Students and Society in Early Modern Spain

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On the eve of the Habsburg accession to the Spanish monarchy the structure of the letrado hierarchy was nearly complete and the path to future administrative development in the Indies had been laid. Loyal to the collegiate principle of government set by the Catholic kings, Charles V and his successors kept their basic administrative inheritance intact, expanding old councils and tribunals when necessary, adding new ones in response to changing administrative and territorial demands. The elaboration and refinement of the letrado hierarchy was matched by an expansion in the total number of letrados in the crown’s employ (Table 3). These increases abated only at the end of the sixteenth century, when advances in the Castilian economy and population had also come to a halt.

Similarly, the expansion of letrado places in the New World, the inquisition, and the church was largely a phenomenon of the sixteenth century. The legal tribunals of the Indies, implemented in the course of the sixteenth century, rarely expanded above their original complement of men, and the history of the local tribunals of the inquisition was much the same.

There is also evidence to suggest that Castile’s cathedral clergy, sharing in the general prosperity of the era, expanded in the course of the sixteenth century, while in the following century, an epoch marked by economic difficulties and decline, it suffered from stagnation or, at best, marginal growth.

1Ibid.
2Ibid.
3Among the nine American audiencias which had been created in the sixteenth century, only those at Lima and Mexico City, both of which had increased from their original complement of four places to eight, had grown significantly since the time of their foundation. See BNM: ms. 1447, “Memorial y Resumen Breve De Noticias De Las Indias . . .”, (Madrid, 1654) and E. Schäfer, El Real y Supremo Consejo de las Indias (Seville, 1947), vol. II.
4Most of these tribunals were established in the late fifteenth and early sixteenth centuries and were originally staffed by three senior letrado officials—two oidores and a fiscal—along with a letrado assessor. Added to these officials were theological and other legal advisors, a physician, a juez de bienes to determine the value of confiscated goods, and an abogado de fisco to settle financial problems. By the middle of the seventeenth century these tribunals had each added no more than one or two letrado places, although the subaltern, largely capa y espada staff had expanded significantly. See Henry Kamen, The Spanish Inquisition (London, 1965), pp. 143-44, and AHN: Inq., lib. 323, “Relacion de la Personal . . . 1666-67.”
5At least this is what happened to the cathedral chapters of Ávila, Granada, and Salamanca. The number of canonries in each expanded during the early sixteenth century and then leveled off (see Archivo de la Cathedral de Granada: Libros Capitulares; Archivo de la Cathedral de Salamanca: Calandario; and J. P. López-Arévalo, Un Cabildo Catedral de la Vieja Castilla: Ávila, Su Estructura Jurídica, siglos XIII-XIX [Madrid, 1966], p. 78).
Table 3. Plazas de Asiento in Castile, 1500–1700

<table>
<thead>
<tr>
<th>Council or Tribunal</th>
<th>1500</th>
<th>1566</th>
<th>1601</th>
<th>1691</th>
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<tbody>
<tr>
<td>Royal Council of Castile</td>
<td>13</td>
<td>16</td>
<td>18</td>
<td>21</td>
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<tr>
<td>Indies</td>
<td>—</td>
<td>9</td>
<td>13</td>
<td>14</td>
</tr>
<tr>
<td>Military Orders</td>
<td>4</td>
<td>5</td>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>Supreme Inquisition</td>
<td>3</td>
<td>5</td>
<td>7</td>
<td>9</td>
</tr>
<tr>
<td>Finance</td>
<td>—</td>
<td>6</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Alcaldes of the Court</td>
<td>4</td>
<td>4</td>
<td>9</td>
<td>8</td>
</tr>
<tr>
<td>Valladolid</td>
<td>12</td>
<td>26</td>
<td>26</td>
<td>28</td>
</tr>
<tr>
<td>Granada</td>
<td>8</td>
<td>25</td>
<td>25</td>
<td>27</td>
</tr>
<tr>
<td>Seville</td>
<td>11</td>
<td>12</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>Navarre</td>
<td>11</td>
<td>12</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Galicia</td>
<td>4</td>
<td>6</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td>Canaries</td>
<td>—</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>House of Trade</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Misc. Fiscales at Court</td>
<td>—</td>
<td>2</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>48</td>
<td>132</td>
<td>148</td>
<td>166</td>
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</tbody>
</table>

*Council presidencies are not included in these figures, since nonletrado officials often occupied them. Capa y espada councillors of the Indies are not included in these figures.


The absence of accurate figures and accounts does not allow for a precise estimate of the total number of letrado places available at any one time in Castile. Far too little is known about local government and the rank-and-file of the church to make any estimate more than a roughly calculated guess. In terms of the letrado hierarchy alone the crown in the early seventeenth century offered about 150 plazas de asiento on the tribunals and councils of Castile, and if these same places on the audiencias of the Indies are included, the total rises to about 225. But these high offices represented only a fraction of the total number of letrado offices in the crown’s gift. The subordinate letrado personnel of the councils and tribunals, the corregidores and their deputies, and miscellaneous judicial officers probably accounted for another 200 places. In total, the King was

In the seventeenth-century diocesan rents in many areas of Castile were in decline. Presumably, this did not allow for the expansion of the cathedral clergy (see Marquis de Saltillo, “Prelados de Osma en el Siglo XVII, 1613–82,” Cetibería 6 (1953): 177–90, and “Prelados de Badajoz en el Siglo XVII,” Revista de Estudios Extremeños 8 (1952): 157–82). Fr. Manuel Risco, *Iglesia de León, y Monasterios Antiguos y Modernos de la Misma Ciudad* (Madrid, 1792), p. 35, notes that by the mid-eighteenth century the number of prebends in the cathedral of León had declined from 55 to 40. If such a pattern holds true for Castile's other dioceses, then the seventeenth century was almost certainly an epoch of decline or stagnation for the cathedral clergy.
responsible for the appointment of approximately 400 to 500 letrado officials, and if one includes subordinate letrado positions in the New World, then this figure should be raised substantially. Such an estimate, however, does not include municipal offices such as alcaldías, many of which were reserved for letrados. These may have amounted to several hundred places for the Crown of Castile alone.6

To letrado positions in the government must be added those in the inquisition and the church. Inquisitors did not have to be clerics, and the Holy Office offered between seventy and eighty senior magisterial positions to qualified letrados, and perhaps twice that figure if lesser legal officials in the inquisition's employ are considered. The task of estimating the number of letrado positions in the church is more troublesome. According to Antonio Domínguez Ortiz, the cathedral clergy in Castile around 1630 included 343 dignitaries and 928 canons, in addition to thirty-five offices of archbishop and bishop, most of whom were letrados.7 To this group—the “intellectual elite of the clergy”—must be added priests in the larger towns, royal chaplains, important priors, and similar high-ranking ecclesiastical officers who were always university-trained men. Moreover, if positions in Castile were filled, a cleric could always migrate to the New World.

Employment opportunities for letrados, however, were not limited to offices in the ruling hierarchies alone. Hundreds of places existed for law graduates as abogados—Spain's equivalent of the barrister—in the royal councils, tribunals, and municipal courts, even though there seems to have been a sharp drop in their number after the opening years of the seventeenth century.8 Abogados had considerable opportunities for wealth and the legal profession was itself considered “noble,”9 a fact not unconnected with its popularity and prestige. Qualified abogados, particularly in the

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6J. M. Batista i Roca in Koenigsberger, Government of Sicily, p. 31, estimated that Castile in the early seventeenth century had 530 judicial offices. Though firm evidence is still lacking, it would appear that his estimate is far too low.

7Domínguez Ortiz, Sociedad Española, 2: 39.

8The number of registered abogados, at the chancillerias of Granada and Valladolid increased sharply in the course of the sixteenth century, reaching a peak in the 1580s and 1590s when there were no less than forty-nine abogados inscribed in the Libros de Acuerdos of the latter, nearly twice as many as a half century before (ACV: Libros de Acuerdos). Then, after criticism about parasitic abogados and the high costs of justice, Philip III ordered a cut in the number of barristers who would be allowed to plead before the tribunals and councils of the crown (BNM: Ms. 12179, folios 76–79). By the end of the seventeenth century, as few as twelve abogados were registered at the chancillería of Valladolid. The number of abogados licensed to practice in the royal councils in Madrid fell in the twenty years following Philip III's edict, but recruitment into that city's Colegio de Abogados rose thereafter, although never to a point equal to that of the century's opening decade. Between 1600 and 1609, for example, 104 abogados were admitted into this “college”; cf. Pedro Barbadillo Delgado, Historia del Ilustre Colegio de Abogados de Madrid (Madrid, 1956), I: 177–223.

sixteenth century, were able to assume regular offices, making the profession a promising stopover for ambitious men on the way up. In addition, jurists could hope to teach at a university. Teaching posts at large universities such as Salamanca and Valladolid were well-paid, prestigious, and much in demand.Alternatively, Castile’s litigious city councils, cathedrals, guild corporations, and other public institutions, along with wealthy private individuals were accustomed to retain legal advisers on a permanent basis, and positions such as these were always available in Castile and the New World.

In sum, opportunities for letrados were substantial. The majority of these positions, however, were either created or set aside for letrados in the era between the reign of the Catholic kings and the opening of the seventeenth century. Previously, the letrado was a marginal figure in Castilian society, a learned specialist, represented in a few small universities and a handful of places in the cathedral chapters, monasteries, and courts of law. But thanks to Ferdinand and Isabel and the Habsburgs, he acquired a central position in Castile, and as his numbers increased, so did his political influence and social prestige. Once regarded as a mere clerk, base and low-born, scorned by the prevailing aristocratic standards of the day, the letrado, through his offices, gradually assumed an important place on Castile’s social ladder. In Valladolid, for example, the letrados of the chancillería ranked, through their salaries, investments, and loans, among that city’s wealthiest inhabitants. And at a time when money more and more helped to determine (or at least buy or marry into) social status, much of the increasing prestige of letrados rested upon their wealth.

In the first instance their fortunes were based upon their salaries. An oidor on a royal audiencia in the middle of the sixteenth century earned 150,000 mrs. a year, and this sum was augmented by as much as one-half by an annual ayuda de costa. Salaries, moreover, kept pace with, perhaps ahead of, the price rise. By 1600 oidores in Valladolid earned over 300,000 mrs. a year, while inquisitors in 1679 collected as much as 500,000 mrs. apiece. Already substantial salaries were then boosted by the incalculable sums letrados clandestinely received in the form of bribes, gifts, kickbacks, embezzlement, and the like. And inasmuch as letrados were exempt from royal levies and taxes, the riches they earned they kept or spent or invested in land, government bonds and annuities, trade and finance. “Letters were a path to wealth,” and there is no doubt that in Habsburg Spain, an epoch when, as Quevedo admitted, “Poderoso caballero es Don Dinero [A Powerful Knight Is Sir Money],” no other occupation or career offered such possibilities for economic and social advancement.

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10 See below, pp. 164–65.
12 AHN: Inq. lib. 271, folio 646.
13 Bennassar, *Valladolid*, p. 357.
It was the latter which gave the letrado’s career its maximum value. In Habsburg government, a life-time of office-holding led to periodic promotions but no annual increments in pay. Instead kings rewarded their loyal officials with mercedes, a catchall rubric for a cash grant; the right to establish a mayorazgo, a fee-paying office; permission to make a certain office part of a family’s inheritance; pensions; membership and encomiendas in one of Spain’s military orders; or, most cherished of all, patents and titles of nobility. Such honors were never reserved for letrados, but letrados received their share. The expansion in the number of aristocratic titles in Castile after 1600, for example, was to a significant but unknown extent the result of letrados turned títulos. Among them was the first Count of Villaququina who was previously a professor of law at Salamanca and had later held letrado offices on the audiencia of Seville, the chancillería at Valladolid, the Council of the Cruzada, and, finally, the Royal Council of Castile.¹⁴ The advancement of Diego de Riano y Gamboa was also typical of this new class of titled nobles; first a doctor in canon law from the University of Salamanca, he was named fiscal of Valladolid in 1619, then oidor in Granada, fiscal and oidor on the Royal Council of Castile, president of Valladolid’s chancillería, General Commissioner of the Cruzada, and, at the end of his life, president of the Royal Council of Castile, the kingdom’s first office. In reward for his lifetime of letrado service, he was named Viscount of Villagonzalo de Pedernales in 1658.¹⁵ The Counts of Ayanz, Boadilla, Castroponce, Ervias, Francos, Fuente el Salce, Gomarre, Grasnedo, and Guaro, along with the Marquises of Almodovar, Chiluebes, Palacios, Rosa, Vega del Pozo, and Villagarcía were others who earned their titles in much the same way.¹⁶ But as no systematic study of Castile’s new nobility exists, it is impossible to determine the extent to which titled families in seventeenth-century Castile were also letrado families, or how long it took for those families to secure their rewards. Nevertheless, it is indisputable that a sizable percentage of Castile’s new titled families were of letrado backgrounds. Like her neighbor to the north, Castile in the seventeenth century acquired a “nobility of the robe.” In Castile’s case, however, the term “aristocracy of the robe” might be more apt, since so many of the new títulos were hidalgos (i.e., lesser nobles) at the start.

The established aristocracy, jealous of their prerogatives and afraid of losing influence at court, resented these letrado upstarts, although this did not prevent them from marrying into letrado families for reasons of political power and wealth. In the course of time the older aristocracy also

¹⁴See L. Ferrer Ezquerra and H. Misol García, Catálogo de Colegiales del Colegio Mayor de Santiago de Cebedeo, del Arzobispo de Salamanca (Salamanca, 1956), no. 328.
¹⁵He subsequently became Count of Villariezo; see Domínguez Ortiz, Sociedad Española, 1: 40.
¹⁶These promotions are cited in the student registers of the colegios mayores; see p. 125, note 24.
directed some of their sons, the younger ones in particular, onto the path of letters and offices. Pedro Núñez de Guzmán, son of the Marquis of Montealegre, brother of the Marquis of Camarasa, became a councillor of Castile after a long letrado career beginning at the University of Salamanca. Pedro de Cortés, grandson of the conqueror of Mexico, son of the second Marquis del Valle, rose through a variety of letrado offices to become fiscal on the Council of the Military Orders. The Dukes of Albuquerque, Cardona, Feria, and Gandía, the Counts of Medellín and Salvatierra, along with many other título and grandee families launched one or more of their sons on similar office-holding careers. Rare before the later sixteenth century, the increase in the number of sons of títulos turned letrados was linked to the possibilities of wealth and power that letrados could achieve.

Not all letrados, however, were alike. The royal councillor with powerful court connections was far removed—geographically, culturally, socially, and financially—from the abogado in Almería or the alcalde in Andújar. In this group, the gradations of office, influence, and wealth were many and far apart. The elite represented those who held the valuable plazas de asiento, and these were the positions to which most letrados, from the lowly investigator (pesquisidor) in Galicia to the oidores in Lima and Mexico City aspired. Such plums were the goal, the acme of the letrado’s career, but they were scarce, the competition was intense, and as the decades went by, the standards upon which this letrado elite was selected gradually restricted these places to a privileged circle of families. This contraction in turn affected the whole of the letrado’s world, from the university to the Royal Council of Castile.