

CHAPTER 1

Introduction

You are in danger, honor . . .
there is not an hour for you which is not
critical; in your tomb
you live: since woman gives you breath
in her you are
treading always in your grave.¹

THESE MUSINGS FORM PART OF A soliloquy by Don Gutierre Alfonso Solís in *The Physician of His Honor* (*El médico de su honra*), written by Pedro Calderón de la Barca around 1635. Gutierre finds himself tormented by suspicions that his wife, Doña Mencía de Acuña, is conducting an affair with Prince Enrique, the king's brother, who previously had courted Mencía before she married Gutierre. Gutierre utters these words after discovering a dagger in his house with a design matching Prince Enrique's sword. Gutierre suspects, correctly, that Enrique has been courting Mencía again and forgot the dagger while making a clandestine visit to their house. Gutierre further suspects, wrongly, that Mencía has acquiesced to Enrique's advances and is having sex with the prince. Unable to avenge himself against a prince, Gutierre instead concocts a scheme that will simultaneously avenge his dishonor and keep the disgraceful affair a secret. He coerces a surgeon to bleed Mencía to death, then disguises the homicide as

a terrible medical accident: Mencía was unwell, a surgeon bled her, and afterward her bandages loosened and she died. Ironically, after the murder, King Pedro pieces together the truth with the surgeon's help and punishes Gutierre by ordering him to marry Doña Leonor, a woman whom Gutierre had courted before he married Mencía but cast aside on suspicions of infidelity. With this new wife whom he does not trust, Gutierre will relive the torment of suspicion and jealousy all over again.²

Gutierre's gruesome behavior, and the dilemma that prompted it, has exercised a hold on the viewers and readers of *The Physician of His Honor* for centuries, representing a code of honor, suffused with sex and violence, that has both fascinated and repelled. *The Physician of His Honor* was not alone in portraying the bloody demands of honor: the stage of Spain's "Golden Age" featured an entire genre of plays whose plot focused on a protagonist trying to protect or avenge his honor, the honor plays, spearheaded by Calderón and Lope Félix de Vega Carpio (known as Lope de Vega). *The Physician of His Honor* also falls into a smaller, even more gripping subset within the honor plays: the wife-murder plays. These dramas all feature a husband who feels compelled by honor to kill his wife. The theme first came to prominence in Lope de Vega's *Punishment without Vengeance* (*El castigo sin venganza*), written in 1631, and Calderón wrote two other wife-murder plays in addition to *The Physician of His Honor*: *Secret Insult, Secret Vengeance* (*A secreto agravio, secreta venganza*), also written around 1635, and *The Painter of His Dishonor* (*El pintor de su deshonor*), written in the 1640s. For more than one hundred years, critics seized on the honor plays, and specifically the wife-murder plays, as especially telling products of Castilian culture whose themes helped to mark Spain as a uniquely violent, honor-obsessed country quite different from the rest of early modern Europe.³

While the plots and themes of the honor plays varied, they shared three salient features. First, as Gutierre complains, the honor of men was dependent on the behavior of the women in their lives: their daughters, sisters, and especially wives. Second, the honor of women, and therefore men, depended entirely on sexual behavior. The faintest suspicion of sexual infidelity, or the bad behavior of another man toward a woman, threatened her honor. Men had to control the sexuality of their wives and women kin in order to preserve their own male honor, so adultery was the most serious threat to both male and female honor. Third, the only appro-

priate response to dishonorable behavior was violence. Men could protect or restore their honor only through murderous revenge. The wife-murder plays took this logic to its appalling conclusion, with the husbands deciding to kill not only the men who stole their wives' honor but their own wives as well.

Literary critics and historians have long struggled to explain the prominence of honor in Golden Age culture. A central question has been whether the honor code was based on chivalric values of the medieval aristocracy that gradually spread to the rest of society, or whether the honor code existed in the plays as an elaborate mask for other social matters, such as *limpieza de sangre*, or "purity of blood."⁴ Those who have argued that Spanish honor derived from the nobility point to the long struggle during the Middle Ages as the Christians in the north of Spain strove to "reconquer" the south from the Muslims who had first occupied the peninsula in 711. The disproportionate importance that the military aristocracy gained during the centuries of warfare gave chivalry an even greater prominence in Spain than in the rest of Europe, and it eventually crept down the class system until, by the sixteenth and seventeenth centuries, everyone could relate to the themes of the honor plays.⁵

Others have suspected that, as the Reconquest wound down in the late Middle Ages, the seemingly straightforward honor of knights and their ladies took a different turn.⁶ By far the most common belief is that honor was truly a way of coping with the overwhelming importance to Spanish society of purity of blood. As the Christians gained control over all of Spain during the Middle Ages, the more or less tolerant attitudes that had prevailed toward Jews and Muslims during the centuries of Islamic ascendancy disappeared. Jewish heritage in particular troubled Christian Spaniards as *conversos*, or converts from Judaism and their descendants, entered Christian society beginning with a series of forced conversions in the late fourteenth and fifteenth centuries. Prior to conversion, these Jews had been restricted from the pinnacles of status and power no matter how wealthy some of them had been, but now, as Christians, they were eligible to marry into the ranks of the nobility, even as many "Old Christians" suspected that the "New Christians" were secretly holding on to their old Jewish religion. Eventually these tensions led to the establishment of the Spanish Inquisition, the expulsion of the Jews from Spain, and the idea that Jews were a separate people and could never truly

convert to Christianity because of the impurity of their blood. Meanwhile, according to this line of thought, honor came to hinge not on chivalry or virtues but on the possession of a “pure,” non-Jewish lineage. Thus, according to influential critics such as Melveena McKendrick, the honor plays represented the idea that outward appearances had come to trump morality in Golden Age Castile: Don Gutierre was driven to kill Mencía, despite her innocence, by the mere appearance of impropriety and the barbarous opinion of his peers that only violence could wash away his disgrace.⁷ Men’s honor depended on women’s behavior because a wife could introduce another man’s blood into her husband’s lineage, betraying him through adultery. Therefore, honor plays dramatized anxieties about Jewish blood entering Old Christian families.⁸ Since *limpieza de sangre* was a concern unique to Spain, anxiety over honor became more heightened in Spanish culture and society than elsewhere in Europe. Regardless of which side one takes in this debate, almost all historians agree that honor was central to Spanish culture, and that honor was a code that everyone carried in the forefront of their minds and that guided their behavior. As the historian Bartolomé Bennassar put it, “If there was one passion capable of defining the conduct of the Spanish people, it was the passion of honor.”⁹

But it is not just the honor plays, and the critics and historians who study them, that have encouraged the belief in honor as a unique and defining element of Spanish culture. The anthropology of the Mediterranean has also lent force to this idea. Beginning in the middle of the twentieth century, the emergence of the Mediterranean basin as a subspecialty in anthropology grew hand in hand with an increasing emphasis on honor and shame as the value system that united the lands north and south of the Mediterranean Sea into one coherent area. By the 1970s, anthropologists such as Julian Pitt-Rivers, J. G. Peristiany, and Jane Schneider had identified two overarching traits that defined the Mediterranean and differentiated it from northern Europe: the first was an underdeveloped political economy, and the second was an emphasis on a family-centered morality that tore apart any larger sense of community. The honor code undergirded this moral system, and it placed highly different demands on the behavior of men and women, with a special emphasis on female sexual purity, family loyalty, and the physical segregation of men and women. The tendency has been to use the second trait to explain the

first: the focus on family, sex, revenge, and feuding has helped prevent Mediterranean cultures from coalescing into modern, industrialized, and politically and socially mature societies like those in northern Europe. Honor helped lock Mediterranean residents in a pattern of class and political structures that kept them “backward.” So as the anthropology of the Mediterranean flourished, the idea of an honor code, centered on sexual purity, formed one of the field’s most coherent focal points—it is what made the Mediterranean area “Mediterranean.”¹⁰ Furthermore, anthropologists assumed that the twentieth-century manifestation of the honor code was a relic of premodern society, which enabled historians to assume that honor and shame were central to the culture of early modern Spain—without much thought given to how accurately the twentieth century can illuminate the seventeenth.¹¹ In short, the study of sexuality, sex roles, conduct, and identity in early modern Spain takes the honor code, illustrated by the honor plays and theorized by anthropologists, as a starting point.¹²

It is not just modern scholars who view honor as important—honor gripped the imagination of early modern Castilians themselves, reaching a peak in the early seventeenth century. The honor plays emerged during this period, and other literature, ranging from the dueling and fencing manuals that attained their widest reach around 1600 to court documents such as a memorandum written in 1638 by the chief minister of Spain, the Count-Duke of Olivares, contemplating the best way to stop duels among noblemen at court, confirms that honor and violence were in the forefront of Castilian minds.¹³ Anxiety about honor coincided with Spain’s era of great literary output known as the Golden Age, lasting roughly from 1500 to 1650. Drama was not the only genre affected. Confessor’s manuals, which focused on how to lead a virtuous Christian life, and other conduct books that gave advice on correct behavior to different categories of people such as gentlemen, married women, and adolescent girls addressed honor and shame as part of their moralizing projects. The Golden Age also saw the flowering of Castilian jurisprudence, and lawmakers and commentators squarely addressed the legal approaches to violence, honor, and the duel. Castilians themselves saw honor as central to their culture, for better or for worse.

But what if our understanding of the honor code is mistaken? Since the 1980s the pillars that upheld our view of honor in Spain have begun to

crumble. For example, anthropologists have reconsidered their own tradition of Mediterranean studies. Previous work had naively exoticized both Muslims and southern Europeans, presenting them as premodern and without history or agency. A new generation of anthropologists also asserts that the earlier focus on sexual behavior, supposedly the key to honor and shame in the Mediterranean, may say more about the anxieties of anthropologists than it does about their subjects.¹⁴

In addition, revisionist studies of the Spanish stage reveal that while the honor plays of Lope and Calderón loom large in the landscape of Golden Age literature today, they constituted only a small, unrepresentative fraction of the output of the two playwrights and, when first staged, vanished quickly from the scene. To put things further in perspective, while Lope and Calderón are now seen as the preeminent Golden Age dramatists, they were only two among many successful writers, most of whom are now forgotten but whose own plots and themes would have resonated in the minds of Golden Age audiences. Honor plays as a genre did not gain their place in the canon of Spanish literature until scholars seized on them during the nineteenth century.¹⁵ Moreover, modern critics have discovered that the importance of wife murder in a few Golden Age plays came about not because honor held a unique place in Spanish culture but rather because of the internal developments of the Spanish stage—wife murder was a good way to sew together a number of other themes that had become popular at the time, like the woman in a bad marriage, the immoral woman who needs to be punished, or the insoluble marital conflict that tragically ends in violence.¹⁶ Set in this context, the honor plays do not make such a definitive statement about early modern Spanish culture.

As to the Golden Age writers of moralist tracts and anti-dueling manuals, we of course cannot say that they were “wrong” about their own culture. But we can make a different observation—that such works provide models of how their authors believed honor was meant to work in early modern society. Whether attacking or praising the honor code, each work represents how someone imagined honor in an idealized form. By taking pen to paper, writers grasped for a simplifying system to explain human behavior, and they found one—or created one—in the honor code. In doing so, they took something—lived experience—that was fleeting and ambiguous, contingent on choice, and condensed it into something intel-

ligible and fixed, pouring the values they hoped to encourage into these models. These authors represented elite culture: “elite” not in the sense that they lived entirely differently than most Spaniards but in the sense that writing, leading as it often does to abstraction, promotes a different understanding of behavior and motivation than what animates most people—especially non-elite, premodern people—in everyday situations. For all their insightful observation of their own culture, these writers may not have been able to explain fully how honor truly worked, even though each one supposed, or at least hoped, that the model he offered for inspection was a mirror of real behavior. In terms of the limitations of attempting to describe in writing the behavior and thought of an entire society, contemporary authors were no different from modern anthropologists and literary critics hoping to find a simple key to understanding Spain. We can use contemporary printed sources to help us understand the thinking of early modern Castilians, but we should be wary of assuming that written models of honor were exact replicas of experience.¹⁷

Thus the scaffolding that presented a uniquely honor-besotted Spain, more Mediterranean than European in its concern for male control over female sexuality, seems to have collapsed. Yet surely honor must have held some importance in Golden Age Castile—surely the contemporary commentators, at least, could not have been so misguided about their own world?

Fortunately, in the search for insights into the actual workings of honor in early modern Spain, there remains one more source to be exploited: criminal court cases. These cases record the statements of the participants in, and witnesses to, violent confrontations as they tried to explain to the authorities what happened. Participants attempted to justify their actions, and witnesses imposed their own sense of order on what they had observed. When the words and deeds of real people are compared to the abstracted contemporary models of honor, the results are bracing. Indeed, they force us to reconsider not only honor and its role in Castilian society but also Spain’s place in the cultural geography of Europe and the Mediterranean. Honor was not a trap that forced early modern Spaniards to act in certain tragic and bloodthirsty ways. Instead it was a tool, used equally by men and women to manage relations with their neighbors and maintain their place in the community. While honor has long been thought to be crucial to Spain’s unique character, research in

other parts of Europe reveal a system of honor and violence similar to that in Castile. Spain might have been part of a broader Mediterranean civilization, but it was also fully European.

Another way that criminal records are useful is that they provide access to the experience of non-elite Spaniards—men and women who in some cases may have been literate but had no time to set down thoughts and memories to paper, and who therefore are hard for historians to study. While elite, literate commentators, especially the authors of dueling manuals, would have laughed at the idea, judging by the behavior recorded in the criminal records the non-elite indeed had a sense of honor and fought duels. Confrontations among the townspeople and peasants of Castile were not just a series of chaotic brawls. Evidence from the criminal records reveals clear patterns in their disputes. The rituals and logic of popular violence closely paralleled the structure of the formal duel as practiced by noblemen. Both were rituals by which Castilians disputed honor, through affronts against reputation and struggles over whether the insults were accurate. Contrary to the nature of elite duels, however, and unlike our traditional understanding of the honor code, violent conflict among the non-elite was flexible and followed no fixed course of action. The peasants and artisans were in control of their disputes, not trapped in an inflexible code of honor and vengeance. Furthermore, and once again contrary to the way honor was depicted in the honor plays, disputes did not end once the judicial authorities stepped in. The criminal justice system was open to manipulation at the hands of disputants and witnesses, and the decisions the authorities reached served largely to ratify and confirm the wishes of the community.

Calling honor a code suggests that it determined how Castilians were supposed to act and that they had little choice in the matter—either follow the code or lose one's status irrevocably. But the theme that emerges from the criminal records most clearly is choice. Castilians could choose to invoke the language and gestures of honor—or not. Once begun, they had a wide array of options for pursuing confrontations over honor, ranging from deadly violence to reconciliation. Invoking honor was just one of many possible strategies that Castilians might use when pursuing disputes against their neighbors. Both men and women had these options available to them—women did not depend solely on men to defend their reputations. The language of affront and honor and the rituals of the duel

were very common in the conflicts that arose, even conflicts over everyday, mundane issues, and they seemed to constitute a repertoire of moves that most people understood most of the time. For these reasons, it is better to refer to honor not as a *code* but as a *rhetoric*: the rhetoric of honor.¹⁸

Because honor and violence were so closely linked, the patterns of violent confrontations provide insights into the social concerns of non-elite Castilians, especially those involving gender. Honor, as articulated and fought over in early modern Castile, encompassed a range of concerns that included the values described in the honor plays and in modern anthropology but also went significantly beyond them. Notably, the public reputation of men and women in the seventeenth century consisted of much more than sexuality. For men, defending the sexual reputation of their women kin was important, but male honor also included much else, including competence in one's trade or office, the management of one's credit and debt relationships, and one's performance in the aggressive, competitive play that composed much of male sociability. For women, sexual purity was an important part of honor, but sexuality was not the single determinant of female reputation. Like men, women took steps to protect other family members, even their husbands—sometimes resorting to slander and violence in their defense. Also like men, women had their own credit and debt relationships to maintain. Just as important, women were by no means solely dependent on men to defend their reputations. Set in this context, the invoking of honor when addressing adultery no longer seems fraught with the heavy significance that the honor plays invested in it—indeed, Castilians might invoke honor whenever interpersonal problems arose.

Two collections of criminal court cases that have survived since the early seventeenth century can help us understand the role of honor in Castilians' lives. The first is from a local court of first instance covering cases from Yébenes, a town in central Castile. Few records of local criminal courts in Castile survive from the early modern period, but one notable exception is the archive of the *fiel del juzgado*, a judge based in Toledo who had jurisdiction over the Montes de Toledo, a rugged, sparsely populated area governed by the council of the city of Toledo. The largest town in the Montes, Yébenes also boasts the most case records from the region surviving from the early modern period. The period 1600 to 1650 was a time when honor and violence most suffused the elite written culture of

plays, dueling manuals, and other literature. Thankfully, these years also provide the longest run of extant criminal records for Yébenes. The information from Yébenes allows for a close look at the behavior of ordinary, non-elite men and women who all resided in the same community.

Although Yébenes cannot be said to represent a “typical” Castilian town, neither was it unusual.¹⁹ It was located about twenty-five miles south of Toledo on the main road that connected Toledo and Madrid with Córdoba and the rest of Andalusia, called the Calle Real where it passed through town. In addition to serving as the main artery of the town, the Calle Real split Yébenes into two jurisdictions, “Yébenes de Toledo” to the west, lying in the Montes de Toledo, and “Yébenes de la Orden” or “Yébenes de San Juan” to the east, governed by the Order of the Hospital of San Juan de Jerusalem, a crusading order founded in the Middle Ages. The Order held jurisdiction over much of the land to the east of the Montes de Toledo, and the Grand Prior of the Order in Castile used the nearby town of Consuegra as his administrative seat. The Grand Prior administered justice and appointed officials for Yébenes de San Juan.²⁰ Only cases arising from disputes on the west side of the Calle Real—the side falling in the Montes de Toledo—or disputes involving residents of Yébenes de Toledo (even if they occurred on the other side of the road) would fall under the jurisdiction of the city of Toledo, so the records of the *fiel del juzgado*, now in the municipal archive of Toledo, do not represent the entirety of criminal cases arising from the community of Yébenes. At first Yébenes de Toledo was the larger of the two neighborhoods, rising from a population of about 2,300 in 1561 to 3,850 in 1590 before falling again to about 2,400 by 1663. Meanwhile Yébenes de San Juan rose from roughly 1,260 in 1561 to 1,960 in 1590, then rose to perhaps 3,200 by 1663. Yébenes de Toledo held roughly two-fifths to two-thirds of the total population of the combined neighborhoods during the period 1600 to 1650.²¹

The Montes de Toledo was an area stretching from Yébenes, on its eastern border, about thirty-five miles to the west and spanning about twenty-five miles from north to south. Its existence as a discrete jurisdiction dated back to 1246, when the king sold the Montes, along with all his rights to exercise lordship, including legal oversight, to the municipality of Toledo.²² Located between the Tajo and Guadiana river basins, the region earned its name from the spiny ridges and rugged valleys that

form its topography. Situated far from the coast or important markets and in one of the least inviting agricultural regions of the Iberian peninsula, the Montes was among the last areas to be settled in periods of demographic and economic expansion and one of the first to see depopulation in periods of decline. While the Montes as a whole was largely given over to livestock (estimates give figures of between 14,000 and 45,000 sheep and goats in the area around Yébenes), most of the land close by Yébenes was agricultural. Wheat and barley were the two primary crops grown, but vineyards and olive groves spread across the landscape too, as well as irrigated vegetable gardens and fruit orchards close to the urban nucleus of the town. Oak, rosemary, and juniper trees were plentiful in the wastes and hills, and charcoal manufacturing was, after herding and farming, the third important extractive activity of the area.²³ The town of Yébenes was nestled just to the south of a high ridge that separated the Montes from the town of Orgaz to the north, and Yébenes de Toledo and Yébenes de San Juan merged during the nineteenth century into Los Yébenes.

Because of the relatively large size of the town, in addition to its location on one of Spain's major arteries, there was an urban component to Yébenes. Land ownership was concentrated in the hands of the city of Toledo, various church institutions such as chaplaincies and confraternities, and a few local elite families who claimed *hidalgo* status, a kind of petty nobility.²⁴ These families had extensive land holdings and large flocks of sheep and goats, and they also owned mills and olive presses. Yébenes de Toledo also supported almost twenty clergy in the early seventeenth century (plus another half dozen or so in Yébenes de San Juan), including a few who had earned a university degree and thereby claimed the right to be addressed as *Licenciado*, or Licentiate (abbreviated herein as "Lic."). Below these two groups on the social scale were prosperous peasant families; a few professionals such as physicians, surgeons, pharmacists, and schoolteachers; and some merchants. There were also artisans—weavers, tailors, shoemakers (who perhaps serviced travelers on the Calle Real), blacksmiths, bakers, millers, and other craftsmen who tended to residents' daily needs—and a few people who ran inns and taverns that served travelers passing through. Below these categories were smallholding peasants, called *labradores*, who owned some land but usually not enough to support a family, and who therefore had to seek outside income. There was an even larger class of families who owned no land

whatsoever. Many of these landless people were poor, working as day laborers for the great landowners. At the bottom of the social scale were servants and even a handful of slaves. The wealthiest 10 percent of the population owned around half the arable land and half the livestock, and these same families also dominated the municipal offices that provided the local government for Yébenes de Toledo.²⁵

With two masters, the city of Toledo and the Order of San Juan, exercising lordship, a sharp legal division existed between the two neighborhoods. The two halves remained distinct in other ways, too, while in some ways they seemed to coalesce into a single community. They had separate parishes and separate town halls. Family ties crossed the Calle Real, however, and charitable institutions that fed the hungry took no notice of the jurisdictional boundaries. In times of epidemic, such as 1598 and 1647, officials of the two jurisdictions worked together to stop the spread of disease. They made appeals jointly to the royal government, too, as when they petitioned to avoid having troops billeted in the town. The royal government also treated them as a single unit for tax purposes. The two neighborhoods celebrated some religious festivals together, such as the holy days of San Blas, Santa Quiteria, San Juan Evangelista, Corpus Christi, and Asunción. Bullfights were often hosted jointly, as were important visitors such as the Archbishop of Toledo or distinguished noblemen who came to hunt. The physical look and feel of the neighborhoods were identical, with houses built of brick, stone, and wood. The residents clustered their houses and corrals for livestock tightly around the Calle Real, leaving as much space as possible for agriculture outside the inhabited areas. Thus, while the population was not very large, both neighborhoods felt crowded, with few open spaces besides a central plaza, the Calle Real, and the two churchyard cemeteries. Only a few wealthy families were able to enjoy some private space that provided comfort by living in two-story buildings built around courtyards.²⁶

Historians have sometimes described the Montes de Toledo as a backward area not well connected to the rest of Castile, but this was not really the case.²⁷ The pattern of demographic and economic growth in the sixteenth century and decline in the seventeenth century mirrors the pattern for Castile as a whole, although these trends manifested themselves more acutely in the Montes than elsewhere. The highway that divided Yébenes in two also linked the town with the rest of society, bringing in the trav-

elers who helped support the local economy. Perhaps it was this road, too, that encouraged outsiders to settle in Yébenes, among them some Portuguese and, until their expulsion in 1610, *Morisco* families. (The *Moriscos* were Christians who converted from Islam and their descendants, who, like the *conversos*, were suspected of being clandestine adherents to their old faith.) Institutional connections to the city of Toledo also maintained a link between Yébenes and the outside world. The city owned much of the pasture and woodlands in the Montes and rented the rights to these lands out to Montes residents and to rich residents of Toledo for a fee. Since technically they were vassals of the city, villages in the Montes also owed Toledo an annual tax called the *docavo*, which was supposed to be one-twelfth of all the goods produced during the year. This tax was unusually high for the sixteenth and seventeenth centuries, by which time most seigneurs were collecting only a nominal fee from their vassals. The city of Toledo nominally appointed the local government, or *justicia*, of each village, although by the early seventeenth century the villages were accustomed to electing their own officials, who were then formally approved by the city council. In each town the *justicia* consisted of two *regidores*, or aldermen; two *alcaldes*, usually translated as “mayors,” although they exercised judicial as well as executive responsibilities; and an *alguacil mayor*, or chief constable. The *alcaldes*, the *alguacil mayor*, and his assistant constables were responsible for keeping order and administering justice in Yébenes, which included the unpopular task of enforcing the city of Toledo’s property rights in the town against encroachments from local residents. In their judicial and peacekeeping roles, these officials represented the *fiel del juzgado* in Toledo, who was the administrator of justice for the Montes and all the lands near Toledo owned and governed by the city. The *fiel del juzgado*, normally a nobleman, was chosen from among the aldermen of the council of the city of Toledo. Once chosen, he held the post for a three-year tenure, although he delegated much of his day-to-day responsibilities to a lieutenant trained in law.²⁸ The *fiel del juzgado* handled both civil and criminal cases, but ordinarily both types of cases originated with the *justicia* in the towns themselves and were later remitted to the *fiel del juzgado*’s court.

The legal process by which a local dispute in Yébenes ended up as a paper file in the *fiel del juzgado*’s archive was long and complex, and the series of cases found in the archive vary in content and quantity from year

to year. Cases began when a resident brought a complaint against someone to the local officials, or when one of the officials heard of some incident that merited investigation. The *alcaldes*, assisted by the constables, would question the aggrieved party and other witnesses and then decide either to drop the case or to send it to the *fiel del juzgado's* court in Toledo for a formal trial. If the accusation had merit, the authorities would arrest the accused—if he or she could be found—and send him or her to stay in the jail of the Santa Hermandad, a rural law-enforcement body headquartered in Toledo.²⁹ Because none of the cases dismissed at this early stage were filed in the *fiel del juzgado's* archive, it is impossible to know exactly what criteria local officials used to determine whether to remit the case, but it seems that generally the seriousness of the issue determined whether the case would be sent to Toledo. Although technically all cases were supposed to be forwarded to Toledo, local *alcaldes* might dismiss the case if they decided that it was unwarranted, or they might deliver a summary oral decision if it was simple enough to resolve without the trouble of further paperwork.³⁰ Violent conflict was one of the most common issues involved in the cases that remain in the *fiel del juzgado's* archive, so despite the absence of those cases that were never remitted to Toledo and the loss of an unknowable amount of case records over time, plenty of cases still remain today. From the years 1600 to 1650, 313 cases featuring violent conflict provided the evidence from Yébenes used in my research. Among these are cases dealing with verbal affront and slander, which, although not involving physical violence, were treated by the court system in a manner similar to physical assaults and were punishable by law.

The second collection of criminal cases used here is the series of *Indultos de Viernes Santo*, or Good Friday Pardons, granted by the king to convicted criminals throughout Castile every year on Good Friday. The *Cámara de Castilla*, an organ of the *Consejo de Castilla*, one of the main administrative councils of the kingdom of Castile, issued the pardons. Unlike the more-common general pardons that the crown issued throughout the year, usually for a fee, to those guilty of lesser offenses, the Good Friday Pardons were limited in number, supposedly to twenty per year although some years featured as many as forty. In its records, the *Cámara de Castilla* included transcripts of the original criminal proceedings in their entirety, including depositions from witnesses, aggrieved parties, and

the accused, just like the cases of the *fiel del juzgado*. Most of the people who received pardons had committed homicide, rape, or other serious crimes, which carried a penalty of death or service in the galley fleets or the *presidios*, forts maintained by the king of Spain on the North African coast.³¹ Records no longer exist from years prior to 1618, so a full range of data from the dates corresponding to the cases taken from Yébenes could not be gathered. The 164 cases analyzed in this book were taken from a total of 581 cases during the years 1618 to 1652, representing about 28 percent of all the Good Friday Pardons issued during those years.³²

The unusual nature of the cases that received pardons makes the information from these sources enlightening. Although connections with patrons who had influence at court probably played a role in obtaining many of the pardons, the condemned person also had to show some sort of justification for his or her violent behavior. Although Castilian royal pardons did not include “pardon tales” (letters composed by the guilty party explicitly to convince the judicial authorities to show mercy) as in France, they often included the offender’s testimony and the excuses that the accused and their supporters gave for their violent behavior.³³ To influence the authorities, participants in violent conflict had to argue that their behavior fell within the acceptable bounds of social conduct, revealing what they thought were the borders of permissible behavior as well as what they thought the authorities would stomach. Even in the midst of their violent acts, those involved often showed that they had a grasp of the basics of criminal law and modified their behavior accordingly, choosing one jurisdiction over another as a place of flight or to conduct a duel, for example, or calling on bystanders while a conflict was taking place to act as witnesses later. With this in mind, pardons, and criminal cases more generally, are useful for the study of mores, conduct, and social roles in the practice of early modern Castilian life. This effort to justify, provided in the testimony of the condemned and other witnesses, is invaluable for considering the workings of honor.³⁴ The Good Friday Pardons provide a counterpoint to Yébenes, demonstrating the sometimes extraordinary behavior of a wide range of people, including nobles, nonwhite immigrants, servants, slaves, and Gypsies, whose cases featured some peculiarity that merited a pardon from the king.³⁵

We shall return to examine in more detail how the criminal records were produced and what role the justice system played in the rhetoric of

honor in chapter 3. First, however, we will explore the elements of the rhetoric of honor in chapter 2, comparing elite commentators and their understanding of how the duel was meant to operate with the behavior and speech of non-elite Castilians as recorded in the archive of the *fiel del juzgado* and the Good Friday Pardons. In chapter 4 we will examine men and honor, and then in chapter 5 we will compare women's experience with men's. Lastly, in chapter 6 we will return to the issue that the honor plays initially raised: the relationship between adultery and violence. Each chapter will begin with a look at an episode from an honor play that articulates an aspect of the traditional understanding of the honor code that this book is trying to revise. There is no room here for any sustained analysis of the plays and the literary tradition of interpreting them; nevertheless, excerpts from the dramas provide good entrées into the subjects this book will cover. While literary critics no longer believe that the plays accurately depict the behavior of Golden Age Castilians, the plays themselves still speak to each new generation of readers, recreating a bloody, coercive honor code each time.