



Bandits, banditry and royal power in Catalonia between the 16th and 17th centuries

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Received 9 January 2014 · Accepted 20 February 2014

ABSTRACT

This article is a synthesis of a phenomenon – banditry in Catalonia – which peaked in the century and a half between approximately 1500 and 1630. In this article, by ‘banditry’ we mean the kind waged by both the upper classes and nobility and the lower classes. With forerunners in the late Middle Ages, banditry is ultimately part of a history of social transversality in all sectors, which seriously hindered its official repression – from the Crown to the Diputació del General (General Deputation) – because bandits had infiltrated all the institutions, including the Reial Audiència (Appellate Court). This article then describes the most vivid periods of banditry, its leading personalities or groups, including the *nyerros* and *cadells*, and the savage violence that it generated far and wide. Nonetheless, a minimal comparison with broad swaths of the Mediterranean reveals that banditry is not unique to the history of Catalonia.

KEYWORDS: *nyerros*, *cadells*, viceroys, Courts, General Deputation

INTRODUCTION: A HISTORICAL MEMORY LITTLE KNOWN OVER THE CENTURIES

As a disciple of my master, Joan Reglà, a true pioneer in the serious study of Catalan banditry, I am pleased that by asking me for this synthesis which should be clear and intelligible to everyone, the Institut d'Estudis Catalans has shown that it still recognises Joan Reglà's presence in Catalonia, especially when much of his university instruction took place in Valencia owing to the displacement of university teaching positions. For 14 years, 1959 to 1972, Joan Reglà promoted research in Valencia but stopped it in Catalonia by stopping his initial studies on banditry. These studies later evolved and revealed a complexity, yet also questions, that even further complicate my attempt to summarise the topic. The only way I can find to approach this article is to present it from a perspective in which the knowledge and interpretation keep shifting over time, and one which is comparative. Ultimately, despite Catalan banditry's prime role in literary and historical memory, it was not exactly a unique phenomenon from the past, nor was it solely centred in the 16th and 17th centuries. Another topic is banditry's peak in Catalonia, the now-classic century of somewhat un-

bridled violence between at least 1539 and 1633, as I shall explain.

However, factions and banditry had already existed since the 14th century; they are not as well known, but they have been studied to some degree and are the clear forerunners of the subsequent peak in the Modern Age. Without entering the debate on the meaning of these two words right now, there is a common denominator that joins them: armed violence, either with groups throughout the entire country or more locally in nuclei in villages and cities. The most solid knowledge from the Middle Ages primarily stresses the latter – urban factions – through the banding together of groups that managed to connect the different estates in society on one side and other opposing factions, be they bourgeois, noble or clergy, on the other. Therefore, as the Latin expression says, “*Amicus inimici inimicus est*”: the enemy of my enemy is my friend. Flocel Sabaté has studied this issue in the late mediaeval world, not only in Catalonia, and stressed that at that time this kind of behaviour, and even vendettas, were “quite clear to the people then, and a major inheritance was woven for the subsequent centuries”.¹ He was primarily discussing the 16th and 17th centuries, although since the last third of the 14th century the consequences of the Bubonic Plague and the 1388 uprising of the peasantry, either serfs or otherwise (those linked to the *mals usos* or bad customs of the lords), had also led to violence in the rural world among people that until then had been living under the heavy yoke of the Catalan seigniorial realms.

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Having said all that, it should be noted that Catalan banditry reached its peak during the first century and a half of the Modern Age. What is more, it was quite famous even in Castilian Golden Age literature.² Famous Catalan bandits included Antoni Roca, the factional leader who was executed in 1546 and brought to the theatre years later by Lope de Vega, along with Rocaguinarda, whom Cervantes mentioned in *Don Quixote*. In turn, the bandits were also mentioned in popular Catalan songs back in their day.³ Later, in 1858, the 19th-century historian and novelist Víctor Balaguer wrote the play *Don Juan de Serrallonga* or *Los bandoleros de las Guillerías*, and the bandits even appear in several verses by Joan Maragall from 1900. These are just a handful of examples of the popularity of Catalan banditry in the country's folklore, regardless of whether it is treated in a more or less idealised fashion, as in Maragall, or more critically. In reality, the bellicosity of the Catalans during that period was reported beyond the country's borders in Europe, and even the Enlightenment philosopher Voltaire said in the 18th century that Catalonia's "inhabitants are always warring, and the mountain-dwellers are particularly ferocious".⁴

We are aware of important names among the ranks of Catalan bandits and their clashes with each other, which were interpreted differently by 19th-century Catalan Romanticism and during the *Renaixença* depending on whether they were *nyerros* or *cadells*, as I shall explain below. Víctor Balaguer described the *nyerros* as "liberals or progressives", at odds with the absolutism of the Hapsburgs and the most immediate political forerunners of the Catalan Revolt in 1640, while the *cadells* represented conservatism and sought to collaborate with the monarchy. Antoni de Bofarull viewed the *cadells* as the defenders of the cities, while he viewed the *nyerros* as more feudal groups from the petty nobility, Benedictine monasteries and other more reactionary nuclei.⁵ In short, at the dawn of the 20th century, the banditry that was so familiar to historical memory that it stimulated an idealisation or condemnation of its deeds was, in fact, a virtually unknown historical phenomenon.

FACTIONS, BANDITRY AND BANDITS: SIMILAR YET DIFFERENT CONCEPTS

Since then, a great deal of headway has been made in studies on banditry, either in the diverse concepts that the word harbours or in knowledge of the different document sources. Regarding the former, even today it is surprising that the travel diary of an Italian from the early 16th century, the Florentine ambassador Francesco Guicciardini, who travelled to the Court of the Catholic King in 1512, expressed the interwoven unity of the different forms of banditry. Guicciardini explains how he travelled across much of Catalonia and that "the entire region from Perpignan to Barcelona, and even further, are dangerous places". He adds the fact that "many knights and gentle-

men of Catalonia are each other's enemies". They were constantly at odds with each other, which "they can be lawfully due to an old privilege in the kingdom". Guicciardini knew even more: for starters, the adversary had to be officially notified of the fight five days in advance, and increasingly all the relatives and loyal followers who wanted to joined in. When needed, if there were no more forces, they went to "the malefactors of the country" seeking assistance. The latter, including lords, owned sites and castles where the king had no authority, so criminals could take refuge and be protected and fed there. In his diary, Guicciardini even seems to act as a reporter for future generations when he writes that "from this banditry – as it is called – there follows that these bandits, lacking in money and convinced that they have permission to do so, spend their lives attacking travellers".

Guicciardini makes statements with the precision of a lawyer because to him the mountainous region, which was sparsely inhabited and even less watched over by the royal authorities, made it possible – with the possible exaggeration of a fearful traveller – for "all Catalans to be armed, and you can find them on the roads with swords, flintlocks and crossbows". To his mind, there is a constant rash of murders, divisions and enmities, which the majority of towns are behind, "and thus a great deal of homicide and disorder is sown".⁶ Beyond a bit of exaggeration, especially if we compare this situation, which he recounted in 1512, with the events years later, the Florentine ambas-



FIGURE 1. Close-up of the *Cobles de la mort de Galipapo*, a work by writer Pere Giberga, sheet 67r (Biblioteca de Catalunya).

sador could not be a more accurate and, I would almost venture to say, incisive historian. Ultimately, he discerned what the factions and bandits were and how from the initial situation of engaging in private fights one can move to the concept of thieves, highwaymen and, in a word, criminals of all stripes.

With all the complexity and doubts which have arisen after recent serious studies, historians today would define the former as the factions engaged in private violent conflicts which were legal at that time. We could summarise this as the banditry of the nobility. However, we should also bear in mind that depending on an entire series of factors, popular banditry also existed around it. For this reason, with a certain rhetoric which reveals the difficulties of the issue when expressing it in a single concept, Xavier Torres wonders the following about banditry: “The same name, the same thing?”⁷ It can thus come as no surprise that when conducting archival research, historians may be led to widely divergent situations. Ultimately, regardless of its social system, be it feudal-noble, the early years of mercantile capitalism or any other kind since the start of history, an impoverished society will always lead to a kind of subsistence banditry, the oldest and most spontaneous means of survival. However, in the late Middle Ages and Modern Age, when the hierarchy of the estates was considerable, what survived the most was a kind of banditry whose underpinnings lay in the laws of the day and the country that permitted it. If one feeds off the other in circumstances that nurture their survival, it is very difficult to eradicate, and this is ultimately what happened with Catalan banditry in the 16th and 17th centuries, if not earlier.

Far earlier, in the Middle Ages with the same urban factions that later spread around the entire country, Catalan legislation could not totally stop the factions and private fighting. This permissiveness was virtually sacred, even though since Ferdinand II there had been attempts to channel it better in both the Kingdom of Valencia and the Principality of Catalonia, just to cite two examples. This happened with the Valencia *furs* (codes of law) of Oriola printed in 1493 and in the sections on “*De guiatges e treves*” (On guidance and truce) for “rich men, nobles and knights *spasa cints*”, as well as the rubric on “*Guerrejar*” (waging war), each of which sought to regulate armed conflicts more than eliminate them.⁸ Eliminating would have been difficult when the Courts, the country’s legislative assemblies, had always had a military or noble branch that was totally opposed to a decision that would be so draconian for them.

In Catalonia, the section entitled “When an individual may take vengeance without a judge” of a legal constitution from 1503 stated the possible revenges allowed to the offended party without prior notice or public challenge five days before the conflict. This was called “*el deseiximent amb lletres o carta pública*” (assurance with words or a public letter). “*La batalla a ultrança*” (the battle to the end) also existed, a personal combat between two clash-

ing nobles with the king as the referee. Thus far, royal intervention with the law strove for a utopia: stopping the private wars in which much of the country was enmeshed, since there were fewer and fewer personal – or chivalrous – battles. Conversely, there was a profusion of challenging posters, over mere words, or bids to take advantage of certain waterways or pastures or for other owners to gain access to evicted farms. Anything served as an excuse to provoke violent armed conflicts which could range from seigniorial banditry to tamp down rebellion among the vassals of the seigniorial domain to the latter’s reaction as they sought other protectors from factions and bandits and hired them. Obviously, there was also the possibility of appealing to the royal courts of justice, but this was not a common choice since there was no guarantee of neutral arbitration when the accomplice of some gang might be seated behind the bench. If needed, “friendly arrangers” were preferred, that is, both parties’ acceptance of a certain number of arbitrators or mediators whose rulings before the notaries that authenticated them “must obligatorily be fulfilled”, according to the Catalan constitutions.⁹

Despite this, this formula was in the minority given the rise in factions all over the country. However, over time – certainly since well into the 16th century – this gave rise to the famous battles between the *nyerros* and *cadells* was because of the prominence of private wars and the play of family and cliente list rivalries and alliances, all of which were capable “of subsuming and framing the multiplicity of private grievances in antagonistic networks that were more generic and hierarchically organised”.¹⁰ Perhaps this was the reason behind its polarisation into two main parties, which was nothing other than a cluster of local factions. Based on his extensive knowledge of Catalan banditry, this is Xavier Torres’ thesis regarding the origin of the initial conflicts between Joan Cadell, the Lord of Arsèguel in the Cerdagne region, whose actions were known since the first half of the 16th century, and Tomàs de Banyuls i de Llupià, Lord of Nyer in the Conflent region. Both Pyrenean noblemen covered, either actually or symbolically, the breadth of a form of Catalan banditry which was essentially noble, but not until the 1580s, because if it is true that the development of banditry always needed the support of accomplices, powerful elements in the country which remained in the shadows as long as they could be, perhaps the expression of the lawyer Jeroni Pujades, “they are all *nyerros* and *cadells*, which exist in Catalonia like the Guelphs and Ghibellines in Italy”, was not as real in the diversity of bandit networks.¹¹ I think that these words instead come from a supposed simplicity which does not reflect the multiplicity of banditry which is currently requiring some changes in research, even though back in 1615 the castellan of Amposta wrote the following to the king:

[...] *que todo el principado de Catalunya está dividido en dos vandos de ñarros y cadells, y que siguen cada una destas parcialidades su enemistad antigua y con tanta*

*pasión heredada de padres y abuelos que sólo por ella, sin que preceda otra cosa, toman los unos contra los otros las armas....*¹²

However, even though this noble banditry had accomplices that were not lacking in wealth, such as the relatives of the Duke of Cardona, just to mention the most aristocratic family in the country, it is curious that it began to surge in Catalonia during the early Modern Age. Obviously it had already existed previously, as Guicciardini witnessed directly in 1512, but its tensions at that time were minimal compared to the ensuing years. This surge was so pronounced that the Emperor Charles V was forced to deal with it. On the 7th of March 1539, he signed a pragmatic against Catalan banditry in Toledo with an entire series of important points: the ban on travelling in gangs; the definition of a gang, which applied when more than three armed people travelled together; punishments for the *aquadrillats* or gang members, and even sentences of two years in the galleys; punishments of “*perdre lo puny*” (losing their weapon) for anyone carrying a cross-bow, harquebus or rifle; the persecution of criminals; and facilities given to the royal officers to capture *aquadrillats* in villages, squares, castles, baron’s realms and even churches. This last issue was extremely sacred at that time because if a bandit took refuge in a church, the royal officers were not allowed to enter it and search for them. Charles V not only published the pragmatic but also shortly thereafter sent the Marquis of Llombai, Francesc de Borja, as the viceroy with the remit to put an end to the bandits at any price, with Joanot Cadell named as an armed activist. Between 1539 and 1543, the future saint endured the struggle against banditry while he also “had around thirty masses said for each defendant who was sent to be judged”.¹³

However, their efforts did not bear much fruit, as banditry among the nobility was soon joined by popular banditry, the kind that Joan Reglà researched the most, publishing works first written in the 20th century based on documents from the Archive of the Crown of Aragón.¹⁴ Even today, his timeline divided in different stages remains intact, just like our knowledge of many of the names of the Catalan bandits. Moreu Cisteller and Antoni Roca were the most famous during the reign of Charles V. Afterwards, during the reign of Philip II, the prominent gangs were led by Bartomeu Camps, Montserrat Poch, Tomàs de Banyuls and the Cadell bastard and Felip Queralt, who summoned 200 armed men. However, if the situation was dire in the late 16th century, it was even worse in the first third of the 17th century, not so much because of the bandits like Perot Rocaguinarda, Trucafort, Tallaferró and the Margarit brothers, or the swan song of Joan Sala Ferrer, alias Serrallonga, all of whom were explosive, but especially because of the repressive violence exercised by viceroys like Almazán, Alburquerque and Alcalá, just to cite the ones known the most extensively, even by such eminent Hispanists like Elliott.¹⁵

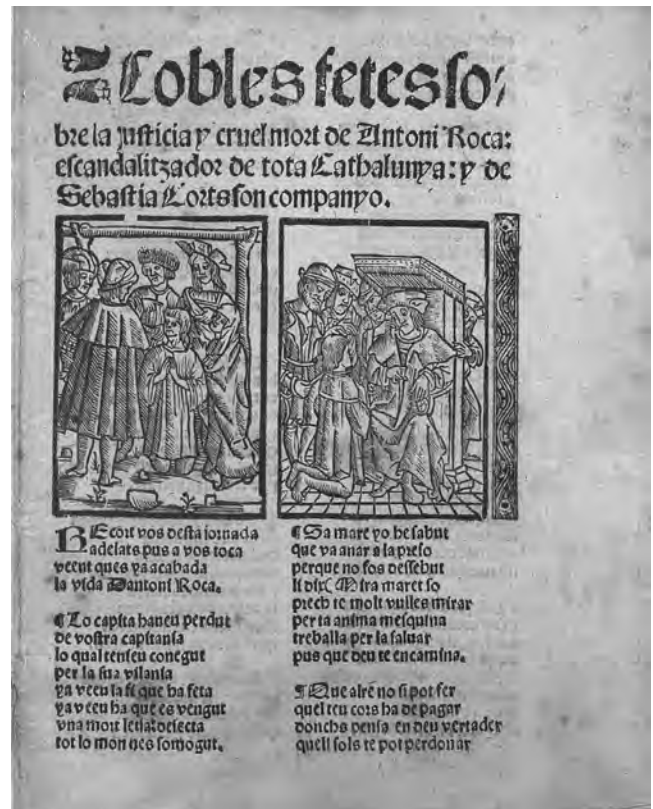


Figure 2. Close-up of the inside of the *Cobles* on the justice and cruel death of Antoni Roca. *Cançoners de les obretes en nostra llengua materna més divulgades durant els segles XIV, XV i XVI*, sheet 57r (Biblioteca de Catalunya).

Before examining other issues, we should ask the reason behind the situation between 1538, Charles V’s pragmatic and the execution of Serrallonga in January 1634, when banditry did continue but was no longer the same, although it was connected to the Catalan Revolt of 1640. Braudel clearly exerts an influence in this second popular concept which the French historian spread around the entire Mediterranean.¹⁶ Simply put, the bandits that emerged from the commoners mostly responded to a rise in prices, as proven by Earl Hamilton,¹⁷ and a supposed expanding mercantile capitalism which not everyone supported. When the document research on Catalan banditry began, what was primarily underscored was common banditry; the nobility were also known to be involved, although our knowledge of this facet of banditry was not as clear as it is today. Ultimately, the proliferation of the latter could not have taken place only among the nobility, even if the Catalan petty nobility and certain elements of the clergy were included. It is true that Joan Reglà constantly stressed this issue. However, years later Xavier Torres – whose entire oeuvre underscores the role of banditry among the nobility, since “there are no bandits without lords”, as even the kings’ officers noted – recognised that this expression, though partly well grounded, was overly unilateral. The composition of the gangs was quite telling, because two out of every three bandits were peasants or the sons of country folk from different

social echelons, either gentlemen from wealthy estates (Perot Rocaguinarda), sons of family manors which had seen better days (Joan Sala Serrallonga) or poor, indebted tenant farmers (the Trucafort brothers).

However, this profile does not end here, since one-fourth of the gang members were or had been artisans or tradesmen. In a word, Xavier Torres believes that the majority of the bandits showed common traits, more similar – albeit with all the nuances needed – to men who were not exactly well-off and rich. Obviously, these nuances should be borne in mind, but for now there is nothing to refute the idea that most common bands did not contradict Reglà's claims, especially those who were searching for loot and money and waged attacks on the roads, in addition to – logically – clashing with the forces of the royal authorities. What is more, this idea was formulated when it was believed that the economy of the Principality had been stagnant for much of the 16th century. Therefore, the Catalan bandits were described as the “children of misery”,¹⁸ a more radical expression today, yet not totally untrue. After all, of Vicens Vives' ideas¹⁹ about Ferdinand II's lukewarm redress – that is, recovery – of Catalonia after the Civil War of 1462-1472, the demographic knowledge of Jordi Nadal and Emili Giralt,²⁰ which meant a long 15th century in Catalonia only to return to the figures prior to the population losses in the late mediaeval crisis, and the stages of slow growth in the 16th century studied by Pierre Vilar,²¹ did not seem like sufficient reasons to tinker with the social and economic composition known by Joan Reglà in 1966.

Despite this, the somewhat similar study by Garcia Espuche criticises, seriously and perhaps with too many definitively unconfirmed hypotheses, the now-classic interpretations by other historians. In Garcia Espuche's opinion, the Catalan economy entered a clear century of expansion between 1550 and 1640,²² precisely the most violent years of Catalan banditry. Beyond the questions that Oriol Junqueras²³ poses when casting doubt on Garcia Espuche's positions on this decisive century, we should add that even if we accept his thesis, there is nothing that weakens the difficult and negative plight of some impoverished people who had not yet secured positions within the social and economic rise of this supposed decisive century. What is more, I would add that if this expansion did not favour everyone, the ones who were harmed the most might have become increasingly violent. And there were many aggrieved parties during that period: from the nobility to the clergy in some places, along with artisans and lowlier peasants.

Regarding the nobility, we should consider the petty nobility, to whom many privileges were off-limits, and the arrival of the Hapsburgs in Catalonia did not favour them. Ultimately, there were few positions in the royal government and many *fadristerns* – children born after the primogenitor of a family in which the institution of the *hereu* (in which all family assets went to the eldest-born son) prevented the properties under the stewardship of the firstborn from being divided – who were virtually

obligated to join either the army or the Church. If they chose neither, many members of the petty nobility could be left out in the cold, and some of them – although, obviously, not all of them – might have earned a living from banditry. Not for nothing, as Joan Reglà noted, the knight Francesc de Gilabert in 1616 wrote: “*Las bandosidades son la base de todo nuestro daño [...] Nace este daño de otra causa, y es que por los pocos oficios que tiene Su Majestad para dar a caballeros en Cataluña y por repartir los de su real casa en castellanos, esperan poco los deste principado en alcanzar merced.*”²⁴

Regarding the Church, we should distinguish between bishops and canons, whose situation was not the same. The bishops were appointed by the monarchy with the permission of the Pope, and they often became viceroys, especially in the early 17th century, around the time of banditry's swan song. The same did not hold true of the canons, not to mention the parishes or monasteries. One clear example was the monastery of Montserrat, Benedictines who since the late 15th century had depended upon the regulatory power which had gradually moved further away, as far as Valladolid, which witnessed the arrival of Castilian friars throughout the 16th century.

With regard to the rural world, besides rich farmers, emphyteutae or landowners, there was a mass of impoverished tenant farmers and day labourers. And the urban world was in a similar situation, since some sectors flourished from a clear economic and social ascent, while some artisans were marching towards gradual proletarianisation, as Agustí Alcoberro has stressed in his attempt to show the social stratification that polarised Baroque Catalonia. Therefore, Catalan banditry can be explained from a multiplicity of facets which span from the nobility to the commoners. However, the economic situation, whether stagnant or ascendant, does not explain everything. What is more, in around 1600, as a result of the start, if not the end, of certain changes (agricultural, manufacturing, commercial), there was an instability in this supposedly decisive century, more in quality than in quantity, which led to a stagnation if not a slight decline, which became truly visible after 1620. This can even be seen in monetary issues – the appearance of false coins, also called *boscatera* – and the plans for the Banc de Barcelona, approved definitively by the Consell de Cent (Council of One Hundred) on the 10th of October 1609. All of this further stirred up social instability around Catalan banditry.²⁵ Despite this, there are many other circumstances which must be taken into account, from geographies and borders to ideologies, religions and politics at the very least.

OTHER CAUSES OF THE SURVIVAL OF BANDITRY

Even though Joan Reglà had pointed out the reality of banditry on the plains, since many bandits hailed from there, Xavier Torres has shown that the most famous site known to historians until quite recently was the mountains. Ulti-

mately, the factions, especially those in the Pyrenees, sought hideouts in the mountains where it was the most difficult for the repressive forces to reach. This is even true of those who almost reluctantly – although this also depends on the time – came from the unions or brotherhoods, that is, from the working classes spurred by the viceroys. As the Marquis of Almazán, one of the most zealous viceroys to govern the Principality, wrote in 1613, it was difficult to secure the people's collaboration, perhaps because "one must leave this city and go up into the mountains",²⁶ although surely this is not the real reason. In 1616, the aforementioned Francesc de Gilabert, a former bandit and later *paer* (municipal authority) of Lleida, stressed the fact that Catalonia was a "mostly mountainous, barren land". And in 1639, shortly after the death of Serrallonga, verses in Spanish claimed: "*Montuosa Cataluña [...] / cada monte es un castillo, / cada sierra una muralla, / cada risco es una torre / y toda una plaza de armas*".²⁷

The mountains were a safe harbour if they were located near the border. Despite this, for the inhabitants of the neighbouring villages the border was never an impediment to good relations, despite a few altercations.

Regarding the border with France, the most complicated of them all for higher-order political issues, we know that the Pyrenees did not always serve as a wall separating the people living in these lands, and this was true not only in Catalonia but also in Aragón and Navarra. However, difficulties did start to arise because the modern states, which developed increasingly after the Renaissance and the late Middle Ages, tried to make the borders virtually impenetrable as the monarchies at the heads of these states were increasingly at loggerheads with each other, be they Habsburgs, Valoises or Bourbons, the latter at odds with Henry IV since 1593. Military conflicts magnified tensions after the reign of Charles V (no need to enter into details) but especially during the times of Philip II, and any peace during those years was always fragile.

Quite often, those conflicts were also associated with religious pressure from southern France, which could be described more as Lutheran than Huguenot based on the documents from that time, regardless of whether they come from the viceroyalty or Council of Aragón (mostly from royal Castilian functionalities) or the Diputació del General (General Deputation) of Catalonia, the consuls of Puigcerdà and La Seu d'Urgell or the canons in La Seu d'Urgell, all of them Catalan, just to cite a few very clear examples.²⁸ And despite the fact that Lluís Obiols himself describes these claims as an *excuse* (on page 10 of the aforementioned book), only a cursory look at the texts from the 1580s and 1590s highlights what Reglà always upheld, which many studies later accepted: the presence of the French and some Lutherans or Huguenots. Ultimately, immigrants to Catalonia from Gascony, Occitania and France, so thoroughly familiar to Nadal and Giralt, as mentioned above, lead us to assume that not all of them adapted as they should have and that some maladapted individuals might have turned to the banditry of impover-

ished exiles.²⁹ What is more, these bandits were mistreated by the justice of the country for any illegal act committed out of a need to eat, as Valentí Gual³⁰ revealed by using the vast store of documentation from the archive of Poblet,³¹ which he has generally made available to researchers who have mined it well,³² confirming Joan Reglà's ideas. Jaume Codina makes similar claims when he underscores the heavy presence of poor people in the counties of the Baix Llobregat, including villagers and farmers, as well as a vast number of French immigrants fearful of being the victims of attacks and robberies of all kinds.³³

Today, despite all this, according to the opinions of other historians, primarily the aforementioned Xavier Torres and Núria Sales, we can reach the conclusion that the Castilian officials' accusations came from a real lack of knowledge of the country and from the fact that the Catalans' own accusations, though somewhat true, concealed neighbourly and baronial disputes and jurisdictional strife on either side of the Pyrenees which has been researched the most to date, all of which was further aggravated during the more conflictive periods. After all, Occitanians – just a handful of them – might own lands in northern Catalonia and, vice-versa, Catalans owned places in southern France. Núria Sales notes that "throughout the French religious wars, the lands of the Crown of Aragón and the Huguenot or half-Huguenot territories in the house of Foix-Bearnor the lower Languedoc were interspersed with Bearnise or French lands which remained Catholic".³⁴ In other words, she claims that the link between the Huguenots and Catalan banditry is not so facile.

However, determined to dig further in our research, and aware today of the mutable, apolitical nature of the Catalan bandits, we know that Philip II recruited certain bandits – Tomàs de Banyuls is one example – to turn them into his agents at the service of the French Catholic League of Enric de Guisa in the years (1590-1593) prior to the coronation of the Bourbon King Henry IV.³⁵ This situation is quite curious compared to the claims to the contrary. Therefore, more than ideological or religious, the border used to be jurisdictional, and disputes have often been discovered even between the lords and the monarchy, which sought to recover or expand its royal assets that had been lost or mortgaged in the past, perhaps paving the way for Catalan and Aragonese banditry, with clear interferences of the former in the latter.

Two examples prove this. The first of them is Catalan: because of a debt she had contracted, Germana de Foix granted the Viscountship of Castellbò with user's rights to Lluís Oliver de Boteller in 1528. The countship, nestled in the heart of the Pyrenees near Andorra, was an ante-chamber for contraband, including horses, jurisdictional scuffles, French infiltrations and bandits. These were the early days of Joanot Cadell, the Lord of Arsèguel, who at the request of Oliver de Boteller engaged in a violent clash with the vassals of the countships who wanted to return to the Crown. A problem that should have been resolved in favour of the royalty virtually became an affair of state

throughout the 1530s and 1540s in the midst of the conflicts between Charles V and the French monarchy.³⁶

The second example comes from Aragón: Banditry also took its toll in the countship of Ribagorça through both Aragonese gangs and Catalan gangs with a new border, now in the kingdom of Aragón. The issue even became a social problem. We should bear in mind that in around the mid-16th century, the inhabitants of Ribagorça wanted the countship to be restored to the Crown. Some Catalan bandits such as Guillem de Josa and Perot de Llupià had supported the counts. However, the issue was aggravated for years after a royal ruling (1554) in favour of the vassals of Ribagorça and their rejection of the Court of Justice of Aragón in 1567. The problem had not yet been resolved by around the 1580s. In an effort to resolve it by force, the Duke of Villahermosa hired bandits from Aragón and Lleida, such as the famous Francesc de Gilabert and the Baron of Nyer in the Cerdagne. And against them, the Valls brothers, also from Lleida, along with Minyó de Montellà and the second Joan Cadell, the Lord of Arsèguel, took the side of the Ribagorça syndics. Tallying the acts of extortion committed on Aragonese soil, and even the attacks on the villages of Grau and Benavarri, most of them waged by the *cadells*, would be a sideshow. The main upshot is that once the negotiations to include the countship in the Crown had gotten underway in late 1588, although time would be needed to accomplish this, the virulence between the Catalan bandits continued in Catalonia.³⁷

Or more accurately, they returned to the country where they had always existed and had never fallen by the way-side. In this sense, the Valls brothers – originally *cadells* – and the Gilabert brothers – closer to *nyerros* – clashed in

the lands of Lleida to such an extent that a “*lliga de cavallers*” (league of knights) led by the Valls was formed in the capital of Lleida. There were also major conflicts, like the siege of Cubells in 1589, where people siding with the son of the mayor of Alós (*cadell*) had taken refuge; the knights from the Lleida league and the Valls brothers went to their aid, while those waging the siege were *nyerros* in league with Francesc de Gilabert, naturally.³⁸ There is not enough room to recount everything that happened in this region³⁹ even before this time, nor what happened in the western regions, including Alt Urgell and Cervera. At the beginning of the 21st century, research is underway to expand local knowledge, such the examples cited below.⁴⁰ However, I do want to go back to the Cerdagne because the origins of the *nyerros* and *cadells* were there. What is more, the authorities never pardoned the *cadells* for Minyó de Montellà’s attack on a load of coins from the Order of Saint John of Jerusalem in 1587.⁴¹ We also know that the coins had reached Arsèguel. Two sieges between 1588 and 1592 ended with the destruction of the castle and Joan Cadell’s flight to Foix, beyond the French border. And yet even though Banyuls accepted offers to serve the monarchy and Cadell never returned to Catalonia, banditry in the Pyrenees did not end.⁴²

Nor did it end in the rest of Catalonia because there were more borders, such as the banks of the Ebro River, which has been studied very little to date. This border with the Kingdom of Valencia witnessed many events, as did Viceroy Francesc de Borja when he reached Tortosa, the gateway to Catalonia in the south, in 1539. As he swore an oath to the constitutions of the Principality he said, with reference to the castle of Tortosa “*que en lugar de ser reyno y defensa de los vasallos de V. M. no sirve sino*



Figure 3. *Apunyalament d'un home davant de la porta de l'església*, Solsona 1626. Santuari del Miracle, Riner. The photo is by Ramon Manent (Mataró).

de cueva de ladrones y para amparo de los deservidores".⁴³ And Viceroy Borja was not mistaken, because the information on the city and territory of the banks of the Ebro River provided by the most recent research is indisputable. It shows a maelstrom of violence of all sorts among the Church, nobility and commoners, along with responses through dubious unions of the people and bandits which lasted more than a century. A few examples illustrate this. The attempted kidnapping of Bishop Ferran de Lloaces by Canon Tomàs Costa in 1557 brought the most paradigmatic (albeit not the only) case to the top echelons of the Church. This ultimately reflected the bishop's quandary: he was a foreigner from Oriola and Valencia, a Tridentine after the Council's second session, a man who resided in his bishopric, unlike the majority of his predecessors, but most importantly, he had made a pastoral visit to the cathedral and its canons in which he condemned the dissolute life led by many of them, including Tomàs Costa. The response was a plan to kidnap the bishop on the 15th of August, but it failed miserably, even in the subsequent legal battle.⁴⁴

More prestigious in terms of both the protagonists involved and the actions committed were the noble acts of banditry undertaken for years by Lluís Oliver de Boteller, the Viscount of Castellbò, often in the lands of the Ebro River, and his right-hand man (albeit later turncoat), the squire Cristòfol Despuig, who for years was immortalised by his *Col·loquis de la insigne ciutat de Tortosa*. Thanks to this book and the documentation used, we are aware of the clashes between families from the petty nobility, ones that were not exactly wealthy and had no royal posts – "because those castellans devour it all"⁴⁵ – and voting places of the military branch of the Generalitat: "the idol that all adore with great devotion".⁴⁶ Despuig managed to secure an administrative post in the municipal government only in the 1540s and 1550s, but his return to banditry during the 1560s sent him abroad for some years to Traiguera, in Valencia's Maestrat region. That was where the noble bandits went into exile, as did Lluís Oliver de Boteller and his son, required to carry out their sentence in Peñíscola, no longer the Viscount of Castellbò.⁴⁷

The common bandits who also fled to the lands of the Ebro River did not enjoy the same fate, such as Jaume and Llorenç Clua, who were actually not brothers but enemies. The former, "Jaume el Bord" ("James the Wild"), died in 1613 from an ambush waged by the latter, who vanished from the documentation in around 1616. However, it is fascinating to learn about their accomplices: churchmen, no less. For Jaume, it was the military order of Hospitallers of Saint John and the knight commander of Miravet, whereas Llorenç had hideouts at the Cistercian monastery of Benifassà and the military order of Montesa across the border and in the heart of the Kingdom of Valencia.⁴⁸ What has been confirmed is the mixing of bandits, especially the Catalans, between the Principality and the Kingdom of Valencia, in the lands of Maestrat Vell de Montesa as well.⁴⁹

THE CONTROVERSIAL REPRESSION OF BANDITRY

As Viceroy García of Toledo said in the mid-16th century, "all of Catalonia is rife with bandits".⁵⁰ And indeed, this was true even in Barcelona itself, where banditry was linked to other chronic urban afflictions, such as gambling and prostitution.⁵¹ However, how to end this drama that beset the entire country, and not only its borders, which the gangs could always cross more easily to flee from their pursuers? This is a question that all the institutions in the lands had to ask, even though they never reached valid, shared solutions. After all, no one could deny that the cities, the Generalitat de Catalunya, the Royal Audience and of course the viceroys always wanted to put an end to banditry. The problem was that it came from both above and below, since no institution was free of its influence, plus there were accomplices involved, most notably the judges of the Royal Audience. Indeed, the inter-class nature and vertical solidarities of banditry were a reality.

There was yet another issue that was more delicate: the Cort General (General Assembly) of Catalonia. It was the prime source of sovereignty and legitimacy in the Catalan-speaking lands which had reached a pact with the king based on the 1283 constitutions, and which had been safeguarded despite the different dynasties that had ruled the country, be they Trastàmara or Habsburg. And there was one blaring reality: the Court had done little to enact laws against banditry, primarily because one of its branches – the military – was opposed. In any event, the Court strove to ensure that the existing laws were not trampled upon by the royal officials, and this was totally legal, although it also hindered the monopoly on force called for by the viceroys.

Meantime, given all this ruckus, the monarchy seemed mute in the Court assemblies and only spoke to give instructions to its viceroys, who sparked grievances as soon as they started governing, with protests against the Court over illegal actions brought not only to the viceroys but the king himself. Perpignan, the second city in Catalonia and the head of Roussillon on a military border, was concerned with this. We are aware of the instructions from the consuls to their representatives in the Catalan Courts of 1585. The criticism of the military branch was flawless because "*és cosa evident que si los fautors y los receptors no fossen, los predits [mal factors] no durarien ni se sustentarien com duren y se sustenten en dita provincia...*". But the same held true of royal repression: "*És cosa consemblant a la ferosia dels pobles bàrbaros y a la dominació dels tyrannos prendre y capturar los submesos sots ombra y color de justícia y aquells de fet, ab tirannica furor i potencia, fer-los matar no ohits ni defensats, y se és seguit en nostros infortunats dies*".⁵²

Given this situation, without negating the good intentions of the Catalan institutions and the Generalitat, which at times asked for brisk action against the bandits, such as Joan Cadell in 1592,⁵³ the response was lukewarm. What is

more, when the militias rose up in the cities upon the orders of the viceroys, these unions of commoners armed to combat banditry were not very effective,⁵⁴ and their members paid little, since they were required to.⁵⁵ Ultimately it seemed like these unions brought more problems than solutions. They even attacked noblemen occasionally, or conversely, an aristocrat might summon a union;⁵⁶ they abused the powers at times and committed “insolences and excesses in the performance of their duties”;⁵⁷ they suffered from infiltrations by bandits; and they even became fearful when facing down the gangs. The viceroys complained incessantly about this issue, since they often said that “*como la gente de la tierra no acude ni es de provecho en tales ocasiones*”.⁵⁸ In reality, these viceroys were largely alone, unaware of the laws and institutions of the country and without much support from the local people or the majority of nobles. They were always stating their wish to have their own soldiers, even just some regiment that fell down from heaven (it was pretty much a pipe-dream that only a direct war with France could make come true⁵⁹) because they used a light cavalry more than once; after all, “*sin gente forastera es imposible tener limpia la provincia, como otras veces lo he representado a V. M.*”⁶⁰

On the other hand, closely related to the more or less tense moments of banditry, the personal character of the viceroys themselves mattered, in addition to specific junctures in time. One example of this is the difficult case of the Marquis of Tarifa, viceroy between 1554 and 1558 during the regency of Princess Joanna, who was trying to replace her father, Charles V, and her brother, Philip II.⁶¹ Other viceroys sought agreements and more moderate policies to soothe the tensions, such as the Neapolitan Duke of Monteleone,⁶² an issue which, more than mere protocol, explains the heartfelt condolences that the deputies from the General Deputation expressed on their visit to the to the viceroy in October 1610 upon the death of his son in Naples.⁶³ And others stormed in ruthlessly wherever they went and, if needed, cast doubt on or re-touched the Catalan constitutions. Indeed, in 1615 the bishop of Vic actually wrote to Philip III that the final solution would be that “*asiente la justicia como en Castilla y les quite sus malos usos y costumbres que la impiden*”.⁶⁴

A year later, Viceroy Alburquerque seemed not to go quite that far; he was a man mostly known for his brisk, violent actions, but in practice he firmly believed that the state of Catalonia was “*miserable... Lo mismo digo en quanto a los fueros y constituciones deste Principado para que V. M. se sirva de no maravillarse cuando supiese que he atropellado por algunos dellos, que pueden estorvar la buena administración de la justicia*”. And even though years later councillors of Barcelona actually praised the viceroy’s actions because of the (military) peace he brought to the city, in 1616 the Generalitat protested to the king about the viceroy’s statements, summarising them in an embassy in Madrid with a more radical phrase than the viceroy is said to have uttered: “*Guardaré las constituciones que me pareciere y las demás*”.⁶⁵

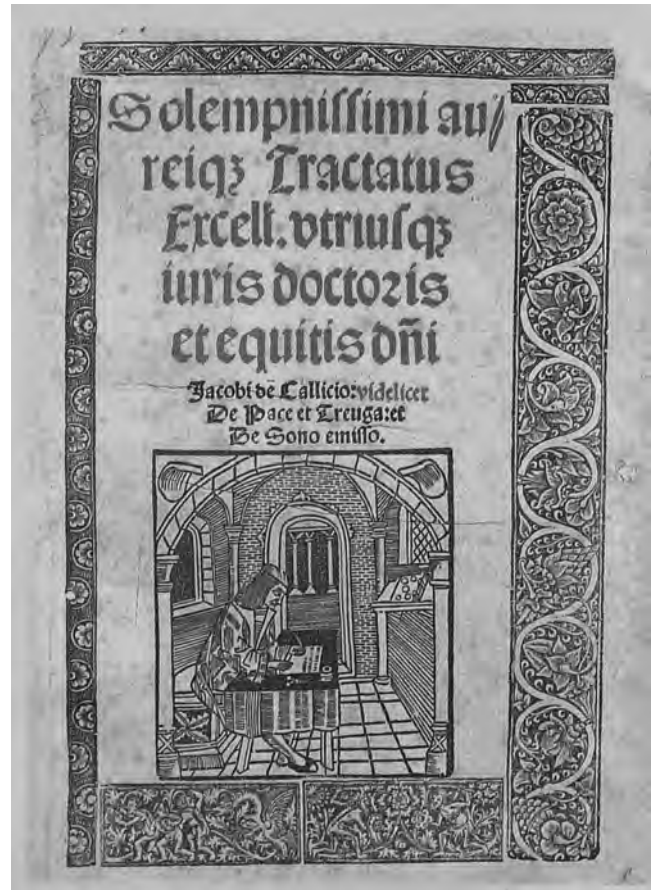


FIGURE 4. *Llibre de pau i treva*, J. Callís (Biblioteca del Col·legi d'Advocats de Barcelona). The photo is by Ramon Manent (Mataró).

Amazing! Banditry, which in itself was apolitical, as all historians report, ended up becoming the unwitting harbinger of the Catalan Revolt of 1640. In the interim were years of total violence, with the burning of forests to remove the bandits from their refuges, and the looting of villages by the bandits, and a few times by the unions. And banditry survived no matter how much a pardon was offered to everyone who was willing to serve the king in the garrisons of Naples, Milan or the Netherlands (an offer taken up by Rocaguinarda, among others) or extraordinarily cruel executions were committed to serve as an example and strike fear, such as the execution of the bandit chaplain Antoni Roca⁶⁶ and those of Montserrat Poch and Joan Sala Serrallonga, among many others.

COMPARATIVE EPILOGUE AND CONCLUSIONS

As I prepare to conclude this compressed summary, which obviously does not cover every aspect of banditry, I should recall that at the start I stressed the fact that phenomenon of banditry was not unique to Catalonia. Even a cursory glance at the entire Mediterranean world around the same time proves this point, beyond what Braudel’s oft-cited vision did, by filling in details and adding further nuances. Indeed, there was banditry, and not just the kind

stemming from poverty, around the entire Mediterranean, even in the Ottoman Empire. Just like the nobility in Catalonia, the powers had a great deal to do with the survival of bandits who would otherwise have perished. And just like in the Principality, clientelist and even family relationships sought protection against possible revenge which lurked everywhere in a cross-section of society that affected everyone.

Xavier Torres has spoken about Mafioso features⁶⁷ and the existence of true private wars. His perspective was based on an entire body of literature known until 1998 which I shall not cite here; instead I will refer readers to his research. However, this body of literature has been expanded in recent years. And on this point there is an issue which not only situates Braudel's aforementioned work as a classic but also is accepted by all historians today. In brief, the bandits did not solely represent protest or social rebellion, as described by Eric Hobsbawm, seeking a current of sympathy or complicity between the bandits, almost like the myth of Robin Hood and the common folk to whom they redistributed the wealth. In addition to reflecting a purportedly Marxist thesis, this theory also reflects the type of source used by Hobsbawm, more literary and almost romantic than archivist.⁶⁸ Today for example, Bruno Pomara quite clearly states that in Baroque Sicily, we cannot continue along this course because curiously at that time neither Palermo, the capital, where large number of nobility resided, nor Messina, the top silk producing and exporting city, could be described as poor, and yet banditry had risen on the island.⁶⁹

In the case of Naples, not even Marco Sciarra, who was born in Abruzzo and was often considered the leading "social bandit" of his day (the late 16th century), fit this profile.⁷⁰ Ultimately, Sciarra was actually rented out, almost like a *condottiero*, in fights in the Papal States between noble Roman lords and the Holy See. Similar examples can be found in Genoa,⁷¹ underscoring relationships and factions, in Sardinia⁷² and in many other places around the Mediterranean. We even have historical biographies like the one on Giovanni Beatrice, alias Zanzanù,⁷³ the bandit from Lake Garda near Brescia, which is reminiscent of more than one biography written in Catalonia many years ago.⁷⁴

But returning now to the Crown of Aragón, we can see how banditry existed in regions other than just Catalonia, and how some also bore the mark of opposing factions, such as Mallorca.⁷⁵ There is also a major body of literature in Aragón and Valencia, especially in the Kingdom of Valencia. In an overall survey of banditry in the Crown of Aragón, Emilia Salvador underscored all of these cases, especially Valencia, by noting its ties with the other kingdoms and the Principality. In consequence, I shall refer to her work in order to avoid a long list of titles in Valencia,⁷⁶ some of them from before 1650, although there was a certain form of Catalan banditry back then.⁷⁷

After a series of congresses which have been held in recent years,⁷⁸ the new literature on banditry in Catalonia

and much of Europe, especially around the Mediterranean, has overturned our global, general views of this phenomenon. After all, banditry might stem from poverty; from a history of social unrest; from private wars dominated by the powerful, primarily nobles; from networks of families; from clientelism; or from a host of different factors. And that is precisely the problem today: researchers' obligation to descend to a local micro-historical level that seeks family groups, their origins and their interrelations. Not too long ago, in a fitting self-criticism by Xavier Torres, and in relation to examples such as the ones provided by Giovanni Levi,⁷⁹ the main conclusion was the need for micro-history in studies on bandits. Torres also warned that the major problem of these studies, which were innovative yet overly local, would be to ignore the broader underlying problems through connectors, as he called them. However, trying to research village by village and then gain a new general perspective is quite difficult and requires a lot of time. Yet this is the pathway being taken by the members of a research triennium, not all of whom are cited in this article yet all of whom must be borne in mind, even though they know that their efforts will take years to bear fruit. For this reason, research into banditry is on a slow pathway today, but one that is being thoroughly investigated.⁸⁰

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- [12] "[...] that the entire principality of Catalonia is divided into two sides, *nyerros* and *cadells*, and that each of these sides follows their ancient enmity with such passion inherited from their parents and grandparents that for that reason alone, without any other preceding factor, they take up arms against each other...". Xavier TORRES. *Nyerros i cadells...*, op. cit., p. 30. Here Xavier Torres is citing a work by Perot Soler.
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- [25] Regarding these years, see the following works, cited from least to most recent, among many others: Pierre VILAR. *Catalunya dins l'Espanya...*, op. cit., vol. II, pp. 254, 275 and forward; Jaume DANTI, "Catalunya entre el redreç i la revolta: afebliment institucional i diferenciació social", *Manuscrits*, no. 30 (2012), pp. 55-76, specifically p. 58; Eva SERRA. "La crisi del segle XVII i Catalunya". *Butlletí de la Societat Catalana d'Estudis Històrics*, no. XXIV (2013), pp. 297-315.
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- [51] Anna ALONSO. "Bandolerisme, joc i prostitució a la ciutat de Barcelona". In: *El bandolerisme a la Corona d'Aragó...*, op. cit., pp. 247-253.
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- [58] "... as the local people neither come nor take advantage of these occasions". Joan REGLÀ. *El bandolerisme català del Barroc*, op. cit., p. 141.
- [59] Àngel CASALS. *L'Emperador i els catalans...*, op. cit., pp. 431-438.
- [60] "... without people from elsewhere it is impossible to keep the province clean, as I have reported previously to Your Majesty". Joan REGLÀ. *El bandolerisme català del Barroc*, op. cit., p. 143.
- [61] Jordi BUYREU. *Institucions i conflictes a la Catalunya moderna. Entre el greuge i la pragmàtica 1542-1564*. Rafael Dalmau, Barcelona 2005, pp. 227-236.
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- [63] Ernest BELENGUER. "La Generalitat en la cruïlla dels conflictes jurisdiccionals (1578-1611)". In: *Dietaris de la Generalitat de Catalunya*. Prologue to vol. III. Generalitat de Catalunya. Departament de la Presidència, Barcelona 1996, pp. XLVI and 697.
- [64] "... lay down justice like in Castile and take away their bad customs that stand in its way". Joan REGLÀ. *El bandolerisme català del Barroc*, op. cit., p. 30.
- [65] "I will keep the constitutions I choose and [do away with] the others". Joan REGLÀ. *El bandolerisme català del Barroc*, op. cit., p. 152.
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BIOGRAPHICAL NOTE

Ernest Belenguer was born in Valencia, where he earned a doctorate in Modern History and taught classes. He moved to Barcelona —Universitat Autònoma— in 1972. After six years as a chair at the Universitat de les Illes Balears (1980-1986), he permanently moved to the Universitat de Barcelona, where he remains an emeritus professor. From his extensive teaching and research experience, one unusual fact is that Belenguer has taught in all the major Catalan-speaking universities, and in all of them he has left studies from the late Middle Ages and early Modern Age, as seen through his books in Catalan like *Jaume I a través de la història*, *Jaume I i el seu regnat*, *València en la crisi del segle xv*, and *Ferran el Catòlic*, and in Spanish like *El Imperio de Carlos V*, *El Imperio Hispánico* and *Un reino escondido: Mallorca, de Carlos V a Felipe II*. However, even better proof is his supervision of large compilations like *Història de les Illes Balears*, *Història d’Andorra*, the six-volume completion of the *Història del País Valencià*, *La forja dels Països Catalans, segles XIII-XV*, which is volume 3 of the general work by Enciclopèdia Catalana on the Catalan-speaking lands, and *Història de la Corona d’Aragó*. He also wrote the extensive prologue to volume 3 of the *Dietaris de la Generalitat de Catalunya: La Generalitat en la cruïlla dels conflictes jurisdiccionals (1578-1611)*.