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THE CONCEPT OF THE *SEÑOR NATURAL*
AS REVEALED BY
CASTILIAN LAW AND ADMINISTRATIVE
DOCUMENTS

The concept of the *señor natural* was an integral part of the political thought of Castile in the middle ages and the renaissance, and the term occurs frequently in Castilian codes, laws, decrees, *fueros*, and administrative documents, legal treatises, and political and historical writings of those periods. Relatively frequent appearance of the term in the *Siete Partidas* of Alfonso el Sabio indicates that by the mid-thirteenth century the concept was fully formed and generally comprehended. While the concept was an accepted part of Castilian thought, it does not appear to have been widely current outside of the Iberian Peninsula. The idea, consequently, would, in a technical sense, seem to be fundamentally a Castilian, or perhaps a Spanish, conception.¹

On the basis of the contexts in which the term appears, the *señor natural* is to be defined as a lord who, by inherent nature of superior qualities, goodness, and virtue, and by birth of superior station, attains power legitimately and exercises dominion over all within his lands justly and in accord with divine, natural, and human law and reason, being universally accepted, recognized, and obeyed by his vassals and subjects and acknowledged by other lords and their peoples as one who rightfully possesses his office and rightfully wields authority within his territory. The dominion held by such a lord is *señorío natural*. In its fullest sense, the concept applies to the emperor or king, but it also connotes lesser lords, *duques*, *condes*, *marqueses*, and other *señores*, who hold

¹ The king, as a *señor natural*, was also conceived of as *rey natural*, and the term *señor y rey natural* is sometimes found. *Señor natural*, it should be made clear, was a concept, and the term was never employed as a specific title in the technical sense.

authority over vassals and subjects. Thus, the king of Castile is the *señor natural* of all within his realms, whether of high or low degree, while the *duques, condes*, and other lords are in turn *señores naturales* of those within their lands. In the hypothetical case of acknowledgment by the king of Castile of the overlordship of the emperor, the latter would have become the *señor natural* of the former. The concept applies exclusively to temporal dominion, although spiritual lords exercising temporal authority are included. Women holding dominion, whether sovereigns or of lesser dignity, come within the concept, and are *señoras naturales* of the people of their lands.²

The concept of the *señor natural* was applied in the Indies with reference to the dominion and position held by native rulers and lords and to the relation of these lords to the king of Castile. In its practical aspects it was employed as a means of assuring the subjection of the masses of the people through control of their already established *señores*, and in its theoretical, it was given application with respect to the juridical right of dominion possessed by the sovereign of Castile and his representatives and in assessing tributes and services. Hence Moctezuma was the *señor natural* of all within the Aztec Empire, while subject to him were lesser lords who were the *señores naturales* of the peoples of the lands over which they held sway. The Inca, likewise, was the *señor natural* of his realms. In Yucatán, as but one other example, the Xiu, the ruling family of the independent *cacicazgo*, or province, of Maní, who had held dominion for a considerable period before the conquest, were recognized by the crown as the *señores naturales* of their territories. *Caciques* of very limited areas, or even towns, if of established ruling families, were acknowledged by the Castilians as *señores naturales* of their peoples. The king of

² In treating of the social classes of Aragon in the period from the eleventh to the thirteenth centuries, Rafael Altamira y Crevea in his *Historia de España y de la civilización española* (4 vols., Barcelona, 1913-1914), I, 446, writes of *ricos-hombres de natura* as follows: "Distinguíanse en ella (the nobility of Aragon) varios grados, siendo el primero el de los *ricos-hombres de natura*, que se consideraban descendientes de los primeros conquistadores. . . ."

Castile was, in turn, the *señor natural* of the native lords and of their subjects.³

The concept of the *señor natural* finds its origins deep in medieval Castilian political philosophy, which derived from that of Greece and Rome, Roman and Germanic law, the Holy Scriptures, the patristic writings, the works of the canonists, and scholastic thought, and it was influenced by feudal theory and practice. In the broader sense, the concept relates to the universal order of things with respect to the divine will, nature, justice, natural law, and reason and to the position of him who wields dominion within that order and the origin and character of his authority. It is thus fundamentally related to the more specific theories of lordship, dominion, and just title. Further, it concerns the nature, qualities, and endowments (the *naturaleza*) of the *señor natural*, a person of inherently superior capacity, wisdom, virtue, and goodness.

The *señor natural*, consequently, is one who by his own nature and in his own right is foreordained to hold dominion, and it is in accord with the divine will, nature, reason, justice, and natural law that he should hold sway over his fellows. His vassals and subjects owe obedience to him in accord with divine, natural, and human law, nature, reason, and justice, and his government must perforce be in conformance with these principles. He is obliged to protect and defend his subjects, and they must love, reverence, honor, and defend, as well as obey, him.

The term *señor natural* almost invariably appears in connection with the duties and obligations of the vassal to his

³ *Señor universal* was employed in certain instances to designate great native rulers, and *señor particular* to designate lesser and subordinate lords. These concepts are related to that of the *señor natural*, both *señores universales* and *señores particulares* being *señores naturales*. Cf. Carta de Fray Nicolás de Witte a un ilustrísimo señor, Meztitlán, 21 de agosto de 1554, and Carta parecer de Fray Toribio de Motolinía y de Fray Diego de Olarte a Don Luis de Velasco el Primero, 27 de agosto de 1554, in Mariano Cuevas, *Documentos inéditos para la Historia de México* (México, 1914), pp. 221-228 and 228-232. *Cacicazgo natural* is sometimes employed in connection with the dominion possessed by a *cacique* of the status of *señor natural*, and the term *cacique natural* is found. It is to be noted that the concept of *señor natural* was applied to native lords despite the counter-theories adduced to justify their dispossession and the transfer of dominion to the sovereign of Castile.

lord. In Castile, *vasallo* from medieval times was employed in two senses: (1) with reference to all of the subjects of the king or other lord;⁴ and (2) with reference to the relationship between the lord and vassal in the technical feudal sense. When *señor natural* appears in connection with *vasallo* in the first of these connotations, the duties and obligations involved are those owed to the ruler by all of his subjects under the broader theory of obedience; when the second connotation is involved, the obligations are those of a true feudal vassal to his lord.

The content of certain laws and *fueros* clearly establishes the feudal origins of elements of the concept of the *señor natural*, and, furthermore, the existence of lesser *señores naturales*, to whom their peoples owe recognition and who in turn acknowledge the king as the supreme *señor natural*, implies division under feudal practice. As already noted, those under the dominion of a lesser *señor natural* owe obedience and allegiance to the sovereign as the highest *señor natural*. It should be suggested, also, that primarily the concept carries the connotation of a personal relationship rather than of territorial status, although the latter idea is not wholly absent.

The establishment of the status of *señor natural* would seem to be related to the achievement of that position through possession of dominion within a family over a considerable period of time, and it is possible that origin within the territory over which dominion is held is also concerned. Legitimate and hereditary claim and accession appear definitely to be involved, especially with relation to the king, and may have played an important part in the development of the concept. While possession of dominion over a period of time seems to be involved, it may be suggested that the election

⁴ *Solariegos* of Castile, comparable in many respects to serfs elsewhere in western Europe during the Middle Ages, were included within the connotations of *vasallo* in its broader sense, being referred to at times as *vasallos solariegos*. *Mudéjares* were frequently referred to as *vasallos mudéjares*, and the natives of the new world were the direct *vasallos* of the sovereign of Castile. Cf. Ernesto Mayer, *Historia de las Instituciones sociales y políticas de España y Portugal durante los Siglos V á XIV* (2 vols., Madrid, 1925-1926), I, 176 ff., for a discussion of the connotations of *vasallo*.

of a king by the estates, the acceptance of a lord by his subjects through election, as with the *behetrías* of Castile, or the designation of a lord by the king and acceptance by the people concerned, would immediately establish the status of *señor natural*.⁵

A tyrant is the direct opposite of a *señor natural*, both with regard to the mode by which he acquires power and the methods by which he governs. Consequently, if one who rightfully achieved dominion and exercised authority as a *señor natural* were to govern contrary to divine, natural, and human law, justice, and reason, and thus to act in contradiction of his supposedly inherently superior nature, he would thereby lose his title.

It is to be inferred, given the religious beliefs of Castile, that orthodoxy with respect to the doctrines of the Church of Rome would be essential to any *señor natural* of a Christian polity and that heresy would prevent any individual from achieving or maintaining that status. While orthodox beliefs may be taken to have been generally assumed until the Reformation, it would seem logical to suppose that henceforth rulers who adopted or followed heretical doctrines, with Elizabeth of England and Henry IV of France, before his conversion, as outstanding examples, forfeited or failed to acquire the title of *señor natural*. Whether Moorish rulers in the Iberian Peninsula and North Africa, certain of whom were vassals and tributaries of the kings of Castile, and with whom the latter upon occasion concluded alliances and other treaty arrangements, and other non-Christian rulers were excluded from, or came within, the concept is an interesting point of speculation. The fact that, despite early conversion, native lords in the Indies were recognized as *señores*

⁵ *Vasallo natural* and *vasallos naturales* appear with reference to the vassals of a *señor natural*. When employed in this connection, *natural* and *naturales* are respectively the equivalent of *súbdito (sujeto)* and *súbditos (sujetos)*. The connotations of *vasallo natural* and *vasallos naturales* seem to have been expanded, in consonance with the broader meanings of the concept, to signify subjects who by nature and through territorial origins owe obedience and allegiance to the *señor natural* who holds dominion over the territory, i.e., kingdom, *condado*, *señorío*, city, or town, of which they are native. In this connection, *natural* and *naturales* in the same sense of natal origins with respect to territory should also be noted.

naturales on the basis of the exercise of dominion before the arrival of the Castilians would seem to indicate a certain degree of latitude in the interpretation of the concept.

Through assuming the imperial dignity and the kingship of the Spanish monarchies, Charles V united in himself the title of *señor natural* of the lands of the Holy Roman Empire, Aragon, and Castile. Thus the concept was fulfilled in its most complete connotations and highest sense by the ruler who was in theory the temporal head of all Christendom.⁶ Notwithstanding, with respect to Castile, since that kingdom was in actuality not within the empire, Charles V was *señor natural* not by right of the imperial office as such, which was an additional honor, but because he was sovereign of the realms of the crown of Castile. Upon his abdication, the connection with the imperial dignity was again broken. In theory, the same basic circumstances had existed with respect to Alfonso el Sabio upon his election to the throne of the empire, although he did not actually assume the dignity. It is to be noted in this connection, furthermore, that in the *Siete Partidas* it is specifically declared that kings existed before emperors and that the king in his realm holds the same position as does the emperor in his, indicating that the former when ruler of an independent monarchy is equal to the emperor in sovereign status and that consequently he enjoys equal claim to the title of *señor natural* in its full sense.⁷

⁶ Charles V was at times referred to by Castilian subjects as *señor universal*.

⁷ The following references illustrate the usage of the term *señor natural* and indicate the broader theories on which the concept is based:

- a. [Fuero de Soria], Paragraph 492. (This *fuero* was granted not prior to 1190 or posterior to 1214.)
Galo Sánchez, *Fueros castellanos de Soria y Alcalá de Henares* (Madrid, 1919).
- b. Fuero Real de España. (Reign of Alfonso X).
Libro I, Títulos II and III.
Libro IV, Título IV, Ley X.
- c. Espéculo. (Reign of Alfonso X).
Título I, Leyes I, III.
Título IV.
- d. Las Siete Partidas. (Reign of Alfonso X).
La Primera Partida, Título I, Leyes II, III, V, VI, XVI.
La Segunda Partida
Título I, Leyes I, V, VII, VIII, IX, X.

- Título V, Ley VIII.
 Título VIII, Ley I.
 Título XII, Prólogo.
 Título XIII, Leyes XI, XII, XIII, XIV, XXVI.
 Título XVIII, Leyes XXIV, XXV, XXVI, XXVIII, XXIX, XXXII.
 Título XXVI, Leyes IV, XIV.
- La Cuarta Partida
 Título XXIII, Prólogo.
 Título XXIV, Prólogo, Leyes I, II, III, IV.
 Título XXV, Prólogo, Leyes, I, II.
- e. Fuero Viejo de Castilla. (The date of the final compilation and the legal status of the so-called Fuero Viejo are uncertain.)
- Libro I.
 Titol I, Ley I.
 Titol IV, Leyes I, II.
- f. [*Carta Real* of July 10, 1421, to "todos los concejos e alcaldes e caualleros e escuderos e oficiales e homes buenos de la ciudad de Santiago e de todas las villas e lugares de su arzobispado e al Dean e Cabildo e clerisia de la dicha Iglesia e Arzobispado" and notification of this *carta real* to the *cabildo eclesiástico* of the City of Santiago, June 27, 1421.]
- Antonio López Ferreiro, *Fueros municipales de Santiago y de su Tierra* (2 vols. in one, Santiago, 1895), II, 47-49.
- g. Poder que el Concejo, Alcalde Corregidor, Justicia y Regimiento de la villa del Puerto de Santa María, otorgaron a Andres Fernandez y Juan Sanchez, regidores, para que iuarasen en la villa de Medinaceli por su señora natural a Doña Leonor de la Cerda. . . .(1479).
- A. Paz y Melia, *Series de los mas importantes Documentos del Archivo y Biblioteca del Exmo. Señor Duque de Medina-Celi* (2 vols., Madrid, 1915-1922), I, 78-79.
- h. [Reception of Philip I by Officials of the City of Santiago, June 1, 1506.] López Ferreiro, *op. cit.*, II, 190-192.
- i. Real Cedula de la Señora Reyna Doña Juana, su Data en Burgos á 6 de Abril de 1508. . . .
- Luis Morales García-Goyena, *Documentos históricos de Málaga* (Granada, 1906-), I, 229-233.
- j. Segunda carta-relación de Hernan Cortés al Emperador: fecha en Segura de la Sierra á 30 de octubre de 1520.
- Paseual de Gayangos, *Cartas y Relaciones de Hernan Cortés al Emperador Carlos V* (Paris, 1866), pp. 51-157 (especially pp. 66-69, 86-87, 98-100, 113, 115, 151-152).
- k. Carta de Fray Nicolás de Witte a un ilustrísimo señor, Meztilán, 21 de agosto de 1554.
- Mariano Cuevas, *Documentos inéditos para la Historia de México* (México, 1914), pp. 221-228.
- l. Carta parecer de Fray Toribio de Motolinía y de Fray Diego de Olarte a Don Luis de Velasco el Primero, 27 de agosto de 1554.
- Cuevas, *op. cit.*, pp. 228-232.
- m. Francisco de Xerez, *Conquista del Perú*, opening paragraph. (First edition, Sevilla, 1534).

- n. *The Xiu Chronicles*. MS., Peabody Museum, Harvard University, Cambridge, Massachusetts. The term *señor natural* occurs in a number of places in this manuscript, with reference to lords of the Xiu family.
- o. Recopilación de las leyes destos Reinos (Nueva Recopilación), 1567.
Libro Segundo, Título Tercero, Ley primera.
- p. Jerónimo Castillo de Bobadilla, *Política para Corregidores*. . . . (2 vols., Amberes, 1750), Libro II, Capítulo VII, Número 29. (First edition, Madrid, 1597.)
- q. Recopilación de Leyes de los Reynos de las Indias (1681).
Libro VI
Título V, Ley iiiii.
Título VII, Leyes i, ii, iii, iv, vii, viii.
- r. Francisco Ximénez, *Historia de la Provincia de San Vicente de Chiapa y Guatemala de la Orden de Predicadores* (3 vols., Guatemala, 1929-1931), Libro Primero, Capítulo XLI. (Francisco Ximénez was born in 1666, and died posterior to 1720.)
- s. Manuel Colmeiro, *Curso de Derecho político según la Historia de León y Castilla* (Madrid, 1873), p. 137.

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