to the 'mals usos' or to servitude, were redeemed through the annual payment of three 'sous'.

⁷⁵ Aro II, 1723s117 (1567).

⁷⁶ Aro I, 141s51 (1343); Aro II, 1224 (1567).

⁷⁷ Aro II, 1224 (1568); 1265s2 (1567); etc..

⁷⁸ P. Vilar, *Catalunya dins l'Espanya Moderna*, p. 577. On the King's rulings after the Sentencia, see Vicens Vives, *Historia de los remensas*, p. 295.

It is also possible that lands were redeemed which were not strictly under this obligation.⁷⁹ However, once the 'tall' was paid, these holdings were definitively incorporated into those holdings to which they had been annexed, although this did not free them from the obligation to make the payments to which the lands had always been subjected.

Indeed, the payments on the land continued to be carefully registered, despite the, perhaps purely symbolic, character that they acquired as a result of the fact that there had been no change in the payments throughout their two hundred years of existence. Practically no variations are noticeable between the 'censos' paid before the Black Death and those paid after the *Sentencia*.⁸⁰ Even those payments or services technically abolished by the *Sentencia* ('llosol', 'batlliu' and labour services) continued to be declared. Only those payments proportional to the harvest, the tithe and the 'tasca', tended to disappear.⁸¹ That is to say that the changes for the lords were barely perceptible. The land payments, albeit symbolic, and their recognition by some of the tenants, guaranteed the lords' rights to the land and of other rights inherent to land ownership, such as the 'laudemis, delmes, primicies, quintas, quarts, etc.' which were burdensome on the peasants but variable according to the harvests. The lords had no cause for complaint, because the protection of the right to collect payments in kind, proportional to the harvest, was instigated at the same time as rises in agricultural prices began to occur.⁸²

⁷⁹ In 1492 a certain Vicent Puigsech, a merchant from Olot, bought a house and garden near the castle at Aro from a certain Joan Sola and paid the serf redemption, although for this property he was not obliged to do so (Aro II, 1635s79 (1567)). It is important to point out yet again that the wide interpretation put upon the 'remensa' by the lords very probably encouraged abuses, causing lands to be redeemed, which legally were not obliged to be so. On the other hand it seems that on occasion some peasants managed to avoid paying the redemption, as in the case of the Mas Refard, which dependent upon the Mas Estrany (Aro II, s117 (1567)).

⁸⁰ Two examples: mas Eybeli, in 1343 paid 2 'migeres ordi', 8 'diners', 2 chickens, 1 cheese, 'tasca' and tithe of 27 'vessanes', labour services, 2sous and 9 diners for 'batlliu', and 'llocol' 1 'migera ordi', 1 'migera forment' and half a 'quartera' of wine; in 1567 he paid exactly the same except for the tasca and tithe payments (Aro I, 141s31 (1343)) and Aro II, s9 (1567)). Mas Puig paid in 1343, 10 migeres and 1 quartera de ordi, 3 mitgeres de forment, 10 sous, tasca per 4 vessanes, labour services and 1 mitgera vino; in 1567 the same was paid except for the 'tasca'. (Aro I, 141s48 (1343) and Aro II, 1265s2 (1567)).

⁸¹ To the examples given in the previous note one must add the cases of the Mas Gonyador which stopped paying the tasca of 70 vessanes (Aro I, 141s1 (1343) and Aro II, s118 (1567)), and Mas Gerones of 15 vessanes (Aro I, 141s5 (1343) and Aro II, s114 (1567)).

⁸² P. Vilar, *Catalunya dins l'Espanya Moderna*, p. 139.

Lastly, it remains to be determined how the annexation of these lands affected the peasant community in general. If we rejected 'natural' causes, as being the main reason why some peasants took possession of abandoned land while others did not, we must conclude that their acquisition (whether by means of purchase or settlement) was only possible for those peasants who already enjoyed sizeable holdings. A study of the dimensions of the holdings that acquired 'masos ronecs' confirms this. The maso Canal had 79 vessanes, plus 42 'mediatim'; the maso Mola 238 vessanes; the maso Calvera, 89; the maso Fontanella, 71; the maso Dolsa, 125, and the maso Torra 101 vessanes. That is to say, that the accession to abandoned lands aspired to by the 'peasantry' remained reserved for the most prosperous peasants, for whom the acquisition of the 'masos ronecs' was no more than part of a more general policy of land purchase, and who took advantage of the economic difficulties suffered by the rest of the peasantry as a consequence of the fourteenth-century plagues.⁸³ In this sense, the new land acquisitions did no more than accentuate the economic differences, already considerable before the sixteenth century, which existed within the peasant community itself.

Furthermore, the importance represented by these depopulated lands, for those holdings to which they were annexed, remains to be determined. It is surprising to note that no historian has ever bothered to assess, even approximately, this importance, in spite of the fact that the 'masos ronecs' have always been at the centre of all controversy surrounding the 'remensas', in attempts to determine the significance of these lands in relation to the peasant struggles. Fortunately, with respect to the valley of Aro, we have at our disposal records of the surface area of each of the peasant holdings, in their entirety and in parcels, which allows us to carry out this first approximate evaluation of these particular holdings.

Table II: % extent of the 'Masos Ronecs' in relation to the entire holding

(m=mediatim; v=vessana)

Holding	Extent	'Maso Ronec'	Extent	%
Canal	79v. 42m.	Gerones	34v.	34
Estrany	34v. 24m	Refart	2v.	58.6
		Joanals	17v 17m	
Bertran	?	Gonyador	64v 8m	
		Piferrer	18v 60m	
Mola	238v.	Gouard	23.5v	31.5
		Marti	52v	

⁸³ See above chapter II.

Calvara	89v.	Perarnau	35v	39.3
		Puig	?	
Fontanella	71v.	Eybeli	9v.	12.6
Croanyes	117v	Ferrer	17v	14.5
Semir	70v.	Corp	43v.	61.4
Dolsa	125v.	Peces	17v.	13.5
Torra	101v.	Aulet	28v.	27.7

Clearly an approximate evaluation of the economic importance of the 'masos ronecs' based on the extents of these holdings will be partial. To evaluate them exactly, it would be necessary to have access to the figures relating to land yields, accounts, rent percentages, etc. However, in spite of these difficulties, it is known that in feudal peasant societies access to land was one of the most significant differentiating social factors.⁸⁴ If this is accepted, the percentages represented by the 'masos ronecs' in relation to the holding in its entirety were obviously significant. It has been possible to discover the extents of only nine holdings. Of these, one should perhaps exclude that of the maso Dolsa, since it is not certain that the uninhabited lands that were annexed formed an individual holding, but were probably isolated pieces of land. Nevertheless, the percentages could serve as an indication of the importance of the annexations. With respect to the other tenancies, it is undeniable that with a percentage of generally over 30%, the annexation of these lands helped to place them amongst the largest holdings of the area. The maso Mola was by far the largest holding of the valley and six of the others were well over 100 vassanes in extent. Thus, these percentages are important enough for the question to be posed as to whether the tenants of the large holdings, once their rights over the lands had been recognized, free from the 'mals usos' and free to leave their holdings to their heirs without paying with their freedom, did not prefer to adopt a moderate stance during the wars and to accept the Sentencia. In fact, one can hardly refer to these tenants of large holdings as peasants. The Sentencia had done no more than recognize the evidence of their economic power and integrate them into the feudal system against which they had previously fought.

One last factor was to favour the economic ascent of these large masos during the sixteenth century, when demographic recovery and rises in agricultural prices occurred.⁸⁵ It was because of this that the hitherto uncultivated lands once again became profitable. The tenants of the large holdings tried to restore them to cultivation and offered them, for

⁸⁴ P. Bonnassie, *Catalunya mil anys enrera*, p. 215.

⁸⁵ Although there exist many studies of these aspects the views put forward by Pierre Vilar continue to be valid. See the second part of his *Catalunya dins l'Espanya Moderna*, specially pp. 523, 552, 570, 575.

settlement, to the poor peasants, the day labourers. That this was the intention of the masos is demonstrated by the fact that the settlements were made for very reduced annual payments (one chicken, four chickens, five 'sous', etc.) and were fixed. This was one of the solutions, perhaps the most obvious, available in the Catalan countryside for recovering and repopulating the lands after the demographic, agricultural and social crises of the fourteenth and fifteenth centuries.

Table III: Sub-grants of 'Masos Ronecs'

(v=vessanes)

Owner	Holder	Mas	Year	Census	Area
TorreMoli	Miquel	Costa	1561	4 chickens	7v.
Calvera	G. Barcels	Puig	1560	1 chicken	9v.
Sicars	Madenya	land	1565	1 chicken	4v.
Sicars	Castello	land	1565	5 sous	2v.
Sicars	Montserrat	land	1565	6 sous	0.5v.

21. See above for the figures relating to establishments, chapter II.5.

If we confined ourselves to this table it might be thought that the process of agricultural recovery was very limited. In fact, the table only shows those sub-settlements of lands carried out, not between lord and tenant, but between the latter and day labourers. In a wider context, this land recovery policy, carried out during the sixteenth century, becomes more perceptible. Between 1276 and the plague of 1348, twenty-six settlements were made, thirteen between 1348 and the signing of the *Sentencia*, and twenty-two after 1567. Although the decline in the number of grants made during the years of crises was important, it was not so marked in the valley of Aro, as it was noted by Pierre Vilar to have been in the area of Barcelona, where they dropped to almost nil.⁸⁶ In any case, this new factor confirms the idea that there was no lack of control (seigneurial or otherwise) over the uncultivated lands of the region. However, the main point is that once the problem of the 'masos ronecs' had been solved, the larger masos of the region reflected the agricultural recovery of the sixteenth century, a recovery which was favoured by the fixing and acceptance of the rents and payments on the holdings and the 'masos ronecs'. In this sense, the fee for redemption from the 'mals usos' should not have posed too great an economic problem for those large holdings in the valley of more than 100 'vessanes'. If at the time of

⁸⁶ The private archive of the Casa Dalmases gave the following figures: nineteen grants before the year 1600; of them, nine between 1250 and 1338; another nine grants between 1491 and 1596 and only one from 1338 to the *Sentencia* (*ibid.*, p. 579).

redemption they decided to opt for an annual payment of three 'sous' instead of one total payment of 60 sous, we do not believe that this should be interpreted as a sign of lack of capital; although it is probable that those masos which were sub-let to other peasants were redeemed by one payment.⁸⁷

Not all of the holdings were redeemed, and the burden represented by payments clearly depended on the economic possibilities of the peasant group referred to as, it must be remembered, there were both rich and poor 'remensas'. The poverty of a sector of the peasantry impeded their redemption and consequently placed them in an inferior political position whereby they were obliged to declare their servile status many years later, even if this declaration was purely symbolic. This status was not only a consequence of having been subjected to servitude in days gone by, but also of settlements carried out during the sixteenth century.⁸⁸ It is, therefore, just as important to determine the degree of wealth attained by that sector of the peasantry for whom the redemption fees posed no economic problem, as to determine the level of poverty which prevented the rest of the peasantry from paying those same redemption fees. To analyze the sixteenth century peasantry as a uniform whole, is polemical, perhaps unnecessarily so.⁸⁹ The diversity of this group becomes much more obvious when the agrarian structures presented in the Catalan countryside in the sixteenth century are analyzed.

III. 4. THE NEW AGRARIAN STRUCTURES.

After the eleventh century the agrarian structures in Catalonia began to exhibit a process of rationalization of holdings, mainly the larger ones, with a tendency towards the concentration of individual units of cultivation into a single, larger holding, known as a

⁸⁷ This can be assumed with respect to the Mas Puig, of Crota, which was alienated to a certain Galceran Barcelo, without the payment of taxes (Aro II, 1285 (1567)).

⁸⁸ The examples given here refer to Pere Colls of the Mas Oliver (Aro II, 1691s113 (1569)); Pere Geli of the Mas Julia (Aro II, 1532s40 (1567)); Joan Sola for a house of the Mas Corp (Aro II, 1638s80 (1567)); Joan Sicars of the Mas Sunyer (Aro II, 1647s86 (1568)); Galceran Barcelo of the Mas Puig (Aro II, 1284s3 (1567)).

⁸⁹ See the different points of view of Serra and Duran in *Terra, treball i propietat* (Barcelona, 1986), pp. 206 and 216.

'maso'.⁹⁰ These masos were not only important as units of cultivation but also as fiscal units. This would explain, in part, why these holdings generally tended to survive for a much longer time than those individual plots of land which were never combined to form masos, and which evolved or disintegrated depending on the economic situation.

Other circumstances helped to fashion these holdings into the basis of Catalan agrarian structures. In domestic communities a general rule was recognized whereby the family inheritance remained intact; i.e., there would have been only one heir (chosen by the father) to the maso. To this common law were added others relating to marriage and testaments, which were scrupulously observed and probably dated back as far as the thirteenth century.⁹¹

As a result of the institution of a single heir, the other offspring tended to leave the holding. Provided with a little capital, they were able to establish themselves in commercial, colonial or agricultural operations, by means of purchasing small holdings, and forming a mobile social element which created links between the city and the country. Through establishing this relationship between agricultural activities and commercial or industrial concerns, they became an important factor in the development of Catalan capitalism.⁹²

There has been little progress made in the study of Catalonian agricultural holdings in general, and especially in that area relating to their structure and evolution before the Sentencia in comparison with the later situation. However, it has been observed that in the area of Sentmenat a whole series of new land grants took place, after the Sentencia, to the old tenants of holdings who during the fifteenth century had lost the deeds relating to their ancient rights. This fact could have led to the belief that completely new masos had been created, when in fact what had actually occurred was merely a restructuring of the old masos after the abandoned lands had been annexed.⁹³ It is probably a lack of perspective

⁹⁰ P. Bonnassie, *Catalunya mil anys enrera*, II. 260.

⁹¹ In the diocesan archive of Gerona there are dozens of documents relating to testaments and 'protocolos matrimoniales' (matrimonial clauses) which allow us to reconstruct the history of familial institutions as far back as the eleventh century. (ADG, section Pia Almoyna). See also P. Vilar, *Catalunya dins l'Espanya Moderna*. pp. 392-5.

⁹² P. Vilar, *ibid*, p. 395.

⁹³ According to E. Serra i Puig, the process of feudal recomposition which followed the compromise of Guadalupe can be observed not only in the restructuring which took place in the alienation of the ancient masos, but also in the advances made in the process of rent payments in cash, produced by the farming out of rents ('Per una cronologia i interpretacio de la crisi del segle XVII' in *Terra, treball i propietat* (Barcelona, 1986), pp. 218-9).

and of comparison with the situation prior to 1486 which has encouraged the belief that completely new agrarian structures emerged in the sixteenth century.⁹⁴

It must be accepted, however, that the answer to the question, as to whether or not new agrarian structures arose in other areas in the sixteenth century, may perhaps depend on the region studied, since it is unlikely that changes occurred at the same rate in different areas. Moreover, the difficulties presented by the available documentation, or the lack of it, force us into the field of hypothesis, above all when long series of documents relating to the peasant holdings, and dating back to the first stages of their formation, are not at the historian's disposal. Fortunately, this is not the case as far as a study of the Aro Valley is concerned, and it is possible to establish this series through a combination of the documents relating to the holdings themselves, with those referring to the occupants, i.e., declarations of entries into serfdom, recognition of ownership, etc..

III.4.1. The 'New' Masos: a Question of Names?

From the point of view of the lords the maso represented not only an agricultural unit but also a fiscal unit. Thus, the interests of the lords coincided with those of the tenants in avoiding its division. The family occupying a maso avoided its disintegration through the institution of the legal figure of the sole heir ('hereu'), the oldest son, who inherited the holding.⁹⁵ The lord, for his part, maintained his control over the holding, independent of

⁹⁴ This is true of Ll. Ferrer Alos's work on the Bages zone, in which he concluded that the structure of the masos in the area in the sixteenth century was completely new, and consequently, that the feudal system there had begun its decline (*Aproximacio a l'estrucció agrària de la comarca del Bages en el segle XVIII i primera meitat del XIX* (Barcelona, 1984)).

⁹⁵ 'Item filii et filie rusticorum qui sunt padron de mansis suis in bonis maternis non possunt petere legitimam de bonis inmobilibus mansi, set de aliis omnibus habebunt legitimam; et idem de filiis rusticorum qui fuerunt padron ipsius mansi. Si vero predice rustice vel rusticci attulerunt donationem propter nuptias vel sponsalium in manso, tunc fillii eorundem possunt petere legitimas, donationes propter nuptias, vel sponsalitii ab herede ipsius mansi et obligationem sibi factam....'. 'Item si rusticus in suo testamento dixerit quod filii et filie hereditentur secundum facultates ipsius mansi, filii et filie debent habere omnia bona mobilia ipsius mansi, sed heres nichil debet habere de ipsis bonis. Si vero non sunt in manso aliqua bona mobilia vel modica, heres tenetur dare annuatim aliquam quantitatatem ydonema de expletis mansi que sibi remanebunt congrue...' (chs. 45 and 46 of *Consuetudo Diocesis Gerundensis*, ed. J. M. Pons Guri, *Les col·leccions de costums de Girona* (Barcelona, 1988), pp. 95-6).

whoever occupied it, through the legal possibility of being able to force each new inhabitant of the maso to enter into serfdom.⁹⁶

In fact, when the genealogy of the occupants of these holdings is established, it becomes evident that the 'hereu', upon inheriting the maso, entered into serfdom and as a matter of course adopted the name of the maso. Similarly, any woman marrying into a maso would consequently enter into serfdom and adopt the name of the maso.⁹⁷ The same applied to a man who went to live in a maso as a result of marriage. He, too, had to give up his old name in favour of the name of the maso, although in certain cases men were allowed to keep their original name as well, for a time. An example of this practice would be the case of Pedro Ruyra, alias Croanyes, who entered into the Croanyes maso in 1417.⁹⁸ However, this case was an exception, and generally the entry into a holding presupposed an automatic change of name.⁹⁹

Thus, until at least the sixteenth century, the maso represented an agricultural and fiscal unit recognized by lords and peasants, the very nature of which obliged the occupant of the holding to take on the name of the maso. This very fact demonstrates the strength and historical continuity of these holdings. However, does it necessarily follow that the families occupying these holdings exhibited the same stability and strength in their position as tenants? Given that these holdings were the most important ones in the peasant community, would it not be logical to consider the occupants as an 'aristocracy' within the heart of the peasantry; an elite group which not only occupied the largest holdings, but by the laws of inheritance had passed them down from father to son since before the crisis of the fifteenth century? Or should one, on the contrary, accept the recently asserted view that

⁹⁶ *Ibid.*, ch. 55, p. 102: 'Consuetudo est in diocesi Gerundense quod si dominus habet aliquam bordam de qua, vel pro qua, habere consuevit homines et mulieres, et homo veniat in dicat borda, vel intret, quod talis debet se facere de illo domino, alias, si non facit, dominus potest ipsum vel ipsam prohibere ne moretur in dicta borda, et potest talem eicere donec venerit ut suus'.

⁹⁷ Numerous cases can be cited; Guillem, wife of Pere Pla (Aro I, 71s1 (1322)); Vicenta, wife of Pere Pla (Aro I, 197 (1385)); Guillem, wife of Arnau Corp (Aro Is5 (1322)); etc..

⁹⁸ Aro II, s13, 1417. Further examples are Esteve Guerau, alias Pla, of mas Pla (Aro II, s28, 1417); Mateu Oller of Mas Medir (Aro II, 277, 1448).

⁹⁹ It is this very circumstance which prevents us from ascertaining what was its previous name; Antonio Sitjar (Aro II, s22, 1417).

the economic prosperity of a small privileged sector of the peasantry originated as a result of the 1486 crisis?¹⁰⁰

The statistical basis on which those questions may be answered can be found in the following table, which is based on documentation relating to twenty-four masos. In the selection of these examples, the only condition which they had to fulfil was that the relevant documentation included references to the masos both before and after the crisis of the fifteenth century. The original name of the holding is included, together with its extent, as an indication of its importance; the earliest reference known to the holding, as a sign of its 'pedigree'; the data relating to any changes of owner or name, and the year in which these changes were affected. The last collected figures are from the year 1569.

Table 1: Registered changes of name in the Aro valley between the 13th and the 16th centuries

	Extent	Earliest ref.	New Owner	Year
Mas Barcelo	103 v.	1343		
Borda Boscan	7' 5	1343		
Mas Bussot	118	1322		
Mas Calvera	121	1275	Jaume Bas#	1567*
Mas Canal	135	1343		
Mas Cifra	169'5	1417		
Mas Sitjar	95	1343		
Mas Corp	43	1315	Miquel Samir	1567
Mas Croanyes	125	1343		
Borda Eybeli	Ronec	1322	Fontanella	1545
Mas Gerones	Ronec	1343	Mas Canal	1567
Mas Gonyador	Ronec	1343	Mas Bertran	?
Mas Groart	88	1411		
Borda Joanals	Ronec	1343	Mas Estrany	?
Borda Martí	Ronec	1343	Mas Sola	1470
Mas Medir	62	1322		
Mas Mola	313	1264	Joan Sola#	1492
Mas Oli	107	1297	Torrelles#	1567*
Mas Oliver	198	1343		

¹⁰⁰ It is basically a question of establishing whether the prosperity of this peasant sector presupposed a weakening of the feudal structure subsequent to 1486, a position defended by LL. Ferrer Alos, ('Notes sobre la formació dels grups socials a la Catalunya Central', *Terra, treball i propietat* (Barcelona, 1986), pp. 327-30), or whether, on the contrary, this group was already prosperous before 1486, and the result of the Sentencia was merely to facilitate its integration into the feudal system. The examples brought forward by Ferrer Alos are, however, very limited in number, one case of which he speaks involving two peasants, and the other involving ten.

Mas Pla	45	1322	Antoni Agustíl	1567*
Mas Puig	53	1322	#	
Mas Ros	62	1343		
Mas Vendrell	61	1315	Francesc Vidal	1409
Borda Xicola	24	1343	Antoni Pujol	1373

* Date when the change of name was recorded, but not necessarily when it occurred.

Took the name of the new owner.

v Vessanes.

Although it would perhaps be extreme to speak of a peasant 'aristocracy', it must be accepted that the majority of these families overcame the crises of the mid-fourteenth and fifteenth centuries, and continued in their holdings.¹⁰¹ The strength and continuity of these peasant 'lineages', as demonstrated by this fact, is surprising, although perhaps only relatively so, since it should be remembered that the families in question represented the richest sector of the peasantry.

The social prominence of this group is perhaps best illustrated in the figure of the 'batlle', a post which involved the supervision of the working of the lord's lands and the collection of rents.¹⁰² There was one 'batlle' in each important parish, and this post, which was established in Catalonia in the eleventh century¹⁰³, was in the valley of Aro, in the fourteenth century, occupied by certain of the richer peasants, who also continued to cultivate their own holdings.¹⁰⁴ Like their neighbours, they too received land by grant,

¹⁰¹ J. M. Marques Casanovas in a local monograph, *Canet d'Adri* (Canet, 1988), pp. 88-93, working on the figures relating to the fourteenth and sixteenth centuries shows that in Canet d'Adri, a town twenty miles away from Gerona, nine masos had survived the crisis from a total of twenty-four in 1315. Similarly, one can find examples of masos which had survived from the thirteenth century to this day, as in the village of Sant Gregori, the mas Verdaguer (1266), mas Serradevall (1270) (Cf., J. M. Calzada Oliveras, *Sant Gregori*. (Girona, 1985), pp. 199, 213).

¹⁰² See J. Lalinde Abadia, *La jurisdicción real inferior en Cataluña ('Corts, veguers, batlls')* (Barcelona, 1966); and P. Bonnassie, *Catalunya mil anys enrera*, II. 60.

¹⁰³ P. Bonnassie, *Catalunya mil anys enrera*. II. 60-1.

¹⁰⁴ It seems that the 'batllia' was in fact attached to specific masos. For example, when Pere Reverter bought the mas Serra it was sold together with the batllia (Aro III, 398-1919); while in another case Bernat Saguer inherited the mas from his father with the batllia (Aro I, 91-112).

sublet to other peasants, shared land with neighbouring peasants and even suffered the injustices inherent in the seigneurial judicial system.¹⁰⁵

With respect to the peasants who held the position of 'batlle', we know that by the beginning of the fourteenth century the Croanyes family was already established in the parish of Fenals¹⁰⁶, as was the Saguer family in the parish of Aro¹⁰⁷. It is clear that more than two hundred years later the strength of these two families had not diminished, since they still controlled the post of 'batlle' in their respective parishes, and their holdings were counted amongst the most important, Joan Saguer declaring a holding of 194 vessanes in 1567, and Pere Croanyes declaring 125 vessanes in 1568.¹⁰⁸ Judging from the available information, the Croanyes family seems to be a good example of the way in which one family remained in possession of a holding for a long period of time. In 1343 they declared the holding, and recognized their servile status; in 1417, a certain Pere Ruyra entered into serfdom as a result of matrimony; in 1440 Pere, son of Pere Croanyes, declared himself a serf due to the fact that he had been born in the maso, and the same year a certain Miquela also recognized her serfdom, a result of having married the heir to the holding. These declarations of serfdom ceased when in 1567 another Pere Croanyes appeared in the documentation upon paying homage to the lord and redeeming the maso from servitude.¹⁰⁹

While it can be accepted that those families which enjoyed the privileges attached to the post of 'batlle' were exceptions when compared to the rest of the peasant community, it is still true that at least twelve other families overcame the crisis of the fifteenth century and still maintained control of their holdings in the second half of the sixteenth century. The actual quantity of these holdings is important, but also significant is the fact that amongst these twelve were included a good number of the large holdings. With respect to the origins of these holdings, the first relevant information dates back to the second half of the thirteenth century¹¹⁰, although it is known that the maso existed in the Aro valley long

¹⁰⁵ Aro I, 50-52; Aro III, 433s19-1989; Aro I, 140s3-206; Aro I, 176-711, respectively.

¹⁰⁶ Aro II, 176-711.

¹⁰⁷ Aro I, 123-159 and 91-112.

¹⁰⁸ Aro II, 1288s5 (1567); Aro II, 1768s120 (1568), respectively.

¹⁰⁹ Aro I, s10 (1343); s13 (1417); s1 (1440); s3 (1440) and s120 (1567).

¹¹⁰ The mas Calvera is already mentioned in 1275 (Aro I, 26-31); the mas Mola in 1264 (Aro I, 18-23); the mas Oli in 1297 (Aro I, 40-43); etc.

before that time.¹¹¹ These first entries in the documentation were made either at the time of the first land grant relating to the holding, or upon entry into serfdom, or recognition of ownership, of the tenants. Probably only the loss of documents could explain those cases in which the first available information regarding the holding comes from as late as the beginning of the fifteenth century, as is the case of the masos Groart and Cifra. What is important as far as our purpose is concerned is the fact that the lords, in preserving the documentation relating to these holdings, guaranteed their own rights over them. And it is this same documentation which allows us to verify the continuance of certain peasant families in their holdings.

The examples given here were selected over other possible cases because of the relative continuity of the relevant information. Thus, in the case of the maso Sitjar, a remensa holding that in 1567 covered ninety-five vassanes, the first information available dates back to 1343, when Bernat Sitjar declared his property and his servile status in the capbreus of that year. In 1411 Berenguer Sitjar, the son of Antonio Sitjar, declared himself a serf, as a result of occupying the maso. Between 1411 and 1442 six new members of the family appeared in the documentation, whether as a result of inheriting the maso or because of marrying into it. In 1434 the holding was declared in another capbreu, until in 1567 Pere Sitjar appeared as having paid the redemption fee for the holding and paying homage.¹¹²

In the case of the mas Puig, the earliest declaration at our disposal is of the entry into serfdom of Silia, wife of Pere Puig. In 1343, Bernat Puig recognized the holding as servile and declared an extent of 73 vassanes. Between 1411 and 1433 his son Pedro and his grandson Antonio again declared the holding, as did Miquel Sicars and other representatives of the heirs of the mas in 1568, when they recognized the payment of homage in the name of the heirs.¹¹³ Although to cite many more examples is unnecessary, and would prove tedious, since there is little significant variation between the different cases, one last illustration of the continuity exhibited by certain peasant families in their holdings may be useful in establishing a comprehensive picture of the situation. In the case of the Mas Medir, the heirs appear in the documentation of 1343, 1367, 1411, 1417, 1432

¹¹¹ For example it is known that the mas Bussot was created through the union of the masos Pla and Lunell (Aro I, s63 (1343)).

¹¹² The documentary bases for the observations made on this family are Aro I, s62 (1343); Aro II, 229s2 (1411); s12 (1417); s22 (1417); s15 (1434); 271 (1440); 271-1076 (1440); 275 (1442) and Aro III s18 (1567).

¹¹³ In chronological order: Aro I, 72s4 (1322); s48 (1343); s11 (1411); s18 (1417); s11 (1433) and Aro II, s65 (1567).

and 1448, although we know that the holding already existed in 1322, due to a reference to the entry into serfdom of Guillema, wife of Bartolome Medir. In 1567, the holding was redeemed by Narciso Medir, in the name of a minor of the same name.¹¹⁴ An examination of the above examples, and of others of a similar nature, lead one to the conclusion that a good number of the larger peasant holdings overcame the crisis of the fifteenth century, without noticeable difficulties, a circumstance which allowed one family to retain possession of a holding for at least three centuries.

However, this was naturally not the case as far as all the masos were concerned. Firstly, there were those which, in ruins as a result of the mortality crisis of the fourteenth century, became annexed to other masos. An example of one of these 'masos ronecs' would be the Mas Eybeli. The first record of its existence is from 1322, in which year Guillem Eybeli and his wife entered into serfdom. We know that the family still had possession of the holding at the beginning of the fifteenth century, since it is recorded that the heir, Guillem, son of one Francisco Eybeli, received the holding and that in 1434 his daughter Antonia entered into serfdom due to the family's occupation of the maso. The next piece of information at our disposal concerning this maso is the record made of its purchase by the mas Fontanella in 1545.¹¹⁵ With slight variations, the history of the other holdings of this type is the same. For example, the mas Gerones became annexed to the mas Canal in 1567, the mas Gonyador became annexed to the mas Bertran in 1567, and the bordas Joanals and Martí became annexed to the masos Estrany and Mola, respectively. If these 'masos ronecs' are known to us it is because they never lost their original denomination, despite the fact that they became integrated into other holdings. This fact was probably a consequence of the disputes maintained between lords and peasants over the recognition of the taxes which burdened these tenancies.

Lastly, although we only know of two cases (and the very lack of examples in itself is indicative of the difficulties with which these holdings changed hands) there were those masos which were not annexed to other holdings, but which on different occasions passed to a new owner, and also preserved their old name. These were in fact relatively medium-sized holdings which, unlike the other holdings of this size, probably avoided extinction as a consequence of these very changes in ownership. Thus, over the three centuries covered by this study, the maso Xicola, with an extent of 24 vassanes, had successively five

¹¹⁴ Aro I, 72s8 (1322); s27 (1343); 17o (1367); s2 (1417); Aro II, s28 (1432); 277 (1448); 231(1411); s78 (1567).

¹¹⁵ Aro I, s6 (1322); s31 (1343); 228 (1410); s 24(1417); 263 (1434); s9 (1567).

different owners, the last of whom, Monserrat Bexard, was a linen weaver.¹¹⁶ The mas Vendrell, the first record of which dates back to 1315, when it belonged to Nicolas Vendrell, had three different owners.¹¹⁷

These changes in ownership of the holdings, which in general were infrequent and never resulted in the loss of the maso's name, continued to be minimal after the crisis of the fifteenth century, although then the denomination of the maso did sometimes undergo a change, and the new name was recorded together with the old. If the preceding table is again referred to, it can be observed that actually only four masos acquired a new name, that of the actual owner, which was added to the old name. It is not known exactly when the masos Calvera, Oli and Pla changed hands, although we do know that the mas Mola was bought by Joan Sola from a certain Bernardo Salitja in 1492. It would be difficult to deduce from this information that the basic property structure of the masos in this area underwent a fundamental change, although it can be accepted that from the sixteenth century onwards, and as a direct consequence of the *Sentencia* of 1486, lands changed hands with greater frequency, a circumstance which in some ways affected the agrarian structure. This would explain the appearance of new owners from other villages, such as Joan Sicars of Vall-llobrega, who bought the mas Sunyer from Antonio Agusti in 1541, or of non-peasant owners, such as Vicente Puigsec, a merchant from Olot, who bought lands in the area in 1492. There is also the case of Juan Maymo, who already held the mas Pejoan in the parish of Fenals, to which he annexed lands belonging to an old 'maso ronec' and bought from a certain Nicolas Salomo in 1566.¹¹⁸

A last element contributing to apparent change in the traditional agrarian structure was the tendency of the masos to break out of the jurisdiction of the lords. This was a point of conflict between peasants and lords since the inclination of the tenants towards enlarging their holdings wherever possible clashed with the interest of the lords in maintaining control over the tenancies. However, the extent of this tendency towards expanding out of the jurisdiction of one lord into that of another should not be exaggerated, since the number of tenancies affected were in fact minimal. The sample taken for 1567 shows that only five

¹¹⁶ In 1343 it belonged to a certain Pere Julia; we know that in 1373 Antoni Pujol bought it from Bernat Saguer; while in 1434 it was owned by a certain Simon Barcelo, (Aro I, s9 (1343); Aro II, s23 (1434); s16 (1567), respectively.

¹¹⁷ Francesc Vidal bought it in 1409 and it was then passed on to Antoni Geli, (Aro I 61 s1 (1315); 43 (1343); Aro II, s 14 (1567)).

¹¹⁸ Aro II, 1647 (1568); 1635 s79 (1567); 1759 s119 (1567), respectively.

holdings also held lands under other lords, while only four tenancies in different jurisdictions declared lands in the area covered by the capbreu.¹¹⁹

III. 5. THE DIVISION OF THE LAND.

If it is difficult to accept the idea that the crisis of the fifteenth century transformed the structure of agrarian property in the sixteenth century, undoubtedly this same crisis, and the mortality crisis of the fourteenth century, were the immediate causes which accelerated the changes which took place in the peasant holdings. These changes, rather than being evidence of a transformation of the basic agrarian structures, tended to represent a sharpening of certain characteristics of the peasant holdings which were already apparent in the fourteenth century (or perhaps before), and in the fifteenth century, such as a reduction in the number of parcels of land per holding, the number of lands granted 'in indiviso', in the lands granted by different lords, etc., characteristics of the agrarian structure which, however, tended to endure until practically the present century.

III. 5. 1. The Maso as the Basis of the New Agrarian Structures.

Unfortunately, the available documentation does not indicate what types of minor crops were cultivated in the holdings of the valley. Although it is known that from the sixteenth century the masos tended towards a diversification of crops, it was difficult for this diversification to be reflected in the seigneurial registers, above all because of the disputes continually faced by lords and peasants over the obligations to pay the tithe for new crops. The diversity and the conflicts presented by the introduction of new crops and the subsequent economic repercussions are aspects of modern Catalan agriculture which have been well studied by historians.¹²⁰

¹¹⁹ See appendix 3.

¹²⁰ The economic prosperity of the maso, which was based on the extent and variety of its crops, was shown by P. Vilar, *Catalunya dins l'Espanya Moderna*, p. 584. On the repercussions in seigneurial income, see J. M. Torras i Ribe, 'Aproximació a l'estudi del domini baronial del monestir de Ripoll (1266-1719)', *Actes del Primer Congrés d'Història Moderna de Catalunya* (Barcelona, 1984); M. Duran, 'L'evolució de l'ingrés senyorial a Catalunya (1500-1799)', *Recerques*, 17 (Barcelona, 1985). For peasant resistance to the

Nevertheless, with respect to the stage following the signing of the *Sentencia de Guadalupe*, it would be more interesting to emphasize the continuities of the feudal agrarian structures, rather than the later divergences. In general, the structure of the agrarian holdings continued to be basically the same as it was two hundred years before. The typical holding was dedicated to the cultivation of cereals (wheat, barley and rye), plus those minor crops which were generally included in the vegetable garden. On the other hand, the two other crops which make up, together with cereals what is known as the 'mediterranean trilogy', i.e. olive trees and vines, were of negligible importance. The former was practically non-existent, no mention being made of its cultivation in the documentation. With respect to the latter, only 105 vassanes were dedicated to the cultivation of vineyards, which represented only a minimal increase of fourteen vassanes compared to the area occupied in the middle of the fourteenth century, and 30% of the total lands occupied by the holdings.¹²¹

Next to these crops, the forest lands also represented an important part of the holdings, as in fact had always been the case. Already in 1343, out of a total of thirty-six holdings with forest lands, forest occupied more than 50% of the land in sixteen holdings. After the mortality crisis of the fourteenth century some of these marginal lands went out of cultivation.¹²² Nevertheless, subsequently, and very probably as a result of the annexation and recognition on the part of the lords of the abandoned lands, the surface area of the forest again grew. Thus, the forest land of the mas Busot expanded from 22 vassanes to 63, that of the mas Martí from 12 vassanes to 43, and that of the mas Torra from 18 to 58. This was the case, in general, for those holdings with 'masos ronecs'. However, it is also true that the surface area of forest land grew in those holdings which had not annexed 'masos ronecs', demonstrating the weakness of the agricultural recovery produced at the beginning of the fifteenth century, after the Black Death, when there was an attempt to bring the abandoned lands into cultivation again. The small advances which occurred at that time were not reproduced. This circumstance was, probably, owing to the difficulties

payment of the tithes see E. Canales, 'El diezmo a fines del Antiguo Régimen', en Gonzalo Anes, ed., *La economía española al final del Antiguo Régimen: I, Agricultura* (Madrid, 1982), pp. 143-7. Local monographs on the subject are innumerable: see, for example, E. Badosa, 'Procés d'una resistència pagesa el poble de Navarcles contra el monestir de Sant Benet (1711-1835)', *Primer Col·loqui d'Història Agrària* (Valencia, 1983); and M. Carbonell, 'Plets i lluita antisenyorial. El ducat de Cardona a les acaballes de l'Antic Regin'. *Pedralbes, Revista d'història Agrària*, 3 (Barcelona, 1983), pp. 265-78.

¹²¹ The general data which follows, if not indicated to the contrary, has been extracted from the information which appears in appendix number 3.

¹²² See above chapter II.1.

represented for agriculture by the resurgence of the peasant struggles in the second half of the fifteenth century. Where it has been possible to compare the data referring to the advances and recession of the forest lands in different areas, the conclusion seems to be the same; that progress for an agriculture based on great expanses of land was difficult, due to demographic weaknesses. For example, the mas Sitjar went from having 42 vassanes of forest land to 32 at the beginning of the fifteenth century, and then 40 in the middle of the sixteenth century; the mas Torra went from 18 vassanes to 58; the mas Pla from 12 to 27, etc. Thus, in 1568 the surface area of forest lands totalled approximately 1093 vassanes (28.5% of the lands belonging to the holdings) compared to the 856 vassanes which this type of land occupied in 1343.

In this general context, the maso as a holding unit, in the sixteenth century, consisted of the 'capmas', or main living quarters, the threshing floor, the orchard, the 'quintanal', or land which surrounded the house and which had previously been forest land, cleared to build the maso; the vineyard, sometimes close to the forest; the 'ferregenal' or pasture land, and the 'clos' or enclosed area similar to an orchard. This area had, since ancient times, constituted the centre of the holding, and to it were joined the parcels of lands, for which an aggregate sum was paid in tax if they belonged to the old endowment of the maso, or separate taxes for each parcel if they had been added subsequently. To this whole were added, in the sixteenth century, all those lands (whether individual parcels or 'masos ronecs') acquired as a result of the preceding crises.

Nevertheless, in spite of the annexation of new lands, the largest holdings on the whole followed the tendency towards rationalization, already apparent at the beginning of the fifteenth century, a procedure which was mainly due to the reduction in the number of parcels held by each holding. Thus, if in 1343 there were ten holdings with more than fifty parcels per holding, in the sixteenth century this number had fallen to only four. However, it is not only important to confirm this reduction in the number of parcels. The rationalization carried out in the masos can be seen more clearly when this factor is related to the expanse of the holding, as shown in the following table:

Table I: Area and number of parcels of the holdings in the Aro valley in the years 1345 and 1567

Holding	1343		1567	
	Area	Num. parcels	Area	Parcels
Barcelo	91	37	103	18
Bucot	122	50	118	19
Canal	118	91	114	64'
Sitjar	85	23	95	26

Corp	65	36	113	38
Madir	80	48	73	35
Oli	100	32	07	17
Oliver	152	47	198	51
Pla	30	16	45	16
Ros	63	33	56	25
Torra	72	25	101	24
Vendrell	76	42	61	22
Xicola	23	21	24	14

* In vessanes.

A second factor in the structure of the holdings, which reflected not only a greater grouping together of the holdings but also the polarization of the economic groups and a new tendency towards individualization of the holdings, was the reduction of lands held 'per indivis'. This term covered those parcels which were cultivated by two or more tenants, who shared the tax on the lands. In the sixteenth century the amplitude of this phenomenon was highly significant. The twenty-one holdings which held this type of tenancy possessed a total of 1828 vessanes of which 658 vessanes were granted 'per indivis', or 35.9% of the whole. It should be noted that these lands could have been shared by two, three, four or even up to five peasants.¹²³ After the signing of the *Sentencia*, this aspect of the agricultural structure changed radically, as can be seen in the following table:

Table II: Area of lands granted 'per indivis' in the Aro valley in 1567

	Area holding	Area 'per indivis'
Maso Bas	127 (vessanes)	6 (vessanes)
Maso Oliver	203	10
Bucot	122	8
Madir	73	23
Canal	156	42
Ros	69	13
Estrany	94	41
Bertran	167	68
Pejoan	28	19
Croanyes	162	60
TOTAL	1201	290

Indeed, not only were the number of holdings, which possessed this type of land reduced (from 21 to 10 holdings), but this phenomenon was totally limited to holdings of a

¹²³ See above chapter I.4.

great extension, so that generally they covered an area of more than 100 vassanes. Moreover, in comprehensive terms the total of lands granted 'per indivis' was reduced by more than 50%, falling from 658 vassanes in the fourteenth century to only 290 vassanes in the sixteenth century.

If an analysis of the lands granted 'per indivis' is reliable proof of the growing economic polarization of the peasant society in favour of the large tenancies, a detailed observation of the parcels and the number of tenants who shared them would equally be evidence of the growing lack of solidarity within the heart of the peasant community as far as cultivation of these parcels was concerned.¹²⁴ While at the beginning of the fourteenth century it was relatively common to have three or more peasants cultivating land in common, at times very small areas of land, this became practically unheard-of with the passing of time. Not only was it a question of the number of parcels and 'partners' who shared them being reduced, but the tenancies were in practice not shared at all. Evidently there were exceptions (of up to five partners), as can be seen in the following table, but these were few and far between and clearly on the point of disappearing.

Table III: Plots of land shared 'per indivis' in Aro, 1567

	Area 'per indivis'	Num. peasants per plot	Surface area each unity
Bas	6 *	2	6 *
Oliver	10	2	10
Bucot	8	2	8
Madir	23	2	23
Canal	42	2	17
	2	3	
	2	8	
	2	7	
	4	5	
	2	2	
Ros	13	2	6
	2	7	
Estrany	41	2	6
	3	6	
	2	6	
	5	5	
	2	1	

¹²⁴ One should remember that in talking about 'insolidarity' within the peasant community we refer to it not from a moral point of view, but as a consequence of an interrelated society with market pressures acting on it (R. Planes i Alberts, *La comunitat pagesa: aglevalment i diferenciació social*. *L'Avenç*, 115 (1988), 27).

	2	6	
	2	8	
	2	3	
Bertran	68	2	17
	2	13	
	3	25	
	5	5	
	2	8	
Pejoan	19	2	6
	2	13	
Croanyes	60	2	30
	2	14	
	2	16	

* In vessanes.

On the other hand, the tenants ended up 'rounding off' their holdings by acquiring lands granted to them by different lords. This phenomenon was characteristic of all the peasant communities, whose members tried to acquire as much land as possible, ignoring the rules dealing with feudal monopoly which the lords tried to introduce.¹²⁵ Thus, it is known that at the beginning of the fourteenth century more than a quarter of the holdings (forty one, to be exact) held lands granted by different lords, mainly from Gerona cathedral and the monastery of Sant Feliu de Guixols, as well as from other ecclesiastical institutions and minor lords of the area.¹²⁶ One would think that the Sentencia would have opened up new legal possibilities concerning the acquisition of new lands, or in other words that it would have led to a liberalization of the land market, and this was in fact generally the case, but in the area with which this study is concerned there is no evidence of this, as can be seen in the following table.

Table IV: Tenancies with lands granted by different lords in the Aro valley

¹²⁵ In the *Consuetudo Diocesis Gerundensis* it was established (ch.136) that 'Rusticus non potest de sua mansata terram aliquam per alienationem dividere seu abstrahere absque directi domini voluntate; terras vero quas aliumde adquisierit potest absque consendu domini alienare et dividere quantumcumque, licet successor eius qui eas in mansata miserit, ex quo in mansata per XXX annos fuerint hoc non possit nisi de consensu domini qui ex hoc suum laudismum consequetur quemquidem consensum prestare tenetur ex quo residuum mansate suficiat ad honera supportanda ita quod ex residuo possit inveniri homo et femina se ad mansate onera restringentes' (J. M. Pons Guri, *Les col. leccions de Costums*, p. 155).

¹²⁶ There were exactly 47.5 vessanes granted between the cathedral and the monastery of Sant Feliu of Guixols; 1106 vessanes granted by the monastery and 140 between the rest of the lords.

	Holding	Cathedral/ Monaster y	Monaster	Others
Mas Barcelo	103 *	-	27'5 *	-
Mas Calvera	127	5	13	-
Mas Saguer	194	18	-	-
Mas Samir	113	5	-	-
Mas Dolca	124	-	35	-
Mas Riembau	141	-	20	-
Mas Oliver	198	-	9	2
Borda Xicola	24	-	-	2
Mas Sitjar	95	-	5	6
Mas Cifra	169	2	25	1
Mas Bucot	118	-	5	-
Mas Groart	88	-	7	-
Jaume Blanch	3' 5	3	-	-
Rafaela	5	5	-	-
Jaume Samir	2	2	-	-
Mas Ferrer	62' 5	-	11	2.5
Isabel	5	5	-	-
Jaume Vergonyos	7	7	-	-
Antoni Puig	79	6	-	-
Joan Vilar	20	20	-	-
Mas Madir	62	-	26	-
Mas Canals	135	7	-	-
Mas Croanyes	134	-	78	-
Mas Mola	313	-	70	-
TOTAL		85	261.5	13.5

* In vassanes.

Indeed, not only did the number of tenancies held by these masos diminish (to only 24), but the relative surface area covered by this type of land was also reduced (85 vassanes being granted between the cathedral and the monastery of Sant Feliu; 261.5 vassanes granted by the monastery, and only 13.5 by the other lords).

How, then, could this apparent paradox of the existence of a restrictive tendency in a historical moment of agricultural expansion be explained? The answer will, necessarily, be limited since there is an almost complete lack of documentation referring to the monastery of Sant Feliu de Guixols, the second greatest landlord of the area, after Gerona cathedral.¹²⁷ However, in spite of this, it could be that the answer does not lie in the

¹²⁷ We know that the monastery was founded in the 9th century, and that it gave rise to the city of the same name, that it already disposed of lands in the area before 1016, through a donation by Count Sunyer (*Marca Hispanica*, c.996-998), which would be confirmed by

supposed good or bad internal economic condition of the peasantry, which allowed them to, or restricted them from, acquiring these lands, but in the legal battles faced by the monastery and the cathedral for control of the area.¹²⁸ This would also explain the fact that all the tenants, great and small, and independently of their economic status had been affected in the same measure.

The masos held lands in 'alodio' (lands free of tax), but these lands, following a tendency already evident in 1432, were already only a remnant of the past, of those times in the tenth and eleventh centuries when the peasants were free to occupy lands.¹²⁹ In the sixteenth century these lands succumbed to seigneurial pressure, and in the Aro valley they covered only 61 vassanes, distributed amongst only ten holdings.¹³⁰

As a whole, these masos represented a total of twenty-five holdings out of 124, or 19.91% of the total. This proportion indicates the acute imbalance between the number of peasants and the number of holdings of this type, an imbalance which was accentuated

the French king Lothar, in 968 (Marca Hispanica, c. 891-892). Later the castle of Benedormiens would be handed over by the bishop of Gerona, Pere Roger, and the Countess Ermessenda, together with the tithe and other rights pertaining to the parish of Cristina de Aro (Marca Hispanica, c.1083-1084). He also had rights in Llagostera (ACA, Monacals, n. 2 (1057)), Valllobrega (*idem*, n. 9 (1265)), Cassa de la Selva (Idem, n. 41 (1314)), Santa Maria de Fenals (Marca Hispanica, c.1336-1338), Santa Agueda, San Mateo de Montnegre and Santa Pelagia (ACA, Monacals, n. 43 (1314)), etc.

¹²⁸ The fact that from the 9th century both institutions disposed of lands in the same area was the cause of continuous hearings to delimit the rights of one or other over different possessions. We know that in 1200, there had been a judgement over the tithes that each institution should collect in the valley of Aro, which afterwards would be confirmed by the Archbishop of Tarragona (ACA, Monacals, nos. 5 , 6 (1200)). This action would not be more than the beginning of the judicial battle that would confront the cathedral of Gerona and the monastery of Sant Feliu for control of the rights of legal procedures, tithes, labour services, and servitude in general for the area, a battle that would last for over six centuries of continuous confrontations. On this subject see J. Calzada i Oliveras, 'La contenció de la Vall d'Aro'. *Estudis sobre temes del Baix Empordà*. Sant Feliu, 1981, pp. 101-120.

¹²⁹ . *Consuetudo est in diocesi gerundense quod rusticus solidus haben mansum astrictum ad servitia homalia, sive ad homines et feminas, dominio pro quo ipse mansus tenetur non potest habere nec tenere aliquam possessionem pro alodio, nisi provet vel hostendat quod sit eius alodium* (ch. 40, in J. M. Pons Guri, *Les col·leccions de costums*, p. 90) See also P. Bonnassie, *Catalunya mil anys enrera*, I. 195-210.

¹³⁰ These are the details of the data: mas Oliver had 17 vassanes; mas Comas 0.5; borda Carbonell, 1.5; mas Sitjar, 4; Borda Boscana, 6; mas Torra, 7; mas Bussot, 2; mas Puig, 18; mas Medir, 3; and mas Sunyer, 2 vassanes.

even more if one takes into account the fact that the masos possessed 70% of the total land in cultivation.

III. 5. 2. The Residual Holdings.

To call the whole formed by a house and one or various parcels of land a 'holding' would very probably be a linguistic abuse, especially in comparison with the masos considered above. Playing a relatively secondary role in the agrarian structures, the disappearance of these pieces of land was the result of whatever adversity, political or economic ¹³¹, and studied at a given date, they clearly reflect the deep inequalities which separated them from the minority of well-to-do tenants.

In general, these small tenants tended to be concentrated in the populated centres of the area, whether it was the Castle of Aro or the 'celleras' (grouping of houses around the church) of the parishes of Santa Maria de Fenals, Calonge, Sant Feliu de Guixols, Aro or any other. On the other hand, the parcels of land held by these tenants, with the exception of the orchards which were usually situated on the outskirts of the village ¹³², exhibited a general dispersion, perhaps due to the fact that the tenants were obliged to take lands wherever possible. ¹³³ This impression is further confirmed by the fact that these parcels paid individual taxes, as a result of having been granted one by one, unlike the masos which paid comprehensively for the entire holding. ¹³⁴ Thus it is not surprising that

¹³¹ In practice it is impossible to make a study of these holdings which would cover a prolonged period of time, since the names changed continuously, as did the plots of land; this fact also prevents us from making a statistical study.

¹³² References to houses with orchards or simply orchards on the outskirts of the villages are numerous; for example, Joan Corri, who had a house with an orchard close to the castle (Aro II, s24 (1567)).

¹³³ Although practically all the place-names which appear in the documents have disappeared due to the tourist development of the area studied, it is still possible to place some of these plots of land in place-names which have survived, such as Canet, Roca de Malvet, Sant Pol, etc..

¹³⁴ A typical example would be Jaume Torreles, who had a house in the area of the castle, for which he paid 2 chickens to the lady of Malvet and 8 sous to the canon of Gerona; a piece of forest land of 4 vassanes for which he paid the tithe to the Almoyna institution of the cathedral, and a vineyard of 2 vassanes for which he paid taxes to the church of Aro (Aro II, 1526, s37 (1567)).

different taxes like the 'tasca' and the tithe and the 'primicia', etc. mounted up on one parcel.

Lastly, and owing to the social condition of the tenants, who were generally farm labourers, it is not surprising that these parcels were normally devoted to specialized crops, mainly vegetables, orchards and vineyards, established in lands cleared from the forest¹³⁵, which served as added sustenance. It would have been these small holdings which initiated the process of expansion of the vineyards at the end of the sixteenth century, as is testified by numerous references in the documentation.¹³⁶ However, this expansion was marginal, being carried out in the poorest lands and in soil where the rocks, the incline, and the dryness prevented the cultivation of other crops. This process was very similar to that which Le Roy Ladurie studied in the Languedoc.¹³⁷ In that area the expansion of viticulture also began around the end of the sixteenth century, although it did not become a monoculture there either, but tended to spread over the worst lands. The same occurred in the areas of Barcelona and the Bajo Llobregat, where, as J. Codina has established, the wine for the sixteenth-century peasants was of a practically completely domestic nature, and its importance for agriculture as a whole negligible.¹³⁸

As will be seen later,¹³⁹ these holdings, being so small, were not capable of providing for a whole peasant family, but merely acted as an aid towards their subsistence when the process of proletarianization began in the country in the sixteenth century.

III. 6. FEUDAL RENTS IN THE 16TH CENTURY.

In the sixteenth century, as in the fourteenth, the greater part of feudal rents were made up of income from the land. This income proceeded mainly from the censos, 'lluismes', tithes,

¹³⁵ The majority of the land-grants which were made of a mountain of the Valley in 1568, appear in the documentation of 1570, referred to as plots of vineyards and forest (for example, Aro II, 1679, s104 (1570)), although these references are general to nearly all the holdings.

¹³⁶ See appendix 3.

¹³⁷ E. Le Roy Ladurie, *Les paysans de Languedoc* (Paris, 1966), pp. 431-7

¹³⁸ He also points out that the production of wine practically ceased in the 17th century as compared to the 16th century (J. Codina, *El delta del llobregat y Barcelona. Generes de vida del segle XVI al XX*. (Barcelona, 1971), p. 203).

¹³⁹ See chapter III.7.

and perhaps from the administration of justice derived from the control of the land.¹⁴⁰ To this were added the 'parcerias', 'censales', the urban rents, and rents from the tithes.¹⁴¹ However, the income derived from public positions, although they were sought after by the nobility, seems to have been insignificant.¹⁴²

A great many studies have already been made on the movements of seigneurial income, and this subject continues to claim the attention of historians.¹⁴³ Nevertheless, we are not so much interested in studying the evolution of feudal rents in the sixteenth century (a subject which would be marginal to this work), as in comparing the characteristics exhibited by these rents with those of the period before to the crises of the fourteenth and fifteenth centuries. Thus it will be possible to show the ways in which the lords appropriated part of the agricultural produce¹⁴⁴.

¹⁴⁰ On this last point, see N. Sales, *Senyors, bandolers, miquelets i botiflers. Estudis sobre la Catalunya dels segles XVI al XVIII*. (Barcelona, 1984), pp. 72-87; 'Fins quan pogueren els senyors alt-justiciers comdemnar a mort', *L'Avenç*, 79 (1985).

¹⁴¹ Ll. Ferrer Alos, 'Censals, vendes a carta de gràcia i endeutament pagès al Bagés', *Estudis d'Història Agrària*, 4 (Barcelona, 1983), 101-26; E. Badosa Coll 'Els lloguers de cases a la ciutat de Barcelona (1780-1834). *Recerques*, 10 (1981), 138-53.

¹⁴² On the aspirations of the nobility to participate in the municipal government of Barcelona see J.S. Amelang, *La formación de una clase dirigente: Barcelona, 1490-1714* (Barcelona, 1986), pp. 81-91. For an evaluation of the importance that these public positions held for the Catalan nobility see J.H. Elliott, 'A provincial aristocracy: the catalan ruling class in the sixteenth and seventeenth centuries', *Homenaje a Jaime Vicens Vives* (Barcelona, 1967), II. 125-41; and J. Reglà, *El bandolerisme català del barroc* (Barcelona, 1966).

¹⁴³ In general, they note an increase in seigneurial income throughout the 16th century until 1590, when the statistics began to diverge. From the years 1660 to 1680 there was a recovery of seigneurial income. However, the 17th century as a whole should be considered as a time when the rents fell (M. Duran, 'L'evolució de l'ingrés senyorial a Catalunya (1500-1799)', *Recerques*, 17 (1985), 7-42; 'Producció i renda agrària a la Catlaunya del segle XVI', *Terra, treball i propietat* (Barcelona, 1986), pp. 186-213; E. Serra, 'Per una cronologia i una interpretació de la crisi del segle XVII', *Terra, treball i propietat*, pp. 214-46; 'Evolució d'un patrimoni nobiliari catlà durant els segles XVII i XVIII. El patrimoni nobiliari dels Sentmenat' *Recerques*, 5, Barcelona (1975), 33-71; G. Feliu i Montfort, 'El negocio de los arrendamientos de rentas señoriales. Examen de un libro de ventas', *Revista de Historia Económica*, 1, Madrid (1955), 31-54. Nevertheless, the basic work is still the study of P. Vilar, *Catalunya dins l'Espanya Moderna*, vol. III.

¹⁴⁴ In the fifties Rosdolsky advocated the necessity of determining the burden which the seigneurial rights placed on the peasantry (R. Rosdolsky, 'The distribution of the agrarian production in feudalism', *Journal of Economic History*, 9.3 (1951).

Table I. The types of feudal rent in the 16th and 14th centuries

	Number of Payments	
	(1567-69)	(1343)
Fixed		
Taxes in kind	136	269
Taxes in cash	71	212
Labour services	20	42
Llauc	72	73
Batlliu	5	8
Proportional Tasca	27	171
Tithe	14	64
Quart (1/4)	-	28
Bracatge	-	32

In general the tenancies remained 'censivas', i.e., they were generally granted in perpetuity and were obliged to pay taxes which were fixed, proportional to the harvest, or a combination of the two, as was the case in the Aro Valley. They were, in fact, the same type of holdings as existed in other countries and which, according to the legal status of the occupants, came under the names of 'villainage', 'bourgage', 'hostal', 'mas', etc.¹⁴⁵ This was the type of holding which was predominant in the sixteenth century, in spite of its antiquity, which in Catalonia dated back to the tenth and eleventh centuries.¹⁴⁶ It is notable that certain changes did occur, but these were no more than the consequence of a prolonged devaluation of those taxes imposed on holdings, which had been held by the same families since time immemorial. In this case, time was on the side of the peasant holding.

A first look at the table above will reveal a notable diminution in the number of payments made, as much in kind as in cash, and as much in fixed taxes as in those which were variable or proportional to the harvest. The taxes in kind were reduced by 50%; those in cash, by a third; the labour services by 50%, and lastly, the variable taxes, ('tasca', tithe, 'quart' and 'bracatge') had practically disappeared as payments.

The general explanation for this entire phenomenon is that, given that the majority of these payments were concentrated on the holding units formed by the masos, the very disappearance or consolidation of these holdings during the crises which followed the year

¹⁴⁵ P. Bonnassie, *Vocabulario basico de la historia medieval* (Barcelona, 1983), p. 147.

¹⁴⁶ P. Bonnassie, *Catalunya mil anys enrera* I. 214.

1348, would justify the disappearance of the corresponding taxes.¹⁴⁷ The same occurred with respect to those holdings which had been divided up¹⁴⁸, although in the case of a 'maso ronec' being integrated as it was, the same taxes were maintained.¹⁴⁹

With respect to those taxes, which were proportional to the harvest, the most relevant fact is that they were of almost minimal importance in the Aro valley in the sixteenth century, in contrast with the importance attributed to them by Pierre Vilar for the whole of Catalonia.¹⁵⁰ The case of the tithe would have to be left apart as, in spite of the fact that our documentation does not reveal what happened to it,¹⁵¹ it normally tended to be the object of leasing amongst individuals.¹⁵² The 'tasca', however, was a different case. This tax started to spread through Catalonia in the eleventh century, although as early as the end of that century it had already begun to give way to new and heavier taxes, such as

¹⁴⁷ This would be true of the mas Boscan which had practically disappeared by the sixteenth century, which paid 2 sous, taxes in kind and labour services in 1343 and now only one chicken.

¹⁴⁸ The mas Bas owned fourteen plots of land of the old mas Perarnau, which had been abandoned, and for which a sole payment was made of six sous on the 'llauc' (Aro II, s2(1568)); also the mas Estany belonging to Antoni Joanals which owned nine plots of land of the mas Joanals for which llauc was paid, and six plots of land of the mas Deulofeu for which only the tasca was paid (Aro II, s117 (1567)). There are many other such examples in the documentation.

¹⁴⁹ See above chapter III.3.

¹⁵⁰ P. Vilar, *Catalunya dins l'Espanya Moderna*, II. 296. Montserrat Duran also points out the minor importance, in the sixteenth century, of taxes proportional to the harvest since they did not affect the whole of the peasantry, not even in the areas where it was more frequent. She points out, moreover, that the tasca tended to be paid in cash in the areas of Barberà and Penedès. In her opinion the other proportional payments were even less common ('Producció i renda agrària a la Catalunya del segle XVI', *Terra, treball i propietat (classes agràries i regim senyorial als Països Catalans* (Barcelona, 1986), p. 205.).

¹⁵¹ We know from the information put at our disposal by the archivist of the diocesan archive, Josep M. Marqués, of the existence of three volumes, the 'Llibre Vert dels Feus' (1362), the 'Llibre Astaldat' (1502) and the 'Llibre autentich del vicariat eclesiàstic' (1703), which are deposited in the same archive, and which give an account of all the fiefs of the bishop and the leasings of the tithe. It is not necessary to emphasize the importance which this documentation would have for a study of the evolution and control of the tithe in the diocese.

¹⁵² Ch. Guillere, 'Chritères médiévaux de l'étude comarcal: le cas de la Selva à travers les enquêtes épiscopales', *XXVIII Assamblea intercomarcal d'Estudiossos* (Sta. Coloma de Farners, 1983); and E. Serra i Puig, *Pagesos y senyors*, p. 286.

half or a quarter ('quart') of the harvest.¹⁵³ However, it is once again evident that the historical process evolved in different phases and at an uneven rate depending on the area studied, because in the Aro valley the 'tasca' was, in the mid-fourteenth century, the most widespread form of tax, and even in the sixteenth century it was still the object of commutation into cash taxation.

Table II. Commutation of old taxes into cash in the 16th century

	Old tax	New Tax	Holding
Mas Bas	tithe	3s.	5 v.
	Labour Service	6s.	
Borda Carbonell	tasca & tithe	10s.	1 v.
Borda Xicola	tasca & tithe	9s.	2 v.
Mas Torra	quart	18d.	1 v.
Mas Sicars	tasca & tithe	12s.	2 v.
Joan Torreyas	tasca	4d.	4 v.
Vicens Puigsech	labour Service	5s.	
Pere Ramis	tasca	6s.	12 v.
Nicolau Samir	tasca	3s. 6d.	3 v.
Bertran Geli	tasca	2s. 6d.	2 v.
Pere Tixer	tasca	4s.	4 v.
Bertran Cel	tasca	2s. 6d.	2 v.
Nicolau Samir	tasca	3s. 6d.	3 v.
Joan Riba	tasca	4s.	4 v.
Pere Ramis	tasca	5s.	10 v.
Antoni Font	tasca	4s.	4 v.

Key: s= sou ; d= diner ; v= vessana

Indeed, it was mainly on the 'tasca' that the tendency to change taxes from kind to cash was centred. Although the exact reasons which motivated this change are not known (nor do we have evidence of any study having been made of this aspect), it is important to note that in the year 1568, payments in cash were preferred when land grants were made. The best example of this can be found in the series of land grants relating to one of the mountains in the parish of Aro, made to day labourers of the area consisting of small parcels of forest land, for which they were asked to pay a symbolic entry fine of two chickens, the tithe and an amount in cash, instead of the payment of the 'tasca'.¹⁵⁴ With

¹⁵³ P. Bonnassie, *Vocabulario basico*, p. 216 and *Catalunya en mils enrera*, I. 221.

¹⁵⁴ These land grants correspond to those of the previous table, and include all those from the name of Nicolau Samir onwards.

this change from payments in kind to payments in cash, a simplification of those payments and greater control over them was achieved, mainly as a measure against the peasant resistance to paying them.¹⁵⁵ Throughout the sixteenth century payments in cash were required for the new grants carried out of old lands.¹⁵⁶ This was the only possible way by which the lords could effect changes in the old tax system, since the sales or purchases of land carried out between the peasants did not allow for any alteration of the taxes.¹⁵⁷

The prudence, then, which had led the lords in the fourteenth century, faced with the crises and the consequent abandonment of lands, to demand the payment of fixed taxes, had, in the sixteenth century, been transformed into a greater aggressiveness in the collection of taxes in cash, at a time when the profitability of the holding was clearly under way. The conversion of taxes in kind to taxes in cash symbolised the emergence of the Aro valley from the medieval centuries into the early modern age, when the process was to be finally completed.

If we now concentrate on the holding units, the masos, it can be affirmed that in general they paid the same taxes in the sixteenth century as in the fourteenth and fifteenth centuries. Documentation relating to thirteen masos, permits a comparison of the taxes on these masos in two or three different centuries. The result is the following table:

Table III: Taxes which were levied on the valley holdings in the 16th century compared with those of the 14th and 15th centuries

Holding	Year	Kind	Cash	Tasca / Tithe	Banal	Labour services
Eybeli	1343	2 m.o.	8d.	t. 27v.	2s. 9d.	+
		2 chic.		ti. 27	1 m.o.	
		1 f.			1 m.f.	
	1567	Idem.	Idem.		Idem.	Idem.

¹⁵⁵ E. Serra i Puig, *Pagesos y senyors*, p. 75.

¹⁵⁶ For a land grant made in 1561, a payment of 5 sous was made (Aro II, s30, 1567); for another in 1554, a payment of 14 (Aro II, s39, 1567); for another in 1565, a payment of 5 sous (Aro II, s47); for another in 1551, a payment of 3 (Aro II, s48); for another in 1560, a payment of 7 sous (Aro II, s51); for another in 1563, a payment of 9 sous (Aro, s52); it would be possible to give many more examples.

¹⁵⁷ For land bought in 1534, tasca was paid; for another in 1534: tasca (Aro II, s18, 1568); for land bought in 1541, tasca and tithe was paid; another in 1541, tasca and tithe (Aro II, s17); for land bought in 1544, tasca (Aro II, s18); two plots of land bought in 1535 and 1539 tithe was paid (Aro II, s21); for land bought in 1549, tasca and tithe was paid (Aro II, s32).

Gerones	1343	2 m.o. 1 q.f.	21d	t. 15v	+
	1567	3 m.c.	Idem.		Idem.
Gonyador	1343	1 m.o. 1 q f	6d.	t. 70v	-
	1567	Idem	Idem	-	-
Groart	1433	7 m.o. 1 q o	4s 4d	t. 38v ti. 25v	16d. 2.m. o. 2 m. f. 1 m v
		1 q f			
		2 chic.			
		1 f			
Marti	1567	Idem.	Idem.	t. 10v.	Idem.
	1343	1 q q	-	t. 34v.	1 m o
		3 chic		ti. 34v.	+
		1 f			
Oliver	1567	Idem.	-	Idem.	Idem.
	1343	2 m o	2s 22d.	t. 200v.	8d.
		3 q.f.			1 m.o.
		1 f.			1 m.f.
					1 q.v.
	1433	3 m.o.	Idem.	t. 114v.	Idem.
		Idem		ti. 110v.	
Puig	1567	Idem.	Idem.	t. 103v.	Idem.
	1343	8 m.o.	10s.	t. 4v	2 m.m
		1 q.o.			+
		1 m.f.			2 m.f.
					1 m.v
	1433	Idem.	?		Idem.
	1567	Idem.	10s.		Idem.
Barcelo	1343	2 m.o.	7s 10d	t. 62v	1 m.o.
		2 chic.			+
		1 q.			1 m.f.
	1567	2 m.o.	10s10d	56v	Idem.
		2 q.			Idem.
Bucot	1343	3 m.o.	5s 8d	30v	2s 8d
		1 q.o			+
		4 chic.			2 m.o
					2 m.f
	1434	Idem.	Idem.	20v	Idem.
	1567	Idem.	Idem.	58v	Idem.
Canal	1343	4 m.c.	2s	88v	Idem.
		1 q.f.			+
		2 chic.			
	1567	Idem.	Idem.	45v.	Idem.
Cifra	1434	1 m.f.		61v	4s 10d
		6 m.o.			+
		3 q.f.			2 m.o.
		5 chic.			2 m.f.
		1 f.			i m.v.
Sitjar	1567	Idem.	Idem.	90v	Idem.
	1343	4 m.o.	4s 18d.	t. 42v	1 m.o.
		1 m.f.		ti.20v	1 m.f.

	1434	Idem.	6s 18d	t.33v ti.10v	Idem.	
	1567		10s10d	t.33v ti.15v	Idem.	
Corp	1343	6 m.o. 1 q.f. 2 chic. 1 f.	12s10d		16d 2 m.o. 2 m.f. 1 q.v.	+
	1434	Idem.	Idem.	t.18v	Idem.	Idem.
	1567	Idem.	Idem.	ti.3v.	Idem.	Idem.

Key: m=mitgera; o=wheat; f=barley; c=rye; v=vessana;
s=sous; d=diner; chic=chicken; f=cheese; v=wine .

The taxes tended to remain the same, and in those cases in which they varied, either falling or rising, the changes were minimal. The services in labour and the 'bannalités', - 'llauc' and 'batlliu'-, were on the whole maintained. The areas of land subjected to taxes, proportional to the harvest tended to diminish, as has been seen already. If the taxes in cash and in kind underwent certain changes, these were rather a result of attempts on the part of the peasants to evade paying the taxes, than of possible losses of land, since the taxes were levied on the holding as a whole, independently of variations in its surface area. As far as new acquisitions of land were concerned, (whether by purchase or grant), a separate payment was required for each plot of land incorporated into the holding. With respect to the 'masos ronecs', they were acquired together with the obligation to pay the taxes levied on them. Two examples of this would be the cases of the masos Bucot and Canal, which incorporated, respectively, the 'masos ronecs' Pla and Gerones.¹⁵⁸

However, these taxes represented a minimal burden for the holdings that paid them, and which had survived the crises of the fifteenth century. The area of land possessed by each one of these holdings rendered the taxes insignificant, the mas Barcelo having 103 vessanes, the mas Bucot 118, the mas Canal 114, the mas Crifra 169, the mas Sitjar 95, the mas Corp 113, the mas Groart 88, and the mas Oliver, 198. The other holdings, being 'masos ronecs', covered smaller areas, the mas Eybeli having 9 vessanes; the mas Gerones 34; the mas Gonyador 68; the mas Marti 52; and the mas Puig 53, although these holdings were at that time annexed to others of greater extent, generally the largest in the area.¹⁵⁹

¹⁵⁸ For mas Bucot see Aro I, s63, 1343 and Aro II, s28, 1567, for mas Canal, Aro I, s2, 1343 and Aro II, s114, 1567.

¹⁵⁹ See above chapter III.3.

Thus, although the Sentencia of Guadalupe had perpetuated all the old seigneurial rights, these did not present a serious problem if the holding was rich; and these holdings, having recovered from the crises and having had their annexations of land recognized, could easily cope with those taxes, which with the passing of time became practically devalued.¹⁶⁰

III.7. THE NEW PEASANTRY: THE BIRTH OF A RURAL ARISTOCRACY.

One should remember that when, in 1486, an end was put to the peasant wars, only 9.000 remensa holdings contributed to the compensation payments ('talls') which were made between 1486 and 1505, although it is known that in the fifteenth century there existed approximately 20.000 of this type of holding.¹⁶¹ Why did so many holdings not make the payments? Vicens Vives writes of entire villages which were unable to pay due to excessive poverty.¹⁶² There is sufficient evidence upon which to base a detailed analysis of the direct consequences which the signing of the Sentencia represented for the peasantry, and of the resulting internal social differentiation.

An analysis of the peasantry as a class should not assume the existence of a single model of peasant economy, since the conditions in which the peasants lived varied greatly according to their social status and the legal framework which governed them. For the Catalan peasantry, 1486 represented a new historical moment in the development of a feudal society into which a part of that same peasantry would become integrated. This sector, which was exploited by the lords within the legal framework of production (seigneurial or baronial) in turn came to exploit the very members of their own class (as will be seen later). Thus, the very class unity of the peasantry which resulted from the fact that all members of that class, regardless of social or economic differences within the class itself, suffered exploitation of some sort, did not prevent the emergence of a social differentiation amongst its members, which in turn led to a difference of interests according to their economic status which was reflected in the 'moderate' or 'revolutionary' stance

¹⁶⁰ However, one should remember, as does Pierre Vilar, that the Sentencia also perpetuated other rights, such as the tithes, for example, which although variable also represented a burden for the holdings (See P. Vilar, *Catalunya dins l'Espanya Moderna*, II. 296).

¹⁶¹ J. Vicens Vives, *Historia de los remensas*. pp. 279, 328-33.

¹⁶² *Ibid.*, p. 330.

adopted by the peasants during the revolts of the fifteenth century.¹⁶³ In the sixteenth century, these evolutionary processes occurring within the peasant community would be no more than a reflection of the readjustment difficulties of a feudal society which was, up to a point, related to the importance of the peasant holding in transition from a feudal model of production to a capitalist model.¹⁶⁴

III. 7. 1. Rich and Poor Peasants.

Some studies on the economic and social conditions of the peasantry have already begun to appear in Catalonia. These refer as much to the internal economic differentiation of that class¹⁶⁵ as to its social condition.¹⁶⁶ However, there is still a lack of exact figures by which to gauge these differences within the peasantry, and more importantly to make a comparison of the evolution of the peasant community in, let us say, the late middle ages with that of the early modern age after the *Sentencia*. Thus, previously the studies have been limited to showing the amplification of the holdings which took place, so that in the now outdated study of Anguera de Sojo, it is pointed out that the maso of the sixteenth century was from three to five times larger than that of the thirteenth century in

¹⁶³ The role of the peasantry as a class was analyzed by R. Hilton ('The Peasantry as a Class' in *The English Peasantry in the Middle Ages* (Oxford, 1975), as an answer to the models of peasant economy which D. Thorner spoke of ('L'économie paysanne. Concept pour l'histoire économique', *Annales, Economies, Sociétés, Civilisations* (1964), 417-32). On the new ideas concerning the existence of contradictory models within the peasant community there are various papers by Ravel, Bois, Nicolàs, Monreau, Visceglia, etc., given in the congress 'Prestations paysannes. Dîmes, rente foncière et mouvement de la production agricole à l'époque préindustrielle. Actes du Colloque préparatoire (30 juin-2 juillet 1977) au VII Congrès International d'Histoire économique. Edinburgh, 13-19 August 1978 (Monton, Paris, 1982).

¹⁶⁴ M. Dobb, *Estudios sobre el desarrollo del capitalismo* (Buenos Aires, 1971); M. Dobb et al., *La transición del feudalismo al capitalismo* (Barcelona, 1977).

¹⁶⁵ P. Guifré, *Propietat i explotació agrària. El patrimoni Puig a l'Empordà dels segles XVII i XVIII: Un cas de diferenciació en el si de la comunitat-pagesa* (Bellaterra, 1987); Ll. Ferer Alós, *Pagesos, rabassaires i industrials a la Catalunya Central (segles XVIII-XIX)* (Barcelona, 1987); R. Planes i Alberts, 'La comunitat pagesa: aglevament i diferenciació social', *L'Avenc*, 115 (1988).

¹⁶⁶ E. Tello, *Pagesos, menestrals i rendistes. Cervera i la Segarra en l'arrencada industrial catalana (1702-1861)* (Barcelona, 1987); E. Vicedo, *Producció, propietat i renda a les terres de Lleida (segle XVIII)* (Barcelona, 1987).

Cabreres.¹⁶⁷ Ferrer Alos indirectly shows this increase in the size of the masos, pointing out that in Navarcles there were thirteen masos in 1338, and only six in 1780, without any reduction in the total surface area of land, and Assumpta Serra observes that in the capbreu of Rupit peasants declared more than four masos per head.¹⁶⁸ However, little or nothing is known about the rest of the holdings, since not all the peasants managed to expand their holdings, either due to the control exercised by the lords over the abandoned lands or to the different economic capacity of the peasants to acquire a land grant.¹⁶⁹ One should then ask if the differences amongst the peasants in the sixteenth century were perhaps no more than the result of an initial differentiation, prior to the Black Death, which tended to become more acute in the following centuries.

To answer these questions we have at our disposal information referring to 122 holdings, which enable us not only to establish with accuracy the variations in the holdings and their sizes, but also the way in which the feudal system was reflected in the very heart of the peasantry, through the sub-alienations of lands which were carried out within that group. It can be shown how a peasant 'aristocracy', which became integrated into the feudal system, was born, and how contrary to accepted opinion, there also existed a down-trodden working-people ('proletariat') which would form the basis for the development of Catalan capitalism.

The number of holdings referred to would include almost all those of the Aro valley during the years 1567 to 1569, the total being made up of those holdings in Castell de Aro, Santa Cristina de Aro, Fenals de Aro and Bell-lloch de Aro, Romanya de Aro and Solius, as they appear in the tax lists for 'maridatge' and 'coronatge' which were studied by R. Garcia Carcel and Vicenta Martinez Ruiz for the fourteenth to the sixteenth centuries.¹⁷⁰ However, a further twenty-eight holdings have been rejected due to the fact that certain lands were not listed, and therefore the total surface area cannot be known.

¹⁶⁷ O. Anguera de Sojo, 'Dret especial de la comarca de Vic', 273-340.

¹⁶⁸ Ll. Ferrer Alos, *Pagesos, rabassaires i industrials*, pp. 2-29; A. Serra, *La comunitat rural de la Catalunya Central en la baixa edat mitjana: Collsacabra*. (Barcelona, 1987), p. 396.

¹⁶⁹ R. Garrabou and E. Serra, 'Els estudis d'història agrària a Catalunya' in *I Col.loqui d'Història Agrària* (Barcelona, 1978); N. Sales, 'Censos, censals i masies del monestir de la Portella: de la ruïna del segle XV a la recuperació del XVI-XVIII' in *II Col.loqui d'Història Agrària* (Barcelona, 1986).

¹⁷⁰ R. Garcia Carcel and V. Martinez Ruiz, *Población, jurisdicción y propiedad del obispado de Gerona, siglos XIV-XVII* (Gerona, 1976), p. 37 and table 3.

Table 1: Typology of the Aro valley holdings in the 16th century
(See table next page)

We are faced with two problems when trying to establish the typology of the holdings; that of ascertaining what was the minimum expanse of medium-quality land needed to maintain a peasant family, and where to place the division between the peasant groups according to whether their holdings were 'large' or 'small', always in relation to a specific historical time.

When, earlier in this study¹⁷¹, we examined the situation of the peasantry in a time previous to the agrarian crisis, we 'arbitrarily' divided the properties into three groups: 'large' (with more than 91 vassanes (19.10 hectares)); 'medium-sized' (between 31 and 90 vassanes (6.51 and 19 hectares)) and 'small' (less than 30 vassanes (6.50 hectares)). This was due to the fact that a notable difference between the various peasant groups emerged, upon calculating the percentage of the total lands held by these groups even before the upheavals, but also that there existed a large group of 'middle-class' peasants which in a way served to balance the other two extremes which made up the rest of the community. If we now maintain the same division it would be rather to facilitate a comparison between the fourteenth and sixteenth centuries than to analyze the peasant property structure, which would simply require a division into two groups.

The average area of medium-quality land necessary to guarantee the maintainance of a peasant family in the sixteenth century has been established as between six and ten hectares. G. Bois established the average area necessary for a family in the fertile soil of Normandy to be six hectares; in Ferrara (Italy), the area would have been 10 hectares; in Argentona (Catalonia), between six and ten, according to M.J. Castillo; and Y. Barbaza calculates that in the 18th century in the Ampurdan (which includes the Aro Valley), a holding of between one and nine hectares would have been considered small. Lastly, E. Serra point out that in Sentmenat in the seventeenth and eighteenth century the average holding would have covered between five and eight hectares of land.¹⁷²

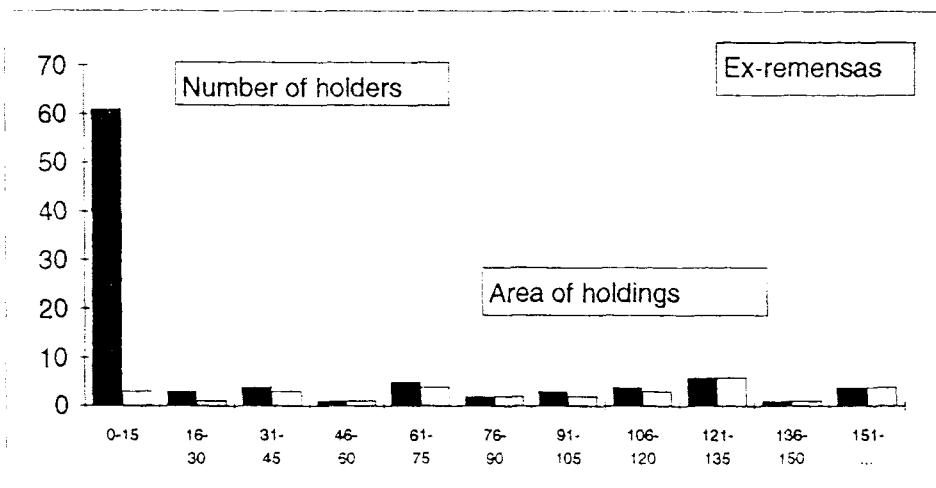
¹⁷¹ See above, chapter I.3.

¹⁷² G. Bois, *Crise du féodalisme. Economie rurale et démographie en Normandie Orientale du début du 14e siècle au milieu du 16e siècle* (Paris, 1976), p. 138. P. Iradiel, *Progreso agrario, desequilibrio social y agricultura de transición. La propiedad del colegio de España en Bolonia (siglos XIV-XVI)* (Bolonia, 1978), p. 39; M.J. Castillo, *La baronia dels Desboc segons els capbreus de 1354-1614. Aproximació a l'història socio econòmica d'Argentona i Vilassar* (Barcelona, 1987), p. 228; Y. Barbaza, *Le paysage*

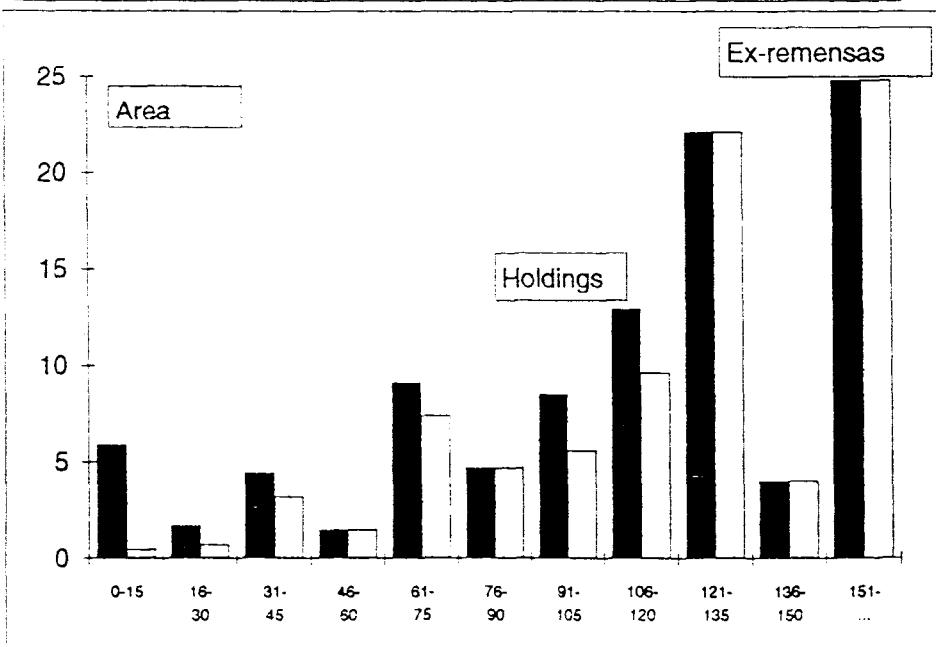
TYPOLOGY OF THE HOLDINGS IN THE VALLEY OF ARO (16th CENTURY)

Vesanes per holding	Holders	%	Total land	%	Ex-remensas	% total land
0-15	61	64.9	207	5.9	3	0.5
16-30	3	3.1	61	1.7	1	0.7
31-45	4	4.2	157	4.4	3	3.2
46-60	1	1	53	1.5	1	1.5
61-75	5	5.3	323	9.1	4	7.4
76-90	2	2.1	168	4.7	2	4.7
91-105	3	3.1	299	8.5	2	5.6
106-120	4	4.2	457	12.9	3	9.6
121-135	6	6.3	778	22.1	6	22.1
136-150	1	1	141	4	1	4
151-...	4	4.2	875	24.8	4	24.8

Area of the Holdings



% of land of the different groups of holdings depending on their area



However, even if one establishes the 'small' holdings as those which had an average of 30 vassanes (or 6.5 hectares), a primary analysis of the property structure reveals the definitive division into two separate groups which occurred within the heart of the peasant community.

If we begin with the poorest economic group it can be observed that, in spite of the fact that this group represented 68% of the total of the holdings, it only possessed 7.5% of the total lands, a decrease of approximately five points as compared to the fourteenth century, in spite of the fact that there were now 15% more tenants in the group. This first approximation, in spite of having been structured in brackets of fifteen vassanes, present the problem of hiding, in a way, the tremendous misery which confronted the majority of these peasants. For example, a miller or craftsman who supplemented his living by cultivating lands cannot be compared with a day-labourer who only possessed a house and one or two parcels of land and the uncertain possibility of selling his labour. The majority was comprised of the latter, of which only four were ex-remensas. This is an important detail because it reveals that for this impoverished sector of the peasantry, who did not hold 'masos ronecs' and did not suffer the 'malos usos', the aims of the 'battle for liberty' of the fifteenth century lacked all meaning. In all events, the exploitation suffered by this group was twice as severe because, as we shall see, it was this sector of the peasantry which received the sub-let lands from the richer peasants.

The middle rank (i.e. those with holdings of 30 to 90 vassanes) of two centuries earlier had practically disappeared. If at that time it provided a certain social equilibrium, with 34% of the peasantry in possession of 49% of the total lands, in the sixteenth century this 34% had been reduced to 12.6%, occupying 19.7% of the land, a fall of almost 30% of the total. Of whom did this group consist? The ambiguity of the term 'middle' group becomes evident when it is noted, that in general this peasant sector shared those characteristics which distinguished the group that possessed the large holdings; except for two, they all paid the redemption fee as remensas¹⁷³, their holding units were masos (with the exception of a certain Caterina Torres who had a mill and 40 vassanes¹⁷⁴), and in some cases they also made alienations of land to other peasants, as we shall see. However, there was one factor which specifically characterized this sector, and it was that they were

humain de la Costa Brava. (Paris, 1966), p. 260; 'Paisaje rural y estructura agraria del litoral septentrional de Cataluña a principios del siglo XVIII', *Estudios geográficos*, 93, 1963. 565-89; E. Serra, *Pagesos y senyors*, p. 320.

¹⁷³ These were Caterina Torres and Narcis Madir (Aro II, s78 and s97(1568)).

¹⁷⁴ *Ibid.*

the ones who suffered the greatest land losses, as a consequence of the various crises. As a result of this they fell in economic status to swell the ranks of the weakest peasant group¹⁷⁵, although, if one accepts the measurements given for a normal holding, the members of this sector were still better off than the poorest of the poor, possessing holdings which easily exceeded 14 hectares.

The last remaining group to be looked at is that which possessed the large holdings; the new peasant aristocracy. This was the sector which took a moderate stance during the revolt and which, accepting the signing of the *Sentencia*, received the recognition of their rights over the abandoned lands which they had annexed to their masos. Having controlled some 38% of the land in the fourteenth century, they came to control 72% in the sixteenth century. It was this group who had acquired the 'masos ronecs', all had masos as holding units, and except for one, all had declared themselves *remensas*. Moreover it was this sector which would initiate the cultivation of the new lands by means of the sub-lettings carried out to the poorer peasants.

When the problems of peasant differentiation are studied, the initial difference in the economic capacity of different groups and their consequent position of privilege, or lack, at the time of annexing new lands is pointed out, as it has already been in this study.¹⁷⁶ Nevertheless, perhaps the less obvious fact that economic growth produced a more acute acceleration of the differences, as occurred in the sixteenth century, is seldom observed. If table I, rank II, is again referred to, it can be noted that more than 50% of the purchases of land, usually of minimal dimensions (between one and four *vessanes*) were realized between the years 1476 and 1567, and always, as in the fifteenth century, by the tenants with more than 100 *vessanes*.

That these processes tended in the same direction, whether it was through taking advantage of the unstable situations created by the crises or because of the acceleration of economic growth, can be shown by taking the examples of two different masos. The first is that of the mas Cifra, which belonged to Joan Cifra of the parish of Santa Cristina, and which comprised 169.5 *vessanes* in 1568, as opposed to 106 at the beginning of the fifteenth century. The statistics referring to the purchases carried out by this holding between 1333 and 1447, when the last was realized, provide us with the following figures;

¹⁷⁵ See above chapter III.3.

¹⁷⁶ See chapter II.1.1. where it can be seen that most of the purchases were effected by the larger holdings, mainly between 1401 and 1425. On these aspects, M. Castillo, *La baronia dels Desbosc*, and P. Guijre, *Propietat i explotació agrària*. Also, R. Hilton, *The English Peasantry*.

five purchases between 1333 and 1350; five between 1351 and 1400, and nine between 1401 and 1447, as well as four exchanges of lands between 1407 and 1432.¹⁷⁷ On the other hand, the mas Oliver, another holding of the same parish, had grown from 152 vessanes in the year 1343 to 198 in the year 1567. Although a smaller number of purchases were made (eight realized between 1374 and 1546), it is significant that only one was carried out in 1374 and the seven others between 1493 (one) and 1546, in the years after the signing of the agreement and economic recovery.¹⁷⁸ The differentiation processes can be seen to be as, or even more, acute in times of political (and consequently economic) stability, as in those times which are generally accepted as unstable.

The other side of the coin, that of the small peasant holdings, which normally tends to be neglected in studies due to a lack of detailed documentation, would show us a majority of the peasantry with holdings made up of a house and an orchard or vineyard, and one or two parcels of land which would total four vessanes (less than one hectare) which would place this group below the subsistence level.

III. 7. 2. The Proletarianization of the Country-side.

The poor peasant of the sixteenth century was in a notably different, and worse situation from that of the fourteenth century in that the former, placed in the historical context of his time, was considerably poorer in comparison to the latter. Given these conditions one would assume that the logical step taken by the sixteenth century peasant to ensure survival would have been to sell his labour, as probably, such men had been doing since ancient times. There was a notable difference, however, between the sixteenth-century day-labourer and those of former times, in that his position as 'bracer' was registered in the documentation, with the social implication that this sector of the peasantry was now recognized as a different social category.

Can one then accept the opinion, recently expressed by Ferrer Alos, that in the Bages during the eighteenth century there were no day-labourers? (The obvious chronological difference between the eighteenth and sixteenth centuries is fairly irrelevant, and can be disregarded in this case). Alos justifies his affirmation by pointing out that the agricultural specialization centred on the cultivation of vineyards which occurred in the

¹⁷⁷ Aro III, s30, 1434 and Aro II, s26 adn 27, 1567.

¹⁷⁸ Aro I, s28, 1343 and Aro III, s32, 1434, and s11, 1567.

area and which led to the self-exploitation of the peasant in his small parcels of land, prevented the appearance of surplus man-power willing to work for someone else. Thus, he claims, day-labourers could not have existed in the area.¹⁷⁹

When it comes to studying the class structure within the peasant community of the Catalan country-side, one should probably recognize the existence of more than one Catalonia. There is one consisting of peasants, who held lands by grant such as those of the Bages area studied by Ferrer Alos; another where feudalism maintained a strong hold, as in Lerida; and a third in which the peasants worked to pay a stipulated rent or tax, such as in the Segria area. Furthermore, one reads of the land owners and 'masovers' of the Ampurdan, and of the gradual disappearance of land-owner peasants in the area of Barcelona, as well as of the appearance in the Solsones of peasants with lands granted for a fixed duration.¹⁸⁰

As far as the Aro valley is concerned we find a peasant community which underwent a transformation in the sixteenth century. As has been seen, the Sentencia, by means of the abolition of a certain number of restrictions on individuals, and through the liberalization of land alienations, had provoked a worsening of the internal differences

¹⁷⁹ Ferrer Alós, 'Notes sobre la formació dels grups socials a la Catalunya Central', *Terra, treball i propietat* (Barcelona, 1986), pp. 322, 337.

¹⁸⁰ A. Segura Mas, 'La pagesia de Sants, del pla i de la ciutat de Barcelona el 1723', *I Col.loqui d'Història Agrària* (Barcelona, 1978); R. Planes, 'Sistemes d'explotació agrícola indirecta al segle XVIII. Alguns resultats d'un sondeig als protocols de Solsona'.

Primer Congrés d'Història Moderna de Catalunya.
(Barcelona, 1984), I. 371; Ferrer Alos, *Pagesos, rabassaires i industrials*; E. Vicedo Rius, 'Propietat, acces a la terra i distribució dels ingressos a la Lleida del segle XVIII', *Recerques*, 12 (Barcelona,

1982), 57-90; E. Tello, *Pagesos, menestrals i rendistes. Cervera i la Segarra en l'arrencada industrial catalana (1702-1861)* (Barcelona, 1987); P. Guió, *Propietat i explotació*.

within the peasantry. Thus, if before 1486 the greater part of the peasantry held rented tenancies, although there already existed a considerable number of parcels sub-alienated amongst peasants, in the sixteenth century the number of tenants of this sort remained limited to a small group of those with large holdings which presupposed the appearance of new social categories within the peasantry.

The following list is interesting because it shows the social structure of a peasant community, in this case that of the parish of Santa Cristina de Aro, and the way in which new social sector gained part of the control over the land.

Table II: Social structure of the community of Sta. Cristina in the 16th century

Peasant	7
Labourer	24
Craftsman	4
Weaver	2
Miller	2
Shoemaker	3
Blacksmith	2
Tailor	4
Cordmaker	1
Maker of pots	1
Merchant	2
Sacristan	1
Provost	1
Fisherman	1

In the area referred to, the introduction of capital preceeding from other sectors was in fact minimal (being limited to the two cases of merchants from Sant Feliu, one of whom bought rents)¹⁸¹, when compared with the aggressiveness with which, in other areas, minor peasant properties were bought up for small amounts of urban capital as occurred, for example in the plain of Barcelona, where urban sectors entered into the agrarian property structure thanks to a process based on peasant debts.¹⁸² However, the artisan sectors (weavers, tailors, cobblers, 'paraire', etc.) who supplemented their income by cultivating small plots of land, although important in number, carried minimal weight if one considers

¹⁸¹ They are Joan Torres (Aro II, s106) and Joan Vilar (Aro II, s77).

¹⁸² J. Codina, *El Delta del Llobregat i Barcelona, generes i formes de vida dels segles XVI al XX*. (Barcelona, 1971), pp. 105-27.

the quantity of land that they cultivated.¹⁸³ Lastly, there were the 'bracers', who held one or two plots of land insufficient to provide a living, and who were destined to provide temporary manpower in the other holdings. Above all there were the largest holdings, which controlled most of the land and helped to maintain a feudal structure which was even reproduced by the poorest peasants through sub-alienations of land.

This structure would be similar to that of Valles, studied by E. Serra, where a combination is found of peasant farmers who possessed masos and paid taxes of feudal origin, peasants with small holdings, peasants with sub-alienated lands and 'bracers'. In the area of Barcelona one would find absentee land owners, often belonging to the urban oligarchy, peasants with small, alienated holdings, holdings made up of tiny plots, market gardens and people paying rent for lands in the outskirts of Barcelona.¹⁸⁴

The Aro valley was dominated by the presence of large holdings which controlled 72% of the land, and which were surrounded by a constellation of minimal plots of land insufficient to form a holding. Nevertheless, the maso was (and is) a holding unit whose prosperity was not only based on the fact that it paid very little in rent but also on the fact that the crops covered large expanses of land. It was due to this very structure that this type of holding never came to absorb much of the population.¹⁸⁵ Thus, while because of the 'single heir' law the younger sons of the masos ended up in commercial enterprises, and the American venture, the sons of the poorer peasants went on to form the ranks of the proletariat. In the transition from feudalism to capitalism the economic imbalances would end up determining the future role of the then (in the sixteenth century) divided peasantry.¹⁸⁶

III.7.3. The Self-Exploitation of the Peasantry.

¹⁸³ See appendix 3.

¹⁸⁴ A. Segura Mas, 'La pagesia de Sants', pp. 229-46; and E. Serra, *Pagesos i senyors*', p. 372.

¹⁸⁵ P. Vilar moreover points out that this could also have contributed to the growth of banditry, (*Catalunya dins l'Espanya Moderna* II. 584, 298).

¹⁸⁶ *Ibid.*, III, p. 640. Also, M. Dobb *et al.*, *La transición del feudalismo*, and M. Dobb, *Estudios sobre el desarrollo*.

Since the beginning of the practice of alienations and sub-alienations of land amongst the peasants in the eleventh century, the lords had tried to restrict the phenomenon of sub-alienations, which could be harmful to their future interests. They tried to make a pact under which the lands could not be alienated without their permission, and this was established in the rule that not more than one lord could be recognized by a tenant.¹⁸⁷

Although unfortunately the exact rate at which these alienations were carried out is not known, we know from an investigation carried out on the charters of Gerona cathedral that, already in the twelfth century, they occurred fairly regularly amongst the peasants, although always with the lord's consent.¹⁸⁸ As has been shown above¹⁸⁹, this phenomenon was already very widespread in the peasant society of the fourteenth century, when land grants were made and received at the same time, and enjoyed by the majority of the holdings in the area, a fact which demonstrates the enormous incidence of this phenomenon.

What, then, was the situation after the crisis of the sixteenth century? A general answer would be impossible and approximations can only be relative. Even so, it can be affirmed that the profound agricultural recession which occurred after the Black Death and the slow recovery which began after 1486 would clarify the fact, although there was a decrease in the number of holdings in the sixteenth century. This numerical diminution was relatively unimportant, since these holdings did not lose any of their social importance.

The definitive solution of the agrarian crises of the sixteenth century offered the possibility of putting the abandoned lands back into cultivation, and to a certain point, of repopulating them. There was a certain growth in the population of all areas, and it has been shown that the fall of 55% in the population which occurred in the fifteenth century had already been recovered by about 1626.¹⁹⁰ Thus, the sixteenth century is considered to

¹⁸⁷ Carreras Candi, 'Notes sobre los origens de la emfiteusis en lo territori de Barcelona', *Revista Jurídica de Cataluña*, XV (1909) and XVI (1910). From a juridical point of view, A. Borrell i Macià, *Los censos emfiteuticos en Cataluña* (Barcelona, 1958); A. Majane, *La redempció dels censos emfiteutics en Catalunya*. (Barcelona, 1936); A. Mirambell, *L'emfiteusi en el dret civil de Catalunya* (Barcelona, 1981); M. Peset, *Dos ensayos sobre la tierra* (Madrid, 1982).

¹⁸⁸ Girona, cathedral archives, num. 347 (1167), Mulet granted a plot of land to Pere Joan; num. 346 (1166), Pere and Boneta 'donamus consilio nostri domini' granted a land with a tax of 3 sous to Ramon; etc.

¹⁸⁹ See above, chapter I.5.1.

¹⁹⁰ The population of Catalonia could have evolved in this way: 1347, 476.000 inhabitants; 1381, 293.000 inhabitants; 1497, 224.000; 1515, 239.000; 1553, 269.000 and

be one of demographic growth, although with marked demographic imbalances depending on the different regions.¹⁹¹ To be exact, the Aro valley region was one of those which underwent the fastest and most intense demographic recovery, to the point where, in the 'fogatge' of 1497, it presented the greatest populational density (21 inhabitants per square kilometre).¹⁹²

On the basis of this demographic growth, then, the recovery process of the holdings began through land alienations.¹⁹³ This process was not, now, controlled only by the rural lords, but also by the owners of the large holdings and, as shall be seen, it was in practice carried out by the peasants.

At first, the rate at which land grants were made was relatively slow, and only began to accelerate in the second half of the sixteenth century (two being made between 1476 and 1500; one from 1501 to 1525; none from 1526 to 1550, and 20 between 1551 to 1575), although in some other regions the rate was slower until the seventeenth century, and in most regions until the eighteenth.¹⁹⁴ This phenomenon was the inverse of that which was prevalent during the fourteenth and fifteenth centuries. Then, holdings tended to become more concentrated due to annexations of surrounding abandoned land, whereas now these same holdings became again fragmented in order to enable the cultivation of the those lands which previously had been annexed. Alienations of all types of lands were carried out, and the new conquest of the soil was characterized by sub-grants of houses

1626, 475.000 inhabitants (Cf. J. Iglesies, 'El fogatje de 1365-70. Contribución al conocimiento de la población de Cataluña en la segunda mitad del siglo XIV', *Memoria de la Real Academia de Ciencias y Artes*, 34, 11 (1962); *El fogatje de 1553* (Barcelona, 1979); *Distribución comarcal de la población catalana a la primera mitad del siglo XVI* (Barcelona, 1957). Also, J. Nadal, 'La població', *Historia de Catalunya*. (Barcelona, 1981).

¹⁹¹ M. Duran, 'Producció i renda agraria a la Catalunya del segle XVI'. *Terra, treball i propietat (classes agraries i regim senyorial als Països Catalans)* (Barcelona, 1986), p. 187; for the distribution by 'comarcas' of the population and its density see P. Vilar, *Catalunya dins l'Espanya Moderna*, II. 230-8.

¹⁹² R. García Cárcel and V. Martínez, *Población, jurisdicción*, p. 44; although P. Vilar points out that the population in the area grew less than the average for Catalonia (*Catalunya dins l'Espanya Moderna* II. 231-4).

¹⁹³ On grants of land consult A. Majane, *La redempció dels censos emfiteutics*; F. de Maspons i Anglasell, *La rabassa morta* (Barcelona, 1918); J. M. Pons Guri, 'Entre l'emfiteusi i el feudalisme (els recull de dret gironins)', *La formació i expansió del feudalisme català* (Girona, 1985); A. Mirambell, *L'emfiteusi en el dret civil de Catalunya*.

¹⁹⁴ E. Serra, *Pagesos y senyors*, p. 350.

with lands added on, of 'masos ronecs' which were again put into cultivation and of pieces of forest land which were granted for the purpose of converting them into vineyards. It is possible that the houses were once old masos which had lost their names, since in the documentation they appear enumerated after the lands and generally as having been granted by another maso to a 'bracer' or craftsman, in ruins, and on receipt of a minimal payment.¹⁹⁵

The character of the recovery of the land is more obvious when one observes the alienations of the 'masos ronecs', seen above¹⁹⁶, which were realized in exchange for a minimal rent and conditional upon the reconstruction, on the part of the tenant, of the old building belonging to the holding. Lastly there were the forest lands, which were marginal and abandoned until that time, and which followed a tendency common to the rest of Catalonia, i.e. of being granted for the purpose of planting vines.¹⁹⁷ Although there was quite clearly a prevailing tendency towards making land grants in the sixteenth century, this should not be exaggerated or seen as peculiar to that century, since from ancient times (in our documentation, the fourteenth century) the old owners of the masos had preferred to lease lands rather than sell them. However, these later land grants did exhibit a new characteristic when compared to the older ones, in that they were realized on the initiative of the owners, without the intervention of the lords, so that the maso combined the cultivation of its lands with the alienation of those marginal and poorer lands to new peasants.

The typology of these land grants, observed from a legal standpoint, was no more than a copy within the heart of the peasant community of those same feudal or seigneurial

¹⁹⁵ Grant of a plot of land with houses made by the mas Sicars to Antoni Mordenyach, builder, for the payment of one chicken (Aro II, s44(1567); another plot of land with houses granted to Bartomeu Castelló, 'bracer', made by Pere Sicars, for the payment of 5 sous (Aro II, s47,1567); another plot with houses granted to Montserrat 9 (Aro II, s49, 1567); etc.

¹⁹⁶ See above chapter III.3.

¹⁹⁷ E.Grahit, 'El conflicto rabassaire y la cuestión social agraria en Cataluña hasta 1936', *Revista de Trabajo*, 7 (1965); 'La viticultura y el comercio catalán del siglo XVIII', *Estudios de Historia Moderna*, II (Barcelona, 1952); J. M. Torras I Ribe, 'Evolución de las cláusulas de los contratos de 'Rabassa morta' en una propiedad de la comarca de Anoia. *Hispania*. XXXVI, 1976; P. Vilar, *Catalunya dins l'Espanya Moderna*, III. 570-77.

land grants made by the lords to their peasants.¹⁹⁸ The fact that this type of sub-grant carried out amongst the peasantry was made in order to facilitate the payment of rents to the lord would explain why, in general, rent in cash was preferred to rent in kind, and a fixed rent to a rent proportional to the harvest.¹⁹⁹ However, once the old lands, previously unproductive, had been put into cultivation and began once again to produce a good yield, from the seventeenth century onwards, the owners found it more lucrative to initiate a change from fixed cash rents into proportional rents, and moreover to make grants which lasted for a limited period of time (four, five, six years), as far as lands devoted to viticulture were concerned. Thus, these land grants (of a type known as 'rabassa morta') should not be confused with those of ancient origin.²⁰⁰ Given the economic and social conditions of the sixteenth century, with growing demographic pressure, the prevailing system which restricted inheritance to a single heir, and perhaps the indebtedness of the peasantry caused by the lack of protection from which they suffered, and which originated in 1486, it would be impossible to confuse the two types of grants. These new land grants were different from the old in that the structure of the holdings of the new alienations was smaller, and therefore more vulnerable to the economic conditions of the time, or to cyclical crises, while the plots of land granted were of reduced dimensions and due to their characteristics (orchard lands, forest lands, etc.) were only an aid to the subsistence of their occupants.²⁰¹ Lastly, the quality of these plots was below normal since they belonged to marginal lands hitherto uncultivated. In these conditions, the new alienations of land carried out amongst the peasants presupposed a maximum exploitation of labour.

¹⁹⁸ R. Lazaro de Dou, *Conciliación económica y legal de pareceres opuestos en cuanto a laudemios y derechos emfitéuticos* (Cervera, 1829), p. 47, quoted by E. Serra, *Pagesos y senyors*, p. 353.

¹⁹⁹ The value of rents paid by the peasants for sub-grants registered by the notary went up to 131 sous and 10 diners, in cash, and 2 'mitgeres' barley and 4 'mitgeres' wheat, in kind, as well as 11 chickens.

²⁰⁰ As has been seen above, there was an increase in the number of tenants with small holdings, who lived below the subsistence minimum. P. Vilar, *Catalunya dins l'Espanya Moderna*, III. 566-68. A. Mirambell, *L'emfiteusi en el dret civil*; F. Carreras Candi, 'Notes sobre l'emfiteusi'; M. Peset, *Dos ensayos sobre...*

²⁰¹ Grant of a house with an orchard to the cobbler Joan Oliver (Aro II,s59, 1501); another made in 1566 to Joan Puig, peasant, of 6 vassanes of vineyard (Aro II,s60, 1566); a piece of forest land granted to Nicolau Semir, peasant, of 3 vassanes in 1568, (Aro II,s103, 1568); etc.

In fact, any land grant carried out in the sixteenth century was good business for the grantor. Let us take as a case in point the alienation of the mas Puig, a 'mas ronec', which belonged to Jaume Bas and which was granted in 1560 to a certain Galceran Barcelo. Although the entry fine paid by the latter was negligible (one chicken), the lands were marginal, and moreover the grant was made on condition that the recipient of the said grant reconstruct the house. The alienation did not oblige Jaume Bas to make any investment, he did not legally lose ownership of the property, and furthermore he received a proportional part of the harvest (the *tasca*, which was 1/11).²⁰² This was equally true if the transaction involved loose plots of land, as it did in the case of a grant made by the mas Sitjar to Narcis Madir of a piece of forest land for which the latter paid 18 diners; or of one made by Feliu Agusti to a certain 'bracer' called Eleonor Pejoan, who paid five sous for a plot of land.²⁰³

The execution of these grants was not, however, limited to a single sector of the peasantry. A peasant could be the recipient of one of these grants and at the same time let alienated land to another peasant, as in the case of the mas Sicars, which paid 14 diners for a plot of land and received six diners for a house granted with land.²⁰⁴ A peasant could have possessed only land which had been alienated by another peasant, or he could, on the other hand, have only made grants but not received them.²⁰⁵ In general, these land grants as a whole seemed to be indiscriminately interwoven through all the different agrarian sectors, although seen in their chronological context and in relation to the social condition of those who made them they exhibited certain more illuminating tendencies.

Table IV: The grantors and grantees of sub-alienations

²⁰² Aro II,s3 (1567).

²⁰³ Aro II, s78;s65;s64 (1567).

²⁰⁴ Aro II,s50 and s39 (1567); the mas Ferrer received 12 diners for a 'ferregenal' and paid different rents in kind for other lands (Aro II,s54, 1568); Miquel Sicars paid 12 diners to the mas Feliu and received other rents in cash from other peasants (Aro II,s65, 1568).

²⁰⁵ Joan Bosca owned 4 vescanes for which he paid 5 sous to Julià Solà (Aro II,s30, 1567); Eleonor paid 2 sous 6 diners for a house, an orchard and 3 vescanes (Aro II,s36, 1567); Montserrat Braser had 0.5 vescanes for which he paid 6 sous to Pere Sicars (Aro II,s49, 1567); etc. The mas Saguer received 15 sous from Miquel Pujol, Miquel Sicars and Antonio Ferrer for a field; *tasca* from Pere Nadal for another field, and 16 diners from Jaume Torreyes for a house in the castle area (Aro II,s5, 1567); Narcis Madir received 2 sous for a plots of land and 18 diners for forest land (Aro II,s78, 1567).

	Grantors		Grantees	
	Social Condition	Number	Social Condition	Number
14th century	Remensas	38	remensas	23
	Others	4	others	38
	Unknown	4	unknown	14
	TOTAL	46	TOTAL	75
16th century	Ex-remensas	23	ex-remensas	12
	Others	6	others	25
	Unknown	5	unknown	5
	TOTAL	34	TOTAL	42

Firstly, although all sectors of the peasantry carried out grants, the majority were made by the owners of the large holdings, the remensas. This factor, less apparent in the fourteenth century, was more clearly defined in the sixteenth, when the number of sub-leases were mainly made to those peasants with smaller holdings. Secondly, the very fact that these sub-grants were concentrated on the poorer sector of the peasantry, reveals the new social character of this sector; that while previously a system of sub-alienations could have presupposed an economic mechanism designed to 'round off' the holdings, in the sixteenth century it was converted into a much more defined factor of exploitation amongst peasants; an instrument in the hands of the big land owners which they manipulated in order to put the abandoned lands back into cultivation. Lastly, there was seemingly a diminution of sub-alienations between the fourteenth and the sixteenth centuries, but this apparent decrease must be attributed to the way in which the land owners concealed the transactions they carried out, with the aim of not having to pay the lord for these transfers of land.²⁰⁶ We have at our disposal fifteen cases on record in which a declaration of land was made either by a peasant who had made a land grant and/or by one who had received land by grant, and supposedly the transaction should have been declared by both parties in each case, but this only in fact occurred in six cases, the other nine cases involving declarations by only one party.

206. *Consuetudo est quod possessio sive res que tenetur pro domino directo et alodiali potest vendi irrequisito domino, nec pro hoc cadit in comissum, nec etiam propter canonem non solutum per triennium, sed duplicatur census; habet tamen dominus potestatem retinendi si vult rem venditam pro illo pretio pro quo est vendita infra unum mensem postquam scit ipsam rem esse venditam, et datur domino ab emptore tertium premium, scilicet de C solidis L solidi...' and 'Si vero res fuerit donata vel perempta dominus non habet ius retinendi sed habet inde medium laudium et medium et tertium,...', ch. 13 and 14 of *Consuet. Dioce. Gerundensis*, in Josep M. Pons Guri, *Les col.lections de costums...*, p. 66.*

Table V: Concealment of lands by the peasants in the 16th century

Owner	Remensa	Holder	Remensa	Object	Declared
J. Bas 121v.	yes	G. Barcelo ?	yes	maso	no
J. Sague 194v.	yes	M. Pujol	no	land	no
	yes	M. Pujol	no		
		M. Sicars	no		
		A. Ferrar	no	land	no
		M. Samir	yes	land	yes
		113v.			
		P. Nadal	no	land	no
		J. Torreyes	no	house	no
Oliver 198v.	yes	J. Cicars 3v.	no	land	yes
A. Bussot 118v.	yes	Vicens	?	?	no
F. Ferrer 62' 5v.	no	E. Pejoan	no	land	no
M. Sicars 53v.	yes	P. Sicars 1v.	?	house	no
	.	F. Agusti 4v.	no	land	yes
N. Madir	yes	J. Xifra	yes	?	no
		Sitjar	yes	forest	yes
		95v.			
J. Torres	?	A. Cicars 2' 5v.	no	land	yes
		A. Oliver 198v.	yes	land	yes

v= vessanes.

These same examples also reveal what property was granted, by whom and to whom, and in this aspect complements the previous table. The failure to mention whether or not the receiver of the grant was a remensa, and to give the measurements of the holding would imply that the tenant was on the lowest rung of the social ladder. The degree of economic exploitation which a sub-grant of this type presupposed for the tenant is revealed upon studying a particular case. In 1563 the mas Puig alienated a piece of land of only one vessana, in the Closada de Puig, to Pere Sicars, 'paraire', for which he paid 18 sous. As an aid to paying this money, Pere Sicars in turn alienated two bits of this same land to two 'bracers', Bartolome Castello and Montserrat Agusti, from whom he received five and six sous, respectively, the result being that it was effectively these two who ended up working

the land and supporting the two higher levels (Mas Puig and Pere Sicars).²⁰⁷ For all these small tenants the sub-grant became the last stage towards their self-exploitation, and opened the doors in times of difficulty to the proletarianization of the family members. In the pre-capitalist social relations of the Catalonian country-side, in which the sons of the big land owner were destined to enter into commercial enterprise, and the sons of the 'bracer' into manufacturing²⁰⁸, the property structure determined the future of the members of the community in the transition from a feudal model of society to a capitalist model.

²⁰⁷ Aro II, s56, 1567.

²⁰⁸ P. Vilar, *Catalunya dins l'Espanya Moderna* III. 627-65, specially, p. 640.

CONCLUSION

One of the medieval commonplaces that present-day Catalan traditional historiography still maintains, is the distinction between an 'Old Catalonia', subjected to the seigneurial feudal regime and inhabited by servile peasants, and a 'New Catalonia', free from whatever type of servitude.¹ It appears that the old historical myth formulated in the fifteenth century still remains, when the jurists explained the differentiation between the regime of liberty and that of exploitation of the peasant tenancies of the North and of the South of Catalonia according to their respective inhabitants who had had or had not collaborated with the Moslems during the occupation; the peasants of Old Catalonia as a punishment for their cowardice suffered harder conditions than those that had won their freedom.² More recently this differentiation was usually attributed to the dangers of the frontier and to the necessity of repopulating the 'New Catalonia', that would have obliged the lords to grant privileges ('cartas de población'), thus forming a population 'juridically more free and socially more egalitarian'.³

This formulation is supported by the fact that it was during the fifteenth Century, in Old Catalonia where the Remensas wars were fought. Then the contrast between the two areas was not so clear, but as Paul Freedman says, 'ce contraste est beaucoup moins clair pour le treizième siècle. Non seulement le servage existait en Nouvelle Catalogne à cette époque, mais le condition des paysans de Vieille Catalogne nn'était pas encore partout dégradée'.⁴

In fact, it does not seem that tenancies in the Gerona area were all submitted to serfdom, because in the year 1267 the abbot of Bañolas pointed out that, 'major pars villarum et hominum Domini Regis... que sunt in episcopato Gerundensis sunt facte et

¹ In a recent work of synthesis one can still read that 'as in the Old Catalonia, peasants in the New Catalonia were not 'aloers' (they did not completely own the land), but as a opposed to the former, their payments were lighter and, principally, they did not suffer from serfdom'(J. M. Mares Salrach, *Història dels Països Catalans*. (Barcelona, 1981) I. 594.

² Joan de Socarrats, *Ioannis de Socarratis Iuriconsulti Cathalani in Tractatum Petri Alberti* (Barcelona, 1551), p. 501, quoted by P. Freedman, 'Le condition des paysans dans un village catalan du XIIIe siècle', *Annales du Midi*, 98 (1982), p. 240.

³ J. M. Mares Salrach, ' La societat i el govern de Catalunya a la Edat Mitja', *Formes i institucions de Govern de Catalunya* (Barcelona, 1975), p. 29, and J. M. Font Rius, *Franquicias urbanas medievales de la Cataluña Vieja* (Barcelona, 1960), pp. 8-21.

⁴ P. Freedman, ' La condition des paysans', 240.

inmunes et liberia ab omnibus supradictis servitutibus', that is to say, 'intestia, exorquia and cugutia'.⁵

Moreover it was in the valley of Aro, where from the second half of the thirteenth Century, the first documents referring to servile tenancies among other emphiteutical tenancies can be found. The first references can be seen in the new establishments, where it was indicated that the obligation to pay several labour services and the payment of banalities, such as the 'llauç', leaving aside the emphiteutical census. But in no place is mention made of peasants forced to the 'mals usos'. From the year 1268 on the first references started to appear, related to the amount of money to be paid by peasants coming into serfdom, in case they wanted to recover their freedom. And it is also shown that from the last third of the thirteenth century the granting of lands was usually preceded by the peasant's admission of seigneurial rights upon his person and his acceptance to live always in the same place, through homage paid to the lord. The peasants came into serfdom because of the granting of a maso or because their parents already lived there, and in the case of women also because of marriage. In consequence, it is difficult to maintain the opinion that Old Catalonia was already completely under conditions of serfdom in the thirteenth century, and subsequently to maintain that this process of serfdom was necessarily started as a direct consequence, and more or less immediately after the Catalan feudal expansion towards the lands belonging to New Catalonia.

Nevertheless, from the second half of the thirteenth century, in the valley of Aro, a process of enservitment could be detected being pressed on the peasant tenancies. The seigneurial reaction was not asserted until the second quarter of the fourteenth century. If before then all recognitions of lordship were more or less sporadic, in 1322 at least twenty one were made.⁶ Another proof of the seigneurial reaction that took place during that century is offered by the 'Capbreus' which were signed in the years 1334 and 1343. The fact is that these documents are in themselves the best example of the institutionalisation of the feudal regime, because they were an excellent juridical instrument to keep the peasant subjected. The lord safeguarded his lordship over the peasant and his lands. Thus, much of the documentation produced, immediately before the Black Death, was the answer to the worries of the lords about asserting the recognition of their domains. It is this very same documentation which allows us to study the feudal regime at a very concrete level, that of

⁵ Quoted by S. Sobrequés i Vidal and J. Sobrequés i Callicó, *La guerra civil catalana del segle XV*. (Barcelona, 1973), I. 12.

⁶ Another wave of recognitions of lordship would not occur until 1416, 36 in all (Aro II, 135-145).

its very complex taxation and the varied situation of the peasants with respect to the lords and the land.

In this sense, our research into the valley of Aro shows, that by the middle of the fourteenth century, there was a sharp internal division among the peasantry. Only one fourth of the peasant tenancies were configured as masos. A deep imbalance was established in the heart of the peasant community, between the number of peasants and the number of tenancies, even deeper than that detected in other areas during the same period.⁷ Almost all of these 'masos' were of 'remensa' condition, they were forced to give labour services - real although not numerous - and to pay 'banalities', leaving aside the payment of the usual emphiteutical census. Nevertheless, these 'masos' monopolized the largest quantity of available land and their size varied between seventeen and thirty-eight hectares.

On the other hand, the rest of the peasant tenancies were composed of groupings of plots of land of a minimum size. They were the most numerous although the land available to them was just over 30% of the total and generally their occupants were of non-'remensa' condition. Moreover, they suffered a harder tax burden than the masos, and usually they paid their taxes individually, plot by plot. This group was also the one in which the majority of the peasants who had land sublet by other peasants could be found.

It is worth mentioning the question of the sub-tenancies. Although it is not known when and where this practice was originated, it is important to point out that by the fourteenth century the phenomenon was very widespread, given that 42% of the peasant tenancies were affected one way or the other. The significant extent, and the socio-economic importance, of this emphiteutical chaining are revealed when we try to establish the levels of payment which were forced upon the peasants, mainly the lowest level of peasant, being the one who in fact worked the land. And this emphiteutical chaining seems to be quite normal in Catalonia, because even in the sixteenth century an attempt was made by the Courts to place them under control.⁸

In short, then, the division of the peasants into two different groups was a fact even before the plagues of the fourteenth century worsened the economic differences at their heart of the peasantry.

In contrast with the optimistic vision with which historiography generally analyzes the economic repercussions of the Black Death upon the peasantry, the image that the valley of Aro presents is clearly pessimistic. Only a small part of the peasantry, that which already enjoyed a better economic position than the rest of its class before 1348, benefited

⁷ For example, Eva Serra qualifies the situation of the peasantry in the region of the Castle of Fals, in Bages, as 'very equal' ('El règim feudal català', 25).

⁸ *Ibid.*, 27.

from the fact that new lands were made available as a result of the plagues. This group took the opportunity, presented by the movement, of the transfer of lands to rationalize and enlarge their holdings.

On the other hand, the abundance of unoccupied lands did not place the poorer peasantry in a better position to negotiate its settlements. Even though it was evident that the lords had difficulty in settling the lands, this did not result in a decrease in the amount of money paid in order to obtain the grant of a holding. In fact, the opposite occurred since, principally during the fifteenth century, the peasants were being forced to give up their lands, due to the impossibility of paying the taxes. The plagues, therefore, did not result in anything more than more acute economic difficulties suffered by a sector of the peasantry.

However, the difficulties of the peasantry were not only of an economic nature. In the social-juridical field, the lords attempted to submit to serfdom all those peasants with land grants, principally the holders of the large tenancies. In the valley of Aro our investigation has shown, how from the thirteenth century onwards the seigneurial practice of facilitating access to lands was dependent upon the peasant's previous acceptance of entry into serfdom. In the fourteenth century, the seigneurial reaction would be aimed at assuring the recognition of serfdom by those peasants who had managed to avoid that obligation.

Furthermore, the information gathered for the valley of Aro obliges us to contradict the opinion of Vicens Vives and Paul Freedman who affirm that the 'remensa' condition spread through the peasantry immediately after the Black Death. The entries into serfdom and the recognitions of lordship occurred principally during the first half of the fifteenth century. This 'gap' of fifty years was the time during which the peasant tenancies were restructured and the abandoned lands were once more cultivated. The seigneurial reaction was designed to assure the lords anew of their rights over the tenancies and the unpopulated lands that had been added to them. The peasants entered into serfdom as a result of being the sons of serfs, of having been born into a servile maso, of having married a person of servile condition or of having an established servile tenancy. Legally, the owner of such a tenancy had no possibility of avoiding a servile condition. We can see, therefore, that the seigneurial policy of peasant submission pursued a dual purpose: on the one hand, economic pressure upon the poorer peasant, who saw himself forced into paying a redemption fine due to his need to find new lands, or due to matrimonial reasons; or on the other hand, a juridical pressure upon that minority group of peasants, who were owners of large tenancies and who were not willing to abandon their tenancies, even at the cost of their own freedom. From 1343 no redemption of servitude occurred in the valley of Aro.

Thus, the peasant community of Aro was made up of, on the one hand a fairly small group of peasants of 'remensa' condition, who nevertheless possessed the majority of the

lands, and on the other hand the rest of the peasantry, who saw a continual decline in their economic condition and, consequently, in their possibilities of accession to the land. This situation is illustrated perfectly by the 'capbreus' of 1343 and 1432.

Therefore, it remains to be determined whether, as Vicens Vives believed, the signing by peasants and lords of the *Sentencia* of Guadalupe represented a victory which led to the establishment of a new relationship with respect to the lands, or whether, to the contrary, the *Sentencia* was no more than a legal instrument aimed at reinforcing the ancient feudal system. The study of the documentation posterior to the *Sentencia* and its comparision with that from before 1486 is essential in order to answer this question. With respect to this subject two studies are fundamental; that of the surviving remnants of the feudal system ('pervivencias feudales') and that of the economic relevance of the 'masos ronecs'. The documentation of the valley of Aro allows us to draw various conclusions about the above.

The first consideration is that when comparing the documentation of the sixteenth century with that of the fourteenth century very few differences are to be found. This same fact should be considered as evidence of the strength and continuity of the feudal system in the area. Nevertheless, the documents show certain variations which appeared after the signing of the *Sentencia*, and as a consequence of its formal enforcement. The most significant change was the fact that the peasants, in the sixteenth century, made an explicit statement of homage of property to the lords at the beginning of their declarations. The old formulae, however, were not abandoned. We have identified twenty-nine declarations of holdings which were acknowledged with the old formulae of 'homo proprius, solidus et affocatus'. That this was more than a mere question of formulae is obvious from the fact that careful reference was made by the lords to disputes previous to the *Sentencia*. These formulae justified the lords' rights over the lands and, in consequence, that the peasant was not really the 'owner' of his holding, since the seigneurial rights were preserved.

Furthermore, a large number of the 'mals usos' and servitudes abolished by the *Sentencia* were still in force in the valley of Aro a century after the *Sentencia* had been promulgated. 'Talls', land alienation fees, labour services, banal taxes ('llauc', 'batlliu') were not mere remnants from the past, brought up to date due to the inertia of the legal system, they were being effectively rendered.

However, if the old structure of feudal jurisdictions was in full force, the peasants' right to continue in their holdings and to the 'masos ronecs' which had been added to them could no longer be disputed. The large holdings took advantage of the wars of the fifteenth century to buy or to annex these masos which until then had not been abandoned, accentuating at the same time the economic differences within the peasant community itself. These lands have always been at the centre of all controversy surrounding the

'remensa' problem. In an attempt to determine the economic significance of these lands in relation to the peasant struggles, we have established that with a percentage of, on average over 30%, the annexation of these lands helped to place certain peasants amongst the largest holdings of the area. The percentage was sufficiently important for these tenants of large holdings, once the *Sentencia*, had recognised their rights over the lands and their freedom to leave their holdings to their heirs, that they preferred to adopt a moderate stance during the peasant wars and to accept the *Sentencia*. We could hardly refer to these tenants of large holdings as peasants. The *Sentencia* had done no more than recognise the evidence of their economic power and to integrate them into the feudal system against which they had previously fought.

The agrarian structures of the sixteenth century show the continuity of the old large holdings for whom the redemption fees, stipulated in the *Sentencia*, posed no economic problem, as well as the level of poverty which prevented the rest of the peasantry from paying those same redemption fees. The majority of those holdings overcame the crisis of the mid-fourteenth and fifteenth centuries, appearing in the sixteenth century as an 'aristocracy' within the heart of the community, controlling 72% of the total available land (against 38% in the fourteenth century), ready to sub-let their lands to the poorest peasantry, proud of the strength and continuity of their 'lineages' in modern Catalonia.

CAPBREU-1343

Name&re- ference	Status& Holding	Land by...						Alou	Total land	Payments				Labour Services	Battlu	Llauc	
		Cathedral			Cathedral &Monesti	Monestir	Other			Cereals	Cash	Tasca	Tithe			Cathe -dral	Smith
		vinyard	forest	land													
Ramon Vinyes Arol,140. 181				3.5v					3.5v	1 mo	16 d	3.5v					
Guillem Gonyador, Arol, s1.183	Remensa Mas			65v		19v			84v	1 mo 1/4qf	6 d	70v					
Berenguer Canal, s2.191	Remensa Mas			45v	3v	68v			116v	4 mo 1 qf	2 s	88v		5			
Pere Ros, s3.206	Remensa Mas			59v		4v			63v	2mf	21d	59v		5			
Arnau Cols, s4.215	Remensa Mas	3v	5v	40v	1v	83v			132v	4mo	2s 8d	44v		5			
Berenguer Gerones, s5.224	Remensa Mas	5v		11v	2v	3v	20v		41v	2mo 1 qf	21d	15v		5			
Arnau Erols, s6.231				0.5v		23.5v			24v								
Arnau Juanals, s7.233	Remensa Mas			7v	4.5v	10.5v			22v			22v			1mo		
Pere Ferrer, s8.238	Remensa Mas	6v		12v		24v			42v	4mo	2s	58v		5			
Bernat Ferrer, s9.250	Remensa								?	1mf	4s				1mo 2mf		

Pere Egldi, s10.253	Remensa Mas			14v		16v		30v	1mo	3s 9d	26v				
Francesc Bruno, s11.260				17v	2v			19v	1mo	8d	21v				
Guillem Estrany, s12.264	Remensa Mas		6v	16v		40v		62v	4mo 1qf	3s 6d	34v		5		
Pere Mates, s13.276				26v				26v			26v				
Pere Ferrer, s14.277	Remensa Mas			22v		78v		100v	2mo 2mf	4s	42v			4 mo 2mf	14d
Pere Joan, s15.286	Remensa Mas			31v		26v		57v	3mo 4mf	22d	26v		5		
Ramon Desteu, s141.298			3v	16v				19v	1qc		3v				
Ramon Roquer, s1.302			5v	11v				19v	1qo						
Guillem Garoart, s2.305			5s					5s	4s 10d						
Ramon Viader, s3.307								?	1mf						
Arnau Colom, s4.309			2v					2v							
Damau Nicolau, s5.311			1.5v					1.5v							
Pere Portes, s6.311			42v					42v	1qc						

Ramon Terrats, s.7.317	Remensa Mas	2v	16v	62v		6v		1v	87v	8mo 1qo 1mf	10s 2d	12v		4	16d	2mo 2mf	1qo
Pere Oli, s8.328	Remensa Mas		25v	32v		42v			99v	8mo 1qo 1qf	9s 8d	26v		2		1mf 1mo	
Pere Julia, s9.336	Remensa	0.5v	11v	5.5v		5v		1v	23v	2mo 1qo	10s 9d	11v	10v	2		1mo 1qf	
Guillem Joan, s10.341	Remensa																
Pere Joan, s11.342		0.5v		4v					4.5v	3mf 1qf							
Miguel Gauton, s12.344									?	sqf							
Bernat Soler, s13.346				1.5v					1.5v								
Bernat Dexesa, s14.348	Remensa			5s					6s								
Arnau Rotllan, s15.350									?	1qf							
Bernat Porcloles, s16.352				1v					1v								
Berenguer Cleda, s17.353				3v					3v								
Pere Vilaret, s18.354				3v					3v			3v					
Pere Carbonell, s19.355				1.5s					1.5s			1.5s					

Bernat Matamala, s20.356					17v					17v			6s 9d	17v					
Bernat Jaspert, s21.358	Remensa Mas	4v	50v	13v		10v			2v	79v	4mo 1qf	6s	63v		4		2mo 2mf		
Arnau Duran, s22.366				3v						3v			3v						
Ramon Torra, s23.367		3v	18v	45v	3v				2v	71v	8mo 1qo 1mf	6s 10d	52v						
Guillem Barcelo, s24.375	Remensa Mas	3v	28v	32v		25v			2v	90v	2mo	7s 10d	31v		7		1mo 1mf		
Ramon Llober, s25.385	Remensa Mas	3.5v	13v	23v		9v				48.5v			24s 6d	14v			1mo 1qf	1qv	
Bernat Pla, s26.393	Remensa Mas	1.5v	12v	8.5v		7v				22v	2mo 2mf 1qf	11s 8d			1		1mo		
Pere Medir, s27.398	Remensa Mas	1v	8v	11v		35v	4v		59v	2mo	3s 24d				2		1mo 1mf 1qf		
Pere Oliver, s28.407	Remensa Mas		100v	11v	2v	5v	16v	13v	147v	2mo 1qo 3qf	2s 22d	102v			5	8d	1mo 1mf		
Guillem Pla, s29.417	Remensa																		
Guillem Blanc, s30.418	Remensa		36v	30v	1v	9v			76v	1mf 3mo 3qf	13s 2d	24v			4	16d	1mo		
Guillem Eybeli, s31.429	Remensa Mas	1v	22v	27v	1v	19v	2v	1v	73v	2mo	8d	27v			4	2s 9d	1mo 1mf	1qv	
Pere Oller, s32.440	Remensa Mas	2v	15v	28v		27v			72v	5mo 1qo	9s 2d	18v			5		2mf 2mo	1mv	

Guillema Llorens, s33.451		2v	15v	3v					20v		2s	16v					
Bonanata Bengaron, s34.454			2v	6v					8v		2s						
Berenguer Rovira, s35.458		6v		21v					27v			4v					
Ramon Roque, s36.463			6v	36v					42v								
Guillelm Extrets, s37.467		6v	19v						25v	1qo							
Feliu Cerda, s38.472		1v		0.5v					1.5v	1qf							
Bernat Semir, s39.474		1v		0.5v					1.5v								
Arnau Riera, s40.475		1v		2v					3v	3qf	6d						
Bernat Senyeu, s41.477				56v					56v	1qo							
Berenguer Coma, s42.483				1v	10v				11v			4v					
Pere Vendrell, s43.487	Remensa Mas	1v	40v	16v	2v	12v		1v	71v	1mo 1qf	12d	35v	35v	5		3s 2d 2mo 2mf	1mv
Arnau Corb, s44.496	Remensa Mas	10v	5v	30v		21v			66v	6mo 1qf	12s 10d			7	16d	2mo 2mf	1qv
Bernat Avinent, s45.504				1v					1v	3qf							

Bonmatí, s46.505										3s						
Guillem Oliver, s47.506	Remensa								1mf 3qf	4s 24d						
Bernat Puig, s48.509	Remensa Mas	4v		22v		4v	2v	41v	73v	8mo 1qo 1mf	10s	4v		7	2mo 2mf	1mv
Guillem Castellar, 49.514										10s 8d						
Jaume Malgrana, s50.515				1v					1v			1v				
Bernat Martí, s51.516	Remensa Mas		12v	47v		17v	2v	1v	79v	1qo		35v		2	1mo	
Guillema Gonyoado ra, s52.523	Remensa									1qf						
Pere Sicarts, s53.524			14v	12v				7v	33v		2s8d	28v			1mo 1qf 1qv	
Domingo Rexach, s54.532				7v					7v		4d	7v				
Feliu Senionart, s55.534				7v					7v		16d	7v				
Alamanda Saqueta, s57.536				8v					8v			8v				
Pere Bruno, s58.538			5v	13v	15v				33v			2v	1v			
Guillema Vinyola, s59.543				0.5v					0.5v			0.5v				

Frances Rovira, s60.544				0.5v				0.5v		4d						
Ramon Costa, s61.545	Remensa Mas	5v	7v	9v		12v	4v		37v	2mo	6s 19d			3		1mo 1qv
Bernat Cigar, s62.551	Remensa Mas		42v	22v			10v	11v	85v	4mo 1mf	4s 18d	42v	20v		1mo 1mf	1qv
Guillem Bussot, s63.557	Remensa mas	2v	22v	45v	1v	45v	3v		118v	4qf 1qo 3mo	5s 8d	22v		5	2s 8d	2mf 2mo
Bonanat Fontanella s64.568		4v		24v				2v	30v		12s	2v				
Berenguer Magraner, s65.575		1v		9v				1v	11v		2s					
Arnau Vendrell, s66.578				9v	2v				11v	2mf 1qf	13s					
Pere Roca, s67.582									?							
Bernat Oliver, s68.583	Remensa			3s					3s	3qf	11d					
Jaume Sabater, s69.584				5v		10v		1v	16v	2mf						
Arnau Savall, s70.587	Remensa	4v	103v	17v		12v	1v		137v	3mo	34d			4		2mo 1qv
Guillem Landrich, s71.593				82v					82v	1qo						
Guillem Sacoma, s72.598				2v					2v	1qf						

Guillem Pujol, s73.600		1v							1v						
Arnau Malola, s74.601			13v	52v	6v				71v	1qo					
Mateua Formenter s75.608	Remensa Mas	2v	2v	19v		5.5v	5v		33.5v	6mo	7s 22d	2v	2v	9	10d
Pere Ros s76.620		5v	3v	6v					14v	4mf 1qf	2v			.	
Guillema Bas, s77.624									?						
Perpinya Matia, s78.625									?		6d				
Bernat Carbonell, s79.626									?		2s 8d				
Guillem RAveil, s80.628			2s					1v	1v2s						
Berenguer Perals, s81.630									?	3qf	4s 6d				
Bernat Vidal, s82.632				1v					1v		16d				
Bernat Bruno, s83.635									?	1mf					
Berenguer Gaiart, s84.636									?						
Galceran Esteve, s85.637									?		9s				

Pere Mir, s86.639		1.5v						7v	8.5v	3qo							
Ramon Maensa, s87.644				1s		1v			1v1s		1s						
Jaume Lanvi, s8.645				4v					4v			4v					
Pere Bosc; s89.646	Remensa Mas			8v	1v	36v	16v	7v	68v	1mf	2s 6d	4v		2		1mo	
Guillem Terrats, s90.654	Remensa								?	1mf							
Pere Reimbalt, s91.655		4v	62v	22v	4v			1v	93v			64v				1mo	
Jaume Coma, s92.662		1v	6v	10v				2v	19v		18d					1mo	1qv
Guillem Terrats, s142.667	Remensa			9v				31v	40v		13d						
Guillem Oliver, s436.2052	Remensa Mas			18v		32v			90v	5mo 1qo	3s 2d	28v		2			
Guillem Julla, s1.2052	Remensa		36v	28v	1v	12v	3v	1v	81v	1mf 3qf	28d	21v		5			
Berenguer Rafard, s2.2052	Remensa Mas	4v	26v	60v					90v	4mo 1qf	3s 6d			5			

CAPBREU-1432-1434

Name&reference	Status&Holding	Land by...					Alou	Total land	Payments				Labour Services	Batiu	Llauc				
		Cathedral			Cathedral &Monestir	Monestir	Other		Cereals	Cash	Tasca	Tithe			Cathedral	Smith			
		vinyard	forest	land															
Pere Rexach, Aroll856. 256s1	Mas			7v				7v		16d	7v								
Bartomeu Riba, s2.858	Mas		5v	12v				17v		6s8d	17v	17v							
Antonia Riba, s3.861	Mas			2v				2v											
Gabriel Marti, s4.861	house							?		22d									
Guillem Vivo, s5.865	house							?		5s 8d									
Antonio Cicars, s6.868			12v	28v			2v	7v	49v		14s 8d	3v			1mo 1qf				
Narcisa Ros, s7.878	Mas Remensa	2v		20v		12v		34v	2mo 1qf	2s 8d			1						
Francesc Coma, s8.887		2v		12v				14v		16d	10s				1mo 1qf				
Pere Sunyer, s9.890	Mas		32v	22v		11v		65v	6mo 3qf	45s 12d	31v	1v	6		1mo				
Narcis Boscan, s10.898	Mas Remensa	4v		5v		34v		18v	61v		8s	5v		2		1mo			

Antoni Puig, s11.912	Mas Remensa	8v	3v	19v		8v		41v	79v	8mo 1mf				7		6s	
Francesc Groart, s12.919	Mas Remensa		35v	52v		36v		8v	131v	7mo 1qf	49 4d	36v	25v	7	16d	2mf 2mo	
Eleonor Dusan, s13.931	house										2d						
Pere Reimbalt, s14.932		1v	23v	79v	3v			3v	109v		12d	64v				1mo	
Antoni Sltgar, s15.938	Mas Remensa	2v	32v	30v		5v	6v	4v	78v	4mo 1mf	6s 18d	33v	10v			1mf 1mo	
Bernat Baudina, s16.947		7v		1v					8v		3s 14d				16d		
Joan Saguer, s17.950		2v		2v					4v		2s						
Narcis Bussot, s19.953	Mas Remensa		14v	42v		34v	8v		98v	3mo 1qf 2mf	11s	12v		4	2s8d	3s8d	1qv
Pere Cateura, s20.964		3v							3v								
Bartomeu Torrent, s21.966	house										3d						
Bernat Malsabate s22.967		5v							5v								
Simon Barsalon, s23.970	Mas Remensa	2v	7v	22v		3v	3v		35v	2mo 1mf	4s 11d	11v	10v	2		1mo 1mf	
Guillem Blanch, s24.978			9v	2v					11v		3s	2v					

Guillem Cavarquier, s25.980			1v						1v			3s 11d						
Berenguer Corps, s26.982	Mas Remensa	3v	3v	57v		18v	4v		85v	6mo 1qf	6s 4d	18v	18v	7		2mo 2mf		
Pere Fontanella s27.991		2v	1v	35v				1v	39v	2mf 1qf								
Bartomeu Medir, s28.999	Mas Remensa		18v	11v		23v	20v	4v	76v	2mo	12d	10v		2		1mo 1mf	1mv	
Jaume Ordls, s29.1013		4v		1v					5v		9s 3d	2v						
Joan Cifra, s30.1016	Mas Remensa			79v		24v	2v	2v	107v	1mf 6mo 3qf		60v		2		4s10d 2mo 2mf	1mv	
Pere Ferrer, s31.1029	Mas Remensa	2v	8v	26v		11v	4v		51v	2mo 1qf	2s 28d	9v		2	15s	1qo 1qf		
Antoni Oliver, s32.1042	Mas Remensa		103v	44v	1v	5v	10v	28v	191v	3mo 1qf	2s	112v	110v	5	8d	2s10d 1mo 1mf	1qv	

CAPBREU-1567-1569

Name&reference	Status&Holding	Land by...					Alou	Total land	Payments				Labour Services	Batlliu	Llauc		
		Cathedral			Cathedral &Monesti	Monestir			Cereals	Cash	Tasca	Tithe			Cathedral	Smith	
		vinyard	forest	land													
Bartomeu Barcelo, Arolli, s1	Remensa Mas		52v	24v				28v	2mo	10s10d	56v	56v	7		1mo 1mf		
Jaume Bas, s2	Remensa Mas		37v	72v	5v	13v		127v		12s	6v	12v			2mo 1qv		
Galceran Barcelo, s3	Remensa Mas			?		9v		?									
Joan Bas, s4		5v						5v			5v	5v					
Joan Saguer, s5	Remensa Mas	4v	69v	103v	18v			194v	4mo 1mf	4s6d	100v				2mo 2mf	1mv	
Perpetu bas, s6	house																
Miquel Samir, s7	Remensa Mas	15v	15v	78v	5v			113v	6mo 4mf 1qf	14s10d	3v		7	6d	2mo 2mf	1qv	
Grau Dolsa, s8	Remensa Mas	4v	31v	54v		35v		124v	5mo 1qo	9s2d	3v		5		2mo 2mf	1mo	
Nicolau Fontanella, s9	Remensa Mas		8v	72v				80v	2mo	8d			3	2s9d	1mo 1mf	1qv	
Antoni Riembau, s10	Mas		84v	37v		20v		141v	1mo								
Antoni Oliver, s11	Remensa Mas		110v	65v		9v	2v	17v	204v	3mo 1qf	2s22d	103v		5	8d	1mo 1mf	1qv
Bernat Riembau, s12				14v				14v			2v						

Antoni Sicars, s13	Mas	3v	3v	18v				1v	22v	3mf	8d					1mo 1mf	1qv
Antoni Geli, s14	Remensa Mas			61v				61v	3mf 1mo	3s11d	3v		5		2mo 2mf	1mv	
Miquel Ravell, s15	Remensa Mas		54v	74v			2v	130v		14s48d	49v				1mo		
Montserrat Bernat, s16	Remensa Mas	4v		18v			2v	24v	2mo 1mf	18s26d			2				
Vicens Torre, s17			4v	5v				9v		5s							
Pere Sitjar, s18	Remensa Mas		40v	40v		5v	6v	4v	95v	4mo 1mf	10s10d	33v					
Geronim Saguer, s19				15v				15v		9s8d							
Antoni Agusti, s20	Remensa Mas		27v	18v				45v	2mo 1qf	7s8d	12v		1		1mo		
Pere Torreles, s21	Remensa Mas		29v	78v				107v	8mo 1qo 1mf	9s8d		2			1mo 1mf	1qv	
Caterina Boscana, s22	Remensa Mas			2v			6v	8v	?								
Joan Conill, s23	house																
Antiga Torres, s24			58v	36v			7v	101v	6mo 1q	15s10d	48v	30v					
JOan Sitjar, s25	Remensa Mas		30v	111v	2v	25v	1v	169v	6mo 3qf	4s10d	90v		2		2mo 2mf	1mv	
Antoni Busot, s26	Remensa Mas		63v	52v		5v		2v	122v	3mo 1qo 1mf	5s8d	50v	8v	4	2s8d	2mf 2mo	1qv

Eulalia Croada, s27	Remensa Mas		37v	44v		7v			88v	7mo 1mo 1qf	4s4d	10v		7	16d	2mf 2mv	1mv
Joan Bosca, s28				4v					4v								
Jaume Blac, s29	house			4v					4v								
Rafaella, s30					5v				5v			5v					
Jaume Semir, s31	house				2v				2v	2mf	3s8d						
Antoni Roquer, s32	house			6v					6v	1mf							
Jaume Vilaret, s33			7v	6v					13v		4s6d						
Eleonor, s34	house	1v	2v						3v								
Jaume Torrelles, s35	house	2v	4v						6v		8s						
Eleonor Busot, s36	house										7s7d						
Jaume Sicars, s37				3v					3v								
Pere Gelí, s38	Remensa Mas			5v					5v	1mo				5		1mo 1mf	1qv
Miquel Sicars, s39	house																
Jaume Torrelles, s40	house																
Ponc Blanc, s41	house	2v	2v	7v					11v								

Antoni Modenyac s42	house	2v	2v					4v							
Miquel Oliver, s43				3v					3v						
Margarida Oliver, s44	house									5d					
Bartomeu Castello, s45	house	2v						2v							
Beneta Sais, s46	house								1qf						
Montserrat Braser, s47	house														
Ponc Xifra, s48	house														
Eleonor Pejoan, s49				4v				4v		7s					
Feliu Agusti, s50				1v				1v							
Joan Rifa, s51				4v				4v							
Miquel Mayon, s52				1v				1v							
Miquel Bas, s53	Mas			7v				7v							
Pere Sicars, s54				1v				1v							
Roc Gell, s55	house	1v		3v				4v							

Joan Oliver, s56		6v						6v							
Joan Puig, s57	house			6v				6v		6s					
Jaume Blanc, s58	house			1v				1v							
Eulalia Vilera, s59				1v				1v							
Feliu Ferrer, s60		Mas	3v	20v	26v		11v	3v	63v	2mo 1qf	2s12d	6v			
Antoni Pulg, s61	Remensa Mas		17v	18v			18v	55v	8mo 1qo 1mf	6s4d					
Rafael Roquer, s62	house			4v				4v							
Miquel Sicars, s63	Mas	3v	28v	80v			8v	119v		14s8d	2v				
Caterina Conill, s64	house	6v	5v	9v				20v	1qo	4d				1mo	1qv
Antoni Ferrer, s65															
Bartomeu Soler, s66															
Francesc Llombart, s67															
Jaume Vergonyo s, s68				7v				7v							
Caterina Bas, s69				1v				1v			1v				
Joan Torreyas, s70				4v				4v		2s4d					

Antoni Puig, s71	Mas		35v	38v	6v				79v	1qc							
Joan Vilar, s72					20v				20v								
Narcís Medir, s73	Remensa Mas			44v		26v		3v	73v	2mo 1qc	12d						
Narcís Puigsec, s74	house			2v					2v								
Joan Sola, s75	Remensa			9v					9v								
Pere Roquer, s76	house			3v					3v								
Joan Saguer, s77				2v					2v								
Antoni Geli, s78				7v					7v								
Eulàlia Vilaret, s79				3v					3v								
Rafael Roque, s80				5v					5v								
Joan Sicars, s81	Remensa Mas		22v	9v				2v	33v	6mo 1qo	11s8d						
Joan Gispert, s82			5v	2v					7v								
Jaume Bas, s83				2v					2v								
Arna Prats, s84					3v				3v								
Bernat Oliva, s85	priest									10s8d							

Joan Boxeda, s86	priest									10s8d							
Geronim Borrell, s87		2v							2v		3s						
Pere Ramis, s88	house			16v					16v		2v	12v					
Nicolau Fontanella s89																	
Eulalia Vilaret, s90		4v	5v						9v								
Pere Bas, s91	house										2s						
Caterina Torras, s92	house			41v					41v								
Joan de Monyos, s93				10s					10s								
Antiga Prosala, s94	house			1v					1v		5s						
Susana Vidal, s95	house			1v					1v		5s						
Joan Dolsa, s96																	
Antoni Font, s97		2v	2v						4v		2s						
Nicolau Samir, s98		1v	2v						3v		3s6d	3v					
Bertran Gell, s99				2.5v					2.5v		2s6d	2.5v					
Pere Tixer, s100				4v					4v		4s	4v					

Julia Sola, §115	Remensa Mas	158v	85v	70v			313v	2mo 1qf 1qo	12s14d	60v	47v	5	

APPENDIX 4

ENTRIES INTO SERFDOM

Doc. ref.	Peasant	Homage	Lord	Census
19,264	Guillem Serrat	yes	Arnau Calonge	
397,1268	Domingo brother, sister, son, mother	Grau, yes	Pere, bishop	2 sous
26, 1275	Ermessen, Calvera's wife	Pere yes	Maria Terrats	
39,1296	Estrany of Fenals	yes	Francesc Alguer	
41, 1297	Pere Forner		"	
42,1297	Joan Vall		"	
361,1302	Raimunda, Riera's wife	Ramon	Pere Banyoles	
362, 1314	Cecilia, Ayamet's wife	Joan	Boldran Soler	
363,1314	Narcis Gelats	yes	Gispert Folcrandi	
402,1318	Pere Reverter	yes	Arnau Soler	
70,1332	Ermessen, Puig's wife	Bernat yes	"	
71,1332	Brunissen, Matheu's wife	Guillem yes	"	
71s1,1322	Guillema, Pere Pla's wife	yes	"	
71s2, 1322	Pere Coma	yes	"	
71s3,1322	Berenquer Pecher	yes	"	
71s4, 1322	Guillem Crexell	yes	"	
71s5, 1322	Elicen, Berenguer Refart's wife	yes	"	
71s6,1322	Guillema, Guillem Oliver's wife	yes	"	
71s7,1322	Maria, Pere Col's wife	yes	"	

71s8,1322	Suara, Guillem's	yes	"
	Eyxoli's wife		
72,1322	Ramon, Pere	yes	"
	LLlobet's son		
72s1,1322	Sancia, Pere	Julia's	yes
	wife		"
72s2,1322	Guillem Quartercol	yes	"
72s3,1322	Maria, Guillem	yes	"
	Bucot's wife		
72s4,1322	Silia, Pere	Puig's	yes
	wife		"
72s5,1322	Guillema, Arnau	yes	"
	Corp's wife		
72s6,1322	Guillem Eybelli	and	yes
	wife, Guillema		"
72s7,1322	Guillelma, Bernat	yes	"
	Marti's wife		
72s8,1322	Guillelma, Mertomeu	yes	"
	Medir's wife		
73,1322	Ermessen, Pere	yes	"
	Joan's wife		
74,1322	Berenguera, Pere	yes	"
	Ferrer's wife		
86,1322	Margarida, Pere	yes	Ramon des
	Calvera's wife		Terrats
433,1334	Bonanta, Pere	Vidal's	?
	wife		
94,1337	Berenguer Sicars	yes	Antoni
			Galiana
107,1339	Guillema, Pere	yes	"
	Torrent's wife		
123,1341	Bernat Seguer	yes	"
124,1341	Bertomeua and	yes	"
	Sancia, wife	and	
	mother of	Bernat	
	Seguer		
137,1343	Pere Soler		?
165,1360	Bonanat, Guillem	yes	Antoni
	Guifreu's son		Galiana

197,1385	Vicenta, Pere Pla's wife	yes	?
218,1407	Antoni Torreyes	yes	?
219,1409	Francesca, Antoni Sunyer's wife	yes	?
245,1417	Per Gueraua and Caterina	yes	Joan Pavia
246,1417	Francesca, Francesc Bussot's wife	yes	"
262,1433	Bartomeu Cifra and his wife	yes	"
248, 1436	Antonia, Jaume Riera's wife	yes	Roger de Cartella
264,1436	Pere Jaume Riera	yes	"
267,1436	Antoni Gil	yes	"
271,1440	Maria, Joan Sitjar's wife	yes	"
271s3,1440	Miquela, Pere Croanyes' wife	yes	"
272,1442	Barbara, Antoni Agusti's wife	yes	"
273,1442	Bartomeua, Julia Saguer's wife	yes	"
275,1442	Joana, Joan Sitjar's wife	yes	"
281,1470	Gaspar Sola	yes	Pere Terrades
1691,1569	Pere Colls	yes	Joan Oriol 20 sous

RECOGNITIONS OF SERFDOM

Doc. Ref.	Peasant	Lord	Homage
27, 1269	Bernat Sabater and 9 more	Ramon Lledo	-
356, 1318	Pere Sabet	Arnau Soler	yes
88, 1334	Ramon Joanals	Antoni Galiana	"
92, 1336	Pere Calvera	Ramon des Terrats	"
132, 1342	Bernat, son of Pere Teixidor	?	"
138, 1343	Pere Vendrell	Antoni Galiana	-
170, 1367	Berenguer, son of Pere Medir	?	yes

170s1, 407	Antoni Sunyer	?	"
218s2, 1407	Francesc Molla	?	"
216, 1407	Berenguer Corp	?	"
216s4, 1407	Simon Barcelo	?	"
s5, 1407	Pere Barcelo	?	"
228, 1410	Guillem, son of Francesc	?	"
	Eybeli		
228s1, 1410	Bartomeu, son of Miquel	?	"
	Molla		
229s2, 1411	Berenguer Sitjar, son of	?	"
	Antoni Sitjar		
230s1, 1411	Francesc, son of Miquel	?	"
	Molla		
231s1, 1411	Bernart Groart	?	"
229s1, 1411	Francesc Bussot	?	"
231, 1411	Bartomeu, son of Pere Medir	?	"
232, 1411	Pere, Pere Saguer's son	Ramon Badia	"
232s1, 1411	Antoni, Pere Puig's son	"	"
s2, 1411	Pere, Llorens Terrats' son	"	"
s3, 1411	Joan, Pere Boscan's son	"	"
s4, 1411	Pere, Pere Forner's son	"	"
s5, 1411	Antoni, Nicolau Sunyer's son	"	"
241, 1417	Pere Noguera	"	"
245, 1417	Pere Saguer	"	"
245s2, 1417	Bartomeu Madir	Joan Pavia	"
s3, 1417	Francesc Andreu	"	"
s4, 1417	Francesc Molla	"	"
s5, 1417	Pere Forner	"	"
s6, 1417	Joan Cifra	"	"
s7, 1417	Francesc Bussot	"	"
s8, 1417	Pere Oliver	"	"
s9, 1417	Antoni Torreyes	"	"
s10, 1417	Antoni Sunyer	"	"
s11, 1417	Antoni Oliver	"	"
s12, 1417	Bernat Sitjar	"	"
s13, 1417	Pere Ruyra	"	"
s14, 1417	Pere Joan	"	"
s15, 1417	Pere Ros	"	"
s16, 1417	Berenguer Corp	"	"
s17, 1417	Bernart Groart	"	"

s18,1417	Antoni Puig	"	"
s19,1417	Pere Terrats	"	"
s20,1417	Simon, Guillem Barcelo's son	"	"
s21,1417	Pere Barcelo	"	
s22,1417	Antoni Sitjar	"	"
s23,1417	Antoni Barcelo	"	"
s24,1417	Guillem Eybali	"	"
s25,1417	Joan Boscan	"	"
s27,1417	Pere Forner, 'menor'	"	"
s28,1417	Esteve Guerau	"	
	"		
s29,1417	Berenguer Cols	"	"
s30,1417	Cristofol Terrats	"	
263,1434	Antonia, daughter of Guillem Eyboli	Roger de Cartella	"
369,1435	Antoni Mascort	"	"
266,1436	Bernat Ferrer	"	"
267,1436	Antoni Gil	"	"
268,1436	Joan, Cristofol Torrent's son	"	"
268s1,1436	Montserrat Noguera 'menor'	"	"
269,1438	Pere, Antoni Torrelle's son	"	"
271,1440	Joan Sitjar	"	"
271,1440	Pere, Pere Croanyes' son	"	"
271s4,1440	Pere, Antoni Mascort's son	"	"
274,1442	Pere Julia, Pere Saguer's son	"	"
277,1448	Antoni, Mateu Oller's son 'menor'	"	"

REDEMPTIONS ('DIFFINITIO') OF SERFDOM

Doc. Ref.	Old Lord	Peasant	New Lord	Fine
13, 1231	Ramon Palau	Pere Venrell	G. de Montgri	60 sous
20, 1265	Ferrer, monk of S. Miquel	Ramon Mates	?	80s
27, 1276	Guillem Palol	Maria, daughter of Pere Carabul	Gisper de Botenaco	16 diner
30, 1289	Sta. Ana of Barcelona	Ermessen, d. of Domingo Botan	?	1Lb. wax

33, 1290	Bernat, prior of Ulla	Guillema, d. of Guilelm Rupia	Pabarde of Aro	10s
35, 1293	Jaume, sacrificista of Cruilles	Bernat Aspira	"	40s
37, 1294	Tomas, abbot of S. Feliu	Guillema, d. of Ramon Feliu	Pere Pontos	2s8d
43, 1297	Guillema de Canet	Pelegrina, d. of Arnau Funlars	Francesc Alguer	2s8d
46, 1301	Tomas, abbot of S. Feliu	Guillem, s. of Estrany de Fenal	Hugo de Cruilles	
400, 1303	Hugo de Cruilles	Berenguer Vidal	Capella de Calonge	55s
401, 1310	Berenguer de Cruilles	Berenguera, d. of Guillem Pereta	Paborde of Aro	2s8d
54, 1312	Arnau Soler	Ramon, s. of Pere Vidal		30s
55, 1313	Gispert Folcrandi	Suara, d. of Jaume Riera	Paborde of Aro	2s8d
52, 1317	Tomas, abbot of S. Feliu	Guillema, d. of Berenguer Cleda		2s8d
71s5, 1322	Ramon de Mon	Elicen, w. of Berenguer Refart	Arnau Soler	?
71s6, 1322	Monasttery of S. Feliu	Guillema, w. of Guillem Oliver	"	?
71s8, 1322	Sacrista of Gerona	Suara, w. of Guillem Eyxoli	"	?
72, 1322	Almoyna of Gerona	Ramon, s. of Pere Llobet	"	?
72s1, 1322	Monastery of S. Feliu	Sancia, w. of Pere Julia	"	?
72s3, 1322	Bishop of Gerona	Maria, w. of Guillem Bussot	"	?
72s4, 1322	Monastery of S. Feliu	Guillema, w. Arnau Corp	"	?
73, 1322	Guillem Fuxa	Ermessen, w. of Pere Joan	"	?
74, 1322	S. Marti of Gerona	Berenguera, w. of Pere Ferrer	"	?
75, 1324	Berenguer Plan	Guillema, d. of Berenguer Sicard	"	2s8d

399, 1325	Guillem Miars	Dulcia, d. of Pere Domingo	2s8d
94, 1337	S.Joan of Gerona	Berenguer Sicars	Antoni Galiana
96, 1337	Antoni Galiana	Pere Refard	50s
107, 1339	Monastery of S.Feliu	Guillema, w. of Pere Torrent	Antoni Galiana
124, 1341	Bernat Cabrera	Bartomeua, w. of Bernat Saguer	"
136, 1343	Antoni Galiana	Maria, d. of Ermengol Gerones	2s8d
2083,	"	Bonanata, w. of Ferrer des Terrats	6s
1344			
197, 1385	monastery of S. Feliu	Vicenta, w. of Pere Pla	Paporde of Aro
197s1,	?	Francisca, w. "	"
1409		Antony Sunyer	

APPENDIX 5.

1409, February 25. Coloma, daughter of Bernat Barcelo, declares to be 'dona propria et solida' of the cathedral. Archivo de Protocolos Notariales, notario Bartomeu Collell de Aro, num 5.

Coloma filia Bernardi Barceloni parrochie de Colonico que fui uxor Johannis/ Vitalis quondam parrochie de Fanalibus nunc vestro uxor Francisci Vitalis parrochie / Sancte Christine de Areo, redempta et absoluta a dominio cuius erat gratis et ex certa scientia / de consensu et voluntate dicti vestri mariti presentis et inferius consentientis et firmantis./ Et venio et facio me feminam propriam et solidam vestra venerabilis Raimundi de / Abbatia alia Barracha prepositi prepositure mensi Julii alias de Areo in ecclesia/ gerundense et successorum vestrorum in dicta prepositura vestra cum omni prole a me nascitura/ et cum omnibus bonis meis mobilibus presentibus et futuris et hoc pro eoque ratione matrimonii / quod contraxi cum dicto marito meo intravi mansum Vitalis parrochie de Areo / qui predicta prepositura tenetur et pro quo / ipsa prepositura debet habere homines et feminas. Quocirca promitto vobis dicto / preposito pro ero vobis et successoribus vestris in dicta prepositura bona fidelis et legalis / in omnibus tam de corpore quam etiam de avere pro ut vasallus esse debet suo / domino naturali. Et pro nostro intrabo castrum villam civitatem vel alia loca causa / morandi nec aliqui aliud faciam propter quod vos vel dicti vestri successores possitis / et possint me amittere et alius lucrari iuro vos et successores vestros in dicta prepositura / et non alios per

dominos meos naturales ubique reclamabo obligando ad / hec vobis et successoribus vestris in hac parte in possi notarii infrascripti tamquam / publice persone predicta et infrascripta a me nomine vestro et aliorum omnium quorum interest / et interesit in futurum stipulandis et recipientis omnia bona mea ubique habita et / habenda. Et pro predictis attendendis et servandis faci homagium manibus tam comendatum / Petro Saguerii dicte parrochie de Aro baiulo vestro homagium / a me nomine vestro et vestrorum in hiis successorum recipienti. Iurans etiam sponte per deum / et eius sancta quatuor evangelia a me corporaliter tacta predicta omnia et singula / rata grata et firma semper habere/ tenere et servare eaque attendere et complere et /nullatenus contrafacere vel venire iure aliquo sive causa. Et ego Franciscus Vitalis maritus dicte Colome consentiens predictis laudo hec et firmo.

1312, September 7. Arnau Soler gives 'diffinitionem'
to Ramon for 30 sous. Archivo catedral de Gerona, Pergaminos.

Sit notum cunctis quod ego Arnaldus de Solerio canonicus gerundensi et prepositus prepositure de Arado mensis Julii in ecclesia gerundensis, gratie et ex certa scientia absolvo diffinio et penitus re-/ mito te Raimundum filium Petri Vitalis quondam de Fanalibus homines dicte prepositure licet absentem tamquam presentem. Scilicet personam tuam et totam prolem ex te imposterum descendentem / et omnia bona tua mobilia tam presencia et futura. Ita ut semper sis a modo liber et inmunis ac penitus absolutus cum omni progenie ex te a modo egressura et cum omnibus bonis tuis / mobilibus tam presentibus et futuris ab omni dominio iugo et potestate mea et meorum successorum in ipsam dictam preposituram tenencium sive omni retentu et exceptione aliqua. Quam quidem / diffinicionem et absolucionem facto deo et tibi ipsi et specialiter illi domino quem facere aut eligere volueris ad omnes tuas voluntates perpetuo faciendas. Et pro hac absolucione / et difinicione confitero me recepisse de bonis tuis triginta solidos barchinone monete de terno. Renuncians excepcioni non numerate pecunie et doli. Et si forte / propter hoc plus mihi competit aut competere debet totum illud plus tibi et tuis dono donacione irrebocabili inter vivos. Actum est hoc VII Idus September. Anno domini MCCC duodecimo. Sig+num Arnaldi de Solerio cacnonici ac prepositi supradicti. Qui hoc concedo et firmo. Testes huius rey sunt Berengarius Aliani clericus et Hohanices de Monteferrato de Colonico. Sig+num Bernadi Pontii scriptoris jurati de Colonico. Qui cum supra scripto in IIIa linea ubi dicitur "tenencium" hoc scribi fecit et clausit.

BIBLIOGRAPHY

MANUSCRIPTS

Archive Catedral de Gerona

Pergaminos, serie Aro.

Pabordias

Llivre Vert.

Archive Diocesano de Gerona

Pergaminos

Pia Almoyna

Cartulari de Carlemagne

Cartulari Rubricis Coloratis

Cartulari dels Feus

Archive Corona de Aragon

Pergaminos: Monacals

Pergaminos Monasterio Sant Feliu

Archive Protocolos Notariales

Notarios de Aro.

PRIMARY SOURCES

FLOREZ, Enrique, ed. *Espana Sagrada* (Madrid, 1819)

VILLANUEVA, Jaime and VILLANUEVA, Joaquim Lorenzo, eds. *Viaje literario a las iglesias de Espana* (22 vols., Madrid-Valencia, 1806-1902).

SECONDARY SOURCES

ABADAL I VINYALS, Ramon d', 'La Pre-Catalunya', vol.II in *Historia dels Catalans* (Barcelona, 1961).

ABADAL I VINYALS, Ramon d', *Els primers comtes catalans* (Barcelona, 1958).
Dels Visigots als Catalans (Barcelona, 1969).

ABADAL I VINYALS, Ramon d', 'La institucio comtal carolingia en la pre-Catalunya del segle IX', *Anuario de Estudios Medievales* I, (1964), 29-75

ABADAL I VINYALS, Ramon d', 'Com neix i com creix un gran monestir pirinenc abans de l'any mil. Eixalada-Cuixa', *Analecta Montserratensis* VIII (1955), 125-337

ABADAL I VINYALS, Ramon d', *Cataluña Carolingia*, III, 'Els comtats de Pallars i Ribagorça' (Barcelona, 1955).

ABADAL I VINYALS, Ramon d', *Cataluña Carolingia*, II, 'Els diplomes carolingis a Catalunya' (Barcelona, 1952).

ALDEA, Q., MARIN, T., VIVAS, J., *Diccionario de Historia Eclesiastica de España* (4 vols., Madrid, 1972).

ALFONSELLO, P., *Els comtes de Gerona*

ALONSO MORAN, S., 'La Prebenda y las distribuciones en los Cabildos', *Revista Espanola de Derecho Canonico*, VIII (1953), 395-429.

ALSIUS I TORRENT, Pedro, 'Estudis geografics sobre el bisbat de Girona durant l'Edat Mitjana', *La Renaixensa*, III (Girona, 1873), 4-130.

ALSIUS I TORRENT, Pedro and PUJOL I CAMPS, Celestino, *Nomenclator geografico-historico de la provincia de Gerona* (Gerona, 1883)

ALTAMIRA Y CREVEA, Rafael, *Historia de España y de la civilización española* (4 vols., Barcelona, 1900-1911).

ALTISENT, Agustín, 'Un poble de la Catalunya nova els segles XI i XII: L'Espluga de Francolí de 1079 a 1200', *Anuario de Estudios Medievales*, 3 (1966), 131-214

ALTISENT, Agustín, 'Comerç marítim i capitalisme incipient. Episodis de la vida econòmica d'un matrimoni tarragoni (1191-1203). *Miscellània Històrica Catalana. Homenatge al J. Finestres* (Poblet, 1970), 161-80.

ALTISENT, Agustín, 'Una societat mercantil a Catalunya a darreries del segle XII'. *Boletín de la Real Academia Buenas Letras Barcelona*, XXXII (1967-8), 45-65.

ALTISENT, Agustín, 'Per a la historia de Senan (1169-1264)', *Aplec de Treballs del Centre d'Estudis de la Conca de Barberà* 3 (1981), 155-95

AMELANG, James S., *La formacion de una clase dirigente: Barcelona, 1490-1714* (Barcelona, 1986).

ARTOLA, Miguel, *Antiguo Regimen y revolucion liberal* (Barcelona, 1978).

AYMARD, Maurice, *La transicion del feudalismo al capitalismo, storia d'Italia* (Turin, 1978).

BADOSA I COLL, Elisa, 'Proces d'una resistencia pagesa: el poble de Navarcles contra el monestir de Sant Benet (1711-1835)', *Primer Col.loqui d'Historia Agraria* (Valencia, 1983), 411-24.

BADOSA I COLL, Elisa, 'Els lloguers de cases a la ciutat de Barcelona (1780-1834). *Recerques*, 10 (1981), 138-53

BADOSA I COLL, Elisa, 'El desenvolupament de tres explotacions agrícoles en el segle XVIII', *Estudis d'Historia Agraria*, 1 (Barcelona, 1978), 179-207.

BALARY I JOVANY, José, *Orígenes Históricos de Cataluña*. (2 vols., Abadía de Sant Cugat del Vallès, 1964).

BARAUT, Cebria, 'Les actes de consagracio d'esglésies del Bisbat d'Urgell (segles IX-XII)', *Urgellia*, 1 (1978), 11-182.

BARAUT, Cebria, 'El monestir de Sant Sadurní de Tavérnoles i els orígens del monaquisme benedicti al comtat d'Urgell', *Studia Monastica*, 22 (1980), 253-9.

BARBAZA, Yvette, *Le paysage humain de la Costa Brava*. (Paris, 1966).

BARBAZA, Yvette, 'Paisaje rural y estructura agraria del litoral septentrional de Cataluña a principios del siglo XVIII'. *Estudios geográficos*, 93 (1963), 565-89

BARBERO DE AGUILERA, Abilio and VIGIL, Marcelo, *Sobre los orígenes sociales de la Reconquista* (Barcelona, 1974).

BARBERO DE AGUILERA, Abilio and VIGIL, Marcelo, *La formacion del feudalismo en la Peninsula Iberica* (2nd edn., Madrid, 1979).

BARBERO DE AGUILERA, Abilio and VIGIL, Marcelo, 'La integración social de los "hispani" del Pirineo oriental al reino carolingio', *Mélanges offerts à R. Crozet*, ed. P. Gallais and Y-J Riou (2 vols., Poitiers, 1966), 67-75.

BARDY, G., 'Saint Gregoire VII et la reforme canoniale au XI siecle', *Studi Gregoriani*, I (1947). 70:5 b 90.2

BARREIRO, Jose, *Ideología y conflictos sociales. Siglos XI-XIII* (Santiago de Compostela, 1977).

BARRIOS GARCIA, A. and MARTIN EXPOSITO, A., 'Demografía medieval: modelos de poblamiento en la extremadura castellana a mediados del siglo XIII', *Studia Historica*, I (1983), 113-148.

BARRIOS GARCIA, A., *El dominio de la catedral de Avila*. (Avila, 1973). 584.3 c.95.91

BERTRAN I ROIGE, Prim, 'Concessió de mercat i fira a Vilanova de Corbins per Pere el Catòlic (1213), *Cuadernos de Historia Económica de Cataluña*, XVI (1977), 7-10.

BISSON, Thomas N., 'L'epoca dels grans comtes-reis (1137-1276)', *Historia de Catalunya* (Vilassar de Mar, 1983), pp. 279-320.

BISSON, Thomas N., 'La crise des franchises catalanes (1150-1200), *La formació i expansió del feudalisme català* (Girona, 1985), 153-72.

BISSON, Thomas N., 'Feudalism in Twelfth-Century Catalonia', *Structures féodales et féodalisme dans l'Occident Méditerranéen (Xe-XIIe)* (Rome, 1980), 173-92.

BLOCH, M., *La société féodale* (2 vols., Paris, 1949).

BLOCH, M., 'Liberté et servitude personnelles au moyen âge, particulièrement en France: contribution à une étude des classes', *Mélanges historiques*, 1 (Paris, 1963), 336-55. See *Slavery and Serfdom*

BOFARULL Y BROCA, Antonio de, *Historia critica, civil y esgllesiastica de Catalunya* (30 vols. in 15, Barcelona, 1906-10).

BOIS, Guy, *Crise du féodalisme. Economie rurale et démographie en Normandie Orientale du début du 14e siècle au milieu du 16e siècle* (Paris, 1976).

BONNASSIE, Pierre, *Catalunya mil anys enrera (segles X-XI)* (2 vols., Barcelona, 1981).

BONNASSIE, Pierre, *Vocabulario basico de la Historia Medieval* (Barcelona, 1983).

BONNASSIE, Pierre, 'Les conventions féodales dans la Catalogne du XIe siècle', *Annales du Midi*, LXXX (1968), 529-61.

BONNASSIE, Pierre, 'El feudalisme català. Segle XI', *L'Avenç*, 7-8 (1978), 32-9.

BORRELL I MACIA, Antonio, *Los censos enfiteuticos en Cataluña* (Barcelona, 1948).

BOTET I SISO, Joaquim, 'Provincia de Gerona', vol. III of *Geografia General de Cataluña*, compiled by F. Carreras Candi (Barcelona, s.d.).

BOTET I SISO, Joaquim, 'Index cronologich del Cartoral de la Curia eclesiastica de Gerona, anomenat 'de Carlo Mmagno', *Boletin de la Real Academia de Buenas Letras de Barcelona*, 3 (1905-6), 92-99, 166-72, 249-54, 324-9, 407-10, 479-83, 550-7: 4 (1907-8), 41-6, 122-6, 180-91, 241-7, 320-9, 416-24, 469-87, 503-17.

BOTET I SISO, Joaquim, *Les monedes catalanes* (3 vols. in 2, Barcelona, 1908-1911).

BOUTROUCHE, R., *Seigneurie et féodalité* (2 vols., Paris, 1968).

CALZADA I OLIVERAS, Jose M., La contenció de la Vall d'Aro', *Estudis sobre temes del Baix Empordà* (Sant Feliu, 1981), pp. 101-120.

CALZADA I OLIVERAS, Jose M., *Sant Gregori* (Girona, 1985).

CAMPMAN Y DE MONTPALAU, A. de, *Memorias historicas sobre la marina, comercio y artes de la antigua ciudad de Barcelona* (Barcelona, 1961-3).

CAMPS I ARBOIX, Joaquimn, *Historia de la agricultura catalana* (Barcelona, 1970).

CANALES, Esteban, 'Sobre la produccion a la comarca de la Selva: les torres de Cartella, 1616-1859', *Estudis d'Historia Agraria*, 1 (Barcelona, 1978), 154-177

CANALES, Esteban, 'El diezmo a fines del Antiguo Regimen'in *La economia espanola al final del Antiguo Regimen* (Madrid, 1982), pp. 105-27.

CANER, Pere, 'Les masies de Calonge: contribucio a l'estudi de la pagesia calongina', *Anales del Instituto de Estudios Gerundenses*, XXI (1972-1973), 315-345.

CAPITANI, Ovidio, 'La riforma gregoriana e la lotta per la investiture nella recente storiografia', *Cultura e scuola*, 6 (1962-63), 108-115. NW P 900:4 c 14

CAPITANI, Ovidio, 'Esiste un "eta gregoriana" ? Considerazioni sulle tendenze di una storiografia medievistica', *Rivista di Storia e Letteratura religiosa*, I (1965), 454-481.

CARANDELL PERICAY, Juan, *El bajo Ampurdan* (Gerona, 1978).

CARBONELL, Montserrat, 'Plets i lluita antisenyorial. El ducat de Cardona a les acaballes de l'Antic Regim', *Pedralbes, Revista d'Historia Agraria*, 3, (Barcelona, 1983), 265-78.

CARRERAS I CANDI, Francisco, 'Notes sobre l'origen de l'emfiteusi en lo territori de Barcelona', *Revista juridica de Cataluña*, XV (1909), 193-212; XVI (1910), 241-4, 289-302, 504-8.

CARRERAS I CANDI, Francisco, 'La institucion del "castla" en Cataluna', *Boletin de la Real Academia de Buenas Letras de Barcelona*, 1 (1901), 4-24

CARRERAS I CANDI, Francisco, 'Lo Monjuich de Barcelona', *Boletin de la Real Academia de Buenas Letras de Barcelona*, VIII (1903).

CASTILLO, Alberto del, 'El maso medieval A de Vilosi', *Homenaje a Jaime Vicens Vives* (2 vols., Barcelona, 1965-7), i. 219-28

CASTILLO, M.J., *La baronia dels Desboc segons els capbreus de 1354-1614. Aproximacio a l'historia socio-economica d'Argentona i Vilassar* (Barcelona, 1987).

CLARA I RESPLANDIS, Josep, *Introduccio a la Historia de Girona* (Salt, 1983).

CODINA, Jaume, *El delta del Llobregat y Barcelona. Generes de vida del segle XVI al XX* (Barcelona, 1971).

COLL JULIA, Nuria, 'Aportación al estudio de los patrones y de la propiedad de las naves en Cataluña en la Baja Edad Media', *Homenaje a J. Vicens Vives* (2 vols., Barcelona, 1965-7), i. 377-93.

COMAS I PIE, Josep, *Demografia i societat rural a Vilarodona durant l'antic regim (segles XVI-XVIII)* (Barcelona, 1986).

CONGRESS 'Prestations paysannes. Dîmes, rente foncière et mouvement de la production agricole à l'époque préindustrielle' *Actes du colloque préparatoire (30 juin-2 juillet 1977) au VII Congrès International d'Histoire économique, Edinburgh, 13-19 August 1978* (Monton, Paris, 1982).

COROLEU I ANGLADA, Josep, 'El feudalismo y la servidumbre de la gleba en Cataluña', *Asociacion Literaria de Gerona* (Gerona, 1877), pp. 301-385.

COTS I GORCHS, Jaume, *Consuetudines Diocesis Gerundensis* (Barcelona, 1929).

CUVILLIER, Jean Pierre, 'La population catalane au XIV^e siècle. Comportements sociaux et niveaux de vie d'après les actes privés'. *Mélanges de la Casa de Velázquez*, 5 (1969), 159-87.

CUVILLIER, Jean Pierre, 'Les communautés rurales de la plaine de Vich (Catalogne) aux XIII^e et XIV^e siècles'. *Mélanges de la Casa de Velázquez*, 4 (1968), 73-106.

DIAGO, Francisco, *Historia de los victoriosíssimos antiguos Condes de Barcelona* (Barcelona, 1603).

DOBB, Maurice, *Estudios sobre el desarrollo del capitalismo* (Buenos Aires, 1971).

DOBB, Maurice, *et al.*, *La transición del feudalismo al capitalismo* (Barcelona, 1977).

DOMINGUEZ DEL VAL, Ursicino, 'La regla de San Agustín y los últimos estudios sobre la misma', *Rev. Espanola de Teología*, 17 (1957), 481-529.

DORCA, Francesc, *Historia de los Santos Martires de Gerona*. (Gerona, s.d.).

DU CANGE, Charles, *Glossarium mediae et infimae latinitatis* (Paris, 1845).

DUBY, Georges, *Economía rural y vida campesina en el Occidente medieval* (Barcelona, 1973).

DUBY, Georges, *La société aux XI^e et XII^e siècles dans la région maçonnaise* (Ecole des Hautes Etudes en Sciences Sociales, Paris, 1971).

DUBY, Georges, *Guerreros y campesinos. Desarrollo inicial de la economía europea (500-1200)* (Madrid, 1978).

DUPONT, André, 'Considérations sur la colonisation et la vie rurale dans le Roussillon et la Marche d'Espagne au IX^e siècle'. *Annales du Midi* 67 (1955), 223-245.

DUPONT, André, 'L'aprision et le régime aprisionnaire dans le Midi de la France (fin du VIII^e siècle-debut du X^e siècle), *Le Moyen Age* 71 (1965), 179-213 and 375-99.

DURAN I GUDIOL, Antoni, 'El derecho capitular de la catedral de Huesca desde el siglo XII al XVI', *Revista española de derecho canonico* VII (1952), 447-515.

DURAN, Montserrat, 'Producció i renda agraria a la Catalunya del segle XVI' in *Terra, treball i propietat (classes agràries i regim senyorial als Països Catalans)* (Barcelona, 1986), ed. R. Garrabou pp. 185-207.

DUPONT, André, *Renda i producció agrària (segles XVI-XVIII) a Catalunya: l'Alt Urgell, el Tarragonès, la Conca de Barberà, el Baix Empordà* (Barcelona, 1984).

DUPONT, André, 'El regim senyorial català a l'època moderna: continuïtat i decadència', *Manuscrits* 1 (Barcelona, 1985).

DUPONT, André, 'L'evolució de l'ingrés senyorial a Catalunya (1500-1799)'. *Recerques* 17 (1985), 7-42.

ELLIOTT, J.H., 'A provincial aristocracy: the Catalan ruling class in the sixteenth and seventeenth centuries'. *Homenaje a Jaime Vicens Vives* (2 vols., Barcelona, 1965-7), ii.125-41.

FELIU I MONTFORT, Gaspar, 'El negocio de los arrendamientos de rentas señoriales. Examen de un libro de cuentas'. *Revista de Historia Económica* 1 (1985), 31-54.

FELIU I MONTFORT, 'Els inicis del domini territorial de la seu de Barcelona', *Cuadernos de Historia Económica de Cataluña* XIV (1976), 45-61.

FELIU I MONTFORT, *La formación del dominio territorial de la sede de Barcelona (800-1010)* (Univ. de Barcelona, 1975).

FELIU I MONTFORT, 'L'estudi serial dels capbreus com a font per a la història agrària. l'exemple del Palau d'Anglesola', 1er. *Col.loqui d'Història Agrària* (València, 1983), pp. 213-228.

FELIU I MONTFORT, 'Sant Joan de les Abadesses', *Miscellánea Fort y Cogull* (1984), pp. 129-135.

FELIU I MONTFORT, 'El condado de Barcelona en los siglos IX y X: organización territorial y económico-social', *Cuadernos de Historia Económica de Cataluña* VII (1972), 9-32.

FELIU, Santiago Sobreques y Gaspar, *Col.loqui sobre la formació*

FERRER ALOS, Llorenç, *Aproximació a l'estructura agrària de la comarca del Bages en el segle XVIII i primera meitat del XIX* (Barcelona, 1984).

FERRER ALOS, Llorenç, 'Notes sobre la formació dels grups socials a la Catalunya Central', *Terra, treball i propietat* (Barcelona, 1986), pp. 321-43.

FERRER ALOS, Llorenç, 'Censals, vendes a carta de gracia i endeutament pages al Bages', *Estudis d'Historia Agraria* 4 (Barcelona, 1983), 101-26.

FERRER ALOS, Llorenç, *Pagesos, rabassaires i industrials a la Catalunya Central (segles XVIII-XIX)* (Barcelona, 1987).

FITA I COLOME, Fidel, 'El concili nacional de Palencia en el año 1100 y el de Gerona en 1101', *Boletín de la Real Academia de la Historia*, XXIV (1894), 215-225. Q582 b.2

FONT I RIUS, José - Maria, 'Franquicias urbanas medievales en la Cataluña Vieja', *Boletín de la Real Academia de Buenas Letras de Barcelona* 39 (1961-2), 17-46.

FONT I RIUS, José - Maria, 'Orígenes del régimen municipal en Cataluña', *Anuario de Historia del Derecho Español* 16 (1945), 389-529 and 17 (1946), 229-585.

FONT I RIUS, José - Maria, 'Les modes de détention de châteaux dans la 'Vieille Catalogne' et ses marches extérieures du début du IXe au début du XIe siècle', *Annales du Midi* 80 (1968), 405-19

FONT I RIUS, José - Maria, *Cartas de población y franquicia de Cataluña*, (2 vols., Madrid, 1969).

FONT I RIUS, José - Maria, 'Notes sobre la evolución jurídico-pública de una comunidad local en el Pirineo Catalán: Ager', *Actas del Primer Congreso Internacional de Estudios Pirenaicos* (Zaragoza, 1952), vi. 67-85.

FONTSERE Eduard, and IGLESIAS, Josep, *Recopilació de dades sismiques de les terres catalanes entre 1110 i 1906* (Barcelona, 1971).

FOSSIER, Robert, *La terre et les hommes en Picardie jusqu'à la fin du XIIIe siècle* (2 vols., Paris-Louvain, 1968).

FOURNIER, Gabriel, *Le peuplement rural en Basse-Auvergne pendant le Haut Moyen-Age* (Paris, 1962).

FREEDMAN, Paul, 'La condition des paysans dans un village catalan du XIIIe siècle', *Annales du Midi*, 94 (1982), 231-44.

FREEDMAN, Paul, 'The enserfment process in Medieval Catalonia: Evidence from Ecclesiastical Sources', *Viator*, 13 (1982), 225-44.

FREEDMAN, Paul, 'The Catalan "ius maletractandi", *Recueil de mémoires et travaux publiés par la Société d'Histoire du Droit*, 13 (1985), 39-53.

FREEDMAN, Paul, *Tradició i regeneració a la Catalunya medieval: La diocesi de Vic* (Barcelona, 1985).

FUMAGALLI, Vito, 'Note per una storia agraria altomedievale', *Studi Medievali*, 3rd ser., 9 (1968), 359-378.

FURIO, Antonio, *Camperols del País Valencia* (Valencia, 1982).

GARCIA CARCEL, Ricardo, and MARTINEZ, Vicenta, *Poblacion, jurisdiccion y propiedad del obispado de Gerona. Siglos XIV-XVII* (Gerona, 1976).

GARCIA DE VALDEAVELLANO, L., 'El mercado. Apunte para su estudio en León y Castilla durante la Edad Media'. *Anuario de Historia del Derecho Espanol*, VIII (1931). P250 c 169

GARCIA GALLO DE DIEGO, A., 'El concili de Coynza', *Anuario de Historia del Derecho Espanol*, 20 (1950) 275-633. P 250 c 169

GARCIA SANZ, Angel, 'La comenda de castillos en el siglo XI', *Ausa*, III (1958-60), 321-28.

GARCIA SANZ, Angel, et alia, *Propiedades del Cabildo Segoviano: sistemas de cultivo y modos de explotacion de la tierra a fines del siglo XIII*. (Salamanca, 1981).

GARCIA VILLOSLADA, Ricardo, *Historia de la iglesia en Espana* (Madrid, 1979-1982).

GARI, Blanca, 'Las querimoniae feudales en la documentacion catalana del siglo XII (1131-1178)'. *Medievalia* 5 (1985), 7-49.

GARRABOU, R. and SERRA, E., 'Els estudis d'història agrària' in *I Col.loqui d'Història Agrària* (Barcelona, 1978), pp. 41-78..

GAUTIER-DALCHE, J., 'Le domaine du monastère de Santo Toribio de Liébana: formation, structure et modes d'exploitation', *Anuario de Estudios Medievales*, 2 (1965), 63-117.

GIBERT, R., 'Los contratos agrarios en el Derecho medieval', *Boletin de la Universidad de Granada*, (1950), 305-330.

GIGOT, Jean-Gabriel, 'Le capbreu de Colliure (1292)', *Centre d'Etudes et de Recherches Catalanes*, 5 (1959), 206-233.

GOLOBARDES I VILA, Miquel, *Els remences dins el quadre de la pagesia catalana fins el selge XV* (2 vols., Peralada, 1970-1973).

GONZALEZ JIMENEZ, M., 'Propiedades y rentas territoriales del cabildo de la Catedral de Sevilla a fines de la Edad Media', *Cuadernos de Historia*, 7, (1977), 167-212.

GONZALEZ RUIZ, M., 'Las Capellanis espanolas en su perspectiva historica', *Revista Espanola de Derecho Canonico* (1950), 475-501. P 250 c 341

GRAHIT, E., 'El conflicto rabassaire y la cuestión social agraria en Cataluña hasta 1936', *Revista de Trabajo*, 7 (1965).

GRAHIT, E., 'La viticultura y el comercio catalan del siglo XVIII', *Estudios de Historia Moderna*, 2 (1952), 15-76.

GRAHIT I PAPELL, Emilio, 'Memorias y noticias para la historia de Sant Feliu de Guixols', *Asociacion Literaria de Gerona* (1873), pp. 95-302.

GRAHIT I PAPELL, Emilio, 'Llibre Vert del Cabildo de la Catedral de Gerona', *Revista historica*, num. 36 (1877).

GRAND, R., *Le contrat de compliant depuis les origines jusqu'à nos jours* (Paris, 1917).

GUICHARD, Pierre et BONNASSIE, Pierre, 'Les communautés rurales en Catalogne et dans le Pays Valencien (IXe-milieu XIVe siècle)', *Flaran*, 4 (1982), 79-115.

GUIFRE, P., *Propietat i explotació agrària. El patrimoni Puig a l'Empordà dels segles XVII i XVIII: un cas de diferenciació en el si de la comunitat pagesa* (Bellaterra, 1987).

GUILLERE, Christian, 'Criteres medievaux de l'étude comarcal: le cas de la selva a travers les enquêtes épiscopales', *XXVIII Assamblea Intercomarcal d'Estudiosos* (Sta. Coloma de Farners, 1983).

GUTIERREZ IGLESIAS, Rosa, *La mensa capitular de la Iglesia de San Salvador de Zaragoza en el pontificado de Hugo Mataplana* (Zaragoza, 1980).

HAMILTON, Earl J., *Money, Wages, and Prices in Valencia, Aragon and Navarra, 1351-1500* (Cambridge, Massachusetts, 1936).

HILTON, Rodney, 'La pagesia i l'ordre feudal', 1er. Col.loqui d'Historia Agraria (Valencia, 1983), pp. 9-22.

HILTON, Rodney, 'The Peasantry as a Class' in *The English Peasantry in the Middle Ages* (Oxford, 1975), pp. 3-19.

HINOJOSA, Eduardo de, *El régimen señorial y la cuestión agraria en Cataluña durante la Edad Media* (Madrid, 1905).

HINOJOSA, Eduardo de, 'Orígenes y vicisitudes de la pagesia de remensa en Cataluña', *Discursos leidos en la Real Academia de Buenas Letras de Barcelona* (Barcelona, 1902), pp. 7-23.

HINOJOSA, Eduardo de, *La pagesia de remensa en Cataluña* (Barcelona, 1902).

IGLESIAS I FORT, Josep, 'El poblament de Catalunya durant els segles XIV i XV' in *VI Congreso de Historia de la Corona de Aragón* (Madrid, 1959), 247-70.

IGLESIAS I FORT, Josep, 'El "fogatge" de 1365-1370: contribución al conocimiento de la población catalana en la segunda mitad del siglo XIV', *Memoria de la Real Academia de Ciencias y Artes Barcelona*, 34 (1962), 254-356.

IGLESIAS I FORT, Josep, *El fogatje de 1553* (Barcelona, 1979).

IGLESIAS I FORT, Josep, *Distribució comarcal de la població catalana a la primera meitat del segle XVI* (Barcelona, 1957).

IRADIEL MURUGARREN, Paulino, *Progreso agrario, desequilibrio social y agricultura de transicion. La propiedad del colegio de Espana en Bolonia (siglos XIV-XVI)* (Bolonia, 1978).

JUNYENT SUBIRA, E., 'La antigua industria del hierro. Notes referentes a la comarca de Vic', *Ausa* I (1952-54).

KEHR, Paul, 'El papat i el principat de Catalunya fins a la unio amb Arago', *Estudis Universitaris Catalans*, 12 (1927), 321-347; 13 (1928), 1-12 and 289-323; 14 (1929), 14-32 and 213-226, and 15 (1930), 1-20.

LALINDE ABADIA, Jesus, *La jurisdiccion real inferior en Cataluna (Corts, veguers, batles)* (Barcelona, 1966).

LAZARO DE DOU, Ramon, *Conciliacion economica y legal de pareceres opuestos en cuanto a laudemios y derechos enfiteuticos* (Cervera, 1829).

LE ROY LADURIE, E., *Les paysans de Languedoc* (Paris, 1966).

LEE SHNEIDMAN, J., *L'imperi catalano-aragones (1200-1350)* (Barcelona, 1975).

LEWIS, A.R., *The development of Southern France and Catalan society (718-1050)* (Austin, 1947).

LEWIS, A.R. 'Cataluna como frontera militar (870-1050)'. *Anales de Estudios Medievales*, V (1968), 15-29.

LEWIS, A.R., 'La féodalité dans le Toulousain et la France méridionale (850-1050)', *Annales du Midi*, 76 (1964), 247-59.

LINEHAN, Peter, *La iglesia espanola y el papado en el siglo XIII* (Salamanca, 1975).

LLENZA DE GALCEN, S., *Breve historia de las medidas agrarias de la antiguedad y estudio particular de aquellas cuyo uso es tradicional en Cataluna* (Barcelona, 1952).

LOPEZ DE MENESSES, Amada, 'Documentos acerca de la Peste Negra en los dominios de la Corona de Aragon', *Estudios de la Edad de la Corona de Aragon* VI (1953-55), 291-435

LOPEZ DE MENESSES, Amada, 'Datos acerca de la Peste Negra en Vic', *Ausa*, no.68 (1971), 280-5.

LOPEZ MARTIN, Maria del Pilar, *La pabotria de la Iglesia de San Salvador de Zaragoza, en el ultimo tercio del siglo XIII* (Zaragoza, 1980).

LOPEZ, Roberto, 'Aux origines du capitalisme gênois', *Annales d'Historie Economique et Sociale*, 9 (1937), 429-54.

MADURELL I MARIMON, J.M., 'Derechos enfiteuticos en la diocesis gerundense', *Anales de l'Institut d'Estudis Gerundenses*, 16 (1963), 249-97.

MAGNOU-NORTIER, Elisabeth, *La société laïque et l'église dans la province ecclésiastique de Narbonne (zone cispyrénenne) de la fin du VIIe à la fin du XIe siècle* (Toulouse-Le Mirail, 1974).

MAGNOU-NORTIER, Elisabeth, 'Fidelité et feudalité meridionales d'après les serments de fidélité (Xe-debut XIIe siècle)', *Annales du Midi*, 80 (1968), 457-84.

MAJANE, A., *La redempcio dels censos emfiteutics en Catalunya* (Barcelona, 1936).

MARQUES CASANOVAS, J.M., *Canet d'Adri* (Canet, 1988)

MARQUES I PLANAGUMA, Josep Maria, *El cartulari de 'Rubricis Coloratis' de Pere de Rocaberti, bisbe de Girona (1318-1324)* (Barcelona, 1981).

MARTI, Ramon, 'La integració a l'alou feudal de la seu de Girona de les terres beneficiades pel 'regim dels hispani'. *La formació i expansió del feudalisme català* (Girona, 1987).

MARTIN MARTIN, José-Luis, 'Cabildos catedralicios del occidente español hasta mediados del siglo XIII', *Homenaje a Fray Perez de Urbel*, (Silos, 1977), II. 125-136.

MARTIN MARTIN, José-Luis, *Propiedades del cabildo segoviano, sistemas de cultivo y modos de explotación de la tierra a fines del siglo XIII* (Salamanca, 1981)

MASIA DE ROS, Angeles, 'Derechos señoriales y dominicales a la comarca de Gerona', *Anuario de Historia del Derecho Espanol*, 19 (Madrid, 1948-49), 547-556.

MASIA DE ROS, Angeles, *Gerona en la guerra civil en tiempos de Juan II* (Barcelona, 1943).

MASPONS I ANGLASELL, Francisco de Paula, *La rabassa morta*. (Barcelona, 1918).

MINGUEZ, José Maria, 'Ruptura social e implantación del feudalismo en el noroeste peninsular (siglos VIII-X)', *Studia Historica*, III,2 (1985), 7-32.

MIQUEL ROSELL, Francisco., ed. *Liber Feudorum Maior. Cartulario real que se conserva en el Archivo de la Corona de Aragón* (2 vols., Barcelona, 1945-7).

MIRAMBELL I ABANCO, Antoni, *L'emfiteusi en el dret civil de Catalunya* (Doctoral thesis, University of Barcelona, 1981).

MIRET I SANS, J., 'Documents en langue catalane', *Revue Hispanique*, XIX (1908).

MITJA SAGUE, Marina, 'Condado y ciudad de Barcelona. Capítulos de su historia en los siglos IX y X', *Estudios y documentos de los Archivos de Protocolos*, III (Barcelona, 1955).

MONSALVATJE FOSSAS, Francisco, *Los monasterios de la Diócesis Gerundense* (Olot, 1904).

MONSALVATJE FOSSAS, Francisco, *Coleccion diplomática del condado de Besalú* (Olot, 1899-1919).

NABHOLZ, Hans, 'Medieval Agrarian Society in Transition', *The Cambridge Economic History*, 1. (Cambridge, 1942).

NADAL FARRERAS, Josefa 'La poblacio', *Historia de Catalunya* (Barcelona, 1981).

NEGRE Y PASTELL, Pelayo, 'La diocesis de Gerona: su importancia historica', *Anales del Instituto de Estudios Gerundenses*, 12 (1958), 359-367.

NEGRE Y PASTELL, Pelayo, 'El antiguo castell de 'benidormiens', despues llamado 'castell d'aro'. *Revista de Gerona*, 40 (1967), 69-72.

OLIVA PRAT, Miguel, 'El castillo de 'Benidormiens' (Castell d'Aro) y su zona de influencia', *Revista de Gerona*, 58 (1972), 20-42.

ORLANDIS ROVIRA, J., 'Reforma eclesiastica en los siglos XI y XII' in *La Iglesia en la Espana visigotica y medieval*. (Pamplona 1976), pp. 309-343.

ORTEGA, Pasqual, *La orden de San Juan y Miravent.. Primera mitad del siglo XVI* (Tarragona, 1985).

PELLA I FORGAS, José., *Orígenes históricos de Cataluña* (Instituto Internacional de Cultura Románica, Abadía de Sant Cugat del Vallés, 1964)

PELLA I FORGAS, José., *Historia del Ampurdan. Estudio de la civilizacion en las comarcas del Noroeste de Cataluna* (Barcelona, 1883).

PESET, M., *Dos ensayos sobre la tierra* (Madrid, 1982).

PISKORSKI, Wladimir, 'La servidumbre rural en Cataluna', *Revista critica de historia y literatura espanola*, 7 (1902).

PISKORSKI, Wladimir, *El problema de la significación y del origen de los seis "malos usos" en Cataluña* (Barcelona, 1929).

PLADEVALL FONT, A, 'La disminucio de poblament de la plana de Vic a mitjans del segle XIV', *Ausa*, 4 (1961-3), 316-73.

PLANES I ALBETS, Ramon, 'Sistemes d'explotacio agricola indirecta al segle XVIII. Alguns resultats d'un sondeig als protocols de Solsona'. *Primer Congres d'Història Moderna de Catalunya* (Barcelona, 1984), pp. 371-89.

PLANES I ALBETS, Ramon, 'La comunitat pagesa: aglevament i diferenciacio social', *L'Avenc*, 115 (1988), 24-30.

PONS I GURI, Josep. M., 'Nomenclatores de la diocesis Gerundense en el siglo XIV', *Anales del Instituto de Estudios Gerundenses*, 17 (1964-65), 5-78

PONS I GURI, Josep. M., 'Entre l'emfiteusi i el feudalisme (els reculls de dret gironins), *La formacio i expansio del feudalisme catala* (Girona, 1985), pp. 411-18.

PORTELLA COMAS, Jaume, 'Notes de lecture sobre la questio del feudalisme a Mallorca', *Estudis de Prehistoria, d'història de Mayurqa i d'Historia de Mallorca* (Mallorca, 1982), pp. 223-37.

POSTAN, M.M., 'Economic relations between Eastern and Western Europe', in *Eastern and Western Europe in the Middle Ages*, ed. G. Barrow (London, 1970), pp. 125-74.

PRAT DE LA RIBA, Enric, *La nacionalitat catalana* (Barcelona, 1910).

REGLA I CAMPISTOL, Joan, *El bandolerisme catala del barroc* (2nd edn., Barcelona, 1966).

RICHOU LLIMONA, Montserrat, *Aproximacio a la historia de la vila d'Argentona a la baixa edat mitjana (segles XIII-XV)* (Barcelona, 1986).

RIU, Manuel, 'Els capbreus, font important per a la historia socio-economica dels senyorius laics i eclesiastics: dos examples catalans del segle XVII, referents al monestir cistercenc de Santa Maria de Montbenet (Berga)', *Estudios historicos y documentos de los archivos de protocolos. V. Miscelanea en honor de Josep Madurell i Mrimon* (Barcelona, 1977), pp. 103-128.

RIU, Manuel, 'La feudalització del camp català', *Cuadernos de*

RIU, Manuel, *Historia Econòmica de Cataluña*, 19 (1978), 29-46.

RIU, Manuel, 'El paper dels 'castra' en la redistribucio de l'hàbitat al Comtat d'Osona', *Ausa* 10 (1982), 401-409.

RIU, Manuel, 'El maso de "la Creu de Pedra", en Castelltort (Lérida)', *Noticiario Arqueológico Hispanico - Arqueología* 1 (Madrid, 1972), 183-96.

RIU, Manuel, 'Estaciones medievales en el término municipal de Saldes' (Barcelona), *Noticiario Arqueológico Hispánico*, 3 (Madrid, 1975), 269-90.

RIUS SERRA, José, ed., *Liber Feudorum* (Barcelona, 1946)

RIUS SERRA, José, ed., *El Cartulario de "Sant Cugat"* del Vallés (3 vols., Barcelona, 1945-47).

RODON BINUE, Eulalia, *El lenguaje técnico del feudalismo en el siglo XI en Cataluña (contribución al estudio del latín medieval)* (Barcelona, 1957).

RODRIGUEZ CARRENO, Angel, *El territori de Pollensa sota el Temple, 1298-1304* (Barcelona, 1982).

RODRIGUEZ CARRENO, Angel, 'Les relacions feudals en el territori de Pollensa (Mallorca) sota el Temple (1298-1304)', *L'Avenc*, 62 (Barcelona, 1983), 17-22.

ROSDOLSKY, R., 'The distribution of the agrarian production in feudalism', *Journal of Economic History*, 11 (1951), 247-65.

ROVIRA I ERMENGOL, Ed. *Commemoracions de Pere Albert* (Barcelona, 1933).

ROVIRA I ERMENGOL, Ed. Consuetudines Diocesis Gerundensis. *Anuario Historia Derecho Espanol* (1928).

ROVIRA I VIRGILI, Antoni, *Historia nacional de Catalunya* (7 vols., Barcelona, 1922-34).

RUBIO, J.A., 'Donations post obitum y donations reservato usufructo en la Alta Edad Media de Leon y Castilla', *Anuario de Historia del Derecho Espanol*, 9 (1932), 1-32.

SALES, Nuria, 'Feudalisme a França i Espanya en els segles XVI a XVIII: alguns aspectes', *Manuscrits*, 1 (Barcelona, 1985).

SALES, Nuria, 'Fins a quan pogueren els senyors alt-justiciers condemnar a mort?', *L'Avenç*, 79 (1985), 20-7.

SALES, Nuria, *Senyors, bandolers, miquelets y botiflers. Estudis sobre la Catalunya del segles XVI al XVII* (Barcelona, 1984).

SALES, Nuria, 'Censos, censals i masies del monestir de la Portella: de la ruina del segle XV a la recuperació del XVI-XVIII' in *II Colloqui d'Historia Agraria* (Barcelona, 1986).

SALRACH I MARES, Josep M., *Historia del Paisos Catalans* (2 vols., Barcelona, 1981).

SALRACH I MARES, Josep M., *El procés de formació nacional de Catalunya (segles VIII-IX)* (2 vols., Barcelona, 1978).

SALRACH I MARES, Josep M., 'La societat i el govern de Catalunya a l'Alta Edat Mitjana. Segles IX-XII' *Formes i institutions del Govern de Catalunya* (Barcelona, 1977), pp. 22-37.

SALRACH I MARES, Josep M., 'El proces de feudalitzacio, segles III-XII': *Historia de Catalunya* (Barcelona, 1987), vol.ii.

SALRACH I MARES, Josep M., 'La repoblació i la restauració eclesiàstica en el 'pagus' de Berga', *Cuadernos de Historia Económica de Cataluña*, XVIII (1977), 7-23.

SANCHEZ ALBORNOZ, Claudio, *España. Un enigma histórico* (2 vols., 2nd edn., Buenos Aires, 1962).

SANCHEZ ALBORNOZ, Claudio, *En torno a los origines del feudalismo* (Mendoza, 1942).

SANCHEZ ALBORNOZ, Claudio, 'Las behetrias. La encomienda en Asturias, Leon y Castilla', *Anuario de Historia del Derecho Espanol*, (1924), 158-336.

SEGURA MAS, A., 'La pagesia de Sants, del Pla i de la ciutat de Barcelona el 1723', *I col.loqui d'Historia Agrària* (Barcelona, 1978), pp. 229-46.

SEJOUS, Andre, *Els métodes comercials a la Barcelona medieval* (Barcelona, 1975).

SERENI, Emilio, *Historie du paysage rural italien* (Paris, 1964).

SERRA, A., *La comunitat rural de la Catalunya Central en la baixa edat mitjana: Collsacabra* (Barcelona, 1987).

SERRA I PUIG, Eva, 'Evolucio d'un patrimoni nobiliari catala durant els segles XVII i XVIII. El patrimoni nobiliari dels Sentmenat', *Recerques*, 5 (1975), 33-71.

SERRA I PUIG, Eva, *La societat rural catalana del segle XVII: Sentmenat un exemple local del Valles Occidental (1590-1729)* (Barcelona, 1978).

SERRA I PUIG, Eva, 'El regim senyorial: recomposicio del sistema feudal', *L'Avenc* 26 (1980), 34-41.

SERRA I PUIG, Eva, 'El regim feudal catala abans i després de la sentència arbitral de Guadalupe' *Recerques*, 10 (1980), 17-32.

SERRA I PUIG, Eva, 'Per una cronologia i interpretacio de la crisi del segle XVII' in *Terra, treball i propietat* (Barcelona, 1986), pp. 214-46.

SERRA I RAFOLS, Elias, *Fernando el Catolico y los payeses de remensa* (Lerida, 1905).

SHIDELER JOHN C., *Els Montcada: una família de nobles catalans a l'Edat Mitjana (1100-1320)* (Barcelona, 1987).

SOBREQUES I CALLICO, Jaume, 'La crisi social agraria de la Baixa Edat Mitjana: els remences', *Cuadernos de Historia Economica de Cataluna* XIX (1978), 47-56.

SOBREQUES I VIDAL, Santiago, *Els barons de Catalunya* (Barcelona, 1957).

SOBREQUES I VIDAL, Santiago, *Els grans comtes de Barcelona* (Barcelona, 1961).

SOBREQUES I VIDAL, Santiago, *Societat i estructura política de la Girona medieval* (Barcelona, 1975).

SOBREQUES I VIDAL, S., and SOBREQUES I CALLICO, Jaume, *La guerra civil catalana del segle XV* (2 vols., Barcelona, 1973).

SOJO, Anguera de, Oriol, 'Dret especial de la comarca de Vic', *Academia de Jurisprudencia de Catalunya Conferencies sobre varietats comarcals del dret catala* (Barcelona, 1934), 273-340.

SOLDEVILA ZUBIBURU, Ferran, *Historia de Catalunya* (2nd edn., 3 vols., Barcelona, 1962-3).

SOLSONA, J., *Stilus capibreviandi* (Barcelona, 1565)

SUDRIA, Carles, 'L'ingres agricola a la plana de Vic el segle XVIII. Les rendes d'origen agrari'. *Recerques*, 9 (1979), 77-101.

TELLO, E., *Pagesos, menestrals i rendistes. Cervera i la Segarra en l'arrencada industrial catalana (1702-1861)* (Barcelona, 1987).

THORNER, Daniel, 'L'économie paysanne. Concept pour l'histoire économique', *Annales: Economies, Sociétés, Civilisations* (1964), 417-32.

TORRAS I RIBE, Josep M., 'Aproximacio a l'estudi del domini baronial del monestir de Ripoll (1266-1719)', *Actes del Primer Congres d'Historia Moderna de Catalunya* (Barcelona, 1984).

TORRAS I RIBE, Josep M., 'Evolución de las cláusulas de los contratos de 'rabassa morta' en una propiedad de la comarca de Anoia' *Hispania*, 36 (1976), 663-90.

TORRAS, Xavier, *Les bandositats a la Catalunya de l'antic regim 1590-1640* (Barcelona, 1983).

TORRES LOPEZ, Manuel, 'La doctrina de las iglesias propias en los autores españoles', *Anuario de Historia del Derecho Espanol*, 2 (1925), 402-461.

TORRES LOPEZ, Manuel, 'El origen del sistema de las iglesias propias', *Anuario de Historia del Derecho Espanol*, 5 (1928), 83-217.

TOUBERT, Pierre, *Les structures du Latium médiéval. Le Latium méridional et la Sabine du IXe siècle à la fin du XIIe siècle* (2 vols., Rome, 1973).

UDINA MARTORELL, Federico, ed. *El aArchivo Condal de Barcelona en los siglos IX y X: Estudio critico de sus fondos* (Barcelona, 1951).

VALL I RIMBLAS, Ramon, 'El repoblament del Vallès durant la Reconquesta', *Arrahona*, 1 (1976).

VALLS I TABERNER, Fernando, 'Els usatges i consuetuds de Girona', *Revista de Catalunya*, 35 (1927), 492-503.

VALLS I TABERNER, Fernando, 'Els antics privilegis de Girona i altres fonts documentals de la compilació consuetudinaria gironina de Tomas Mieres', *Estudis Universitaris Catalans*, 13 (1928), 171-217.

VICEDO RIUS, Enric, 'Propietat, acces a la terra i distribució dels ingressos a la Lleida del segle XVIII', *Recerques*, 12 (1982), 57-90.

VICEDO RIUS, Enric, *Produccio, propietat i renda a les terres de Lleida (segle XVIII)* (Barcelona, 1987).

VICENS VIVES, Jaime., *Historia de los remensas (en el siglo XV)* (Barcelona, 1978).

VICENS VIVES, Jaime., *El gran sindicato remensa, 1488-1508* (Madrid, 1954)

VICENS VIVES, Jaime., *Els Trastamares; el segle XV* (Barcelona, 1956).

VICENS VIVES, Jaime., *Ferran II i la ciutat de Barcelona, 1479-1516* (3 vols. in 2, Barcelona, 1936-7)

VICENS VIVES, Jaime., *Obra Dispersa*, I (Barcelona, 1967).

VILA VALENTI, Juan, 'Notes sobre el poblament català medieval. El mercat'. *Miscellània Puig i Cadafalch*. (Barcelona, 1963) I. 225-41.

VILAR, Pierre, *Catalunya dins l'Espanya Moderna. Recerques sobre els fonaments economics de les estructures nacionals* (4 vols., Barcelona, 1964-8).

VILAR, Pierre, 'Histoire du droit, histoire totale', *Revista de Historia del Derecho*, I (Granada, 1976), 15-49.

VILLACORTA RODRIGUEZ, Tomas, *El cabildo catedral de Leon. Estudio historico-jurídico (s.XII-XIX)* (Léon, 1974).

VIOLANTE, Cinzio, *La società milanese nell'eta precommunale* (Bari, 1953).

ZIMMERMAN, Michel, 'La datation des documents catalans du IX^e au XII^e siècle: un itinéraire politique', *Annales du Midi*, 93 (1981), 345-75.

ZIMMERMAN, Michel, 'Aux origines de la Catalogne. Géographie politique et affirmation nationale', *Le Moyen Age*, 89 (1983), 5-40.