

## A Prolegomenon to Latin American Urban History

RICHARD M. MORSE\*

### 1. *The Preindustrial-Industrial Dichotomy*

MUCH OF THE CONTEMPORARY interest in the urban history of Third World countries attaches to the role of cities as agents, or as arenas, for the transition to industrial societies. Usually, this evolution involves transactions and accommodations between a non-Western civilization and certain ideological and organizational imperatives of Western origin. The Latin American case is different, for here European conquest terminated or violently redirected the development of Amerindian societies. The new societies of the sixteenth century were at once "colonial" and Western. The drama occurring in contemporary Latin America is therefore an encounter between two fragments, or successive moments, of Western experience. Oddly enough, this encounter is yielding an outcome less conclusively "modern" than that produced by the impingement of Western capitalism and technology on the alien cultural and feudal institutions of Japan.

Until recently, the "development" mania has focused analysis of Third World urban societies on the supersession of archaic or traditional features as they enter the era of the industrializing, mass-based polity. More cursory attention is paid to the preservation and reworking of preindustrial features. Typical of this propensity is Gideon Sjoberg's widely read *The Preindustrial City*, which dichotomizes the world's cities by two primary categories, preindustrial and industrial.<sup>1</sup> Though claiming, unconvincingly, to avoid determinism, Sjoberg isolates industrial technology as a key variable that conditions social structure, allocation of political power, criteria for social mobility, division of labor, standardization of means of exchange, and man's relation to nature. By his reckoning all the world's cities before the nineteenth century as well as contemporary cities in parts of Asia, Africa, southern

\* The author, Professor of History at Yale University, wrote this essay while a Fellow at the Center for Advanced Study in the Behavioral Sciences (1970-71).  
1. (Glencoe, Ill., 1960).

Europe, and Latin America run to a common preindustrial type. Pre-Columbian Chichén Itzá, seventeenth-century Paris, and a contemporary Yoruba “mud town” turn out similar in respect to social structure and economic institutions. He offers little ground for differentiating Tenochtitlán from the Spanish city of Mexico which succeeded it. Similarly, his criteria discourage inclusion of two cities of Colombia, industrial Medellín and preindustrial Popayán, in a Latin American urban family. Wheatley elegantly exposes Sjöberg’s conceptual and factual infelicities.<sup>2</sup> Here it suffices to point out that his dual taxonomy flows from two sets of Parsonian pattern variables—the particularistic-ascriptive and the universal-achievement—with no acknowledgment that from these variables Parsons constructs not two but four ideal types of social structure.<sup>3</sup>

The trouble with Sjöberg’s dichotomy is not oversimplification but improper dichotomization. Industrial or technological determinism is no less defensible than other varieties. But if cities are conceived as societies embedded in larger societies rather than as artifacts, and if our concern is with sociological and institutional change, then we cannot chart the wider impact of industrialism without tracing it through men’s minds. At this point preindustrial culture and beliefs assume critical importance. Or, if one suspends the cultural variable, one must be prepared, as was Durkheim, to allow for a range of institutional outcomes to division of labor in industrializing societies. Geertz makes precisely the point at issue in his study of two culturally distinct Indonesian towns, a market town and a court town. From a narrowly economic outlook, development might, he concludes, be seen as a uniform process of economic rationalization. Sociologically, however, this uniformity does not extend to changes in religious orientation, class structure, or family organization; “a modern economic system may be compatible with a wider range of non-economic cultural patterns and social structures than has often been thought.”<sup>4</sup>

A century ago Marx analyzed the social effects of machinery in terms more clinical than Sjöberg’s deceptive sociologism, despite Marx’s propensity to mythicize the machine as a monster whose demon power “breaks out into the fast and furious whirl of his countless working organs.” Because it sustains relentless focus on the nexus of machine-induced change, Marx’s chapter “Machinery and Modern Industry”

2. Paul Wheatley, “What the Greatness of a City is Said to Be,” *Reflections on Sjöberg’s Preindustrial City*, *Pacific Viewpoint*, 4:2 (1963), 163-188.

3. Sjöberg, *The Preindustrial City*, pp. 332, 339.

4. Clifford Geertz, *Peddlers and Princes, Social Change and Economic Modernization in Two Indonesian Towns* (Chicago, 1963), pp. 144-145.

yields a series of culture-free propositions about industrialization (alienation of workers from their product and from their own selves; reification of personal relations into "objective" ones; socialization of means of production but not of exchange and appropriation) that are pertinent, with reformulations, to any historical context.<sup>5</sup>

Sjoberg, in contrast, itemizes sociological changes which seem to have occurred in the West during the past century and a half and attributes them to industrialization. He never locates us at the site of the machine to demonstrate, as does Marx, what minimal or inevitable changes machines by their nature *dictate* to a community—in the way, as we shall see, that Fustel identifies sociological imperatives of a universal religion, or Pirenne those of a commercial revolution.<sup>6</sup> Instead of showing "what industrialization does," Sjoberg offers a melioristic version of "what has happened in the West since industrialization." By loosely attributing a Protestant work ethic to industrial urban societies, and thus mixing religion-derived and technology-derived phenomena, he makes it impossible to apply his paradigm of the industrial city to societies outside this religious tradition.

The extensive research now being invested in Latin American urban change is seldom conducted with clear or consistent reference to historical context—partly because researchers so often purport to be "activists," partly because so many contexts can be identified: regional, national, Hispanic versus Luso American, and so forth. This essay takes Latin (more precisely, Ibero) America as a single culture area for purposes of examining the process of urban development and its antecedents. Despite the considerable heterogeneity of the area, its cities seem not to manifest the *kinds* of disparity represented by the peddlers' and princes' towns of Geertz. One can reasonably entertain the contentions of Tricart that Latin American cities comprise a "family" and of Holzner that Latin America constitutes one of twelve world regions for the urban geographer.<sup>7</sup>

It will not serve our purpose merely to describe Iberian urban institutions on the eve of conquest, then trace their transplantation and

5. Karl Marx, *Capital, a Critique of Political Economy* (New York, n.d.), chap. XV.

6. Symptomatic of Sjoberg's laxness is his failure to acknowledge that one account of urban development (Patrick Geddes, Lewis Mumford) places a technological watershed, the transition from paleotechnics to neotechnics, squarely in the middle of the industrial age.

7. Jean Tricart, "Quelques caractéristiques générales des villes latinoaméricaines," *Civilisations*, 15:1 (1965), 15-30; Lutz Holzner, "World Regions in Urban Geography," Association of American Geographers, *Annals*, 57:4 (1967), 704-712.

modification overseas. For we must locate them within a larger polity and economy. We must also look beyond institutions to an "idea of the city" associated with central beliefs. Moreover, if Iberian cities prove to be a special case, their idiosyncrasies require elucidation within the panorama of European urban development. So ambitious an assignment requires that we first revert to the Ancient World.

## 2. *Two Dichotomies: Tribal-Secular and Local-Universal*

From a global perspective, as we have seen, Sjoberg signalizes the Industrial Revolution of northwest Europe as the preeminent watershed for urban development. Fustel de Coulanges, restricting his horizons to Europe and the ancient Mediterranean, took the third to fourth centuries A.D. as the critical juncture, a time when distinctions between Roman citizens and subject peoples were effaced, causing the decay of the Roman municipal system, and when the "victory of Christianity marks the end of ancient society." These two turning points are each a threshold of disintegration. Sjoberg's industrialism erodes urban-rural boundaries, spewing technological change and the standardized educational system required by industrial societies into remote rural corners. Fustel saw the universalism of the late Roman empire and early Christianity as similarly annihilative for ancient cities. Whether the municipal community were taken to be expanded into world empire or perceived as a shadowy antechamber to the City of God, no man could pay ultimate allegiance to both the polis and a universal order. Slowly the municipal system perished. "There came a time when the city was a mere framework that contained nothing, where the local laws applied to hardly a person, where the municipal judges no longer had anything to adjudicate upon."<sup>8</sup>

8. Fustel ascribed key significance to a fiscal measure issued, he thought, by Caracalla at a date unknown to him: "We meet in history with few more important decrees than this." The ordinance, later identified as the *constitutio Antoniniana* of 212 A.D., was in fact Caracalla's. From discovered fragments it is difficult to determine whether or not it extended Roman citizenship to village and rural populations of city territories. Whatever its scope, the intent of the measure was to enlarge the tax base and to flatter outcasts with the grant of citizenship. In this the emperor's aim was not so much to raise the lower classes, although he notoriously cultivated humble soldiers and the support of the masses, as to undermine the self-confidence of the imperial and municipal aristocracy. In a sense, then, Caracalla's grant helped no one and lacked social or political importance; but symbolically it marked the demise of the state founded on the *Senatus Populusque Romanus* and the advent of an era when Roman citizenship was a mere name, bereft of political or social value, signifying only that the bearer inhabited one of the cities of the empire. N. D. Fustel de Coulanges, *The Ancient City* (Garden City, N.Y., 1956), pp. 386-389; A. H. M. Jones, "The Cities of the Roman Empire" in Société Jean Bodin, *La ville. Première partie: Institutions*

Fustel's historical nexus lies deeper than Sjoberg's. For while industrialism induced sweeping social, economic, and institutional changes and engendered a new range of attitude and sensibility, it left the substrate of belief relatively undisturbed. The past two centuries have witnessed no reorientation of consciousness so deep-cutting as those which Fustel treats in the realms of politics (universal empire), philosophy (Stoicism), and religion (Christianity). Indeed it is commonplace to deplore the archaism of the systems or fragments of belief available to modern man as he confronts the massive dislocations that industrialism continues to spawn. Even with Marx's mythopoetic assistance the machine, understandably, has failed to renovate the moral and spiritual realms so sweepingly as did the incarnation of God's Son.

Fustel explained the origin of Greco-Roman cities not as technological response to economic challenge but as aggregations of autonomous religious groups. He perceived no quantum jump between "village" and "city." For him an early city was segmentally constructed, a tribe writ large. It did not take shape gradually but appeared in a moment of time as an alliance of tribes, they in turn composed of phratries or curiae and their constituent families. A youth born in the city was successively initiated into these groups, his rise from worship to worship recapitulating the historic course of human association. The city could not impose a legal order on the family or intrude on its domestic religion and the paternal authority of its head. Thus the ancient city was not legally innovative, as Max Weber saw the medieval city to have been.

In forming a city the founders threw clods of earth from their former dwelling places into a trench (*mundus*) to enclose the souls of their ancestors. At this site an altar was erected and the holy fire of the city lit. Thus family, tribe, and city each perpetuated an ancestral cult, tending fires which symbolized the sacred flame of the human soul. Another complementary religion found its gods in physical rather than human nature (the Hellenic Olympus, the Roman Capitol); it acknowledged the wonder of the external world and deified its surging forces. While worship of the dead was fixed and particularistic, worship of nature, of the Olympian gods, was expansive, progressive, open to all men, mutable in its legends and dogmas as its circle of authority widened. Gradually the god of nature moved from his *cella* near the domestic hearth to claim sacrifices in his own sanctuary or temple.

*administratives et judiciaires* (Brussels, 1954), p. 143; M. Rostovtzeff, *The Social and Economic History of the Roman Empire* (2nd ed.; 2 vols., Oxford, 1957), I: 418-420; Lidia Storni Mazzolani, *The Idea of the City in Roman Thought from Walled City to Spiritual Commonwealth* (Bloomington, Ind., 1970), pp. 192-193.

"When we see these temples rise and open their doors to the multitude of worshippers, we may be assured that human associations have become enlarged." The transformation from tribal to secular city has occurred, and the stage is set for the city of empire.<sup>9</sup>

Needless to say, Fustel's century-old scholarship must be accepted with caution. Ehrenberg, whose account of the early polis usefully supplements Fustel, calls the latter's work "in substance and method fanciful, but a great concept, showing a deep realization of the importance of religion and of kinship groups for the state."<sup>10</sup> Zimmer calls the first half of *The Ancient City* "the best general account, not of the City State in itself but of the lesser loyalties out of which it grew," then lists qualifications: Fustel's Gallic tidiness and *esprit de système*, his neglect of the realm of criminal law, his jaundiced opinion that men in ancient cities neither enjoyed liberty nor had "even the idea of it." Important to our discussion is the charge that Fustel, faithful to the notion of a parent Aryan civilization, dealt simultaneously with Greece and Rome, reaching conclusions that may "fall between two stools and fit neither."<sup>11</sup> There are of course studies, such as W. W. Fowler's and W. R. Halliday's histories of the city state or Max Weber's comparison of ancient and medieval cities, that show the "ancient city" to be a manageable subject. Here, in any case, our concern is with Fustel's conceptualization, not his historiography.

We may now proceed to consider in what respects the example of ancient Mediterranean cities elucidates the urban history of Latin America. In part we shall be examining historical analogies, for, as Hinojosa, Sánchez Albornoz, and others have long since proven, there was no institutional continuity between Roman and medieval towns of the Iberian peninsula. At the same time Spain and Portugal on the eve of overseas expansion shared intellectual legacies from the ancient world—juridical, philosophical, religious—so that the question of analogy versus continuity is on some points moot. The following discussion first examines tensions in these two historical settings between the local and the universal (city and empire) and between the mundane and the otherworldly (city of man and City of God). The polis and the Roman legionary town are then adduced as prototypes for certain features of Latin American urban society.

The conquests of Alexander in the late fourth century B.C. set an

9. Fustel, *The Ancient City*, p. 126. To the kin-based and Olympian religions Victor Ehrenberg adds the chthonic: *The Greek State* (New York, 1964), p. 19. 10. *Ibid.*, p. 245.

11. Alfred Zimmer, *The Greek Commonwealth, Politics and Economics in Fifth Century Athens* (5th ed.; New York, 1961), p. 82.

important precedent for the transformation of Rome from republic to empire and, concomitantly, the idea of "Rome" from polis to universal City of Justice. The conceptual challenge was how to translate the political ideal of the small city state, that its citizens are both ruled and rulers, into a political philosophy for empire. The Stoic answer, which heavily influenced the Romans, stressed duty and discipline under a universal, natural law that had a wise ruler as spokesman. Such a theory implied the Hellenistic monarchical ideal that was espoused by Caesar and Antony and caused their downfall. It was left for Cicero to formulate and for Augustus to apply a compromise between republican institutions and princely authority, *Respublica restituta* and *auctoritas principis*. Although the orthodox city-state tradition of direct exercise of citizenship fit the imperial context awkwardly, Cicero must largely be credited with preserving for later ages the Greek idea that government is for the commonwealth and that the commonwealth is the source of sovereignty.<sup>12</sup>

In the religious sphere the ecumenical Hellenistic-Roman conviction that the City of Mankind is the whole earth, that it overrides hermetic compartments of city state, race, and class, drew emotional force from those Eastern cults which professed that all men are spiritual brothers and, as Philo of Alexandria wrote, that the true citizen is found among "those who have never been placed upon the Burgess roles, or [who] have been condemned to disfranchisement or banishment." Philo dreamt of a single monarch who would rule mankind as a philosopher, a mild shepherd, an alert helmsman. From such sources came monotheistic ideas and messianic hints (as in Vergil's *Fourth Eclogue*) long before the triumph of Christianity. Thus the two cities came to be distinguished not only as geographical and statutory (Cicero) or national and worldwide (Philo) but also as transitory and eternal (Seneca). Eventually, the tyranny of imperial Rome, its depredations against the municipalities, and the collapse of civic spirit opened paths for Christianity and vitalized the transcendental version of the two cities. The Great City was no longer a universal earthly city under one law and faith but a City of the Soul which approached realization precisely as its links with the misfortune-plagued city of man were severed. In envisioning the City of God, St. Augustine perceived that the destinies of Christendom and empire were disjoined, that earthly society was

12. Ehrenberg, *The Greek State*, pp. 135-240; Mason Hammond, *City-State and World State in Greek and Roman Political Theory until Augustus* (Cambridge, Mass., 1951).

but a shadow of the heavenly, and that Rome, city of this world, was only Babylon while Jerusalem symbolized the City of the Beyond.<sup>13</sup>

The preoccupation with city and empire was intermittently revived throughout the Middle Ages, then took a new lease as the Iberian conquest of America recapitulated the historical moment when the city-idea had been universalized more than a millennium earlier in its Roman and Christian versions. New World images of the ideal city fall within Phelan's classification of the three main-currents of Spanish politico-ecclesiastical theory in the sixteenth and seventeenth centuries: the humanist, Renaissance outlook which stressed Spain's civilizing mission; the messianic, mystical interpretation of the conquest inspired by Old Testament prophecies; and the thought of the Dominicans flowing from Aristotelian, Roman, and canon law sources which looked to a world community of nations grounded on Roman *ius gentium*.<sup>14</sup>

The ideal community of the humanists was conceived as actually reproducible in the world, the most notable exemplar being the mission towns erected by Vasco de Quiroga in Michoacán on the model of Thomas More's "utopia" (a word, ironically, meaning "nowhere").

The edenic or chiliastic city-image had two principal versions. One featured putatively preexisting cities: a plunderable city of gold, the seven cities of Cíbola, the cities of the seven legendary Portuguese bishops who fled the Saracens, or else a terrestrial paradise, possibly inaccessible to mortals, such as Columbus surmised to exist at the Orinoco headwaters. The Portuguese in Brazil shared these edenic visions but were less given than the Spaniards to witnessing miraculous interventions; their chroniclers purveyed fabulous legends with a sense of "plausible attenuation."<sup>15</sup>

There was also a prospective rather than an extant paradise, of the sort Phelan studies in the writings of Gerónimo de Mendieta (1525-1604), foremost of the Franciscan New World millennialists. Mendieta felt that the friars, protected by paternal kings and viceroys, were to lead the Indians to a City of God wherein the poverty and piety of the pre-Constantinian church would be reborn in anticipation of the Apocalypse. Though situated on earth, Mendieta's City was not a this-worldly utopia like Quiroga's but an other-worldly Celestial City heralding reconsecration to apostolic humility. This chiliastic vision had

13. Mazzolani, *The Idea of the City in Roman Thought*, passim.

14. John L. Phelan, *The Millennial Kingdom of the Franciscans in the New World* (rev. ed.; Berkeley, Calif., 1970).

15. Enrique de Gandía, *Historia crítica de los mitos de la conquista americana* (Madrid, 1929); Sérgio Buarque de Holanda, *Visão do paraíso* (2nd ed.; São Paulo, 1969).



its Luso-Brazilian parallel in the *História do futuro* and other eschatological writings of the seventeenth-century Jesuit orator, missionary, and statesman Antônio Vieira.<sup>16</sup>

For a modern audience Larrea recreates the millennial theme in poetic-mystical rather than theological terms, describing the course of the universal city from its Judeo-Christian genesis to its apotheosis in the New World. Three historic cities occupy successive points of the trajectory: Jerusalem to the east, mistress of the past, built on the tomb of Christ; Rome in the center, mistress of the present, built on the tomb of Peter; and Santiago at the western rim of Europe (*Finis-terre*), built on the tomb of James, its name, *Compostela* or *campo de la estrella*, portending a luminous future. As the battleground for the European and the universal, Spain released Cristoforo Colombo (a name meaning "bearer of Christ's spirit") to discover the New World. Inexorably the dialectic reaches its term, faithful to the message that Roma, meaning "force," spells Amor when reversed and that the River Ebro, flowing past Zaragoza (city of Caesars), becomes in inversion the universal Orbe.<sup>17</sup>

Policies of colonial government were centrally informed by neither utopianism nor millennialism but by a pragmatic moral philosophy with a strong Thomist accent that could purport to reconcile Christian principles of justice with the harsh realities of conquest and exploitation and with the diversity and intractability of the immense New World empires. In this as in the millennialist tradition the city-idea preserves its ancient local and universal connotations. The *Politica indiana* (1648) of Juan de Solórzano contains representative statements. Drawing on Greek and Roman authors, church fathers, and scholastic sources, he conceived the "republics" of Spaniards and Indians to form a single mystical body whose members were to be designated rulers and followers according to their capacity and assigned to trades and professions in agriculture, commerce, mechanical arts, liberal vocations, and the magistracy. St. Thomas Aquinas is given as authority for the ideal that "a City will be perfect and well ruled when the Citizens are disposed to assist one another and each one complies punctually and conscientiously with his duty."<sup>18</sup>

Moral principles for the "Ciudad perfecta" were reinforced by ecological ones. Solórzano perceived the city to have the civilizing func-

16. Raymond Cantel, *Prophétisme et messianisme dans l'oeuvre d'Antonio Vieira* (Paris, 1960).

17. Juan Larrea, *Rendición de espíritu (introducción a un mundo nuevo)* (2 vols., México, 1943).

18. (Madrid, 1736-39), lib. II, caps. vi, xxiv.

tion of “reducing” wild, nomadic groups who lacked laws and kings to community life for defense and mutual aid. Just as the Romans once assembled wandering peoples in industrious farm communities controlled by larger mother cities (*metrocomias*), so the Spaniards were right to gather the Indians in *reducciones* or *agregaciones*, establishing their leaders in the larger *cabeceras* of each province. This policy flowed from a grand notion that the whole world forms “a great City where all men live, divided into lesser ones composed of different nations.” Solórzano makes explicit the ambivalent meaning of “republic” in Spanish political doctrine. The task of government was to cultivate the prosperity of towns of Spaniards and urbanized groups of Indians linking them to larger juridical, administrative, and ecclesiastical structures. “The State is eminently civilizing, in the original meaning of the word. The founding of urban ‘republics’ of Spaniards and natives assures the general order of the Republic in the sense of ‘state.’”<sup>19</sup>

Affinities between the Iberian and the ancient Mediterranean concept of the city have two implications for understanding the character of urban development in the Spanish Indies and Brazil. First, the Ibero-Catholic-Mediterranean ideal city, in its edenic and juridical versions, was an exemplar or paradigm that transcended mortal strivings and passions. It occupied a higher plane of reality. The two orders might in principle converge—once an Indian tribe was settled in a benign mission, or once the conquistador or bandeirante stumbled on the Shining City, or once the Apocalypse arrived—but for day-to-day purposes the higher reality could only imperfectly penetrate the lower. The pragmatic arrangements and hierarchies of society could not replicate the ideal and required constant legitimation by strenuous exercises in casuistry.

The significance of this tradition is accentuated when one contrasts it with the covenanted community of New England. The Puritan “city upon a hill” retained certain medieval principles of social subordination. The only “natural” relationship, however, was that between parents and children. Other relations were voluntary and dependent on two parties’ “mutual engagement.” Thus the community was conceived of as comprising a series of dual relationships, not as composed of corporate groups or castes; it did not preexist or transcend the contractual arrangements of its members. Because the congregation lacked separate identity, each private conscience bore extraordinary responsibility for preserving the “bond of marriage” between God and the community.

19. Mario Góngora, *El estado en el derecho indiano, época de fundación 1492-1570* (Santiago de Chile, 1951), p. 234.

While its members remained sinless, the community was an embodiment, not an imperfect replica, of the divine order. Moreover, its emigrants could reproduce new congregations which would each initiate an independent relation to God, unsubsidiarized to the parent group. The psychological pressures required to maintain this communal self-purification were not generalized in Ibero America, where "perfected" communities of disciplined religious elites—however ecumenical their pretensions—served in fact only paradigmatic functions.<sup>20</sup>

A second implication of the discussion relates to the notion of universal city-empire. Iberian subjects in America shared an allegiance to a farflung religio-political community not of their own making. Because this community was weakly articulated, particularly in the formative period, its eventual disposition of parts and inner linkages was not clearly prescribed. In the case of cities, it is sometimes asserted that the repetitive grid layout and spacious plaza of Spanish America was both symbol and vehicle for an imperial master plan. In fact, however, this bold geometrism flowed from local, pragmatic experiments which crystallized only gradually into a legislative archetype. "In other words, the legislation confirmed and legalized a process which had been anticipated in practice."<sup>21</sup> Urban institutions like urban form were in this dialectic relationship to the theory of empire. In sixteenth-century Latin America town and mission founding was the primary act which asserted sovereignty, settled colonists, appropriated land, and enforced economic demands on Amerind communities. These municipal functions frequently originated beyond reach of effective imperial control, developed within an armature of local interests, and stubbornly resisted royal encroachment. The colonial Latin American town is therefore sometimes more appropriately conceived as a semiautonomous, agrourban polis than as an outpost of empire.

We distinguish, then, two types of affinity between ancient and Ibero American cities. Affinity of descent allows us to trace the late-medieval scholastic, juridical, and chiliaric versions of the universal

<sup>20</sup> Edmund S. Morgan, *The Puritan Family* (rev. ed.; New York, 1966), pp. 1-28; Page Smith, *As a City upon a Hill, the Town in American History* (New York, 1966), pp. 3-16. One may contrast the "covenanted" relationship with the "dyadic contract" that Foster describes for Mexico as a tie between two people who feel they can help each other by largely ignoring the institutional context in which they meet. While Ibero American communities recall Aristotelian "natural forms," the texture of social life may be atomistic and personalistic. George M. Foster, *Tzintzuntzan: Mexican Peasants in a Changing World* (Boston, 1967), pp. 212-243.

<sup>21</sup> Jorge E. Hardoy, *El modelo clásico de la ciudad colonial hispanoamericana* (Buenos Aires, 1968), p. 40.

or transcendental city back to Ciceronian and Augustinian sources. Affinity of analogy allows us to perceive that American colonization recapitulated an early stage of the long historical process from which it had issued. New World urban societies produced historical echoes not only of the tension between the local and the universal (Aristotelian and Ciceronian) political orders but also of tensions along the tribal-secular gradient which Fustel defined for the ancient polis.

In applying the tribal-secular continuum to Latin America it might seem logical to trace how the clannish, patriarchal colonial town evolved into the primate bureaucratic-commercial city with its plebs and populist politics. To capture the full force of the distinction, however, one must roll back the historical horizon to include pre-Columbian cities. The Inca empire fits the case well. Not infrequently, the Incas are described as stern and noble "Romans" who calculatingly constructed a large empire centered on Cuzco, knit by highways, supplied by technologically advanced agriculture, and defended by strategically placed forts. In socialist interpretations particularly, the Spanish period is seen as a reversion to a more primitive, predatory economy which destroyed the transportation network and the urban-rural symbiosis of the Inca empire. Such a view, responsive to Western "developmental" criteria, misses the texture and historical logic of Incaic institutions. As Zuidema demonstrates, it is misleading to describe Cuzco as an "imperial" capital that projected a "rational" order on its hinterland, given the fact that the city's complex religio-social system seems related to the village organization of the contemporary Boróro and Gê tribes of eastern Brazil. The structure of empire emanating from Cuzco was not a "Roman" design but an extrapolation from urban (one wishes to say "preurban") social organization "based on kinship and on the application of kinship principles." The cells of this organization were endogamous groups, their territories, and the holy sites (*huacas*) identified with their forebears. Thus the famous decempartition which characterized the Incas' administration and the temporal ordering of their dynasties emanated from kinship structures. The place of any person in the hierarchic social order was fixed by a threefold relationship with present and abandoned marriage groups and with the rest of society.<sup>22</sup>

<sup>22</sup>. Reiner Tom Zuidema, *The Ceque System of Cuzco, the Social Organization and their Mutual Similarity*, *Beidragen tot de Taal-, Land- en Volkenkunde*, 121 (1965), 103-119. Zuidema's analysis reverses the interpretation of Lévi-Strauss, who viewed Brazilian village cultures as pauperized, or "pseudo-archaic," because they retain self-contradictory features from earlier, more complex societies. Zuidema provides a logic for similar "contradictions" in Incan social organization and suggests that they may derive from more "primitive" situations.

Comparing Incaic Cuzco with Spanish colonial Lima, then, yields a quantum jump along Fustel's evolutionary tribal-secular gradient. Occasionally the two forms may have coexisted under Spanish rule but, as Gibson shows for the Indian *parcialidades* and *barrios* of Mexico City, with Indian organization subordinate to the design and purposes of Spanish control.<sup>23</sup>

Once we narrow our focus to the ancient secular city, or polis, and the colonial Latin American town, we find that tribalism or kinship is no longer the organizing principle for urban life. The city is now constituted as a *public* order, but a public order in chronic conflict with the private one of patriarchal familism. The urban histories of the ancient Mediterranean and colonial Latin America are grounded in persistent tensions between universalism and particularism, legalism and personalism, populism and elitism, public equity and clientage. Treatments of these themes for Latin America—such as García's classic study of patrician domination in Buenos Aires, accounts of plebeian revolts in Mexico, or analyses of the interplay of the public and private orders in Brazil<sup>24</sup>—recall the matrix situation confronted by Thucydides, Plato, and Aristotle and imaginatively rendered in *Antigone* and the *Oresteia*.<sup>25</sup> Indeed, echoes persist even in modern industrial Latin America, where elite clientist structures and intermittent, weakly articulated populist protest—the interaction of patriciate and demos—weigh more heavily than do “class ideologies” or “interest groups” in defining the social order.

Just as the age-old categories of Aristotle's *Politics* illuminate *internal processes* of the Latin American urban polity, so the example of the Roman legionary outpost helps one characterize the *external relations*, political and ecological, of Latin American towns. The location

23. Charles Gibson, *The Aztecs under Spanish Rule* (Stanford, Calif., 1964), pp. 368-402.

24. Juan Agustín García, *La ciudad indiana*, in his *Obras completas* (2 vols., Buenos Aires, 1955), I: 283-475; “Letter of Don Carlos de Sigüenza y Góngora to Admiral Pez Recounting the Incidents of the Corn Riot in Mexico City, June 8, 1692” in Irving A. Leonard, *Don Carlos Sigüenza y Góngora, a Mexican Savant of the Seventeenth Century* (Berkeley, Calif., 1929), pp. 210-277; Chester L. Guthrie, “Riots in Seventeenth-Century Mexico City,” in *Greater America, Essays in Honor of Herbert Eugene Bolton* (Berkeley, Calif., 1945), pp. 243-258; Nestor Duarte, *A ordem privada e a organização política nacional* (2nd ed.; São Paulo, 1966); Raymundo Faoro, *Os donos do poder* (Pôrto Alegre, 1958).

25. In *Raízes do Brasil* (5th ed.; Rio de Janeiro, 1969), pp. 101-102, Sérgio Buarque de Holanda proposes that the conflict between Creon and Antigone prefigures the tension between city and family in patriarchal Brazil. George Thomson's *Aeschylus and Athens* (3rd ed.; New York, 1968) interprets the *Oresteia* trilogy as dramatizing the transition from tribal to democratic rule, from the law of retribution to the law of purification, from clans to classes.

of the Roman *colonia* (related to *colere*, to cultivate) or New World town was dictated more by political, strategic, and agricultural than by commercial or industrial considerations. The administrative unit was the *civitas* or municipality, centering on a grid plan surrounded by lands that were allotted to firstcomers or else held aside as an *ager publicus* or *ejido*. The Roman *civitas* was an old tribal unit comprising a tribe and its territory. Its chief town was the administrative center, organized on the standard Roman model and controlling sub- or client-tribes each with its *pagus* (territorial unit) and *vicus* (settlement).<sup>26</sup> “Gaul was . . . too large, its tribes too backward and scattered, to be welded into the Italian type of a network of municipalities. A tribal territory was like a French department, or often larger.”<sup>27</sup> In the New World, similarly, municipal jurisdictions might extend scores, even hundreds of miles, and in an area like central Mexico they fastened on Amerindian tribal systems.<sup>28</sup> Roman colonists were soldier-farmers, and their towns had a camplike appearance; in Spanish America foot and horse soldiers received land grants called *peonías* and *caballerías*.

If both situations yield the example of the rectilinear town functioning as metropolitan outpost and as colonizing agent, so do they exhibit functionally comparable agrarian institutions. The latifundium, controlled by a single proprietor originally from an urban background, becomes the agency which organizes rural workers for production. In both cases the workers are typically of an alien culture and, whatever the dictates of the metropolis may be, it is largely the latifundium which determines the workers’ relation to the soil and the kind of justice they may expect to receive. Proprietors have mixed rural-urban allegiances. When the social or economic promise of the hinterland is great, or when town life becomes penurious and oppressive, they are drawn to reside in the country. This deprives the town of leadership and, to the extent that the rural domain becomes self-sufficient, of economic vitality as well.

In exploring such historical analogies one cannot of course neglect fresh economic and psychic ingredients in the ethos of New World city-building. Ancient Greek political (or “polis”) ideals of *paideia*, *arete*, and *sophrosyne*—emphasizing the wholeness and balance of personal development, the organic identity of man and community, the polis as ultimate embodiment of justice and spiritual life—would not reappear in Latin American communities where dominance and subjection, pres-

<sup>26</sup> Ferdinand Lot, *The End of the Ancient World and the Beginnings of the Middle Ages* (New York, 1931), pp. 115-118.

<sup>27</sup> Olwen Brogan, *Roman Gaul* (London, 1953), pp. 66-67.

<sup>28</sup> Gibson, *The Aztecs*, pp. 32-57.

tige and humiliation, beatitude and sin, salvation and damnation were determined by a politico-moral order far transcending the bounds of the polis. And while imperial Rome, which failed to effectuate Greek polis ideals, may seem to offer fuller comparisons with the post-medieval empires, here again one cannot overlook important differences of sensibility. In characterizing the politico-urban imagery of the Romans, Mazzolani highlights two contending impulses: the literary ideal of universal egalitarianism under the aegis of a beneficent Olympian monarchy and the theme of brute force, violence, and oppression which, in the visual arts, coexists with the paternal-egalitarian theme.<sup>29</sup> In the Iberian case one might venture that the theme of paternalism is imbued with hierarchical and compassionate rather than egalitarian motifs and that its richest statement is in ecclesiastical imagery, literary, visual, architectural, and liturgical. The theme of domination found abundant expression, largely literary or expository, on a spectrum from legalism to militancy but without Roman overtones of militarism.

The comparative discussion of ancient and Latin American cities is problematical because on certain points one cannot assert unequivocally whether direct historical continuity is involved, whether the issue is strictly one of historical analogy, or whether perhaps one is dealing with a case of loose historical replication within the Mediterranean culture area. To give firmer shape and anchorage to the impressions suggested above, we will now consider the development of municipal institutions in western Europe during the centuries preceding the discovery of America. In so doing we abandon the tactic of selective cross-temporal analogy and undertake to reconstruct two patterns of urban development that unfolded simultaneously north and south of the Pyrenees.

### 3. *The Patrimonial-Commercial Dichotomy*

From various quarters exception is taken to the thesis that the northwest European town of the late Middle Ages was historically unique in that (a) its charter, laws, and institutions were shaped by and oriented to commercial interests and (b) it enjoyed corporate autonomy. In fact even Max Weber, who has been charged with overstressing the uniqueness of the Western city, supposed that the legally autonomous commune may have arisen in at least rudimentary form in Mesopotamia, Phoenicia, Palestine, and perhaps maritime cities elsewhere.<sup>30</sup> Here it is less important to establish the point of uniqueness

<sup>29</sup> Mazzolani, *The Idea of the City in Roman Thought*, p. 183.

<sup>30</sup> *The City* (Glencoe, Ill., 1958), pp. 95-96.

than to review the leading features of western Europe's "urban revolution." For if it preceded the discovery of America by four centuries, one wishes to know in what ways if any it influenced Latin American urban institutions.

The discussion starts logically with Pirenne's distinction between ancient and medieval cities. In ancient times, he observed, the city with its temples and magistrates was the center of the whole life of those who had built it. Peasant and urban dweller equally claimed the title "citizen," and the *ius civitatis* applied to all free men within or without the city walls. The medieval city, on the other hand, was legally distinct from the surrounding country. Countryman and townsman shared neither common interests nor common status nor a common magistracy. The city was an island of legal immunity. In Pirenne's tentative definition: "The medieval city is a community in the shelter of a fortified sanctum living by commerce and industry, and enjoying an exceptional law, administration, and jurisdiction which make it a privileged body." No one belongs to the city who does not reside there. "In short, the citizen exists for the city and not, as in antiquity, the city for the citizen." Hence the ingenious suggestion that whereas in Latin the word *civitas* is derived from *civis*, in modern languages the words *bourgeois*, *burger*, *citizen*, and *cittadino* derive from *bourg*, *burg*, *city*, and *città*. Medieval Latin even closes the circle by deriving *civitatensis* from *civitas*.

Though his more popular writings may suggest that Pirenne overgeneralized his "model," he was explicit as to its complexity. Urban evolution, he observed, was affected by the character of the towns' struggle, if any, against princes, by the nature of their commerce, by the degree to which institutions of surrounding territories were compatible with their needs. Usually a compromise was reached between princely rights and municipal law developed from intimate dialectic between feudal and communal organization. Ecclesiastical princes on the other hand had urban residences, quarreled more constantly with burghers, and attempted to impose their ideals of political and social organization. Thus in episcopal towns burghers were more given to "revolutionary" conjurations resulting in powerful communes that stood free of preexisting public power. Pirenne also distinguishes between cities which developed communal organization internally and the *villes neuves* which, after the twelfth century, might receive a fullblown charter from a prince or lord.<sup>31</sup>

31. Henri Pirenne, *Les villes et les institutions urbaines* (6th ed.; 2 vols., Paris, 1939), I: 87-90, 103-104, 167, 174-177 and II: 115-119.



Some institutional differences are classifiable geographically. Paris and the English towns could not effectively challenge royal authority. Flemish towns grew with such speed and power that they accepted a municipal autonomy less complete than that often achieved in France or Germany. Cities of the Low Countries Pirenne subdivided by their constitutions into family groups of the Flanders, Liège, Brabant, and Holland types, highlighting the "Flemish" - "Liège" contrast. In Flanders the commercial and manufacturing impetus was strong. Neither church nor nobles could offer serious resistance to the burgher communities, and from the eleventh century on the causes of prince and town were joined. Municipal institutions, commercial privileges, abolition of trial by combat, restrictions on ecclesiastical jurisdiction, and limitation of military service were all gradually sanctioned by the counts. Liège, on the other hand, was an episcopal city with limited trading interests, its soil largely occupied by chapters and abbey. As the commune developed it failed to displace the lord's tribunal. Dual jurisdiction persisted, with that of the *jurés*, or sworn members of the council, limited to municipal regulation and policing. The church's financial needs, however, gave rise to a class of financiers and money-lenders who eventually played something of the role that the great merchants played in Flemish cities.<sup>32</sup> This contrast illustrates two complementary urban developments in medieval Europe: the appropriation of political power by burghers to create a new institutional and legal regime, and the less distinctively European formation of bureaucratic and intellectual cadres that were to organize and manage the new nation states and national economies.<sup>33</sup>

The critical significance which scholars like Pirenne, Weber, and Petit-Dutaillis<sup>34</sup> ascribe to the commune of northwest Europe hinges neither on the burgher class being of exclusively communal origin nor on the widespread triumph of explicitly communal organization. Pizzorno groups historians into those who insist on the merchant origins of the new urban leaders (Pirenne, Bloch), those who see them as an offshoot of the dominant feudal class (Sombart), and those who see them of mixed origins (Sapori, Lestocquoy).<sup>35</sup> None of these positions

32. *Ibid.*, I: 177-193, 209-211.

33. Bert F. Hoselitz, *Sociological Aspects of Economic Growth* (New York, 1960), pp. 165-170; Alessandro Pizzorno, "Développement économique et urbanisation," Fifth World Congress of Sociology, *Transactions* (Louvain, 1962), II: 107.

34. Charles E. Petit-Dutaillis, *Les communes françaises: caractère et évolution des origines au XVIIIe siècle* (Paris, 1947).

35. Pizzorno, "Développement économique," p. 104.

is incompatible with the view that a new type of city appeared, dominated by the mercantile function and by a class whose power was rooted in that function. The historians' differences do however suggest that the larger the role of landed nobility in organizing the commune, the stronger the ties between the city and its surrounding territory. Where the nobility was excluded, the city's regional influence was weaker and its conflicts with the central power stronger.

Because it answers this second case, the originality of the Western city is more evident, in the sense that it exhibits more clearly the first signs of cumulative economic development. In the case of the Italian and south European cities economic development will halt at a given moment. Opposition, not assimilation, engendered development.<sup>36</sup>

Botero observed in 1588 that Italian cities were "more glorious and more populous" than French ones because "the gentlemen in Italy do dwell in cities, and in France in their castles."<sup>37</sup> This contrast between conspicuous consumption in Italian cities, which Botero praised for its demonstration effect, and the northern burghers' model of thrift seems traceable to different relations between urban and rural elites. "In the north, burgher law often worriedly prohibited rural knights and magnates from living in town. In Italy, town law frequently obliged them to live there."<sup>38</sup>

Apart from the issue of classifying the origins of burghers there is that of determining the "true" commune. More than a century ago Augustin Thierry divided late-medieval France into three zones: the northern zone of the communes, the middle zone of the *villes franches*, and the southern zone of the *consulats*. For central France Boulet-Sautel accepts the outline but not the implications of this classification. She recognizes that here the communal movement was limited and did not take "revolutionary" form. The *ville franche* was more frequent and differed from the conjugation because it originated not in the revolt of a single class against feudal power but in the appeal for privileges or freedoms made to a lord by a whole *communitas* of burghers, clerics, soldiery, and even rural serfs. What is significant is that in its triumph over the commune the *ville franche* "progressively takes over its institutional substance." The competence of the delegates of the *communitas* expands until they become in effect its representatives. "At

36. *Ibid.*, p. 105.

37. Giovanni Botero, *The Reason of State & the Greatness of Cities* (New Haven, Conn., 1956), pp. 259-260.

38. John H. Mundy and Peter Reisenberg, *The Medieval Town* (Princeton, N.J., 1958), p. 45.

that moment it is quite difficult to analyze the distinction between the *ville franche* and the commune stripped of its conjuration." Finally, in the more centralized nation of the fourteenth century the two types tend to fuse into a third, the *bonne ville*, which consolidates their gains in administrative autonomy under the aegis of the crown.<sup>39</sup>

The late-medieval town of northwest Europe did not indefinitely supply economic energy and innovation. For one thing, the leaders of the third estate became a closed patriciate. For another, economic institutions oriented to isolated, guild-based, monopolistic cities were no longer viable in face of agricultural enclosure, interurban financial operations, the factory system with its decentralized energy sources, and the growth of the mercantilist nation state. "[The] cities which had struggled to affirm a progressive economic system now constitute a knot of interests in conflict with the new type of development."<sup>40</sup> Erosion of the city's autonomy and of its distinctive societal form, however, signified the universalizing, not the evaporation, of the medieval municipal ethos. In the summary of Romero:

... the great bourgeoisie progressively cast off its urban ties and began to unite as a class having continuity and homogeneity within supraburban territorial units: kingdoms or fiefs. And where the great bourgeoisie did not have that possibility it tried to expand its limits by creating around cities a radius of influence, economic at first but very soon political as well, as in the case of the great bourgeoisie of the Italian or German cities.

With this urban communities as such began to weaken, but the great bourgeoisie, especially its most powerful sectors, did not therefore weaken. On the contrary it gained in independence and above all acquired growing influence with the territorial powers.<sup>41</sup>

"Burgher law," wrote Weber, "is a half-way house between the old feudal law and the law of territorial units."<sup>42</sup> Elsewhere, in discussing legal sources of the European nation state, he developed the point as follows:

[In] the reception of substantive Roman law the "most modern," i.e., the bourgeois groups, were not interested at all; their needs were served much better by the institutions of the medieval law

39. Marguerite Boulet-Sautel, "L'émancipation urbaine dans les villes du centre de la France" in Société Jean Bodin, *La ville*, pp. 371-406.

40. Pizzorno, "Développement économique," p. 110.

41. José Luis Romero, *La revolución burguesa en el mundo feudal* (Buenos Aires, 1967), p. 448.

42. Weber, *The City*, p. 112.

merchant and the real estate of the cities. It was only the general formal qualities of Roman law which, with the inevitable growth of the character of the practice of law as a profession, brought it to supremacy. . . .<sup>43</sup>

Whether or not the west- and central-European pattern of urban development held for the Iberian peninsula has important implications for the subsequent urbanization of America, and indeed for the whole legal and institutional inheritance of the Spanish and Portuguese New World empires. The north of the peninsula did receive strong trans-Pyrenean influences when in the eleventh century pilgrims, mostly from France but also from Italy, Germany, Flanders, and England, began flocking to Santiago de Compostela along the westward route through Jaca, Pamplona, or San Sebastián, then to Burgos, Sahagún, León, Astorga, Ponferrada, and Puertomarín. Importing new ideas, customs, and skills, many travelers settled permanently in towns and small settlements or next to monasteries, where they created walled suburbs (*arrabales*), established markets, and plied artisans' trades. In Navarre and Aragon the kings founded towns for the newcomers' exclusive residence. The generic name for the settlers was *francos*, a term implying both trans-Pyrenean origin (though not all were foreigners) and free juridical status. *Francos* who lived in cities directly under public power enjoyed statutory privileges of *burgueses*, a royal grant of *franquitas* guaranteeing immunity from services to lords and from commercial imposts. In towns subject to lords or abbots, however, restrictions on trade or manufacture might provoke an "oath of mutual aid and defense" analogous to the commune or conjuration of the French, Flemish, or Rhenish lands. The first wave of outbreaks, which occurred in Sahagún, Lugo, Carrión, Burgos, and Palencia from 1087 to 1184, crested with the commune of Santiago de Compostela (1116-17). Here the *burguesía* united with many of the clergy in a "revolutionary" *hermandad jurada* which seized authority from the bishop and ruled the city for a year. Yet even this movement, technically a "commune" in the French sense, was directed more toward seizing city government than toward changing its form. The bishop was perceived not as a feudal lord but as the leading entrepreneur in the most prosperous city of Christian Spain, a position for which he was greatly envied. The conjuration unsuccessfully sought the patronage of Queen Urraca and was eventually defeated by the forces of herself, her son Alfonso, and the bishop. In later years the struggle broke out again repeatedly, but although the *burgueses* acquired internal autonomy in the late-twelfth

43. Max Weber, *On Law in Economy and Society* (New York, 1967), p. 275.

century, their jurisdiction was never enlarged to include the surrounding *alfoz*. The small urban perimeters to which bourgeois power was limited in northern Spain recall the north European situation rather than that of Italy and southern France.<sup>44</sup>

The Iberian municipal traditions which would orient New World settlement patterns were those forged in the reconquest, not those which filtered over the Pyrenees. Juan Larrea rightly found the significance of Santiago for Spanish overseas expansion to be symbolized in its saintly tomb, not its commune. The reconquest of central Spain occurred in four phases. First came the resettlement of the largely deserted Duero valley in the ninth and tenth centuries, reaching advance points like Salamanca and Sepúlveda. This was carried out by monasteries and private persons, though often at the initiative and under supervision of the crown. Colonization by Galicians, Asturians, Basques, and Mozarabs from the south was accomplished by *presura*, which gave control of land in recognition of "squatters' rights," prescription, or effective cultivation. The resultant agrarian regime was one of small holdings nucleated by villages (*villae*) or monasteries and the forts (*castra*) which protected them. Save for modest development of local handicrafts and weekly markets—and the more intense economic activity of León and Barcelona—the early settlement centers were dominated by military, clerical, and agricultural pursuits.

The second phase of reconquest witnessed the *repoplación concejil* of lands between the Duero and the Tagus during the eleventh century. Here colonization was entrusted to the *concejos* of the former Moorish realm where Mozarab and Moslem communities provided a certain ecological continuity. *Concejos* of Avila, Segovia, Madrid, or Toledo were assigned a large territory (*alfoz*) with lands allocable to clusters of free settlers under stipulated conditions and privileges. In the third phase the defense of lands newly conquered between the Tagus and the Guadiana was entrusted to the Military Orders in the twelfth century, while the last phase saw the frontier pushed south to the

44. Luis Vázquez de Parga *et al.*, *Las peregrinaciones a Santiago de Compostela* (3 vols., Madrid, 1948-49); Marcelin Defourmeaux, *Les français en Espagne aux XI et XII siècles* (Paris, 1949); Luis Vázquez de Parga, "La revolución comunal de Compostela en los años 1116 y 1117," *Anuario de Historia del Derecho Español*, 16 (1945), 685-703; Torquato de Sousa Soares, "Dois casos de constituição urbana: Santiago de Compostela e Coimbra," *Revista Portuguesa de História*, 5:2 (1951), 499-513. Reyna Pastor de Togneri contrasts the Compostela movement with that against the abbacy of Sahagún in 1110-1117, showing the sharper commercial motivation of the former: "Las primeras rebeliones burguesas en Castilla y León (siglo XII)," *Estudios de Historia Social*, 1 (1965), 29-106.

Guadalquivir under the combined auspices of Orders, *concejos*, and nobles.<sup>45</sup>

As early as the phase of *repoblación concejil* the trade and manufactures of the Leonese and Castilian towns quickened in contact with centers subsequently wrested from Islam; yet the dominant accents of urban life continued to be military, ecclesiastical, agricultural, and pastoral. The new markets were often in rural villages, and even in urban settings the “peace of the market” did not give rise to a distinctive “urban peace” (*pax civitatis*).

Socially and economically, our medieval cities must have differed considerably from those of Germany or Italy. From what can be told from its common features, the city with us never loses a certain rural character. Often its economy does not seem to be a fully developed urban economy.<sup>46</sup>

The term *burgués* rarely penetrated south of the pilgrimage route; more usual designations were *civis*, *ciudadano*, *vecino*, or *omo bueno*. Castile's thirteenth-century laws, the *Siete Partidas*, identified the estates of society as defenders, preachers, and farmers, omitting mention of burgueses. “Local government of the cities of Castile was in the hands of knights or hidalgos, farmers, landowners, lawyers (*letrados*), but rarely the great merchants, owing of course to their small number rather than to systematic elimination.”<sup>47</sup> The crown's reliance on private persons and would-be small proprietors for the work of resettlement had created a large class of *caballeros de las villas*, or *caballeros villanos*, who enjoyed relative juridical freedom by dispensation rather than by communal action taken for economic interest. Therefore “residence in an urban center and acquiring the condition of a city ‘burgués’ were not the only circumstances which determined at least partial liberation from links of subjection to the lordly potentates.”<sup>48</sup>

Leonese and Castilian towns in particular enjoyed considerable internal autonomy in medieval Spain. But municipal governments were embedded in the political and administrative structure of the state, and organizationally an “urban” center might differ little from a rural

45. Luis García de Valdeavellano, *Curso de historia de las instituciones españolas* (Madrid, 1968), pp. 239-242; Ignacio de la Concha, *La “presura,” la ocupación de tierras en los primeros siglos de la reconquista* (Madrid, 1946).

46. Luis García de Valdeavellano, “El mercado, apuntes para su estudio en León y Castilla durante la Edad Media,” *Anuario de Historia del Derecho Español*, 8 (1931), 397.

47. Ramón Carande, *Carlos I y sus banqueros*. Vol. I, *La vida económica en Castilla (1516-1556)* (2nd ed.; Madrid, 1965), p. 154.

48. Luis García de Valdeavellano, *Sobre los burgos y los burgueses de la España medieval* (Madrid, 1960), pp. 55-56.

one. Municipal organization was sanctioned by *fueros* which were contractual in Castile but acquired the character of conceded privilege or legal statute as the conquest advanced south into Andalusia during the Roman-law revival under a more centralized monarchy. In central Spain, "unlike elsewhere in Europe, there was no communal movement with convulsions and struggles to establish urban institutions."<sup>49</sup> The thirteenth and fourteenth centuries witnessed urban revolts in Castile and León. They were not bourgeois or artisans' movements, however, but actions by *caballeros* to suppress the popular agrourban classes (loosely, the *ciudadanos, labradores, or pueblo*), as in Avila, Toro, and Zamora, or else uprisings of the pueblo (who might even proclaim a *comuna*) against the caballeros, as occurred later in Córdoba, Segovia, Ubeda, and Seville. The east, where the Mediterranean ports of Barcelona and Valencia engaged heavily in commerce and manufacture, had communes akin to the conjuration and *consulat* of France and Italy. Yet here larger cities were in the royal domain and even more heavily dependent on the sovereign than were those to the west. When in the fourteenth century the crown further centralized its power by appointing *corregidores* as chief municipal magistrates, by suppressing open town assemblies, and by confirming life terms for town councilors, such measures were applied more vigorously in Castile than in the east precisely because, it would seem, the king already enjoyed considerable interventionary power there.<sup>50</sup> To compare the French and Spanish cases, one might say that the latter offers counterparts to the *ville franche* and *ville bonne* but uninfluenced, except in the north, by the example of the "revolutionary" conjuration.

The urban history of Portugal, it is usually assumed or implied, differed from Spain's because here the reconquest played a less commanding role and urban life sprang up along the coast in response to maritime possibilities for fishing and commerce. Portuguese municipal institutions, however, evolved under patrimonial auspices similarly to the Spanish, and coastal settlements appeared only in the late twelfth century. An observer who cruised the northern coast in 1147 reported scarcely a single urban cluster.<sup>51</sup> In its early period the Portuguese

49. José-M. Font y Rius, "Les villes dans l'Espagne du Moyen Age" in Société Jean Bodin, *La ville*, p. 271.

50. María del Carmen Carlé, "Tensiones y revueltas urbanas en León y Castilla (siglos XIII-XIV)," Universidad del Litoral, Instituto de Investigaciones Históricas, *Anuario*, 8 (1965), 325-356; José-M. Font y Rius, "Orígenes del régimen municipal de Cataluña," *Anuario de Historia del Derecho Español*, 16 (1945), 389-529.

51. Alberto Sampaio, *Estudos históricos e económicos* (2 vols., Porto, 1923), I: 163-166, 307; Torquato de Sousa Soares, "Notas para o estudo das instituições

realm was “a federation of fiefs (*senhorios*) and cities presided over by the king and symbolized in the crown; with the military power at his disposal he mediated among the parts and prevented dissolution, thus preserving the state.”<sup>52</sup> As in León and Castile, fairs and markets had little influence on the origins or institutions of Portuguese towns.<sup>53</sup>

For Portugal as for Spain, the contrasting example of the pilgrimage city clarifies the central institutional development. In the cities of Galicia and northern Portugal—specifically Santiago, Guimarães, and Pórtó—a merchant-artisan group created an independent municipal regime (*burgo*) alongside the institutions that controlled the larger agrourban territory. The case of Coimbra, whose *foral* of 1179 seems to have supplied the model for Lisbon and Santarém, is quite different. Here Cortesão was apparently mistaken in interpreting the twelfth-century revolt against Count Dom Henrique as that of a nascent bourgeoisie. The city was not a commercial and manufacturing center, and the *optimates populi* were not, as in Santiago, well-to-do, frequently immigrant merchants but landed, knightly proprietors long rooted in the city who protested the appointment of foreign magistrates. The movement aimed to maintain traditional privileges, not to reform administration. The *foral* which was won accentuated the aristocratic cast of Coimbra society and preserved the agrourban character of municipal jurisdiction. It established that the *iudex* should be a native of Coimbra but otherwise perpetuated the city’s position in the administrative structure of the state. In the case of Lisbon, on the sea route between Italy and Flanders, pressures generated by its growing commerce and manufactures led in 1383-85 to the replacement of the 1179 *foral* with a statute that conceded certain privileges to the commoners (*povo meudo* or *povo comum*), notably creation of a deliberative body of twenty-four working men from twelve trades. Previously, however, the trades had not had corporate structure, and the new privileges did not merge the workers with the leaders of the city council.<sup>54</sup>

municipais da reconquista,” *Revista Portuguesa de História*, 1 (1941), 71-92, and 2 (1943), 265-291; Claudio Sánchez-Albornoz y Mendiña, *Ruina y extinción del municipio romano en España e instituciones que le reemplazan* (Buenos Aires, 1943), p. 129; insert-maps in Paulo Merêa and Amorim Girão, “Territórios portugueses no século XI,” *Revista Portuguesa de História*, 2 (1943), 255-263, and A. H. Oliveira Marques, “A população portuguesa nos fins do século XIII” in *Ensaio de história medieval* (Lisbon, 1965), pp. 69-123.

52. Diogo de Vasconcelos, “Linhas gerais da administração colonial,” *Revista do Instituto Histórico e Geográfico Brasileiro, tomo especial consagrado ao Primeiro Congresso de História Nacional*, 3 (1916), 288.

53. Virginia Rau, *Subsídios para o estudo das feiras medievais portuguesas* (Lisbon, 1943).

54. Torquato de Sousa Soares, “Les bourgs dans le nord est de la Péninsule



Because it is tempting to attribute patrimonial features of Iberian cities to Islamic influence, we should distinguish here between the Islamic and Christian European traditions. Neither case exhibits institutional continuity from ancient cities. In the eastern Mediterranean, however, the Arabs did inherit the centralized bureaucracies and the active urban, industrial life of late Antiquity. Absent was the strong tradition of corporate life, feudal and ecclesiastical, which sprouted in Christian Europe and gave form and coherence to the twelfth-century communal movements. In Islam both "bourgeois" uprisings and populist tumults erupted against governors, as in Syria and Mesopotamia in the eighth to tenth centuries, but the bureaucratic state prevented their attaining organizational autonomy. Reaching its ascendancy in about 1000, the Islamic bourgeoisie anticipated Western economic attitudes but never became a corporate body or obtained political power, although its members might individually become high executives of the state. For the Mamluk period (1250-1517) Lapidus warns against facile contrasts between vigorous, democratic European communes and abject Muslim cities smothered by state bureaucracies. Muslim urban life displayed many forms of strong group solidarity: family and neighborhood bonds, informal market ties, attachment of workers to local mosques, apprenticeship arrangements, and—at the margin of society—dervish fraternities, criminal gangs, and even rare instances of conjurations of rebellious emirs. Lacking, however, were voluntary, self-governing professional, merchant, and artisan guilds created by the members' self-interest. Close-knit urban quarters or neighborhoods were like village communities within the urban agglomeration. For its cohesion the city depended not on corporate organizations but on the activities of a religious elite, the *ulama*, who performed social, administrative, and commercial as well as religious functions and whose membership overlapped various social divisions and was intermeshed with the bureaucratic class. The pervasive role of this undifferentiated elite precluded the need for more formal institutions of representation or control. One need only compare the specialized physical form of European cities with the amorphous, fluid, bazaar-like layout of Muslim

Ibérique," *Bulletin des Etudes Portugaises et de l'Institut Français au Portugal*, nouvelle série 9, fasc. 2 (1943), 5-15, and "O foral concedido a Coimbra, Santarém e Lisboa em 1179," *Academia Portuguesa de História, Anais*, 2ª série, 10 (1960), 173-188; Jaime Cortesão, *Os factores democráticos na formação de Portugal*, vol. I of his *Obras completas* (Lisbon, 1964), pp. 94-100; Paulo Merêa, "Sobre as origens do Concelho de Coimbra," *Revista Portuguesa de História*, 1 (1941), 49-69; Sousa Soares, "Dois casos;" Marcelo Caetano, "O Concelho de Lisboa na crise de 1383-1385," *Academia Portuguesa de História, Anais*, 2ª série, 4 (1953), 175-247.

ones to appreciate that the latter accommodated an uncompartimented society in which functions were commingled and the flow of life shifted ceaselessly and effortlessly among disparate activities.<sup>55</sup>

On certain counts the Iberian Christian cities bore similarity to the Islamic: limited autonomy with respect to the state, vague urban-rural boundaries, lack of an autonomous bourgeoisie, prevalence of patron-client relations. Yet, as urban form corroborates, it is clear that Spain and Portugal shared strong corporate tendencies with the rest of Europe. The patrimonial features just listed must therefore be explained by the process of reconquest, which shifted the phasing of corporate development vis-à-vis that of central state power. The frequent Arabic derivation of Spanish and Portuguese terms for municipal officers dates from the heavy exodus of Mozarabs to León during the conquests of the late-eleventh and twelfth centuries. Their adoption paid linguistic homage to the brilliant urban civilization of Toledo, Córdoba, and Seville but did not signify structural change in an already established municipal order.<sup>56</sup>

The fact that municipal power in the Iberian countries was further centralized and bureaucratized on the eve of overseas expansion made it inevitable that the new American towns would be conceived as territorial and jurisdictional units embedded in a patrimonial state structure. Much ink has been spilt in assessing what factors militated against municipal "democracy" in the New World, in identifying periods or regions when it was most nearly achieved, and in comparing the "democratic" potential of Spanish American cabildos and Brazilian *câmaras*. In such discussions the term "democracy" not only shifts meanings (representative government, populist government, municipal autonomy, social justice) but also gives a moralistic bias to an analysis which should take its cues from institutional structure. The degree to which town councils in the Americas were granted, or managed to assert, self-government is a less interesting question than such others as: By what rationale were municipalities inserted into the state structure? What accommodations were made for original settlers and their descendants? On what occasions and by what procedures might common will be registered? What form did town government take when func-

55. Claude Cahen, "Mouvements populaires et autonomisme dans l'Asie musulmane du Moyen Âge," *Arabica* (1958-59), 5: 3, 225-250; 6: 1, 25-56; 6: 3, 233-265; S. D. Goitein, "The Rise of the Near-Eastern Bourgeoisie in Early Islamic Times," *Cahiers d'Histoire Mondiale* (1957), 3: 3, 583-604; S. M. Stern, "The Constitution of the Islamic City" in A. H. Hourani and S. M. Stern, eds., *The Islamic City* (Oxford, 1970), pp. 25-50; Ira M. Lapidus, *Muslim Cities in the Later Middle Ages* (Cambridge, Mass., 1967).

56. Sánchez-Albornoz, *Ruina y extinción*, pp. 126-129, 142-145.

tioning beyond effective reach of the imperial structure which was conceived to provide its armature?

The Spanish policy of clustering New World settlers in towns to impede rural dispersion shows the whole system of justice, administration, defense, and church to have rested on an urban base. The Spanish state and that of the Indies were conceived as organic entities arising from natural, not merely economic or utilitarian—nor for that matter, religious—communities. As the jurist Francisco de Vitoria expressed it, “the source and origin of cities and republics is not an invention of man, nor can it be counted among artificial things, but it arises from nature.” The corollary to the organic principle was the irrefragability of political power and of the community’s need to exist within the framework of the state which exercised it. Such power is not the arbitrary creation of the multitude but is legitimized by natural law and irrevocable even by universal consensus.<sup>57</sup>

After the early towns on Española had fought to preserve their liberties against Diego Columbus and to place themselves under the crown, free of seigneurial jurisdiction, the emperor decreed that the islands and mainland were the *realengo* of Castile and inseparable from its crown. It was in the spirit—or on the pretext—of this traditional principle that Hernán Cortés, at the start of the Mexican conquest, disavowed the authority of his superior in Cuba, Velásquez, then resigned his command in favor of a duly constituted town council; as its justiciary he was then in direct vassallic relation to the crown. A decade later the tables were turned when Cortés had himself acquired a vast marquisate in central Mexico. On the same medieval principle of municipal resistance to the *señorio*, Mexico City challenged his attempt to encroach on its public lands and pasture. By and large, however, *señorios* were sparingly granted and firmly controlled by the crown and did not encompass large towns.

Castilian town government had two branches, *justicia* officered by magistrates (*alcaldes*) and *regimiento* officered by councilors (*regidores*). In the fourteenth century the crown terminated the age of municipal liberty by starting to convert these offices into prebends (*regalías*). *Alcaldes* were substituted by *corregidores*, and local election of *regidores* gave way to crown appointment. In America the crown in principle controlled the *regimientos* but made concessions to the discoverers and conquistadors with respect to *justicia*. From this, different outcomes might arise. In Española the settlers asserted their freedoms against Columbus’ son, while in Mexico Cortés succeeded in

57. Góngora, *El Estado*, pp. 69-90.

exercising his privileges and curbing municipal powers. In South America diverse formulae reflected diverse reconciliations of the interests of crown, conqueror, and leading *vecinos*.

The liberty of the Cabildo in the Indies, then, flows directly from a privilege of the king, who leaves the *regalía* essentially intact but who confers a right of election, considered a source of honor for the city and of power for its most important *vecinos*. The fact of new lands forces the monarchy to renounce application of the system already implanted in Castile. The regalist idea permits bureaucratization of part of the Cabildo . . . and on the other hand concession of *regimientos* in perpetuity, whether by the king or by the discoverers and conquerors by virtue of *capitulaciones* or special privileges. But these perpetual *regimientos* are bestowed on *vecinos* simply as grants; no fiscal advantage is yet taken of the *regalía*, as will happen later.<sup>58</sup>

Like the Spanish American *vecinos*, the bourgeoisie of northwest Europe was acquiring rural property from urban bases in the sixteenth and seventeenth centuries. But here it marked a departure from tradition, prompted by new needs for patrician status or protection against inflation. In Spanish America the *vecinos'* land hunger had precedents reaching back to the agrarian origins of Castilian municipal organization.<sup>59</sup>

The colonial Brazilian municipality functioned more freely at the margin of the state than did the Spanish American, but, formally speaking, it was even less innovative with respect to the metropolitan prototype. Because the Portuguese crown lacked resources for discovery and conquest, overseas territories were infeudated to the opulent Order of Christ, and in the case of Brazil subinfeudated, as it were, to *donatários*. The latter were empowered to establish municipal centers to nucleate colonization, but because these were contained in *sesmorias* such centers could be no more than *vilas*. Subsequent ecclesiastical organization of the colony forced an accommodation to the fact that bishops, as first-ranking nobles and titular princes, could not be ensconced in *vilas* that were subject to a proprietor but required *ciudades* that stood on allodial land. In creating bishoprics the king, as grand master of the Order of Christ, emancipated the land to be used for the

58. *Ibid.*, pp. 77-78.

59. *Ibid.*, p. 180; Gaston Roupnel, *La ville et la campagne au XVIIe siècle, étude sur les populations du pays dijonnais* (Paris, 1955), p. 211; Juan Friede, "Los estamentos sociales en España y su contribución a la emigración a América," *Revista de Indias*, 26: 103-104 (1966), 18-21.

Order's central purpose, service of the faith; then, as sovereign, he elevated the designated *vila* to the status of *cidade*.

By the end of the colonial period neither had the crown ever issued an order specifically concerned with municipal administration in Brazil, nor had any distinctive mutation appeared in the colony itself. The only marks of special recognition accorded Brazilian cities were the award to half a dozen *câmaras* of the privileges of the municipality of Pôrto and an occasional concession reserving a *câmara's* offices for the native-born or allowing it to appoint interim governors. Otherwise municipal life was governed by codes promulgated for the whole Portuguese realm. The earliest, the *Ordenações Afonsinas* (1446), standardized existing law and usage to bring town government more fully under royal control. *Câmaras* were regulated by Titles 26 to 29 of the *Ordenações*; they narrowed the definition of *homens bons* who might participate in town government and subjected the election of officials to confirmation by the king or his representative and publication of municipal acts to confirmation by crown magistrates. The *Ordenações Manuelinas* (1521) reproduced the Afonsine municipal provisions, while the *Ordenações Filipinas* (1603) accentuated the purely administrative function of municipalities.<sup>60</sup>

The view of cities within a vertical politico-legal order invites consideration of their horizontal or intermunicipal relationships. For this purpose one may take the hanse as the archetypal interurban system of northern Europe and the *hermandad* as that of Iberian Europe. The German Hansa, whose hegemony dates from the late-fourteenth century, arose from cooperation among several urban leagues; these in turn had been preceded by the twelfth-century Gotland Community of German merchants from Lübeck and the Westphalian and Saxon towns. A merchants' association, that is, was antecedent to the community of towns. The Hansa was a loose commercial confederation with no corporate structure, regular administrative organization, independent judiciary, permanent tax base, fleet, or army. Member towns acquiesced in the leadership of Lübeck, but its authority rested on their moral support; they could exercise coercion only by excluding a town from trade privileges. Nearly all the towns were subject to a lay or ecclesiastical prince, and the principal interest of the Hansa was to maintain a stable commercial regime for a farflung society of merchants and to avoid the

60. Vasconcellos, "Linhas gerais da administração colonial;" João Martins de Carvalho Mourão, "Os municípios, sua importância política no Brasil-colonial e no Brasil-reino," *Revista do Instituto Histórico e Geográfico Brasileiro*, *tomo especial consagrado ao Primeiro Congresso de Historia Nacional*, 3 (1916), 299-318.

economic sacrifice and threat of piracy which resulted from wars among nations and principalities. Although many towns were located within the Holy Roman Empire, the Hansa developed independently of it while the emperors sought to recoup power in south Germany after the mid-thirteenth century. An important reason for the Hansa's decline in the fifteenth century was the intensified conflict between towns and princes. In the Germanies no strong national government emerged, vis-à-vis centralized France and England, to consolidate and extend the "rational" commercial regime of the interurban league.<sup>61</sup>

Once again northern Spain seems to offer an analogy to developments in northern Europe. In this case it was the *Hermanidad de la Marina de Castilla*, a mercantile, coastal league of Castilian, Basque, and Guipuzcoan towns founded in 1296, maintaining trade links with Flanders, the Atlantic coast of France, and the Hansa, and sometimes acting independently of royal authority. In contrast to the Hansa, however, the *Hermanidad de la Marina* disposed of troops, sixty in each town, and received protection from the kings, who might influence its external policies.<sup>62</sup>

The other types of Spanish *hermandad*, oriented to domestic interests, developed in even closer symbiosis with royal power. The early-thirteenth-century precedent was a series of bilateral agreements between towns which stipulated guarantees for merchants and measures for protection of cattle. Formation of the *Hermanidades Generales* of 1282, however, responded to the appeal for municipal support of Don Sancho, pretender to the Castilian throne. Once in power he suppressed them in 1284, but on his death (1295) they reappeared spontaneously as a defense against anarchy. By now they had fixed headquarters, a common seal, authority for specified police actions, coercive power over members. They had become supermunicipal bodies with an identity distinct from their composite membership, effective insurance against anarchy, against royal usurpation, or against depredations by the members. The *hermandad*, representing the interests of the municipal estate (*estamento ciudadano*), was a state within a state and not, as was the hanse, a commercial system at the margin of the states. In 1325 the era of the *Hermanidades Generales* ended when Alfonso XI established a strong government and turned for collaboration to the *Cortes* rather than the less manageable *hermandades*. Under a stable

61. Fritz Rörig, *The Medieval Town* (Berkeley, Calif., 1971); Philippe Dollinger, *The German Hansa* (Stanford, Calif., 1970).

62. Cesareo Fernández Duro, *La Marina de Castilla desde su origen y pugna con la de Inglaterra hasta la refundición en la Armada Española* (Madrid, 1894), pp. 219-248, 391-396.

order, however, the *hermandades*, loyal to the crown, had lost their *raison d'être* and were peaceably dissolved by the *Cortes* of Valladolid. Frequent *Cortes* meetings now afforded municipalities a dependable channel for airing grievances before the king.

Another type of *hermandad* was the *Hermandad Vieja de Toledo*, established in about 1300 as an association not of towns but of *vecinos* in several towns. Primarily designed to protect economic activities against banditry, it enjoyed the favor of the kings, who occasionally recruited soldiers from its rural constabulary. When at later times the crown revived the institution, the *Hermandad Vieja*, not the *General*, was the model. The eventual *Santa Hermandad*, organized by Fernando and Isabel in 1476, was clearly an agent of central power, collecting taxes, performing judicial and police functions, and supplying troops; in 1498 it was reduced to little more than a rural militia. The frustrated attempt of the *comuneros* movement under Carlos I to reassert the vigor and prerogatives of the *estamento ciudadano* revived only ephemerally the memory of the ancient *hermandades*.<sup>63</sup>

One might say that the Spanish American sequel to the earlier *hermandad* was the procuratorial junta or *ayuntamiento general*. Such assemblies, some convoked by royal officials, some by the towns themselves, were the only regional representative bodies in the Indies. The crown never authorized a *Cortes* for its American viceroyalties because, although hungry for the revenues such a body would have delivered, it was apprehensive about the inevitable demands of a *Cortes* for redress of grievances.<sup>64</sup>

The assembly of procurators at Santo Domingo in 1518 was convoked under authorization of the Jeronymite *comisarios* and the *justicia mayor*, Alonso de Zuazo. Giménez felt that it was inspired by the contemporary *comuneros* movement in Castile and anticipated the assumption of municipal liberties by Hernán Cortés in Mexico the following year. The petitions were formulated not jointly but independently by each town, and despite the clannish factionalism of the *colombistas* (partisans of Diego Columbus) and the "bureaucrats" (partisans of royal authority), there was agreement on such issues as tax exemption and harsher servitude for Indians. Delegates to the assem-

63. Julio Puyol y Alonso, *Las hermandades de Castilla y León* (Madrid, 1913); Luis Suárez Fernández, "Evolución histórica de las hermandades castellanas," *Cuadernos de Historia de España*, 16 (1951), 5-78.

64. Guillermo Lohmann Villena, "Las Cortes en Indias," *Anuario de Historia del Derecho Español*, 18 (1947), 655-662; Woodrow Borah, "Representative Institutions in the Spanish Empire: the New World," *The Americas*, 12: 3 (1956), 246-257.

blies held in Cuba from 1515 to 1550 came to be elected by *vecinos* rather than appointed by town councils. The meetings therefore had a “popular” character and gave “legitimate representation to the whole population of the island;” their petitions to the king might be unrelated to the decisions of individual councils. The Cuban assemblies were declared illegal in 1574, long after the island’s depopulation and decadence had ended them. Procuratorial functions were then split between a newly defined procurator, who served as municipal inspector and could not meet with colleagues from other towns, and the municipal attorney, who might be empowered as a petitioner before the crown.<sup>65</sup>

On the mainland juntas were held in New Spain (1521, 1525, 1560), Peru (1544-62), New Granada (1564), Chile, and elsewhere. The New Spain junta of 1525 was authorized by crown officials, who attended the sessions but were at one point requested to withdraw, leaving the procurators to discuss and vote in privacy. The 1560 junta included procurators of certain groups (conquerors, settlers, merchants) as well as of towns. The cabildo of Mexico City convoked the meetings, and if the agenda was not of urgent general interest, it might formulate petitions in behalf of all towns as “representative of the whole realm for being its head.” In the Chilean case Meza stresses that the right of representation through town councils was a concession from the crown; royal will and vassals’ welfare were blended in a unitary system of power. “The suburban unity constituted for purposes of royal administration was . . . a collection of cities, and according to this idea the total representation of the vassals of the realm equaled the sum of the urban representations.” The weaker, sometimes desolated towns sent procurators to Santiago as the “head of government” (*cabeza de gobernación*), although without renouncing their right to individual petition. The Santiago cabildo represented them before the king or his agents and, in the king’s name, even administered the oath of office to crown-appointed governors.<sup>66</sup>

65. Manuel Giménez Fernández, “Las Cortes de la Española en 1518,” *Unidad Hispalense, Anales*, 15 (1954), 47-154; Ramiro Guerra y Sánchez, *Historia de Cuba* (2 vols., Havana, 1921-25), I: 307 and II: 134-135.

66. Constantino Bayle, *Los cabildos seculares en la América Española* (Madrid, 1952), pp. 238-244; José Miranda, *Las ideas y las instituciones políticas mexicanas: primera parte 1521-1820* (Mexico, 1952), pp. 127-141; Néstor Meza Villalobos, *La conciencia política chilena durante la monarquía* (Santiago de Chile, 1958), pp. 37-47. Authorities disagree on the Spanish precedent for the juntas. Guerra thought it to be the *hermandad* while Giménez and Miranda thought it to be the *Cortes*. The fact that the state in the Indies was more markedly patrimonial than *estamental* changes the context and makes a conclusive answer difficult. See



In Brazil authority to convoke assemblies was reserved to governors, and they were originally attended by leading crown and ecclesiastical officials. The *câmaras* usurped this power, however, and organized juntas to allocate taxes among towns, to assume interim power in a governor's absence, and even to establish leagues or alliances.<sup>67</sup>

While Iberian and later Ibero-American cities, then, were embedded in a framework of empire, those of northwest Europe had provided an arena for legal innovation that hastened the transition from feudalism to "the law of territorial units." It has long been recognized that the reconquest gave a distinctive cast to the institutions and social fabric of Spain and Portugal and hence to their overseas colonies. The preceding pages attempt to specify the implications for urban history. Although the relation of municipalities to central power has been stressed, the important issues are not narrowly politico-administrative but such larger ones as the structure of political and social action, the relation of parts to wholes in social systems, sources of authority and of its legitimation, and the premises for moral sanction. Once our concern extends to these matters, we perceive that medieval Iberian history is the necessary prolegomenon not simply to studying American cities as administered under the *Leyes de Indias* and *Ordenações Filípicas* but also to understanding modern urban development under the quite different constitutional and administrative systems of the independent republics.<sup>68</sup>

#### 4. *Toward a Synthesis*

This essay has explored three points of departure for the study of Latin American urban history. First was the distinction between pre-industrial and industrial cities. Here we found that the preindustrial-industrial dichotomy yields inadequate primary categories for regional historical analysis and that Sjöberg's contrasting ideal types frequently mislead or equivocate. If we accept that industrialism reworks rather than obliterates urban traditions, we must particularize those traditions for the urban family of our concern. Two other lines of inquiry illuminated less fitfully the historical trajectory of Latin American cities. One was a comparative analysis of ancient cities, focused on (a) the transition from tribal city to polis and (b) the tensions between polis

Richard Konezke, "La formación de la nobleza en Indias," *Estudios Americanos*, 3: 10 (1951).

67. Edmundo Zenha, *O município no Brasil (1532-1700)* (São Paulo, 1948), pp. 108, 111, 128.

68. For some trial perspectives see Richard M. Morse *et al.*, *The Urban Development of Latin America 1750-1920* (Stanford, Calif., 1971).

and universal city and between city of man and City of God. The other was a comparative review of medieval town origins in the Iberian peninsula and in the rest of western Europe. Some hints as to how these last two lines of inquiry might be spliced together arise from an examination of the social and political thought of St. Thomas Aquinas and its commanding influence in the Iberian countries till the seventeenth century.

Thomist ideas of course drew generously on ancient traditions: Patristic theology, especially Augustinianism, tintured by neo-Platonic idealism and Roman stoicism; Roman law, revived at Bologna in the late eleventh century; and the new Aristotelianism. Aristotle's logic and science reappeared in the West before his ethics and political thought. The *Politics* was not translated into Latin until about 1260, when Thomas was thirty-five, and its influence increasingly marked his writings thereafter. The practical side of the *Politics* had been rendered obsolete during its own author's lifetime by the conquests of Philip of Macedon and Aristotle's own pupil, Alexander, which heralded the expansion of polis to imperium. Yet precisely in the age of St. Thomas, a millennium and a half later, the Italian republics and embryonic nations of Europe were challenging the imperium. "The compact City-States and centralized Nation-States fulfilled the conditions of the perfect political community described in the *Politics*, and their completeness was capped when their rulers claimed the attributes of the *Princesps* of Roman law."<sup>69</sup>

In his political thought the task of St. Thomas was to reconcile convictions about civic life with those concerning personal salvation, to unite Aristotle and St. Augustine.

With one voice he echoes the Augustinian teaching that the human person is made to the image of God, related immediately to an exemplar outside the order of the universe, and invited to a salvation found outside its collective benefit. With another voice he echoes the Aristotelian teaching that virtue is essentially social, that every act is a political act, and that a man fulfils himself in the service of the community.<sup>70</sup>

St. Thomas saw the arrangements of the political community, the Christian City, as largely contrived by art (*industria*) but its principles as grounded in human nature. And although the positive law he took

69. Thomas Gilby, *Principality and Polity, Aquinas and the Rise of State Theory in the West* (London, 1958), p. 91.

70. Thomas Gilby, *Between Community and Society, a Philosophy and Theology of the State* (London, 1953), p. 203.

for study was the Mosaic Dispensation—lacking legal sources for Greco-Roman Antiquity—it was the Aristotelian polis, suffused with Christian virtues, that supplied his paradigm. In the specific case of urban form, St. Thomas' *De Regimine Principum*, with its Aristotelian precepts, directly influenced the medieval Spanish treatises of Francesc Eiximenic and Bishop Rodrigo Sánchez de Arévalo, and through them the Spanish colonizing ordinances for the Indies.<sup>71</sup> The case requires us, however, to go beyond tracing influences and to explain *why* the Thomist concept of the polity found so congenial a reception south of the Pyrenees.

It is interesting, though not portentously so, that St. Dominic, founder of St. Thomas' Order, was himself from Castile, and a Castile still distinguished by local *fueros* and free municipalities, not its Inquisition and centralized court.<sup>72</sup> The crux of the explanation, however, lies in St. Thomas' own writing. It has to do with his disregard for feudal institutions and with the urban character of his polity. Northwest Europe of the thirteenth century was still very much an agrarian society in the hold of feudal traditions and institutions, merely punctuated by flash points of mercantile, legal, and political change. Yet the Catholic theory to which St. Thomas so centrally contributed was "comparatively independent of feudal tenure and the feudal system."<sup>73</sup> It retained certain features of the feudal persuasion, such as the superiority of custom to governmental decree, the responsibility of lords for their actions within a system of concessions and services, chivalric honor, and Christian compassion; but its political sociology was framed for an urban setting—a pre-bourgeois setting, however, in which profit motive and "individualism" were subordinated to public service and social unity, or corporateness. Though Catholic thought acquired a rural accent centuries later, in the age of nineteenth-century Romanticism and Restoration,

... it is solely the city that St. Thomas takes into account. In his view man is naturally a town-dweller, and he regards rural life only as the result of misfortune or of want; the town of which he thinks is itself strongly agrarian, and supports its own life by a system of ordered exchange of goods with the surrounding country which is under its rule.<sup>74</sup>

71. *Ibid.*, p. 324; Leopoldo Torres Balbás et al., *Resumen histórico del urbanismo en España* (Madrid, 1954), pp. 89-92; Gabriel Guarda, *Santo Tomás de Aquino y las fuentes del urbanismo indiano* (Santiago de Chile, 1965).

72. M.-H. Vicaire, *Histoire de Saint Dominique* (2 vols., Paris, 1957), I: 365-376.

73. Ernst Troeltsch, *The Social Teachings of the Christian Churches* (2 vols., New York, 1960), I: 314.

74. *Ibid.*, I: 318.

Why the ethic of St. Thomas features the city-ideal so prominently admits of speculation. Gilby emphasizes his personal circumstances: that his close relations were officers of state, not landed lords; that his Order, the Dominican, was drawn to the strenuous, disputatious life of towns, markets, and universities. Troeltsch discounted such biological factors; nor did he find St. Thomas wholly faithful to Aristotle's city-state ideal, for, unlike his mentor, St. Thomas preferred independent urban labor to "miserable" agriculture. Instead, Troeltsch felt that Catholic thought fastened on the contemporary European town for evangelical purposes; properly interpreted, the town could be perceived as the natural vehicle for Christian ideals "with its principles of peace, with its basis of free labour and corporate labour-groups, with its stronger intellectual interests, and its care and protection through its administration for everyone."<sup>75</sup>

However one accounts for the cast of St. Thomas' social thought, Iberian hospitality to the ideal of the urban-based polity reflected practical requirements of the political and institutional order. For here, as Sánchez Albornoz and others have established, feudalism could not come to full flower during the reconquest. Settlement was nucleated around agrourban centers, not manorial units of production. Townsmen and rural workers were relatively unencumbered by servile obligations, yet the urban patriciate was lordly, not mercantile. Finally, society was suffused with memories of its evangelical past. The fact that the Thomist scheme was eminently appropriate to such a setting partly explains its long career in the Iberian peninsula, where it received its most detailed and discerning application to the great issues of the times, including governance of the American colonies. In the process, Thomism helped revitalize in Iberian minds certain outlooks of Mediterranean Antiquity, a world with which continuity had worn thin over the centuries but never completely snapped.

<sup>75</sup> Gilby, *Community and Society*, p. 102, and *Principality and Polity*, pp. 55-72; Troeltsch, *Social Teaching*, I: 318.