

Royal Punishment and Reconciliation in Trastámara Castile

Samuel A. Claussen

et d'esto los reis muy malas costumbres han;
al rey que vós servides, servillo muy sin arte,
assí vos aguardat d'él commo de enemigo mortal.

[And in these things kings have evil customs;
the king which you serve, serve him without any artifice,
and guard yourself against him as a mortal enemy].¹



These words were written sometime in the second half of the fourteenth century by an anonymous Castilian author. He had good reason to counsel knights and nobles to be cautious in dealing with kings. Pedro (r. 1350–1369) had summarily executed numerous men and women in the mid-fourteenth century whom he suspected of disloyalty or treason. As a result, Pedro's half-brother led a rebellion against him, ultimately overthrowing and killing the Castilian king in what historians call the Castilian Civil War. The new Trastámara Dynasty, founded by King Enrique II (r. 1366–1379), was born out of a treasonous rebellion and quickly became focused on rooting out treason itself. For roughly the next century, the Trastámara monarchs struggled with the challenges of treasonous knights and noblemen who regularly rose in resolute rebellion, rejecting the royal regime. The Trastámara monarchs deployed two effective responses to noble and knightly treason: harsh punishment and full reconciliation. While other responses were attempted by some of the Trastámara monarchs such as exile, financial punishment, or submission to rebellious

¹ Matthew Bailey, ed. and trans., *Las Mocedades de Rodrigo: The Youthful Deeds of Rodrigo, the Cid* (Toronto: University of Toronto Press, 2007), 77.

demands, only harsh punishment and reconciliation successfully resolved the challenges presented by traitors and helped to discourage further treasonous action. The stability of the Trastámara state was only possible through the use of these two policy tools. Strong and decisive action concerning traitors, either through brutal punishment or through reconciliation with the Crown, were the only effective ways to either bludgeon the nobility into submission or give them a clearer stake in the success of the Trastámara Dynasty.

Treason (*traycion*) was a well-established concept in late medieval Castilian law. In the great law code of the late-thirteenth century, Alfonso X's *Las Siete Partidas*, treason is described as “una de los mayores yerros y denuestos en que los hombres pueden caer” [one of the greatest errors and injuries that a man can commit] (Part. 7, Tit. 11). The code compares treason to leprosy or another infectious disease that rots the body and destroys the community. The *Partidas* was familiar to the Trastámara monarchs, as they reissued it throughout the fourteenth and fifteenth centuries. It prescribes confiscation of property, capital punishment, and infamy for a traitor's sons, emphasizing the gravity of the crime (Part. 7, Tit. 11, Ley 11). When the code speaks of punishment, it allows for beheading, hanging, being thrown to wild beasts, or burning (Part. 7, Tit. xxxi, Ley vi). In short, the legal prescriptions of late medieval Castile took treason very seriously and the Trastámara kings would happily use these punishments.

Yet not every man was subject to any kind of execution; elite members of society were excluded from ignominious executions. Notably, “[c]onoscidas, e apartadas honrras han los Caualleros sobre otros omes” [Knights have well-known and separate honors above other men] (Part. 2, Tit. XXI, Ley xxiv). The law was very clear: as a result of knightly honor, dragging to death, hanging, or mutilation were ruled out. Instead, if a knight was convicted of or confessed to any crime, including treason, which carried a capital punishment, “hanle de descabeçar por derecho, o matalle de fambre” [he should be decapitated according to the law or starved to death] (Part. 2, Tit. XXI, Ley xxiv). Knights were considered a superior class of people, and their subjection to legal punishment reflected that status. The punishment for treason was still severe, but the laws of Castile also prescribed a level of restraint. The legal traditions and statutes of Castile, then, encouraged punishment of traitors and the suppression of treason through execution, but they also recognized that social hierarchy could modify legal principles. The Trastámara kings, facing regular civil war and dissent in their realm, embraced the legal priority of suppressing treason but were willing to move beyond the protections for knights when it came to extreme punishment; they deployed burning and mutilation against the