

Wounds, Amputations, and Expert Procedures in the City of Valencia in the Early Fifteenth Century*

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In the late medieval period, medical practice and the status of practitioners underwent a far-reaching transformation. It was at the end of the thirteenth century that medicine came to be considered a *scientia*, and a position was claimed for it comparable to that of the other liberal arts. The physicians armed with a substantial number of medical texts, unknown until the thirteenth century, could explain the workings of the human body and interpret the concepts of health and illness in rational terms. Health was increasingly valued and, consequently, became a prime objective for rulers and a matter of growing concern to society as a whole. This kind of medicine, taught in and disseminated from the universities, was held in increasing esteem and its practitioners were well regarded, to the point that they acquired the status of an ideal professional model for those wishing to practice it.¹ The physicians attended to internal illness, while the surgeons treated fractures, wounds, abscesses, and external complaints, though there was confusion between their spheres of competence. From the last decades of the thirteenth century, this science slowly but surely permeated deep into many spheres, a phenomenon known as the “medicalization” of society.² One of the domains in which this phenomenon was experienced with great intensity was the court of law, because doctors

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- 1 Luis García Ballester, “*Artifex factivus sanitatis*: Health and Medical Care in Medieval Latin Galenism,” in *Knowledge and the Scholarly Medical Traditions*, ed. Don Bates (Cambridge: Cambridge University Press, 1995), 127–150.
- 2 On the Catalan-Aragonese area, the following works can be consulted: Lluís Garcia Ballester, *La medicina a la València medieval. Medicina i societat en un país medieval mediterrani* (Valencia: Alfons el Magnànim, 1988); Michael R. McVaugh, *Medicine before the Plague: Practitioners and Their Patients in the Crown of Aragon, 1245–1345* (Cambridge: Cambridge

were called in as expert witnesses to testify in certain cases about medical evidence.

A case in point is the criminal court of justice in the city of Valencia, where the expert knowledge of doctors was sought on a wide range of issues. This court was founded in 1321 on the basis of letters patent granted by James II of Aragon, which stipulated that the two areas of jurisdiction, civil and criminal, should be controlled by two different judges. The one exercising criminal jurisdiction was responsible for safeguarding the city and for capturing malefactors and those carrying prohibited weapons; this judge applied punishments for drawing one's sword, for gambling, or for being out at night without a light, and judged cases of slander, wounding, or mutilations and homicides, as well as any other criminal act, including offences committed at sea up to a hundred miles from the coast. He also imposed fines and corporal punishments on those convicted.³ Jurists soon realized what a great help it would be to draw on the experience of physicians and surgeons in order to clarify a large number of complex issues for judges. But it was the *furs*, or legal code, of King Alfonso the Benign, in 1329–30, that established the principles upon which the practice of medicine in the Kingdom of Valencia was founded.⁴ Among other topics, these laws established the basis for courts of law to take advice from medical practitioners.⁵

University Press, 1993); and Carmel Ferragud, *Medicina i promoció social a la Baixa Edat Mitjana (Corona d'Aragó, 1350–1410)* (Madrid: CSIC, 2005).

- 3 Rafael Narbona, "El Justicia Criminal. Una corte medieval valenciana, un procedimiento judicial," *Estudis Castellonencs* 3 (1986): 287–310.
- 4 The *furs* or legal code of Valencia, compiled over the course of four centuries, from the thirteenth to the sixteenth, constitute the main corpus of Valencian legislation and the basic instrument, together with letters patent, for knowledge and study of law in the Kingdom of Valencia. These compilations of laws contain, in principle, the precepts agreed at the *corts* or legislative assemblies of the kingdom between the three classic branches or estates of society (ecclesiastical, military, and royal) and the king. Depending on whether or not they were agreed unanimously, they were called *furs* (which were universally applicable) or *actes de cort* ("acts of the assembly"), whose validity was restricted to members of those branches that had agreed to them. However, the *furs* of Valencia also include some letters patent (issued by the king without the consent of the assembly), a very common type of legislative instrument during the early years following the conquest of the kingdom. The *furs* of Valencia took shape in 1261, when James I swore to uphold the Customs of the city of Valencia with the name of *furs*, valid throughout the kingdom.
- 5 Valencian legislative documentation on medicine can be found in *Furs de València*, ed. Germà Colón and Arcadi Garcia, vol. 8 (Barcelona: Barcino, 1999), 133–141. For a study of this medical legislation, see: Garcia Ballester, *La medicina*, 53–57.