

Reconstructing Obedience in the Spanish Monarchy


Agents and Practices Involved in the Restoration of Peace in Guipúzcoa, 1635–1640

▼ **ABSTRACT** This chapter explores the intricate process of mediation and negotiation between the central royal authority and local administrations within the Spanish Monarchy, a process crucial for restoring allegiance and obedience to the Crown, especially in border regions facing contentious issues. Focusing on the dynamic relationship between Guipúzcoa and the Spanish Monarchy during the tenure of the Count-Duke of Olivares, this study examines both formal and informal scenarios of negotiation. It scrutinizes the roles of various mediators herein, especially those of the local 'Corregidor' and the nuncio, as well as their influential patronage networks, which facilitated consensus-building in the Basque Lands during this era.

In early modern Europe, war existed as a highly destabilizing factor for local communities, as it upset governmental practices and everyday coexistence.¹ In situations of impending danger and international conflict, the machinery of war required ever-increasing numbers of men, money, and space for lodging, all set against a backdrop of growing royal authoritarianism and the resulting local discontent.² Often, discontent over new wars crystallized into open disobedience, which could alter territorial balances of power. This was the case in 1635 in the

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 - 2 Juan E. Gelabert, 'Guerra y sociedad urbana en Castilla (1638–1652)', in *La guerra en la Historia* (Salamanca: Universidad de Salamanca, 1999), pp. 135–62 and Juan E. Gelabert, *Castilla convulsa (1631–1652)* (Madrid: Marcial Pons, 2001).

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small coastal territories of the Basque Country, a border region that had become strategically important after war broke out between France and the Spanish Habsburgs. In the 1630s, Philip IV and Olivares introduced new war-management policies, which directly affected the governance of these frontier territories by interfering with their traditional military and fiscal institutions. These changes were the source of considerable acrimony that sometimes took the shape of open contempt for royal authority, and which threatened internal order and existing bonds of loyalty. The Crown restored social peace and active loyalty through both the actions of a complex array of political and social actors and by implementing methods of mediation that inevitably affected both political practice and discourse.³

Thus, it is within this context of authoritative mistrust that we can ask: In what arenas did negotiation take place? What agents played a role in the return to obedience and the conflict's pacification? What measures did the central government and provincial authorities implement to restore peace, order, and, above all, consensus? This chapter attempts to answer these questions by examining the political practice in strategically sensitive borderland territories during critical periods and identifying what mechanisms the Habsburg Crown and its provincial powers implemented to maintain the loyalty of its subjects on the frontier.

At the Origins of the Conflict: Fiscal and Military Demands

Similarly to the rest of early modern Europe, if the central government ever decided to meddle with either local privileges and exemptions or encroach upon a community's self-government and traditional constitutional principles, the subjects generally understood this as an act of violence that could push them to resist.⁴ The example posed by the rebellion in the Low Countries, which followed the alleged transgression of traditional 'constitutional documents' loomed large in the minds of Philip IV and the Count-Duke of Olivares.⁵ The Basque territories,

3 Xavier Gil, 'The Good Law of a Vassal: fidelity, obedience and Obligation in Habsburg Spain', in *Forms of Union: the British and Spanish Monarchies in the Seventeenth and Eighteenth centuries*, ed. by Jon Arrieta and John H. Elliott, *International Journal on Basque Studies (RIEV)*, 5 (2009), pp. 83–106.

4 The early Habsburg's peaceful incorporation of territories such as Aragón, Catalonia, and the Low Countries (bordering with France) into the Crown's land contributed to the survival of traditional governing institutions led by local elites, José Javier Ruiz Ibáñez, 'Les acteurs de l'hégémonie hispanique, du monde à la péninsule Ibérique', *Annales, Histoire, Sciences Sociales*, 4 (2014), pp. 927–54. The main insurrections in the sixteenth and seventeenth centuries flared up in these same territories, José Javier Ruiz Ibáñez and Gaetano Sabatini, 'Monarchy as conquest: violence, social opportunity, and political stability in the establishment of the Hispanic Monarchy', *Journal of Modern History*, 81–3 (2009), pp. 501–36.

5 See the process of political mediation in the Low Countries during the reign of Philip IV in René Vermeer, *En estado de guerra: Felipe IV y Flandes* (Córdoba: Universidad de Córdoba, 2006) and during the preceding period in Violet Soen, 'Reconquista and Reconciliation in the Dutch Revolt.

however, while similarly located along France's border, stood as an open door to the heart of Castile and possessed a poorly outlined pact-based system that they used to define their relationship with the Crown.

In the province of Guipúzcoa, tensions finally exploded in the 1630s. According to those responsible for the open conflict, two factors caused the contempt for royal orders. First, the Crown openly violated local and 'territorial norms' that many regarded as 'natural rights' or non-written customs.⁶ They considered these rights as an inherent part of the community that existed before the rise of the Crown of Castile. Moreover, these alleged 'rights' played a central role in the pact which bound these territories to the monarchy. Second, locals argued that royal conditions were impossible to meet. Specifically, the debates revolved around the management and fiscal provisions designed to support the war effort, which went against consolidated customs, freedoms, and exemptions. Philip IV's 1631 decree on the royal monopoly on salt triggered the first challenges to royal orders and directly led to a very violent armed rebellion.⁷ At least the riots that occurred in Guipúzcoa in 1632, following the collection of a voluntary contribution, were more moderate.⁸

Soon afterward, beginning in 1635, France's declaration of war increased tensions: now, in addition to the fiscal measures, the Crown aimed to impose direct control on the frontier's military administration. This policy resulted in the so-called 'militarisation' of the province, an event that had already been attempted in other dominions throughout the Spanish Monarchy.⁹ This militarisation implied the limitation of the local militias' self-government and merged political and military roles (those exercised by the *Capitán-General* and the *Corregidor*) into a

The campaign of Governor-General Alexander Farnese in the Dutch Revolt (1578–1592); *Journal of Early Modern History*, 16 (2012), 1–22. For the changes proposed in the Low Countries to deal with sovereignty, see Yves Junot and Marie Kervyn, 'La question des appartenances au long de la frontière sud des anciens Pays-Bas (fin XV^e–fin XVII^e siècle)', in *L'identité au pluriel. Jeux et enjeux des appartenances autour des anciens Pays-Bas, XIV^e–XVIII^e siècles, Identity and Identities. Belonging at Stake in the Low Countries, 14th–18th Centuries*, ed. by Violet Soen, Yves Junot and Florian Mariage (Villeneuve d'Ascq: Université Charles-de-Gaulle-Lille 3, 2014), pp. 229–48.

- 6 For the slow process of compiling provincial laws (*Fueros*) in Guipúzcoa, see Susana Truchuelo, 'Compilation des écritures et efficacité administrative à Guipúzcoa (XV^e–XVII^e siècles)', in *Écritures grises. Les instruments de travail des administrations (XII^e–XVII^e siècle)*, ed. by Arnaud Fossier, Johann Petitjean and Clémence Revest (Rome/Paris: École Française de Rome/École nationale des Chartes, 2019), pp. 545–62.
- 7 Juan J. Laborda, *El Señorío de Vizcaya. Nobles y fueros (c. 1452–1727)* (Madrid: Marcial Pons, 2012).
- 8 For the rejection of royally-imposed fiscal measure and the absolutist stance that they represented, see James B. Collins, *Fiscal Limits of Absolutism. Direct Taxation in Early Seventeenth-Century France* (Berkeley: University of California Press, 1988).
- 9 In general, see Jan Glete, *War and the State in Early Modern Europe. Spain, the Dutch Republic and Sweden as Fiscal-Military States, 1500–1660* (New York: Routledge, 2002) and also Juan E. Gelabert, 'El impacto de la Guerra y del fiscalismo en Castilla', in *La España del conde duque de Olivares*, ed. by John H. Elliott and Ángel García Sanz (Valladolid: Universidad de Valladolid, 1990), pp. 555–73, and Irving A. A. Thompson, 'Milicia, sociedad y estado en la España moderna', *La guerra en la historia*, pp. 115–33.

single military administrator that the king directly appointed. In 1637 and 1638, particularly after the French siege of Fuenterrabía, the imposition of royal stamps and never-ending military demands became another issue of debate.¹⁰

The remainder of this chapter focuses on the provincial authorities' management of the protests against the military dispositions in Guipúzcoa following the outbreak of war with France in 1635. After the Crown questioned Guipúzcoa's authority over its militias, low-key protests began in 1636 but became much more radical in 1638. The Count-Duke of Olivares found himself in the middle of this radicalization, as, in his attempts to prevent further French incursions, he substantially increased the military services that the king demanded from the inhabitants of Guipúzcoa. He requested the militias to join the royal armies and to put themselves under the exclusive authority of their officers, which conflicted with their privileges set out in the *Coronelia* — the provincial jurisdiction over defensive militias. This sort of military force also existed in other territories of the Crown, such as in Aragón.¹¹ Starting in November 1638, the constant stream of military demands, both on land and at sea, broke the concord that had hitherto presided over the relationship between the royal power and the provincial authorities, which threatened order and peace in this frontier society. Even though the conflict did not result in armed resistance, the contempt shown for royal orders had the potential to seriously compromise the frontier's defense and, in the worst-case scenario, the loyalty of the inhabitants of Guipúzcoa.

The Arenas for Negotiation: Formal and Informal Institutions

The arenas in which the two sides attempted to solve their discrepancies by negotiation were political: the royal court and councils; private and provincial assemblies (*Juntas Generales*, *Particulares*, and *Extraordinarias*); delegated bodies (*Diputación*); and local corporations (open councils and *Regimientos*), whether formal or informal, all had a role to play in the processes of government, resistance, and negotiation. At the local level, councils (embodied by their *Regimientos* and/or open councils) and the provincial government, which assumed the representation of the whole of the territory, made most political decisions.¹²

10 Susana Truchuelo, *Gipuzkoa y el poder real en la Alta Edad Moderna* (San Sebastián: Diputación Foral de Gipuzkoa, 2004).

11 Enrique Solano Camón, 'Significación histórica de Aragón ante la encrucijada de 1640', *Cuadernos de Historia Moderna*, 11 (1991), pp. 131–48.

12 On the different channels of political decision-making in the Basque Country, see Susana Truchuelo, 'Political participation and representation in the Basque Country', in *Political Representation in the Ancien Régime*, ed. by Joaquim Albareda and Manuel Herrero Sanchez (London/New York: Routledge, 2018), pp. 300–15.

Councils and *Juntas Generales*, as representative bodies, provided the main arenas for debate, dialogue, negotiation, exchange, and decision at the provincial level.¹³

The male representatives of the most prestigious families of the *hidalgos* ('lower nobility') made up the oligarchies that dominated the small urban nuclei. In coastal and commercial centers, the merchants involved in Atlantic trade played a prominent role, along with those families who had made their fortune in the service of the King by holding public office in the royal court or the local *audiencias*, shipbuilding, supplying the military, or serving in the army; in inland villages, elites whose rents depended upon agriculture, stock-breeding, or the metal industry, as well as short-distance merchants, served as key social actors.

These oligarchies commonly possessed an iron will to defend the privileged constitutional model that had emerged during the closing decades of the Middle Ages. This model was based on the universal possession of the title of *hidalgo* and fiscal, military, and commercial exemptions. These local elites, who formed the *Juntas Generales*, played a determining role in urban government.¹⁴ The relative political power of the sixty privileged local corporations that made up the *Juntas* was uneven, as it had evolved from a medieval voting system in which the commercial coastal towns (e.g. San Sebastián, Rentería, and Deva) and some interior cities (e.g. Tolosa, Azpeitia, Azcoitia, Mondragón, and Bergara) carried more than their proportional weight. While unanimity was rare, the elites from the most powerful cities relied upon negotiation to achieve the majorities on which the government depended.¹⁵

During peacetime, the *Juntas* met twice a year and a permanent committee (*Diputación*), also urban-based and controlled by the oligarchy of four cities, handled everyday business. In the 1630s, however, the war forced provincial leaders to summon the *Juntas Particulares* (as they were capable of quickly dealing with extraordinary royal demands and other urgent issues), and the *Diputaciones a guerra* (which remained operational for the duration of the hostilities), both of which stayed a constant throughout the period.¹⁶ These extraordinary assemblies followed the same corporate-urban and oligarchical model as the *Juntas Generales*.¹⁷

13 Michel Hébert, *Parlementer. Assemblées représentatives et échange politique en Europe occidentale à la fin du Moyen Âge* (Paris: Éditions de Boccard, 2014).

14 Most understood the *Juntas* as a republic of republics, a notion that the Basques had firmly established within their political structure: Manuel Herrero, 'El modelo republicano en una monarquía de ciudades', in *Soulèvements, révoltes, révolutions dans l'Empire des Habsbourg d'Espagne, XVI–XVII siècle*, ed. by Alain Hugon and Alexandra Merle (Madrid: Casa de Velázquez, 2016), especially, Manuel Herrero, *Repúblicas y republicanismo en la Europa moderna (siglos XVI–XVIII)* (Madrid: FCE, 2016).

15 Susana Truchuelo, *La representación de las corporaciones locales guipuzcoanas en el entramado político provincial (siglos XVI–XVII)* (San Sebastián: Diputación Foral de Gipuzkoa, 1997).

16 In 1638, the *Juntas Particulares* (which lasted for one day) met four times, while they met five times in 1639 (some of which lasted for as long as six days) and three times in 1640. The records for the *Diputación a guerra* held between June and October 1638 and May to October 1639, are preserved.

17 For a general institutional view, see Gregorio Monreal, *Las instituciones públicas del Señorío de Vizcaya (hasta el siglo XVIII)* (Bilbao: Diputación de Vizcaya, 1974); José M^a Portillo, *Monarquía y gobierno*

During moments of danger, the *Junta* appointed prestigious individuals from the provincial elites to join the *Diputaciones a Guerra*. During the tense moments of 1639, for example, several military experts joined the *Diputación* with the expectation that they could use their expertise and courtly kinship networks to exercise some influence over local communities; these included such well-known families as the Ipeñarrieta, the Idiáquez, the Necolalde, the Arriaga, and the Galarza.¹⁸ The royal councils involved in the war effort tried to channel the negotiations through delegated institutions (such as the *Diputación*) or individuals (envoys to the court and the councils) because they were easier to influence than the multitudinous *Juntas*. The councils even tried to bestow executive powers on these bodies and emissaries, demanding they be given decision-making powers while limiting them to advisory roles.¹⁹

These measures to limit the multi-faced and often divided authority of the provincial elites came to nothing in the case of Guipúzcoa. As demonstrated by the measures adopted in 1639, government leaders never left final decisions to either the *Diputaciones* or to individuals, who still found themselves forced to stick to detailed instructions that limited their flexibility. The *Juntas Generales* remained the vehicle through which the region channeled its political actions and conducted negotiations with the King, as was the case in other autonomous territories still loyal to the Crown of Aragón.²⁰ The *Juntas Generales* assumed the role of representing the whole territory, and all decisions had to go through their tortuous procedure, which encouraged both a disparity of opinion and never-ending debates.

Initially, decisions adopted at the provincial level concerning the war had to be passed on to the Crown, especially to the Councils of State, War, and Castile. The war, however, prompted Philip IV to create the Council of Cantabria in October 1638. The new council, which combined elements from the War, Castile, and Chamber Councils, had its seat close to the front in the Pyrenean

provincial. *Poder y constitución en las Provincias Vascas (1760–1808)* (Madrid: Centro de Estudios Constitucionales, 1991).

18 Local governments entrusted these individuals with debating the royal petitions and preparing letters and memoranda addressed to the King and his advisors. In 1639, the appointments included Don Pedro de Ipeñarrieta y Galdós, Don Pedro de Idiáquez, the *Veedor-General* Don Miguel de Necolalde, Don Pedro de Arriaga Ormaeui, the lawyer Miguel de Alduncin, Don Juan de Vergara, Martín Pérez de Zubiaurre, Don Juan López de Arteaga, Domingo de Cortaberria, and Don Sancho de Galarza, who had direct family connections to the court and the royal councils.

19 In January 1639, the Council of Cantabria tried to extend the jurisdiction and powers of the *Diputación* 'as needed', but the *Diputación* rejected the measure: Imanol Merino, 'El Consejo de Cantabria. Guerra y territorios en el ministerio del conde duque de Olivares (1638–1643)' (unpublished doctoral thesis, UPV-EHU, 2015), pp. 395–96. These strategies, for example, were similar to those usually applied in the Castilian Parliament, Pablo Fernández Albaladejo, 'La representación política en el Antiguo Régimen', in *El Senado en la Historia* (Madrid: Secretaría General del Senado, 1998), p. 105.

20 Antonio Espino, 'La formación de milicias generales en los reinos de la Corona de Aragón durante el reinado de Carlos II, 1665–1700', *Estudios humanísticos. Historia*, 2 (2003), pp. 111–40.

city of Vitoria, from which it oversaw the reinforcement of frontier defenses.²¹ The Council of Cantabria thus became the main interlocutor with Basque authorities regarding defensive measures. Despite the importance of the military element, which included Nicolás Cid from the War Council, the presence of lawyers from the Chamber Council, Francisco Antonio de Alarcón, the Castile Council, and Diego de Riaño suggested how important it was to exercise royal grace, even during the war. Similarly, Philip IV, through the selection of council members, aimed to respect the juridical plurality that characterized the monarchy — that is, the multiplicity of rights, freedoms, and exemptions consubstantial to the Habsburg Empire's peripheral dominions.

From the outset, local governments ignored the Council of Cantabria's orders; various political actors struggled for domination during the period between the end of 1638 and the beginning of 1639. Such openly defiant attitudes were unprecedented: neither the War Council's demands nor the Financial Council's fiscal requests had ever been met with such contempt. The Council of Cantabria reprimanded Guipúzcoa for its constant rebukes and reminded the province of its duty to the sovereign. For the people of the province, however, both the conditions and caveats that they placed on many of the royal demands and the arguments they used to simply reject others were legitimate. The Council of Castile, whose lawyers undertook to examine the implications of Guipúzcoa's disobedience, debated these constitutional disputes.²² In particular, the council debated the vassal's obligation to provide military service and, importantly, reaffirmed the obligatory nature of service, while rejecting the need for previous consensus in the context of the progressive assertion of Habsburg absolutism in April 1639.

The Council of Castile, however, rejected the use of force to impose these ideas, instead advocating for a policy of concord and understanding with the vassals on whose shoulders the defense of the frontier depended. As such, the Council put forward a set of soft measures and a policy of negotiation with the provincial elites.²³ This led to the Council of Castile ratifying the royal *suprema potestas*, which thus preserved his full sovereign authority. Philip IV and Olivares,

21 Imanol Merino, 'El Consejo de Cantabria. Negociación con los territorios y administración de los aspectos bélicos en la frontera pirenaica occidental (1638–1643). Primeros apuntes' in *Actas de la XI Reunión Científica de la FEHM* (Granada: Universidad de Granada, 2012), I, *El Estado absoluto y la Monarquía*, ed. by Antonio Jiménez Estrella and Julián J. Lozano Navarro, pp. 805–16.

22 For information on the debate between the concept of obedience and 'executive obedience' surrounding Olivares, see Rafael Valladares, 'El problema de la obediencia en la Monarquía Hispánica, 1540–1700', in *Servir al rey en la Monarquía de los Austrias*, ed. by Alicia Esteban Estringana (Madrid: Sílex, 2012), pp. 121–46.

23 Archivo Histórico Nacional, *Consejos Suprimidos* (henceforth AHN CS), leg. 7.155.

however, leaned towards a more pragmatic political approach based on cooperation and negotiation,²⁴ which avoided conflict while maximizing the monarchy's interests, especially about the defence of the border with France.²⁵

Royal Agents: The *Corregidor* and the Restoration of Obedience

The governance of such a complex and multi-faceted²⁶ — some might say polycentric²⁷ — monarchy as the Habsburgs' relied upon a wide range of agents, institutions, and complex territorial arrangements.²⁸ The sovereign's authority, however, also rested on a variety of principles from which the means and the ends did not always converge, especially in moments of crisis. Each of the royal agents channelled the royal and/or provincial orders to the community; if discrepancies existed, they could use their influence and their professional, social, or kinship connections to negotiate consensus.

At the local level, mayors, *Regidores* (which the residents in Guipúzcoa annually appointed), and those officials who constituted the *Regimiento* served as the provincial interlocutors, while also participating in the open councils with the rest of the citizenry.²⁹ All made decisions relating to the fulfillment of the King's and province's orders and facilitated their execution. The representatives of these towns in the *Juntas Generales* had the same local grounding; these *Juntas Generales* represented a provincial elite, whose interests often diverged, but who were strongly united in their desire to protect the common needs of the provincial republic. They placed a special emphasis on defending those notions

24 Alicia Esteban Estríngana, 'El consenso como fundamento de la cohesión monárquica: la operatividad política del binomio protección-defensa en los Países Bajos en el siglo XVII', in *Lo conflictivo y lo consensual en Castilla*, ed. by Francisco J. Guillamón and José J. Ruiz Ibáñez (Murcia: Universidad de Murcia, 2001), pp. 325–76.

25 For the defence policies in this region, see Truchuelo, 'Fronteras marítimas en la Monarquía de los Habsburgo: el control de la costa cantábrica', *Manuscripts*, 32 (2014), pp. 33–60.

26 Xavier Gil, 'Visión europea de la Monarquía española como Monarquía compuesta, siglos XVI y XVII', in *Las monarquías del Antiguo Régimen, ¿monarquías compuestas?*, ed. by Conrad Russell (Madrid: Universidad Complutense, 1996), pp. 65–95; Jon Arrieta, 'Entre monarquía compuesta y estado de las autonomías. Rasgos básicos de la experiencia histórica española en la formación de una estructura política plural', *Ius Fugit: Revista interdisciplinar de estudios histórico-jurídicos*, 16 (2009–2010), pp. 9–72.

27 Pedro Cardim and others, *Polycentric Monarchies. How did Early Modern Spain and Portugal Achieve and Maintain a Global Hegemony?* (Eastbourne/Portland/Vaughan: Sussex Academy Press/Red Columnaria, 2012).

28 For the different negotiation mechanisms (and agents) deployed in conflict situations in Peru, see Manfredi Merluzzi, *La pacificazione del Regno. Negoziazione e creazione del consenso nella formazione del Perù vicereale (1533–1581)* (Rome: Viella, 2010).

29 Concerning the formation of local oligarchies, see Rosario Porres, 'Oligarquías y poder municipal en las villas vascas en tiempos de los Austrias', *Revista de Historia Moderna*, 10 (2001), pp. 313–54.

considered consubstantial to the *hidalgo* character of the provincial community,³⁰ the community's *quasi-free-trade* commercial policies, and its wide scope for self-government.

As was the case throughout the Habsburg Empire, community officials had to coexist with those appointed by the King, some of whom included the *Corregidor*, who was the monarch's direct representative and who guaranteed laws, rights, and policies, and who served as the first instance judge (at the same level as the local mayors), and the *Capitán-General*, who commanded the royal garrisons in the fortresses of Fuenterrabía and San Sebastián.³¹ The *Corregidor* was a fully consolidated post by the seventeenth century and his presence was compulsory at the meetings of the *Juntas* and *Diputación*: as a rule, this position was occupied by lawyers of increasing expertise in Guipúzcoa.³² The qualification of the appointees is a clear sign that *iurisdictio* — rights and fundamental laws — was given priority over *gubernaculum* — the executive action of the sovereign and his delegates — in this increasingly strategic border region. As such, the *Corregidor* became a key agent of mediation between the territorial oligarchies and the Crown, and sometimes this put him in opposition to the *Capitán-General*. Although he had no vote, the *Corregidor* chaired the sessions and acted as the King's voice, conveying his orders and ensuring his vassals's obedience. This position of privilege allowed him to steer local authorities in the right direction, ensure that the locals carried out royal orders, and arbitrate conflicts. At the same time, he had a duty as protector of the territory's liberties to defend traditional provincial privileges and territorial- and class-derived exemptions before the King.

The *Corregidor* was so important to the political-constitutional structure of Guipúzcoa that the province expressed its support for this official — and his jurisdiction — over other royal appointees whose powers increased during wartime, such as the *Capitán-General*, before Philip IV. In the 1630s, residents of Guipúzcoa, for example, insisted that the two positions remained separate. The Crown had already merged them in some places in Castile and Aragón.³³ The strategy behind this move was that it increased the *Capitán-General's* military

30 José R. Díaz de Durana, *Anonymous noblemen: the generalization of hidalgo status in the Basque Country (1250–1525)* (Turnhout: Brepols, 2011).

31 Juan Francisco Pardo Molero and Manuel Lomas Cortés, 'Ministros idóneos. El marco del servicio al rey en la Monarquía hispánica', in *Oficiales reales. Los ministros de la Monarquía Católica (siglos XVI–XVII)* (Valencia: Universidad de Valencia/Red Columnaria, 2012), pp. 9–22.

32 José I. Fortea, 'Príncipes de la República. Corregidores de Castilla y la crisis del Reino', *Estudis*, 32 (2006), 73–110; Fortea, 'Corregidores y regimientos en la España Atlántica', in *La apertura de Europa al Mundo Atlántico: espacios de poder, economía marítima y circulación cultural*, ed. by José Ramón Díaz de Durana and José Antonio Munita (Vitoria: UPV-EHU, 2011), pp. 69–116.

33 Ernest Belenguer, *La Corona de Aragón en la monarquía hispánica* (Barcelona: Península, 2001); Antonio Jiménez Estrella, *Poder, ejército y gobierno en el siglo XVI. La Capitanía General del reino de Granada y sus agentes* (Granada: Universidad de Granada, 2004); María Carmen Saavedra, *Galicia en el Camino de Flandes* (La Coruña: Edición do Castro, 1996).

attributions while undermining the *Corregidor's* jurisdiction.³⁴ In 1635, Philip IV merged the two positions, *temporarily* and *extraordinarily*, when he appointed Juan Alonso de Idiáquez de Butrón y Múgicam, a military aristocrat who was originally from Guipúzcoa and was a member of both the locally influential Idiáquez family and the equally important Butrón y Múgica family from Vizcaya, the second Duke of Ciudad Real and second Count of Aramayona.

The designation of local appointees during times of conflict was a common strategy; they could use the obligations derived from local patronage networks to mitigate potentially violent reactions against royal orders that contravened local customs. Philip IV, however, chose poorly in this case: the relationship between Juan Alonso de Idiáquez and the local oligarchies, although polite, was far from cordial.³⁵ The Duke of Ciudad Real levelled strong accusations against the province in a secret letter to the King, expressing his doubts as to the Crown's previous implementation of soft policies and instead suggested the use of punishment and strict application of the law to conquer the *pride* of the inhabitants of Guipúzcoa and their dangerous attachment to freedom. Idiáquez's strong indictment and his direct attack on the provincial *Coronella*, which implicitly rejected the militias' self-government, was met with a strong response from the local elite. They labelled him an *unworthy* son of the province and accused him of acting out of envy and resentment.³⁶ Apart from these rivalries, by merging the civil and military powers into a single political entity, as was the case with the Duke of Ciudad Real, the King caused serious controversies concerning the allocation of jurisdiction among ordinary mayors, the colonel, and his sergeants — that is, the provincial officials who held military responsibilities. There is little doubt that Ciudad Real's authoritarianism, rather than his role as mediator between different branches of the oligarchy, planted obstacles on the road to concord and obedience.

To solve these problems, the province insisted on separating the offices of *Capitán-General* and *Corregidor* after the King relieved the Duke of his post in 1637. As a substitute, the province suggested appointing a lawyer,³⁷ a

34 Susana Truchuelo, 'Militares en el mundo urbano fronterizo castellano (siglos XVI–XVII)', *Studia Historica. Historia Moderna*, 34 (2012), pp. 145–80.

35 When the Crown sent the Duke of Ciudad Real to put down the riots caused by the royal monopoly on salt, his relationship with the oligarchies of Vizcaya proved to be equally strained. The Guipúzcoa-born Don Bernardo de Atodo Ipeñarrieta, who was sent to collect a voluntary donation, did not fare much better, and the expeditious methods deployed caused considerable unrest.

36 Ciudad Real's actions were 'unbecoming to his due nobility, fidelity, love and obedience', making him an unworthy heir of the respect that his father and grandfathers had earned: 'for the only reason that the Province did not offer him the *Coronella* and the command of His Majesty's troops, which were conferred on Field Marshall Don Diego de Isasi Sarmiento instead, in whose person converge such quality of blood, good habits, prudence, bravery, experience in the Flanders wars, and love for his Province', *Juntas y Diputaciones de Guipúzcoa (1635–1637)*, vol. XXVI, transcription by M^a Rosa Ayerbe (San Sebastián: Diputación Foral de Gipuzkoa, 2006), p. 219.

37 Archivo General de Gipuzkoa- Gipuzkoako Artxibo Orokorra (henceforth AGG-GAO, JD IM), 1/14/11. Several recommendation letters were addressed to the President of Castile and the

recommendation that the King initially accepted, but its rejection of the royal monopoly on official stamps swayed the opinion of Philip IV and Olivares. Eventually, however, after considering the dangerous position of the frontier, the King and his minister decided to cool tensions; the growing threat of armed unrest and open insubordination (similar to what had happened in Vizcaya in 1632 and 1633 and, less violently, in Guipúzcoa in 1632) caused the two men to reconsider their stance.³⁸ As such, Philip IV accepted the separation of the *Corregimiento* and the *Capitanía* and appointed the moderate Don Juan Chacón Ponce de León, judge in the *Chancillería* of Valladolid, as *Corregidor* in June 1637.³⁹

Corregidor Chacón played a crucial role as the executor of royal orders and mediator in the critical period during the siege of Fuenterrabía in August–September 1638. His absence from Guipúzcoa in December 1638, however, meant that disobedience within the province reached its highest pitch. The Council of Cantabria's consistently rejected orders only came to an end in March 1639, with the appointment of a new *Corregidor*, the lawyer Don Pedro de Barreda Ceballos, *alcalde de casa y corte*. In addition to appointing a lawyer, the *Corregimiento* remained separate from the *Capitanía-General*, although Barreda retained his post as general auditor of the army of Cantabria, which involved jurisdictional power in lawsuits concerning military personnel.⁴⁰

Thus, the new *Corregidor* was familiar with the complex relationship between the inhabitants of Guipúzcoa, the military, and the Council of Cantabria, and trusted his ability to re-establish provincial obedience. As his first action in Guipúzcoa, ordered during the *Junta* that formally acknowledged his appointment, he harshly accused the province of disobeying with the concessions promised during the previous *Junta Particular* and established monetary fines for further breaches.⁴¹ One cannot understate the strength of the new *Corregidor's* position: after barely three days of internal debates (the proceedings of which have not survived), the *Juntas* resolved to meet the King's desires, even those that

ministers of the Chamber, praising the role played by the previous holder of the office of legal lieutenant to the *Corregidor*.

- 38 Something similar had occurred in 1598, when the Crown removed the conflict-prone *Capitán-General* Don Juan Velázquez from Guipúzcoa: Truchuelo, 'Defender la tierra, servir por mar: orden y desorden en las villas vascas en el siglo XVI', in *Civitas: expresiones de la ciudad en la Edad Moderna*, ed. by Susana Truchuelo, Roberto López and Marina Torres (Santander: Universidad de Cantabria, 2015), pp. 327–50.
- 39 AGG-GAO, JD IM 1/14/11: The provincial agent at the court indicated that Chacón was 'a man of great qualities, virtues and letters, full of humanity and courtesy' and was versed in military matters. He recommended Chacón take office at once, given 'the situation [in the province]', which suggests that tensions had indeed reached a high pitch.
- 40 AHN CS, leg. 13.607 exp. 15: The military auditor advised the *Capitán-General* about the interpretation and implementation of the law in cases involving military men. Barreda believed that having both posts fulfilled by one person was useful, as 'it clarifies jurisdictions and limits the possibility of excuses being put forward' (I thank José I. Fortea for this document reference).
- 41 The penalties imposed on members of the *Diputación* consisted of 500 ducats and imprisonment in Vitoria.

contravened the constitutional framework, without causing additional problems in the future.

There is little doubt that Philip IV's decision to once again appoint a high-profile lawyer to the *Corregimiento* was the right one, as this official restored obedience in a very short time. Thus, the King and Olivares determined to keep the *Corregimiento* and the *Capitanía* separate. However, given the dangers that beset the Pyrenees, they decided to unify military policies in the region by merging the *Capitanía* of Guipúzcoa with the Viceroyalty of Navarra and the *Corregimiento* of Guipúzcoa with the army auditory. The fact that the King had granted the province's wishes to keep the military and civil administrations apart also facilitated the concession of new services to the province, which then made a greater effort to comply with the Crown's strict demands.

At any rate, the power of the military offices had increased *de facto* as a direct result of the war. As such, some councils, starting with those meeting in 1643, again tried to merge political and military posts. However, the patronage networks at the royal court fomented opposition to the policy, and they rejected it. Beyond the more common rejection of merging political and military functions⁴², the main argument against these measures was the need to protect ordinary jurisdictions — especially that of the *Corregidor*, but also those of local officials — from the encroachments of military and extraordinary officials.⁴³ Both arguments got the upper hand in 1644 thanks to the support of the Chamber and Castile Councils, both of which favored particular jurisdictions and supported the role the *Corregidor* played in mediating with local elites, defending privileges, and executing royal orders.

Provincial Pressure: Nuncios and Emissaries

The province followed a well-established, but still flexible mode of government, which, since its emergence in the sixteenth century, had become an efficient machine: the provincial administration issued instructions based on recommendations issued by agents inserted into the royal court and its councils.⁴⁴ A permanent

⁴² AGG-GAO, JD IM 1/15/52.

⁴³ For the role played by these offices in the context of the Crown's growing absolutism, see José Javier Ruiz Ibáñez, 'Tiempo de guerra, tiempo de cambio. Resistencias, realidades y representaciones en los comienzos de la transición al pleno absolutismo en el reino de Murcia (1642–1669)', in *Le force del príncipe. Recursos, instrumentos y límites en la práctica del poder soberano en los territorios de la monarquía hispánica*, ed. by José Javier Ruiz Ibáñez and others (Murcia: Universidad de Murcia, 2004), pp. 633–95.

⁴⁴ Susana Truchuelo, 'Servicio y reciprocidad en la Monarquía Hispánica. Prácticas de gobierno entre la corte y los territorios en el Antiguo Régimen', in *El Príncipe, la Corte y sus reinos. Agentes y prácticas de gobierno en el mundo hispano (ss. XIV–XVIII)*, ed. by Guillermo Nieva Ocampo, Rubén González Cuerva and Andrea Mariana Navarro (San Miguel de Tucumán: Universidad Nacional de Tucumán, 2016), pp. 209–51.

representative undertook the main negotiation role in the royal court and the *Chancillería*.⁴⁵ In the sixteenth century, this representative became known as an *agent*, while others referred to him as *nuncio*, which reflected his role as messenger or emissary, after 1633.⁴⁶ Large numbers of such agents from the monarchy's different domains populated the patronage networks that operated around the royal court.⁴⁷

The *Juntas a la Diputación* entrusted the careful wording of its memoranda to experts in the relevant fields. Later, legal experts revised the memoranda and provided the official basis for the arguments and petitions contained in the documents.⁴⁸ Other individuals, familiar with the distribution of power within the royal court, knew which officials were more likely to lend a friendly ear. Locals wrote and sent recommendation letters according to the same criteria; influential officials could deliver these in person to powerful Guipuzcoans and members of the royal councils. Similarly, others addressed formulaic petitions, which were full of courteous words but contained no names, to the agent in the court, who filled in the blanks and handed the petition to the appropriate official (at his discretion, after consultation with other Guipuzcoans).⁴⁹ Once the act of mediation had borne fruit, those involved duly dispatched letters expressing the province's gratitude to the official in question. Naturally, the *Juntas* directly addressed these letters to Philip IV, the Count-Duke of Olivares, or other members of the councils, especially those in the State, War, and Cantabrian Councils, where most of the critical discussions of the 1630s took place.

The agent or *nuncio* dealt with provincial business in the royal court according to precise instructions, which specified what issues he needed resolving and how to do so.⁵⁰ Before taking any steps, the agents had to consult with either the

45 Alberto Angulo, 'Embajadas, agentes, congregaciones y conferencias: la proyección exterior de las provincias vascas (siglos XV–XIX)'; in *Delegaciones de Euskadi (1936–1975). Antecedentes históricos de los siglos XVI al XIX, origen y desarrollo*, ed. by Óscar Álvarez Gila, Eneko Sanz Goikoetxea, Alberto Angulo Morales (Vitoria-Gasteiz: Gobierno Vasco, 2010), pp. 24–58.

46 I am thankful to Igor Pérez Tostado for this etymological clarification.

47 For a clarifying vision from the inside, see Fernando Bouza, 'Servir de lejos. Imágenes y espacios del *Cursus Honorum* cortesano de las España de los Austrias' in *Europa: proyecciones y percepciones históricas*, ed. by Angel Vaca Lorenzo (Salamanca: Universidad de Salamanca, 1997), pp. 71–85; José Javier Ruiz Ibáñez and José Javier García Hourcade, *La Corona y los representantes del reino de Murcia (1590–1640): necesidad, negociación, beneficio (orígenes de la representación parlamentaria regional)* (Murcia: Universidad de Murcia, 1995); María López, 'Poder del rey y poderes interpuestos: dialéctica e integración política de las ciudades gallegas bajo los Austrias', and José Javier Ruiz Ibáñez and Julio D. Muñoz Rodríguez, 'Sirviendo a la corte en la aldea, sirviendo a la aldea en la corte: veteranos, agentes y medios de relación en el siglo XVII castellano', in *Espacios de poder: cortes, ciudades y villas (s. XVI–XVIII)*, ed. by Jesús Bravo, vol. 2 (Madrid: UAM, 2002), pp. 139–57 and pp. 227–47.

48 During the 1630s, Miguel de Alduncin, probably a lawyer, worked with the agents on the memoranda's wording.

49 Several examples exist in AGG-GAO JD IM 1/15/52.

50 In the complicated 1630s, the agents were Joseph de Zandategui, appointed in 1628, Captain Martín de Eraso, appointed in 1633, and Juan de Gorostidi, appointed in 1639.

appropriate members of the Guipuzcoan elite or any other person who could exercise some influence on the matter, a list that generally included high officials or members of the highest court circles: that is, people close to the monarch who could advance the province's business, while giving advice concerning broader imperial policies.⁵¹ The *naturales del país*⁵² moved comfortably between the bureaucratic apparatus and the court's complex social networks and acted as veritable cultural translators of the courtesan political codes. Despite the constant power shifts caused by internecine confrontations,⁵³ these individuals kept their prominent positions on the royal councils and maintained proximity to the heads of patronage networks, although these powerful men no longer played as important a role as they had during the sixteenth century.

The close links that prominent Guipuzcoans had with the heads of these patronage networks facilitated access to royal grace for both the province and specific elite families. Needless to say, the Crown also used these same mediators to bring the province's policies increasingly in line with the monarchy's universalist aspirations.⁵⁴ As such, these mediators played a critical role in neutralizing potential unrest by using the prestige which they enjoyed in their native region and the patronage networks that they had constructed. Therefore, they were key participants in processes of conciliation between local elites and the Crown, a position they held in other Habsburg dominions, such as the Low Countries.⁵⁵

In the 1630s, the most important Guipuzcoan in court was Viscount Don Juan de Isasi Idiáquez,⁵⁶ Count of Pie de Concha and mentor to Prince Balthasar Charles, who oversaw the actions that the province sought to undertake. He could build upon the work done by the Idiáquez and the Ibarra families during Philip II's reign and that of the Ipeñarrieta and the Aroztegui families during the rule of Philip III. These families demonstrated their firm integration into the life

51 On the role of these mediators, see Ernest Gellner, *Patrones y clientes en las sociedades mediterráneas* (Gijón: Ediciones Jucar, 1985) and Sharon Kettering, *Patrons, Brokers and Clients in seventeenth-century France* (New York: Oxford University Press, 1986).

52 For the role played by Guipuzcoans in specific situations related to the province's pacification, see Violet Soen, '¿Naturales del país o *Españolizés*? Agentes de la Corte como negociadores de paz durante la Guerra de Flandes', in *Agentes e identidades en movimiento. España y los Países Bajos, siglos XVI–XVIII*, ed. by René Vermeir, Maurits Ebben and Raymond Fagel (Madrid: Sílex, 2011), pp. 171–94.

53 Francesco Benigno, *La sombra del rey: válidos y lucha política en la España del siglo XVII* (Madrid: Alianza, 1994).

54 Ruiz Ibáñez, 'Les acteurs de l'hégémonie hispanique', p. 954.

55 Esteban Estríngana, 'Agregación de territorios e integración de sus elites. Flandes y la monarquía de Felipe III (1598–1621)', *Studia Historica. Historia Moderna*, 32 (2010), 261–304.

56 He belonged to a military family that had joined the main Guipuzcoan dynasty, the Idiáquez, which occupied prominent positions in the Crown's service. See Alejandra Franganillo, 'Juan de Idiáquez, I conde de Pie de Concha. Un ennoblecimiento "cultural" al servicio de Felipe IV', in *Estrategias culturales y circulación de la nueva nobleza en Europa (1570–1707)*, ed. by Giovanni Muto and Antonio Terrasa (Aranjuez: Ediciones Doce Calles, 2015), pp. 213–32. See the classic bibliography about the Idiáquez during the reigns of Charles V and Philip II in Fidel Pérez Mínguez's 'Don Juan de Idiáquez, embajador y consejero de Felipe II, 1514–1614', *RIEV*, 23–1 (1932), pp. 70–129.

of the court by the ease in which they adapted to the new balance of patronage caused by Olivares' downfall. Beginning in 1643, the province strengthened its position towards Juan de Oriar, a less prominent mediator who served as the Marquess of El Carpio's secretary, because of his proximity to the monarchy's new group of important men (the new *valido* Don Luis Méndez de Haro, the Marquis of El Carpio, and his son, Count of Castrillo).⁵⁷

Occasionally, temporary agents appointed by the *Juntas* to deal with a critical issue supported the permanent representatives. In 1636, Guipuzcoan officials sent two important members of the urban oligarchy (Juan López de Otaegui and Don Antonio de Irarraga) to complain about the Duke of Ciudad Real's actions. Later, in February 1637, the province sent two well-respected Guipuzcoans, known for their military service to the Crown and who had close links with council members (Don Juan de Isasaga Múgica, Knight of the Order of Calatrava and Domingo de Zabala Aranguren)⁵⁸ on a twofold mission: to complain about the monopoly on stamped paper and to request the separation of the *Corregimiento* and the *capitanía*, which had merged in the person of the Duke of Ciudad Real, while offering the monarch 1000 men⁵⁹ and thus upholding the principle of reciprocity.⁶⁰

During the difficult months that followed the siege of Fuenterrabía, the province continued to send temporary agents as mediators, in this case to Vitoria. Initially, the envoy was the main representative official in the province (the *Diputado*)⁶¹, but provincial officials later entrusted the role to members of several prominent families, such as the Ipeñarrieta, the Idiáquez, and the Arriaga families, all of whom had close links to the courtesan patronage networks and wielded great influence among the monarchy's highest officials; all the appointees were members of military orders.⁶² Their task was to convey the province's opinion to the Council of Cantabria and to inform the province of the council's deliberations. At any rate, they were merely representatives, without any executive power.

⁵⁷ Alistair Malcolm, *Royal Favouritism and the Governing Elite of the Spanish Monarchy, 1640–1665* (Oxford: Oxford University Press, 2017).

⁵⁸ *Juntas*, XXVI, pp. 377–78.

⁵⁹ The two envoys discussed these matters with Don Juan de Isasi and the lawyer Alduncin (AGG-GAO JD IM 1/14/11 and Real Academia de la Historia, Colección Vargas Ponce, vol. 22).

⁶⁰ The request to keep civil and military posts separate and the exemption concerning royal stamps was a form of compensatory remuneration between unequal parties, in exchange for the military service offered. For the mechanisms at play in loyalty-relationships, see Bartolomé Clavero, *Antidora. Antropología católica de la economía moderna* (Milan: Giuffrè, 1991), pp. 84–88.

⁶¹ In December 1638, the General Deputy, Juan Pérez de Otaegui, presented himself before the Council of Cantabria.

⁶² Don Pedro de Ipeñarrieta y Galdós (Knight of Calatrava and royal valet), Don Pedro de Idiáquez (Knight of Santiago and gentleman-in-waiting), and Don Pedro de Arriaga Ormaeui (Knight of Santiago), took up their positions on the Council of Cantabria in January 1639.

As tensions increased, Guipuzcoan officials dispatched new envoys to verbally explain controversial local resolutions against the Crown's military demands.⁶³ Their job was not an easy one. On the one hand, they had to convey the province's distress concerning the ill-intentioned rumours passed on to Philip IV and Olivares dealing with the Guipuzcoans' military commitment, which threatened to undermine something as central as their honour as *hidalgos*.⁶⁴ On the other hand, they had to emphasise the value of the services already rendered and defend the province's authority over its own militias, whose rights to self-government had been cancelled as a consequence of the war. The envoys delayed delivery of the dispatches indicates that they decided to wait in regards to the mission, as the conditions at court did not favour success.⁶⁵

Provincial officials tried to match the prestige of the envoys to the importance it placed on an issue. In November 1639, after the worst tensions had passed, the *Juntas* sent the province's new *coronel*, the Marquis of Casares, with a long list of demands as payment for the services rendered, which they listed in great detail.⁶⁶ Once the crisis had abated, exercising royal grace could shift power relations back to regular loyalty frameworks and fully restore the principle of *do ut des*; thus, the Crown returned to the *status quo*, while also reinstating pre-conflict patterns of obedience.⁶⁷

The Restoration of Consensus: Tensioned Negotiations

The Crown and provincial leaders eventually combined to restore order and obedience because the main actors of this conflict showed themselves willing to change their initial stances and discourses. As a result, the Basque case did not lead to a total breakdown of loyalties during the difficult decade of the 1640s, as was the case in other Habsburg dominions.⁶⁸ In the Basque Country, the riots in Vizcaya and Guipúzcoa greatly affected the position of the different actors after

63 In February 1639, Don Sancho de Galarza and Don Pedro Vélez de Galarza were sent to the Council of Cantabria and the State Council, with letters addressed to Isasi Idiáquez, the General-Quartermaster Don Juan de Necolalde, the secretary Juan de Oriar, and other Guipuzcoans.

64 For the importance of collective honour, see Xavier Gil, 'Republican Politics in early Modern Spain: The Castilian and Catalano-Aragonese Traditions', in *Republicanism and Constitutionalism in early Modern Europe*, ed. by Martin Van Gelderen and Quentin Skinner (Cambridge: Cambridge University Press, 2004), pp. 263–88.

65 The dispatches were eventually delivered three months later, when most of the controversies had already been solved in favour of Philip IV.

66 *Juntas y Diputaciones de Guipúzcoa (1638–1640)*, tome XXVII, transcription M^a Rosa Ayerbe (San Sebastián: Diputación Foral de Gipuzkoa, 2006), pp. 537–41.

67 Thompson, 'Do ut des: la economía política del "servicio" en la Castilla Moderna', in *Servir al rey*, pp. 283–96.

68 John E. Elliott and others, *Revoluciones y rebeliones de la Europa Moderna* (Madrid: Alianza, 1972); *1640: la Monarquía Hispánica en crisis* (Barcelona: Crítica, 1991); *La crisis de la Monarquía de Felipe IV*, ed. by Geoffrey Parker (Barcelona: Crítica, 2006).

war broke out against France. For a long time, the fear that unrest could return determined the policies of both the Crown and the oligarchies and encouraged provincial leaders to press the monarch into accepting their reservations about his military and fiscal demands and to ratify their exemption concerning the new royal monopolies.

As the problems became more serious and royal demands soared, the discourses on both sides changed. The Crown hardened its policies, and references to the *potestas absoluta* and *extraordinaria*, which, according to the Crown, the critical situation had justified and had resulted in its profound respect for the principles of proportionality and just cause, increased.⁶⁹ As the Crown hardened its stance to save the monarchy,⁷⁰ the oligarchies' positions softened and moved towards accommodating royal demands. The support of the elites, however, was not automatic. The court's indignation at the Guipuzcoans repeatedly rejecting or qualifying the King's military demands since the final months of 1638 did not lead to a substantial change of heart in Guipúzcoa. The *Juntas* presented a united front and their arguments were seamless; for this reason, their reaction to the exertion of royal pressure for requested services throughout the previous three months was to moderate their discourse and reiterate their loyalty, while not yielding to any offensive demands.⁷¹

In practice, the province used delaying tactics throughout their negotiations with the Crown, slowing down the resolution of royal demands during a period of war in which swift reactions were crucial. When dealing with controversial cases, the *Juntas Generales*' decision-making processes could be slow, as they required the consensus of most towns before enacting a policy; often, the long deliberations, the details of which are not recorded, led to either the rejection of or conditions being imposed upon, the Crown's demands and orders.⁷² In some cases, the slowness of the decision-making processes was not tactical, but rather a matter of necessity, as consensus among local corporations often did not exist;⁷³ in such cases, the priority was likely to restore internal agreement, but the records from these proceedings no longer exist, so we cannot be certain.

69 Fortea, 'Los donativos en la política fiscal de los Austrias [1625–1637]: ¿servicio o beneficio?' *Pensamiento y política económica en la Época Moderna*, ed. by Luis A. Ribot and Luigi de Rosa (Madrid: Actas, 2000), pp. 32–34.

70 The Kings of Castile, Portugal, and France could appeal to the supreme public good (*salus, utilitas publica, necessitas*) in order to make use of a *potestas extraordinaria*, which placed him or her above the law (*a legibus solutus*), Antonio M. Hespanha, *História das instituições. Épocas medieval e moderna* (Coimbra: Almedina, 1982) pp. 317–31, 325. Fanny Cosandey and Robert Descimon, *L'absolutisme en France* (Paris: Seuil, 2002), pp. 45–49, 93–105.

71 The *Juntas* rewrote the letters so that 'the submission that this Province owes, and is used to provide, is clear to Your Majesty' (*Juntas*, XXVII, p. 342).

72 Local councils often used delaying tactics, despite the royal orders being sent in urgency — 'without delay, no excuses' — even at the cost of losing privileges, because the main aim was to 'keep us free from invasions' (*Juntas*, XXVII, pp. 314 and 347).

73 In February 1639, the *Junta Particular* took five days to answer each of the royal military demands.

On other occasions, however, officials used the delays — often of over three months — as a tactic to increase pressure and the margin for manoeuvre for agents deployed in Vitoria and Madrid. The province did not view this tactic as an act of contempt for royal orders. On the contrary, Guipuzcoans repeatedly stated their commitment to royal wishes as faithful vassals, while they rejected specific orders by arguing that the men and money requested were simply unavailable.⁷⁴ These rejections undermined the duty to serve and irritated both the Crown and the Council of Cantabria. As a result, the Council radically hardened its discourse in February 1639, compelling the *Juntas* to change their decrees insofar as they went against the King's orders, which, in their opinion, did not encroach upon the principle of proportionality or affect the province available human resources.

Only the *Corregidor's* presence in the *Juntas Generales*, combined with the pressure placed upon provincial elites by prominent court-based Guipuzcoans,⁷⁵ led to their acceptance of Philip IV's demands.⁷⁶ From that point, provincial protests generally concerned imposing the principle of obedience and the Crown's belligerent discourse.⁷⁷ In the face of the monarchy's increasing authoritarianism in March 1639, the Province prioritised granting military services by tacitly recognising the self-contravention of secular customs, while stressing the *voluntary* nature of the concessions. In effect, this approach allowed provincial authorities to put the Crown's interests before those of the province⁷⁸ and, if needed, in contempt of local norms. As such, prioritising royal service and contravening local rights were part of submitting to royal military commanders, but officials always described this submission in writing as an *exceptional* and *temporary* state of affairs. The *Juntas Generales* continued negotiating and endorsing these services, while the province *tolerated* them, as long as the rights of *immunity*, and *property* remained theoretically intact.⁷⁹

74 AHN CS, leg. 7155: The Province thus adopted the criteria put forward by the Council of Castile, which in April 1639 declared that 'the obligation of the vassal is measured according to need and ability, and can only go as far as the vassal can reasonably comply'.

75 As the King's delegate, the *Corregidor* could exert some influence upon provincial oligarchies, as he played a hand in matters in which they were directly involved, such as the supervision of municipal accounts and the resolution of lawsuits.

76 A similar entente took place between provincial oligarchies and royal power in Richelieu's France, when the latter supported the introduction of new taxes and contributed to the suppression of peasant revolts; William Beik, *Absolutism and society in seventeenth-century France: State Power and Provincial Aristocracy in Languedoc* (Cambridge: Cambridge University Press, 1985), p. 257; Michael S. Kimmel, *Absolutism and Its Discontents. State and Society in Seventeenth-Century France and England* (New Jersey: Transaction Books, 1987), pp. 85–92.

77 Jean Paul Zuñiga, *Negociar la obediencia: autoridad y consentimiento en el mundo ibérico en la Edad Moderna* (Granada: Comares, 2013), pp. 1–10.

78 *Juntas*, XXVI, p. 188: as expressed by the *Juntas* in 1636, '[...] following our secular custom of prioritising the interest of His Majesty to its own, because the Province does not wish to turn its traditional, voluntary and uncontroversial policy, into a matter of litigation'.

79 *Juntas*, XXVII, p. 307: in December 1638, the Province *tolerated* the billeting of infantry forces, which involved 'no encroachment upon my *rights* and *property*'.

Finally, the province did not situate the recognition of its fiscal and military exemptions and immunities within the framework of *natural* laws, as it would later do,⁸⁰ but rather as an active principle of reciprocity for the services provided and loyalty shown to the Crown over time. Both powers, therefore, agreed to base their mutual relationship on loyalty, which both sides then supported with an unequal exchange of services.⁸¹ In moments of crisis, they cancelled all references to secular freedoms, which were reminiscent of contractual-based political models that limited the executive power of the King. This change of discourse was one form of mediation that the oligarchs deployed in their attempts to restore peace and to avoid having the King exercise his legitimate authority as absolute monarch by imposing a duty of obedience on his vassals.

Prominent Guipuzcoans residing at the royal court also played a fundamental role in this crucial strategic shift. They did this by relying upon mechanisms of solidarity and dependence (based on kinship, friendship, trust, love, and compatriotism) that benefitted the members of the patronage networks within which they operated.⁸² These links connected the court with peripheral dominions, particularly the members of *Juntas*, urban *Regimientos*, and local communities, with their own prominent countrymen at the court;⁸³ the moral duties thus generated crystallised into mechanisms of reciprocal assistance, which softened resistance and consolidated loyalty ties and political links with the sovereign, as was the case

80 Susana Truchuelo, 'La norma, la práctica y los actores políticos: el gobierno de los territorios desde la historia del poder', in *Los vestidos de Clío. Métodos y tendencias recientes de la historiografía modernista española* (1973–2013), ed. by Ofelia Rey and Fernando Suárez (Santiago de Compostela: Universidad de Santiago de Compostela, 2015), pp. 1199–1214.

81 Hespanha, 'La economía de la gracia', *La gracia del derecho. Economía de la cultura en la Edad Moderna* (Madrid: Centro de Estudios Constitucionales, 1993), pp. 159–63. This relationship had already been outlined in 1636, when Guipúzcoa stated that 'His Majesty's dominion [...] involves the reciprocal duty to defend [the Province]' (*Juntas*, XXVI, p. 218).

82 Tomás A. Mantecón, 'Honor, patronazgo y clientelas en el Antiguo Régimen', *Redes familiares y patronazgo. Aproximación al entramado social del País Vasco y Navarra en el Antiguo Régimen* (siglos XVII–XIX), ed. by José M^a Imízcoz (Bilbao, UPV-EHU, 2001); Antonio Feros, 'Clientelismo y poder monárquico en la España de los siglos XVI y XVII', *Relaciones*, 73–XIX (1998), pp. 17–49.

83 For the Basque case, see José M^a Imízcoz ed., 'Comunidad, red social y élites. Un análisis de la vertebración social en el Antiguo régimen', in *Élites, poder y red social. Las élites del País Vasco y Navarra en la Edad Moderna* (Bilbao: UPV/EHU, 1996), pp. 43–47. For the French case, see Beik, *Absolutism and Kettering, Patrons*.

in Guipúzcoa, Vizcaya, and Andalusia.⁸⁴ In contrast, the oligarchy-based model of integration and reciprocity was not effective in the 1640s in Catalonia, Portugal, Sicily, or Naples, which led to the breakdown of the loyalty system.⁸⁵

Conclusions

The restoration of obedience throughout the Spanish Habsburg's different territories before the 1640s depended on mediation techniques used in each of the peripheral dominions. Like Catalonia and Portugal, Vizcaya and Guipúzcoa witnessed major tensions between the provincial elite and the Crown that were chiefly motivated by 'constitutional' controversies over fiscal and military demands. In the Basque territories, these tensions were generally peacefully accommodated, as both sides avoided the need to resort to violence; the two sides overcame their disagreements through mediation and negotiation sessions in which different types of 'agents' enacted conflict resolution through a variety of channels.

At a local level, urban oligarchies played a major role in controlling unrest and stopping discontent from turning into rebellion. At a regional level, the oligarchies that controlled the *Juntas Generales*, a select group formed by the most exalted members of the highest urban elites, steered the province into accommodating royal demands, which had become increasingly onerous in the face of the persistent disobedience of the province. Finally, prominent Guipuzcoans played an important role at the royal court, as their opinion, often directly conveyed to friends, relatives, or clients, or communicated through nuncios and emissaries, greatly contributed to the restoration of obedience. Submission to royal orders and the principle of the prince's superior authority also played a role. Finally, the mediating role of *Corregidores* in the context of the *Juntas Generales*, which combined both conservatism and moderation, was also crucial to the restoration of the duty to serve. At the same time, maintaining the representative assembly as a legitimate political instrument was a tacit recognition of its role as the only

84 John H. Elliott, 'Una sociedad no revolucionaria: Castilla en la década de 1640', in *1640: la Monarquía Hispánica en crisis*, pp. 102–12; Jean-Frédéric Schaub, 'La crise hispanique de 1640. Le modèle des "révolutions périphériques" en question (note critique)', *Annales. Histoire, Sciences Sociales*, 49–1 (1994), 219–39; Juan E. Gelabert, 'Senza rumore: el tránsito de Castilla por el tiempo de las seis revoluciones contemporáneas', in *El poder en Europa y América: mitos, tópicos y realidades* ed. by Ernesto García Fernández (Bilbao: UPV-EHU, 2001), pp. 111–40.

85 John H. Elliott, *La rebelión de los catalanes: un estudio de la decadencia de España (1598–1640)* (Madrid: Siglo XXI, 1977); Rafael Valladares, *La rebelión de Portugal. Guerra, conflicto y poderes en la Monarquía Hispánica* (Valladolid: Junta de Castilla y León, 1998); Jean-Frédéric Schaub, *Portugal na Monarquia Hispánica (1580–1640)* (Lisbon: Livros Horizonte, 2001); Luis A. Ribot, 'Conflicto y lealtad en la Monarquía Hispánica durante el siglo XVII', in *La declinación de la Monarquía Hispánica*, ed. by Francisco J. Aranda (Ciudad Real: FEHM, 2004), pp. 39–68.

valid interlocutor of the provincial republic and as the depositary of the *auxilium et consilium* to the Crown.

During the conflict, the Crown considerably hardened the tone of its discourse, stressing the obligatory nature of the duty to loyally serve the King. This stance, along with the help of those Guipuzcoan elites at Court, who offered both their advice and their moderating influence, prompted the province to suppress or tone down its constitutionalist discourses, withdraw the conditions that it had previously imposed on the King's demands, which it then immediately granted, and, in short, return to the path of obedience. In this final resolution, a discourse that emphasised the voluntary character of the fiscal and military concessions was of some importance, for it allowed the province to situate itself within the framework of 'due obedience,' as the King had wished.⁸⁶ Through these mechanisms, the royal *potestas extraordinaria* accommodated the practices of the *auxilium et consilium*, its fidelity, and the corresponding reciprocal exchange of services and privileges.

Importantly, Philip IV also stopped pursuing some of his own practices that had helped lead to public unrest, such as increasing the power of military officials (which was detrimental to the ordinary jurisdiction of the *Corregidor* and local mayors). The separation of the civil and military administrations, with the appointment of high-profile judges for the office of *Corregidor* of Guipúzcoa, represented an additional response to the province's demands, since he acted as guarantor of rights and served in a role that was consequently irreplaceable in the provincial government structure.

These mechanisms eventually resulted in the restoration of a strong consensus between the central and provincial powers, which facilitated the government of the frontier and the defence of such a strategic border territory. With peace restored, Guipúzcoa and the Crown again emphasized traditional loyalty bonds and reciprocity, a new consensus that quickly crystallised into an exemption on salt and royal stamp duties granted to the province and the independence of its militias, both of which proved the King's grace in the eyes of the people. In conclusion, the province yielded to royal demands out of *necessity*, but the reciprocity that traditionally presided over contract-based loyalty relationships persisted, tacitly at first, but later in a much more public way.

86 For the negotiations between the Crown and the authorities over the different dominions of the Habsburg monarchy in the long term, see *Les finances royales dans la monarchie espagnole, XVI^e–XIX^e siècles*, ed. by Anne Dubet (Rennes: PUR, 2015), and for the French monarchy see James B. Collins, 'La Bretagne dans l'État royal. Classes sociales, États provinciaux et Ordre public de l'édit d'union à la révolte des Bonnets rouges', *Annales de Bretagne et des pays de l'Ouest*, 114–11 (2007), pp. 3–13.

Appendix. Letter of Captain Martín de Heraso to the Province Guipúzcoa, with the answer of the latter's Junta Particular, Olatz, Azpeitia, 30 August 1636

Provenance: Archivo General de Gipuzkoa, Juntas y Diputaciones, Actas Manuscritas (AGG-GAO, JD AM 53,10); *Juntas y Diputaciones de Gipuzkoa, (1635–1637)*, volume XXVI, transcription by M^a Rosa Ayerbe (San Sebastián: Diputación Foral de Gipuzkoa, 2006), pp. 216–20.

Carta escrita por el capitán Martín de Heraso a la Provincia de Guipúzcoa y respuesta de ésta reunida en su Junta Particular. Olatz, Azpeitia, 30 de agosto de 1636.

[...] Y viéronse y leyéronse estas cartas públicamente y los çircunstantes, que fueron muchos, salieron admirados y escandalizados, y en el patio de palaçio y en otras partes d'esta Corte se a ydo ablando d'este caso. Y según yo he podido entender, escribe y ymforma Su Excelencia [el Duque de Ciudad Real] que V. S^a [Vuestra Señoría= la Provincia de Guipúzcoa] usurpa la jurisdicción de Su Magestad nombrando Coronel y sargentos mayores con jurisdicción, sin tener título para ello [...]. Y que no puede hazer justicia porque en lo político no reconoze V. S^a al Corregidor ni en lo militar al capitán general [...]. Y que la Coronelía obra en V. S^a inobediçias y resistencias a las órdenes de Su Magestad y administraçión de justicia. Que a procurado encaminar lo que combiene a su real servicio con carizias, blanduras y ruegos, y por no haverlos logrado le pareze que se deven aplicar castigos severos, porque sin ellos nada bueno se puede conseguir con V. S^a. Y que combiene templar el orgullo de V. S^a declarando Su Magestad que los favores que la haze no son para que se atribuya la jurisdicción que no le toca. Y que la dilación podría causar grandes inconvenientes, que hagora se pueden preservar y después podrían aver lugar de remediarlos. Y por usar de demasiada templanza no respetará la justicia y al paso que se aumentaren las templanzas creçerán los alientos de oponerse V.S^a. Y que, como quien conoze los naturales, avisa a Su Magestad que acuda pronto al remedio porque de otra manera lo que se puede hazer con poco, si se apodera el ánimo de la libertad que dessea, será dudosso con mucho. Y que eso está en evidente peligro. Y que Su Excelencia cumple con dar quenta [...] suplicando a Su Magestad mande poner límite a tantas desórdenes, porque unas llaman a otras y combiene atajarlas antes que se multipliquen. Entiéndese que otras relaciones aún más perjudiciales constarán por las mismas cartas, y las demás que a escrito a Su Magestad por el Conssejo de Guerra, y confidentemente a sus reales ministros. [...]. Para la resolución d'estas materias es preciso dar y pedir la satisfaçión d'estas injurias aunque V. S^a se halle segura con la verdad y notoriedad de los

antiguos blasones y lealtad y sea exemplo de amor al servicio de su Magestad para todo el mundo [...]. Capitán Martín de Herasso [...]. Madrid, 3 de agosto 1636. [...].

Y conferida por la Junta esta materia con el cuidado que requiere su importancia [...] se escribirán otras [cartas] satisfaciendo a Su Magestad y a sus reales Consejos y ministros como la novedad del caso pide [...], con la humildad y respeto que debe, se le represente lo siguiente:

En quanto al derecho y facultad de nombrar y tener Coronel o Cavo general con los oficiales, potestad y jurisdicción exclusiva de la ordinaria y militar de la Capitanía General y demás medios convenientes a la guerra defensiva d'esta Provincia y ofensiva de sus enemigos con exempción de las órdenes del Capitán General, posee por derecho propio, por haverle retenido en sí y no haverse servido el señor rey Don Alonso el año de 1200 que en su entrega le transferió la Provincia este derecho y oficio, ni después ninguno de sus sucesores predecesores de Su Magestad, o restituídosela por causas irrevocables. Y aunque no se halla instrumento que lo diga, lo prueba y haze notorio la posesión y estado inmemorial que tiene esta Provincia, que la sirve de instrumento firme, como es cierto en derecho y está decidido por la ley del reyno.

Y en quanto a sido Su Magestad servido escribir a esta Provincia que [...] en conformidad de lo que el señor rey don Phelipe segundo mandó el año de 98, se corresponda con esta Provincia, su Coronel y gente, por vía de aviso o advertimiento, sin ordenarla ni mandarla cosa alguna, fue por honrarla, parece la da a entender que esta Provincia no posee por derecho propio y perpetuo ymbiolable su libertad y exempción de las órdenes de la Capitanía General [...] sino por tolerancia suya [...]. Se responda y escriba con la misma humildad y respeto que esta exempción y libertad posee también por el mismo derecho propio de no haverle transferido o haverle merecido y adquirido después por causas y títulos firmes que se induzen de su posesión inmemorial, que también es notoria a Su Magestad y a sus reales ministros.

Y que quando cesaran los derechos referidos bastava a esta Provincia la obligación recíproca común que Su Magestad tiene por su real dominio de defenderla con gente de sueldo, sin poder sus Capitanes Generales compeler a los vassallos a servir personalmente no con otra cosa más de la que deven a la real hacienda por sus regalías y colectas.

Que aún quanto faltara también éste, combiniera hacer la merced de la Coronelía, exempción y prerogativas referidas por servicio de Su Magestad, defensa d'esta Provincia y la de sus reynos, como es notorio. [...].

Que todo lo que el señor Duque de Ciudad Real a referido y informado contra esta Provincia es siniestro y contrario al hecho, y tan indigno de hijo d'esta Provincia como impropio en ella y ageno de su nobleza, fidelidad, amor y obediencia con que siempre a acudido al servicio de Su Magestad, sin escusarse por trabajo ni costa, y sin más interés que el de servirle y conservar los antiguos blasones de su nobleza y lealtad [...].

Y queriendo [el Duque de Ciudad Real] reducir a necesidad de servicio la generosidad de la Provincia y inducir obligación de la liberalidad con que sirve [...] sería causar uno de los mayores daños que se puede hazer al servicio de Su Magestad.

[...] se ordena y manda que se escriba a Su Magestad en su Supremo Consejo de Justicia en satisfacción de lo que el señor Duque de Ciudad Real escribió y se vió en él, y se querrela criminalmente por la acción de injuria y calumnia que resulta de dichas

cartas y demás procedimientos del Duque, pidiendo satisfacción equivalente [...]. Y que, dada a Su Magestad su carta [...] se ajuste por memorial y información en derecho extrajudicialmente. Y el hazerlo y las conferencias que se ofrecieren en la materia, se encargan al licenciado Miguel de Alduncin, Juan Pérez de Otaegui, Don Antonio de Yrarraga y Marín de Eraso [...]. Pero con condición que si, dada la dicha satisfacción, sin embargo se sirviere de alterar o reformar en algo la posesión d'esta Provincia, dé quenta antes de combenir en ello para que delibere lo que más combiene a su real servicio.

Y para que en todo tenga el effeto que se dessea, se scriva a la disposición de la Diputación, al señor Conde Duque y demás ministros y al señor Vizconde Don Juan de Ysasi, maestro de Su Alteça, y a los demás hijos que asisten en la Corte que parezca a la Diputación, y remitan todos los papeles que huviere en el casso y se pidieren al capitán Martín de Erasso y se dé quenta de todo al señor Coronel para que favorezca esta pretensión.