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of Alfonso X el Sabio,
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Update: 1981-1990
(plus additions to and corrections of pre-1981 entries)

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INTRODUCTION

The organization of this supplement follows that of the original bibliography


with the same symbols for entries: A = manuscripts, B = editions, C = studies; a = Espéculo, b = Fuero real, c = Leyes del estilo, d = Leyes nuevas, e = Leyes para los adelantados mayores, f = Ordenamiento de las taforerías, g = Setenario, h = Siete partidas. New entries continue the numbering of the original entries, that is, entries numbered after Aa4, Ab29, Ac6, Ad13, Ae3, Af14, Ag5, Ah81, Ba6, Bb23, Bc28, Bd5, Be4, Bf5, Bg5, Bh77, and C687, pertain exclusively to this update, while those numbers and lower ones in the same series, when used in this update, involve additions to and corrections of the original entries, or cross-references to them.

Some new acknowledgements are in order: Dwayne E. Carpenter, Columbia University, with selfless abnegation, read the entire draft of the original bibliography and brought countless typos and errors to my attention; Antonio García y García, Universidad Pontificia, Salamanca, provided me, and allowed me to exploit, his census of Partida MSS (C722), before its publication; Gonzalo Martínez Diez, Universidad de Valladolid, supplied photocopies of numerous MSS surveyed below; Carlos Petit, Universidad Autónoma de Barcelona, kindly sent me a list of recent items; Anthony J. Cárdenas, University of New Mexico and editor of the invaluable Noticiero alfonsí, dispatched to me a large packet of relevant photocopies.
ADDITIONAL ABBREVIATIONS

*BACPS* = *Boletín de la Academia de Ciencias Políticas y Sociales*. Caracas, 1936-.


*HID* = *Historia, Instituciones, Documentos*.


*RCEH* = *Revista Canadiense de Estudios Hispánicos*.

*RFDUC* = *Revista de la Facultad de Derecho de la Universidad Complutense*.

A. MANUSCRIPTS

Aa. Espéculo.

Madrid.

Academia de la Historia.

Aa1 There is nightmarish uncertainty about AHM shelf numbers, so all those provided in this bibliography must be verified in situ.

Biblioteca de Palacio.


Biblioteca Nacional

Aa3 10123. Alonso Martín, “El Fuero” (C688), pp. 429, 431, 449; ed. Martínez Diez, Ba8, with thorough paleographic description by José Manuel Ruiz Asencio, pp. 57-82. Primarily on numismatic evidence, R.A. places the date of the MS in the last third of the 14th century.

Aa4 Res. 125. Martínez Diez, Ba8, pp. 16-7, argues that this fragment was copied from Aa3 and is therefore basically unimportant for the text tradition of the Espéculo.

Ab. Fuero real.

El Escorial, Biblioteca del Monasterio.


Ab3 Z.I.5. The extensive gloss by an unidentified jurist in this MS should not, I believe, after a superficial comparison, be identified with the gloss contained in Ab16 (attributed to Vicente Arias de Balboa, bishop of Plasencia, by Cerdá, C167). Alonso Martín, “El Fuero” (1983) (C688), pp. 431f., 446f.; Pérez Martín, “El Fuero Real” (1984) (C756), pp. 57, 82, 84, 95f., ascribes the Ab3 gloss to Vicente Arias de Balboa (see also MS. II-323, BPM [Ab33]), while denying Cerdá’s attribution.


Gerona, Palacio de Perelada.

Ab10  14984. See Bb12, vol. 1, pp. i-xxiv.

Lisbon, Arquivo Nacional da Tôrre do Tombo.

Ab11  No. 4 do maço 6 dos forais antigos. Ferreira, ed. (Bb25).

Madrid.

Archivo General de la Villa.

Ab14  Call no. 2-309-23. (?) 15th c. (?) Vellum, 10ff., 2 cols. The document which accompanies this fragment is not original but copied in the same hand as the FR text, which appears to belong to the 15th c. I owe the order and delivery of a microfilm of this fragment to Professor Anthony J. Cárdenas, University of New Mexico.

Incipit (IV.xvii.1, near the end): el. o sil matare acorriendo asu sennor | que uea matar...

Explicit (f. 10r): Et si algunos | andaren en el nauio que non troxieren si | non sus cuerpos non sean tenidos de | dar nada. Incipit of the document (f. 10r): Dos dias de mayo. era de mill & | trezientos & setenta & siete annos... Explicit (f. 10v): ...Et desto mando dar el dicho sennor | [al] conceio de madrit este fuero seellado | con [su] sello de plomo con estas emiendas so- | bredichas Dado en madrit enel dia & en | la era sobredicha. In a notarial hand: [sign] yo alffonso gonzalez dela Camara lo ffiz escreuir por [mandado] del | Rey.
Biblioteca Nacional.


New York City, H. P. Kraus.

Ab24 Catalogue 153, §25. This MS was offered for sale again in 1983 by Hellmut Schumann, Zürich, acting as agent for Kraus: A Rare Book Miscellany: Spanish Printed Books and Manuscripts, Catalogue 531, p. 41, §137.

Salamanca, Biblioteca Universitaria.

Ab26 1862. Dr. Teresa Santander, Director of BUS, provided the shelf number 1862 as the one corresponding to BPM MS. II-565 (letter 15 July 1981), but later informed me that MS. 1862 does not contain FR (letter 6 February 1984). The Directorate of the BPM (letter 21 Dec. 1985) confirmed the shelf number II-565 as the one corresponding to 2-F-4, and supplied the following information: “fols. 134 a 219 (86 fols). Fuero Real de España, Siglo XV.”

Ab27 2673. 13th-14th c. Vellum, 49ff., 2 cols. Also contains LN. BOOST, §2229, listed as still belonging to BPM; Pérez Martín, “El Fuero Real” (1984) (C756), p. 84. Dr. Teresa Santander, Director of BUS, kindly provided (letter 15 July 1981) the shelf number 2673 as the one corresponding to BPM MS. II-912, a number confirmed by the Directorate of the BPM (letters of 2 April 1981 and 21 Dec. 1985). Gonzalo Martínez Diez, University of Valladolid, kindly provided photocopy of this MS.

Table of contents: ff. 1r-2v. Rubric (f. 3r): Titulò de la sancta trinidad & | de la fe catholi- | ca. Incipit: Por que los coraçones | de los omes son depar- | tidos... Explicit (f. 46r): ...
que non troxieren al si non sos cuerpos | non sean tenidos de dar nada. Rubric: Este libro
de los fueros que el rey don | alfónso dio al conceio de burgos | fue acabado en valladolit
por mandado del rey. xviij. dias andados del mes de | julio. En Era M. cc. L. xxxx. iij. |
enel anno que don doart fijo primero & here- | dero del rey henrich de angla terra reci-|
bio caualleria en burgos del rey don | alfonsso en sobredicho enel anno quàrto | que el
reyno. Rubric: ffinito libro. domingo me escriptsit | dios de bendiga. amen.

Toledo, Biblioteca de la Catedral.


Ab. Fuero real: Additional Entries.

León, Arquivo Histórico Provincial.

Ab30 *Call no. (?). 14th c. (?). Vellum, 1 f., 2 cols. FR I.x.11-xi.4 in Galician. Pensado,
“Tres fragmentos” (1974-75).

Madrid.

Academia de la Historia.

82.

Rubric (1r): Aqui comiença el primero liuro. Table of contents (1r-2r). Rubric (2v):
Aqui comieça el primero liuro. Incipt: Enel nomne de dios amen. Por que | los corazones
delos omes son departidos... Explicit: ... non sean tenidos de dar nada.

Gonzalo Martínez Diez, University of Valladolid, kindly provided photocopy of this MS.


Biblioteca del Palacio.

For a detailed description, see Alonso Martín, “El Fuero” (1983) (C688), pp. 431f., 448,
449f. Various marginalia attribute the gloss in this MS to Vicente Arias de Balboa (see
81, 95f.

Biblioteca Nacional.

Ab34  6370.  16th c.  Paper, ??ff., 2 cols.

Incipit (f. 1r): POR QUE LOS CORA-
| çones delos omes son departidos | por ende
| natural cosa. es. quelos conten-
| damjentos & las obras no acuerden. en vno... Explicit (f. 36v): ... si al-
| gunos andudieren enel naujo & no tru-
| xieren si non sus cuerpos. non
| sean ten-
| idos. de pagar nada.  Rubric: Explicit liber fori deo gratias amen. Decorated
| Rubric: Finis Libri fori.

Gonzalo Martínez Diez, University of Valladolid, kindly provided photocopy of this MS.

Ab35  7798 (olim V-308).  14th c.  Vellum, 102(84)ff., 2 cols.
Incomplete: ff. 58-75 are missing (III.14.1-IV.iv.19).  This MS place the title on challenges (IV.21) at the end, after the colophon.  See also Ab??.

F. 1r: biblical passage in Latin.  Table of contents (mutilated): 1v-2v.  Rubric (3r): Este es el libro del fuero | que dio el Rey don Alfon-
| so ala villa de valladolit. | Libro primero.  
Incipit: ENel non-
| bre de | dios. | Amen. | Por que | los co-
| raçones | delos | omnes son
departidos...
Explicit (97[79]v): ...non sean tenidos | de dar nada.  Rubric: Este libro fue
fecho | et acabado en val-
| ladolit por manda-
| [98r] do del Rey .xxv. dias anda-
| dos del
| mes de Agosto.  En |
| Era de mill & dozientos & |
| Nouaenta & tres annos. | enel anno que
don Odoart | fijo primero et heredero del | Rey Henrric de Angla tierra | recibio caualleria en Burgos | del Rey don Alfonso el sobre | dicho.  Rubric: Titulo delos rri-
| epts primera
| ley.  Incipit: Antigua mientre los | fijos dalgo...
Explicit (102[84]v): ... Et aya lo el Rey
magner | que aya fijos de bendizion | o nietos o dende ayuso.

Angel Gómez Moreno, Universidad Complutense, Madrid, brought this MS to my attention.

Private Collection.

Ab36  Call no.?  14th c.  Vellum, 57ff., 2 cols.
Incomplete at the beginning (I.viii.6) and at the end (IV.xxiv.1), with various damaged folios.

Incipit: rrazon antel [al]calle por quela otrà parte non de-
| | ua [auer] la carta. % Et el
| alcalle gelo defendj-
| [ere] [n]on gela de.  Explicit: ...
| niguno non ssea osado de | tomar
| niguna cosa dellos. ffuera | ende ssilas tomaren por guàrdar las\*’. A final fly-leaf
contains various notes of a documentary character.

Gonzalo Martínez Diez, University of Valladolid, kindly provided photocopy of this MS.

Salamanca, Biblioteca Universitaria.

Information concerning the Salamanca FR MSS was obtained via personal communications from Consolación Morales, Director of the BPM (letter 21 Dec. 1985), and from Professor Gonzalo Martínez Diez, University of Valladolid (letter 10 April 1986).


Valladolid, Archivo de la Real Chancillería.

Ab40  Call no.?  13th-14th c.  Vellum, 2ff., 2 cols.  
FR fragments (III.xii.11-xiii.3, and IV.xviii.4-xix.1), used as guard-sheets for bundles of documents.  Gonzalo Martínez Diez, University of Valladolid, provided photocopy.

Ac.  Leyes del estilo.

El Escorial, Biblioteca del Monasterio.


Ac4  Z.III.17.  Alonso Martín, “El Fuero” (1983) (C688), p. 427.  BOOST, §681, subsumes this among materials labeled “fueros y ordenamientos” of Alfonso X and Alfonso XI.  In any case, the brevity of the piece in this MS would suggest that only a fragment is involved.

Madrid, Biblioteca Nacional.

Ac5  5764.  Alonso Martín, “El Fuero” (1983) (C688), p. 427;  BOOST, 2d ed., p. 27 (§525); this has been unaccountably associated with entry §2393 in BOOST, 3d ed., a 1502 imprint of LE belonging to HSA.

Valencia, Biblioteca Universitaria.

Ac6  39.  Alonso Martín, “El Fuero” (1983) (C688), pp. 427f.;  BOOST, §3272, with the shelf no. §998 and the title “Juicios de la corte del rey.”  If, as Calvo Serer (C132) states, this is
an “obrita posterior” to LE, it may not be appropriate to give it the same title.

Ad. *Leyes nuevas*.

**El Escorial, Biblioteca del Monasterio.**

Ad1 K.III.25. *BOOST*, p. 30 (§396), with the title “Peticiones de los pueblos.”

Ad2 P.III.2. Read *BOOST*, p. 35 (§466); the reference given earlier is to the 2d ed.


Ad6 Z.III.13. *BOOST*, §673, included among “Ordenamientos” of Alfonso X and Alfonso XI.

**Gerona, Palacio de Perelada.**

Ad8 14984. Published in Bb12, vol. 1, pp. i-xvii, but apparently not in all copies, since two of the four I inspected lack the Roman-numbered preliminary material that contains LN, with no indication that any sort of mutilation had occurred.

**London, British Library.**

Ad9 Add. 9916. Copy of Ad8.

**Madrid, Biblioteca Nacional.**

Ad10 6655. López Ortiz, C420, p. 23 (gives incorrect call no. 6555).

**New York, Hispanic Society of America.**

Ad11 HC 380/685/1. Add Faulhaber, *Catalogue*, vol. I, p. 214 (§217), with the titles “Dudas legales propuestas por los alcaldes de la ciudad de Burgos y resueltas” and “Dudas propuestas por los de Burgos, sobre las leyes del fuero, año de 1263”; pp. 215-16 (§219), with the title “[Ordenamiento de Jerez de 1268-3-25], Peticiones dadas por los procuradores de Burgos y respondidas en Xerez, año de 1268”.

Ad. *Leyes nuevas*: Additional Entry.

**Salamanca, Biblioteca Universitaria.**

Ad14 2673. 13th-14th c. Vellum, 49ff., 2 cols. LN: ff. 46r-49r. Also contains FR.

Rubric (f. 46r): % dela manquadra & delas iuras que mando el rey | cuemo las fiçiessen
xquistanos & moros & iudios & delas | leyes que dio el rey alos alcaldes en Seuilla.  
Incipit: Luego que el pleyo es començado. deue | iurar... Explicit (f. 49r): ... & passados

Af. Ordenamiento de las tafurerías: Additional Entries.

Madrid, Fundación Lázaro-Galdiano.

Af15  *439.  15th c.  Vellum, 150ff., 2 cols.  
     OT: ff. 3r-10r.  BOOST, §1111; entry §1110 appears to be a duplicate of this one.

Salamanca, Biblioteca Universitaria.

Af16  *1862 (formerly II-565 [olim 2-F-4], BPM).  15th c.  
     OT: ff. 1-9.  See also Ab26.

Valladolid, Biblioteca de Santa Cruz.

Af17  *20.  18th c.  Paper, 1 + 357 + 3ff.  
     OT: ff. 118r-145v.  BOOST, §3291.

Ag. Setenario: Additional Entry.

New York City, Hispanic Society of America.

Ag6  *HC380/89.  18th c.  Paper, 133ff., long lines.  
     On ff. 10r-29r there is a fragment of Set. copied from MS. 43-20, BCT, which contains a
     eulogy of Fernando III.  Faulhaber, Catalogue, vol. I, pp. 223-225 (§228).  This is the
     same portion of Set. as published by Manuel Rodríguez, Bg4.

     Ah. Siete partidas.

Barcelona, Biblioteca de Catalunya.

Ah1  *15. BOOCT, p. 6, §56; García y García, “Tradición” (C722), p. 263, §2; EyE, p. 671, §2.

Ah2  942. BOOCT, p. 6, §55; García y García, “Tradición” (C722), p. 263, §3; EyE, p. 671, §3.


Braga, Arquivo Distrital.

Ah4  This fragment is now housed in the Biblioteca Geral da Universidade do Minho.  Ferreira,
Cordoba, Biblioteca de la Catedral.

Ah5  *Inc. 204. BOOST, also §145; García y García, “Tradición” (C722), p. 266, §§11-12; EyE, pp. 674f., §§11-12.

Ah6  *53. García y García, “Tradición” (C722), pp. 265-6, §10; EyE, p. 674, §10.

El Escorial, Biblioteca del Monasterio.


Ah9  M.I.2. BOOST, p. 6, §59; García y García, “Tradición” (C722), p. 267, §18; EyE, p. 676, §18.


Ah20 Y.III.4. BOOST, p. 6, §57; García y García, “Tradición” (C722), p. 268, §29a; EyE, p. 678, §30.

Leon, Real Colegiata de San Isidoro.

Ah35  24. SP VII, fragmentary (xvii.12-xxiv.8, xxix.5-xxx.3, xxxiii.3-end). García y García, “Tradición” (C722), p. 272, §51; EyE, pp. 683f., §52.
Ah36  110. According to Arias Bonet, C44, p. 567, the last law of SP I is complete and precedes a copy of SP IV.iii.5; García y García, “Tradición” (C722), p. 272, §52; EyE, p. 684, §53.

Lisbon, Arquivo Nacional da Tôrre do Tombo.

Ah37  *No. 2 do maço 15 da gaveta 7. According to García y García, “Tradición” (C722), p. 274, §57, and EyE, p. 686, §58, this binding contains SP II.xiii.22-24. I assume this is
another fragment in addition to those published by Azevedo Bh47 from the same source.


**London, British Library.**

Ah41 Add. 20787. Though generally known as the earliest extant MS of SP I, it would be more accurate to call it the first libro of the Libro del fuero de las leyes, an earlier version of what was to become known as the SP, but which neither had seven parts nor were those parts called partidas. See Craddock, C708; García y García, “Tradición” (C722), p. 274, §59; *EyE*, pp. 686f., §60.

**Madrid.**

**Academia de la Historia.**


Ah45 9-26-1 D-23. García y García, “Tradición” (C722), p. 275, §64, and *EyE*, p. 688, §65, who provides the call no. 9/5633.


**Biblioteca de Palacio.**


Biblioteca Nacional.


Ah52  6725. García y García, “Tradición” (C722), p. 276, §69; EyE, p. 689, §70.

Ah53  12793. The set of MSS Ah53-55 figure in the 1455 inventory of the library which the Count of Haro, Pedro Fernández de Velasco (c. 1400-1470), donated to the Hospital of the True Cross in Medina de Pomar. See Jeremy N.H. Lawrance, “Nueva luz sobre la biblioteca del Conde de Haro: Inventario de 1455”, El Crotalón, 1 (1984), 1073-1111, at p. 1110. The relevant entries read as follows:

xlix La primera e quarta partida en un volumen
l  la segunda e tercera e setena partida en un volumen
li la quinta e sexta partida en un volumen

In a later inventory of 1533, it appears that the second, third, and seventh Partidas have been broken into separate volumes (pp. 1103-04). Since that time, the second and third Partidas were rejoined to form Ah54, while the seventh Partida has gone astray. Recall that Ah53 contains a table of contents for all seven Partidas. Lawrance’s article supersedes that of Paz y Mélia, RABM, (1897-1909); for full bibliographical reference, see Lawrance, p. 1073. García y García, “Tradición” (C722), p. 276, §71; EyE, pp. 689f., §72.

Ah54  12794. García y García, “Tradición” (C722), pp. 276-7, §72; EyE, p. 690, §73.


Ah57  Vit. 4-6. García y García, “Tradición” (C722), p. 277, §75; EyE, p. 691, §76.

Ah58  *X-131. García y García, “Tradición” (C722), p. 278, §76; EyE, p. 691, §77. My colleague Charles B. Faulhaber brought to my attention an earlier printing of Miró’s catalogue: Berlin: Propiedad del autor [H.S. Hermann], 1885. vii + 88pp. This MS has been located by Ángel Gómez Moreno, Universidad Complutense de Madrid, in the collection Zabalburu, which forms part of the library of the Marquises of Heredia-Spínola
in Madrid. He provided the following description: “MS Vitrina (no disponen de ningún número indentificador). Encuadernación] S. XVII-XVIII en piel roja sobre madera. Pergamino. 1 + 223ff. 325 x 252mm. Preciosa orla en f. 1r (el indicado aparte pertenece a las tablas). Letra gótica libraria ca. 1400 (aunque, según el fichero, es copia del S. XIV, sin duda es de comienzos del S. XV).” I will add that the text is in two columns, and, most important, the first folio has not disappeared as I once feared. The MS almost certainly is a “twin,” i.e., originally formed part of the same copy of SP, as Ah78; see the updated entry for the latter. With this MS all of the textual witnesses that were used for Bh17 have been identified and located.

**Fundación Lázaro Galdiano.**

Ah59  *428. García y García, “Tradición” (C722), pp. 274-5, §60, and E'yE, p. 687, §61, who identifies the first text described below as the Fuero de Andújar. Blasco de Cárdenas is just the name of the copyist.

Rubric (18th-c. hand): Libro de las leyes de el fuero. Table of contents, incomplete at the beginning (f. 1r-3r): Capitulo ccccxxxvij. quales armas son | delevar enla hueste & de racion... Incipit (f. 3r): En las primeras cosas yo | el rey don .Pedro. (?) do & | otorgo atodos los que | moraren en andujar... Explicit (81v): ... el conprador | que oro conprare de .i. maravedi (?) | de oro dela ochava p<ar>te de .i. m*~ri (?) asu huesped % el mercader | que truxere deco (?) de asu huesped | .ij. mencales. Rubric: % finito libro sit laus gloria | xpisto quis escribsibt (sic) escri | bat et senper cun do | mjno vivad magnus | escriptoris quiescad in | defensa laboris | % Amem. Rubric (different, 15th-c. hand): % este libro escriujo blasco de car | denas fijo de pedro de xpisto (?) de car | denas acabo se año de Mc | ccij. años seyendo blasco de | edad de catorze años. Two marginal notes discuss this last rubric. New foliation. Rubric (f. 1r): % quinta partida. % Aquí sse comienza el primero titulo dela quinta partida. Table of contents. Marginal note (17th-c. hand): Estas leyes de la quinta | partida de las leyes de las 7. partidas es cosa | impertinentes estar aqui. Rubric (f. 1v): % Titulo primero delos enpresstidos. Incipit: Nasce entre los omnes muchos enxecos... Explicit (f. 100v): ... es tenudo el debdor dela pagar tan bien commo sy non | gela oviesen qujtada. Marginal note which I am unable to read.

Microfilm provided by the persistent diligence of María Josefa Ruiz Morcillo, University of California, Berkeley.

**New York City, Hispanic Society of America.**

Ah60  HC 397/573. Bossini, ed. Bh41 (see updated entry); García y García, “Tradición” (C722), p. 278, §79; E'yE, p. 692, §80.

Ah61  *B1570. Vellum, 4ff., long lines. García y García, “Tradición” (C722), pp. 278-9, §80;
EyE, p. 693, §81.


Paris, Bibliothèque Nationale.


Toledo, Biblioteca de la Catedral.


Valencia,

Biblioteca Provincial y Universitaria.

Ah76  *92-6-20. According to BOOCT, p. 6, §58, this and Ah77 are the same item. García y García, “Tradición” (C722), pp. 283, §§112-3; EyE, p. 698, §§114-115.

Convento de Predicadores.
Ah78 88. 15th c. Vellum, 196ff., 2 cols.

SP III-IV. Almost certainly mate to Ah58 (SP I-II; see the updated entry), i.e., both were produced by the same scribe or at the same scriptorium as a set. García y García, “Tradición” (C722), pp. 282-3, §111; EyE, p. 698, §113; Adolfo Robles, “Manuscritos del Archivo del Real Convento de Predicadores de Valencia,” Escritos del Vedat, 14 (1984), 349-402, at pp. 400-01; for the identification of Ah78 with Ah58 see Dr. Marilyn Stone (Ph.D., New York University), forthcoming (she kindly supplied photocopy of the MS and Robles’ catalogue).

Valladolid, Biblioteca de Santa Cruz.


Vitoria, Biblioteca de la Facultad Teológica del Norte de España.

Ah81 10. I would place the principal hand of this MS in the 15th c., rather than the 16th; there are corrections and marginalia in a second hand of the later date. García y García, “Tradición” (C722), p. 283, §115, and EyE, p. 699, §117, who gives the name of the library provided above.

Rubric (f. 1r): % aquí comienza la tabla de la segunda partida en la qual ay treyn | ta & vii títulos. Table of contents (ff. 1r-8v). Rubric (f. 9r): % aquí comienza la segunda partida deste | libro... Incipit: [L]a fe católica | de nuestro señor | atemos mostrado... Explicit (f. 125r): ... que guardare bien & leal mente | todos los libros que ael fueren dados | para vender & que non fara enganno | amen. Rubric: % Aquí acaba la segunda | partida dios sea loado. On f. 125v there is a fanciful drawing of a castle. Initials omitted througout. Microfilm provided by the diligent persistence of María Josefa Ruiz Morcillo.

Ah. Siete partidas: Additional Entries.

Braga.

Arquivo da Sé de Braga.

Ah82 14th-15th c. (?) Various fragments: SP I.xix.21-xx.2; xxii.5-8; II.xiii.22-24, xxvi.2-4; III.viii.7-8, ix.1-2, x.1-8, xi.1-2; VII.xxx.7-10, xxxi.1-2, 8-11, xxxii.1-2 (in Portuguese); SP II.xxiii, III.4-5 (in Castilian). García y García, “Tradición” (C722), pp. 264-5, §7; EyE, p. 673, §7.

Arquivo Parroquial de São João do Souto.

Ah83 14th c. Vellum, 2ff.

SP III fragment (xviii.59-70), orginally belonging to the same MS as Ah4. Ferreira,

La Coruña.

Archivo Histórico del Reino de Galicia.

Ah84 *Call no.? 13th c. (?)
Fragment: SP I.v.48-53 (in Galician?). García y García, “Tradición” (C722), p. 266, §14, and EyE, p. 675, §14, claims the fragment is in Leonese. See Bh46.

Library of Martelo Paumán.

Ah85 *Call no.? 13th c. (?)

León, Archivo Histórico Provincial.

Ah86 *Call no.? 14th c. (?) Vellum, 1 f., 2 cols.

Lisbon, Arquivo Nacional da Tôrre do Tombo.

Ah87 *Doc. 1 da Colegiada de Santa Iria. 14th c. Vellum, 2ff., 2 cols.

Ah88 *Call no.? 14th c. (?) Vellum, 2ff., 2 cols.

Madrid, Biblioteca Nacional.

Ah89 *9199 (olum Bb 73). 14th c.

Orense.
Archivo Provincial.

Ah90  *Call no.?  14th c.
Fragments:  *SP* VI.xiv.3-4, 7; xv.1-2, xvi.26; xvii.1-4; xviii (first few lines only).  García y García, “Tradición” (C722), p. 279, §84; *EyE*, p. 693, §85.

Biblioteca de la Catedral.

Ah91  *Call no.?  14th c.  1f.

Oviedo, Biblioteca Universitaria.

Ah92  461.  15th c.  Paper, 156ff., 2 cols.
*SP* II.  Modern Arabic folation in pencil.  Rubrics and initials frequently omitted, particularly in the latter parts of the MS.  I have noticed two lacunae: between ff. 13v and 14r the end of *SP* II.v.9 and the beginning of II.v.13 have been lost, as well as the intervening three laws; between ff. 153v and 154r the end of II.xxx.0 and the beginning of II.xxx.3 have disappeared, in addition to the two laws that stood between them.  The order of the laws has been confounded in the last third of the text: II.xxiii.30 (f. 120r) is followed by II.xxviii.3-10 (ff. 120r-123v, the last law incomplete), II.xxvi.15-xxvii.9 (ff. 124r-137v), II.xxv.0-xxvi.15 (ff. 137v-149r, the last law is thus repeated), II.xxviii.11-end (ff. 149r-156v).  Catchwords occur at regular 12-folio intervals from f. 45v onward, so that the disturbance in the sequence of does not appear to result from a scrambling of quires in this MS; perhaps the immediate model already contained the deviations from the normal order.  Ramón Rodríguez Alvarez, librarian of the Biblioteca Universitaria de Oviedo, kindly supplied photocopy of this MS.  García y García, “Tradición” (C722), p. 279, §85; *EyE*, p. 693, §86.

Santiago de Compostela.

Archivo de la Catedral.

Ah93  *Call no.?  14th-15th c.
Fragments of *SP*:  III.ii.18-19, 22-23, 32, 35-36; VII.ix.7-15; V.v.48-52, 59-64, vi.3-5,
vii.4-7; IV.xviii.9-19, xix.1. See Bh44. García y García, “Tradición” (C722), pp. 280-1, §§94-97; EyE, p. 695, §§95-98.

**Monasterio de San Martín de Santiago.**

Ah94 *Call no.? 13th c. 1f.
Fragment of SP IV: xxvii.1-6. See Bh43. García y García, “Tradición” (C722), p. 281, §98, and EyE, p. 696, §99, notes that this fragment may now also be located in the Archivo de la Catedral.

**EDITIONS**


This volume inaugurates a series designed to bring out all the legislative works of the Learned King, in critical editions. The series will form part of a grander scheme, nothing less than a Monumenta Hispaniae Historica, divided into Leges and Consuetudines and Diplomata et Chartae, following the well known Teutonic model. The introductory material is thorough and first-rate, definitely the very last word on every external aspect of Esp. M.D. has gone to the trouble of ferreting out and verifying all internal cross references, with the important result that references back to earlier portions of the work are often, indeed usually, quite specific, with frequent citations of the first few words of the laws alluded to, while references forward to later portions of the work are vague and sometimes contradictory, particularly when portions not now extant are involved. This circumstance leads M.D. to espouse Iglesia Ferreirós’s conjecture (“Breviario” [1981][C728] and “Fuero Real” [1982][C731]) that Esp. was in fact never finished. The edition includes and explicates the not overly numerous glosses, mostly by the same hand as the text, and includes a brief glossary (pp. 54-6).


Bb. *Fuero real.*

Bb12 Vol. I also includes LN on separately numbered (i-xxiv) preliminary pages, but apparently not in all copies; see Ad8 and Bd6, below.


1974-75. PENSADO, “Tres fragmentos”. FR I.x.11-xi.4, transcribed from a fragment found in the Archivo Histórico Provincial de León.


First of a planned four-volume set; vol. II will contain a historical, juridical and linguistic study of the text, vol. III a glossary and vol. IV a concordance. The transcription is narrowly palaeographic, with footnotes noting all editorial emendations of the text and presenting parallel passages from the Spanish original (F. used Bb13). The full set should constitute a major contribution to medieval Portuguese language and letters.


The completion of the project was cut short by the editor’s untimely demise.


A major accomplishment, in which the editor takes into account basically the entire text tradition of FR. The edition itself turns out to be remarkably hybridized from various textual witnesses, a proceeding that may seem somewhat problematic, given the fact in the first years of its existence each exemplar of FR was originally destined to a specific town, therefore one might argue that each of the oldest exemplars should be edited individually. The critical introduction constitutes required reading on all aspects of FR.

Bc. Leyes del estilo.


Bd. Leyes nuevas.

The commentary should be revised as follows: The editors claim to have included variants from Ab9 (Esc. 3°), Ad6 (Esc. 5°), Ab17 (B.R. 2°) and the “códice del Sr. Campomanes”, i.e., the 1781 ed. (see Bb12 and Bd6, below), but the only continuous collation was performed with Z.III.13. The one mention of “Esc. 3°” (Opúsculos, II, p. 188, n. 1) is an erratum for “Esc. 5°”; in any case, Z.III.17 contains LE but not LN. MS. 5764 likewise includes LE, but according to the editors (Opúsculos, I, p. xi), it also
contains some of the provisions of LN, a claim I am unable to verify. The single extensive quote from this MS involves a gloss in a different hand to FR IV.v.3 (Opúsculos, II, p. 190, n. 3), while the only other two citations of this witness (pp. 184, n. 4, 185, n. 1) present variant readings of LN §5.


Bd6 1781. Madrid: P. Aznar. 2 vols. LN: I, pp. iii-xvii. Also contains FR and LE. This edition reproduces not just LN, but all the miscellaneous material copied after the main body of the text in Ad8 (Ab10), either directly or from a copy, including the rubric of the copyist: “Este libro es del honrado et discreto varon Gines Corvalan, Bachiller en Decretos”. López Ortiz, C420, pp. 8, 10.

Bg. *Setenario*.


Bh. *Siete partidas*.

Bh17 García y García, “La tradición” (C722), pp. 252-7, with identification of all MSS used or cited in Bh17.


The introductory material is brief and regrettably trivial, without even an attempt at surveying the work done with regard to the MS edited. Rev. briefly and severely by Aquilino Iglesia Ferreirós, *AHDE*, LV (1985), 953.

Bh53 xlvi + 610pp.
Published version of the editor’s 1978 doctoral dissertation, Paris: Université de
Paris-XIII, directed by Jean Roudil. Includes (pp. lvi-lxi) a transcription of the Colegiada
de Santa Iria, ANTT, fragment of SP I (Ah87). See C712, below, for comments on F.’s
introduction.

Bh. **Siete partidas**: Additional Entries.

**Bh78** 1974-75. Pensado, “Tres fragmentos” (C752).

SP III.xviii.94-96, transcribed from a fragment found in the Archivo Histórico Provincial
de León. García y García, “Tradición” (C722), §49.

**Bh79** Cuenca, Luis Alberto de. *Floresta española de varia caballeria. Raimundo Lulio,
Alfonso X, Don Juan Manuel*. Prólogo de Carlos García Gual. Madrid: Editora Nacional,

On pp. 207-46 one finds SP II.xxi, copied from Bh18.

**Bh80** Ferreira, “Dois fragmentos” (1980) (C713).

Transcription of the Braga (Ah4) and Lisbon (Ah88) fragments of SP III in parallel
columns with the corresponding passages from Ah39.

**Bh81** Bourdin, Marie Claude, ed.


Unpubl. ed. of Ah64 under the direction of Jean Roudil, Université de Paris XIII. Cf.
García y García, “Tradición” (C722), §87.

**STUDIES**

**C31** See Iglesia Ferreirós, “Alfonso X” (1982) (C727), esp. pp. 41ff., and Paula Kelley
Rodgers, “Prolegomena to a Critical Edition of the Crónica de Alfonso X”, unpublished

**C35** Iglesia Ferreirós, “Alfonso X” (1982) (C727), 96-100.

**C36** Iglesia Ferreirós, “Alfonso X” (1982) (C727), 96-100.

**C50** The attribution of the gloss in Ab16 is controversial, see Pérez Martín, “Las glosas”


Also in BACPS, XXVII (1963), 61-68.


For “12th c.” read “13th c.” On the texts studied by Bosch, see also Bohigas, Tractats (1947) (C699).


The law here commented on regulated social contacts between Christians and Jews, forbidding shared meals, baths, and the like, as well as prohibiting that a Christian stand in a servile condition vis-à-vis a Jew. C. provides apposite references to the canonical background of this legislation.

See Ariz, C52.


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See entry Bh52 and, for a competing edition of SP I, Bh53, as well as the comments on Ferreira, Primeyra Partida (1980) (C712).


The chronology proposed for SP should be amended on one important point: the “first redaction of SP” is actually a different, if related work, entitled the Libro del fuero de las leyes (Craddock, “How Many” [1986] [C708]). The datings of FR and Esp. have been attacked by Iglesia Ferreirós, “Fuero real” (1982) (C731), and Pérez Martín, “Fuero real” (1984) (C756), pp. 73f., “El estudio” (1985) (C755), pp. 290-91.

The phrase “first redaction” (of SP I) should be corrected to the first, and only extant, book of the Libro del fuero de las leyes.

Barthe Porcel, C76.


Repr. in García y García, Iglesia, pp. 327-38.


C311 My thanks to Rodney Mack and Bruce Holloway, graduate students in the Department of Scandinavian, University of California, Berkeley, for their assistance in reading this item.


C321 José Manuel Ruiz Asencio discusses this item in Martínez Diez’s ed. of Esp. (Ba8), pp. 59-60.


C399 See Sánchez, Jesús Leopoldo.


C431 See C169, above.


C545 There are new editions by Ferreira of the Portuguese Foro real (1982 Bd25, 1987 Bd26).


STUDIES: ADDITIONAL ENTRIES


One would not guess from the title of this item that it includes an important analysis of the glosses present in the fragmentary FR MS, Ab22. The author uses them to reconstruct the external structure of the Fuero castellano, a 14th-c. juridical compilation apparently formed in Toledo, but which is either no longer extant or lying unrecognized in some public or private library. While modeled on the 12-book format of the Fuero Juzgo, the main sources of the Fuero castellano included FR and SP.


A. cites SP VII.xxiii to show the legitimacy that astrology enjoyed in the Middle Ages, apropos of stanzas 140-50 of the LBA. Juan Ruiz’ views accorded perfectly with those of the legislator, according to the author.

A. notes that Alfonso X as legislator introduced norms in his law books (esp. SP and Esp.) which forbade certain actions not only exonerated, but positively encouraged by the Virgin Mary in the Cantigas. The principal contrast drawn by A. involves the prohibition against substituting votive masses for the proper mass of the day, as prescribed by the missal (SP I.iv.49, according to the Arias Bonet ed. [Bh38]) vs. Mary’s rewarding of precisely those clerics who indulged in substituting masses devoted to her for the ordinary of the day (Cantigas 225, 66, 92, 149, and 32). En passant, A. argues that Set. is the most recent of Alfonso X’s legal works, perhaps abandoned unfinished at the time of the Learned King’s renunciation of his claims to the Holy Roman Empire (1275).


Salutary warnings are here issued against the facile assumption of direct influence of specific canonical works on SP, with regard to recent contributions by Bono, Historia (1979) (C700), and García Gallo, “La problemática” (1984) (C718); “La obra legislativa” (1984) (C717). The demonstration that the unfinished opuscule of Saint Thomas Aquinas, De regimine principum, cannot have been a source for SP is devastating.


The Learned King’s relations with the town council of Burgos are studied on the basis of direct consultation of documents in the municipal archive, 16 of which (from the years 1277-82) are published in an appendix (pp. 43-63). One notable example of Alfonso X’s “interventionism” in town affairs was the concession of FR; see pp. 17-21. Note an apparent allusion to FR IV.xx in doc. xii, p. 58 (“yo cate la ley de uuestro libro del titulo de las pesquisas…”).


The Counts of Benavente possessed a MS of SP II, see p. 264, §88: “La segunda partida en pergamo con tablas de madero cubiertas de cuero colorado.” B.P. does not attempt to associate this allusion with any extant MS. García y García, “Tradición” (C722), §5.


C695 Bermejo Cabrero, José Luis. “Mayores, medianos y menores en la mentalidad castellana
Many medieval authors divided all society into three levels, “the greater, the middling and the lesser”, an abstract formula that tended to replace the more functional, but less comprehensive notion, that society was comprised of priests, warriors, and tillers of the soil (oradores, defensores, labradores). B.C. studies the abstract formula in various medieval Castilian texts, including SP (II.x.1 and elsewhere).

B.C. provides a general introduction to the structure and content of SP II, noting how it appears to have been compiled by merging two types of didactic treatise, one political and the other military, into the external forms of laws. The markedly literary, rather than strictly juridical, flavor of the text is highlighted, with some indication of sources and the influence of SP on later writers.
161ff. On p. 27, B.B. notes with apparent skepticism Bosch’s claim (C117) that the opuscule *De batalla* was a source for *FR*.

**C700** Bono, José. *Historia del derecho notarial español. I. La Edad Media. 1. Introducción, preliminar y fuentes*. Madrid: Junta de Decanos de los Colegios Notariales de España, 1979.

B. reviews the notarial legislation of *FR* (I.viii and II.ix), *Esp.* (IV.xii), and *SP* (III.xviii). His most interesting observations concern the last mentioned text, one of whose immediate sources he claims to have identified in the *Ars Notariae* of Salatiel (ca. 1210-1280). He places the composition of *SP* III.xviii in the 1270’s, to be specific, after 1272, the date of the first redaction of Salatiel’s *Ars*; this accords well with the chronology proposed by Craddock, “La cronología” (1981) (C195). See Arias Bonet, “Sobre presuntas fuentes” (1985) (C691).


The Jewish day of rest was respected in Medieval Spain, as C. demonstrates with citations from apposite legal codes, including *SP* VII.xxiv.5 (p. 54).


An introduction to the structure and contents of *OT*, with particular emphasis on the penalties for blasphemy, the regulations forbidding the establishment of private gaming houses, the prohibition against the pawning of armor and weapons in the case of knights or squires, and the oaths required of Christinas, Jews and Moors in the adjudication of disputes. C. notes that in *OT* the legislator was primarily concerned with the smooth administration of a royal monopoly rather than with the morality of gambling.


Commentary of *SP* VII.xxiv.4, in which C. notes the relatively benign character of the Alfonsoine law vis-à-vis the corresponding canonical and civil legislation on synagogues.
C705 Carrasco Cantos, Inés. “Contribución al estudio institucional en Las Partidas”, RFE, 58 (1976), 241-149.

This item is a chapter from the author’s M.A. thesis, University of Granada, 1975, concerning “los términos institucionales empleados en [SP] para designar a los componentes de la hueste real de mar y de tierra”. The alférez was the royal standard bearer, who in SP II.ix.16 is also endowed with important judicial functions. The licenciada provides the etymology of the term, a description of its use in SP with some references to secondary institutional literature, and observations concerning its meaning down to present times (“lowest officer rank in the modern Spanish army”).


C707 Cornide, José. “Estado de Portugal en el año de 1800”, MHE, 26-28 (1893-97), three entire vols.

This most industrious member of the Academy of History, Madrid, was dispatched in 1798 to Portugal by that corporation with the object of discovering any MSS of SP that might exist in Portuguese libraries and archives, in particular the fabled copy of the great law code that Juan I of Castile supposedly lost along with his pretentions to the Portuguese crown in the battle of Aljubarrota (1385). He was unable to discover any trace of that possibly fictional MS of SP, but did find Ah38 and Ah39, as well as a Portuguese translation of FR in Ab11, and arranged for them to be transcribed and delivered to the Academy, which was engaged in preparing its edition of SP (Bh17). Along the way he compiled a geographical and statistical survey of Portugal at the behest of Spanish government; it lay unpublished for a century. Its interest for this bibliography reside in the “Nota preliminar”, vol. 26, pp. v-xvi, and the “Documentos inéditos”, vol. 28, pp. 197-281, which Antonio Sánchez Moguel appended to the work in question. One finds there many curious details concerning the project that led to Bh17. See Ferreira, Bh53, pp. lxiii-lxxii.


Brief demonstration that the Libro del fuero de las leyes, as represented by Ah41, shows no sign of having been divided into seven parts, nor were its divisions called partidas but rather libros. Hence it is inappropriate to refer to Ah41 with the title Primera Partida.

C709 -----. “El Setenario: última e inconclusa refundición alfonsina de la primera Partida.”
Textual analysis of SP I.iv.30 and Set. §89 reveals the former as source of the latter. C. argues that consequently Set. must be the most recent of Alfonso X’s legal works. A critical text of the SP law is included, as well as transcriptions from the extant MSS of the corresponding Set. passage.


The author surveys the Learned Monarch’s good reputation among contemporary troubadours then studies the SP laws that refer to minstrels and related professions, to wit, II.v.21, vii.10, xxi.20, xxxi.6, VI.vii.5, and VII.vi.4. SP II betrays a favorable attitude toward them, while the last two laws listed accept the Justinian view that professional minstrels, those who earned their livelihood in public performances, were of ill fame. C.A. compares and contrasts López’ glosses (Bh7) with those of the major canonists and civilists.


Detailed textual confrontation (in parallel columns) of the fundamental laws on treason in the Ordenamiento de Alcalá (1348; xxxii.5) and SP (VII.ii.1). E.I. concludes that the former, because it appears to stand closer to similar legislation in FR and Esp. than to SP, was based on an earlier redaction of SP than any currently known. Specifically, SP limits the concept of treason exclusively to actions directed against the king, while the other three texts extend the concept to actions directed against any overlord (señor). Particularly intriguing is E.I.’s association of the following passage from the Ordenamiento, not reflected in SP, with the revolt of Sancho el Bravo against his father, Alfonso X: "qualquier que fiziere qualquier de estos yerros sobredichos al infante heredero, caeria en este mismo caso [de traición], fueras ende si el quisiese matar o ferir, o prender, o desheredar al rey su padre, ca estonces qualquier cosa que fiziesen los vasallos por defender al rey su sennor, non deuen auer pena por ende, antes deuen auer por ella gualardon..." He therefore dates this provision between the year of the rebellion (1282) and that of the Learned King’s demise (1284).


The introduction is a major contribution to the study of Alfonsine legislation in Portugal,
as well as a thorough study of the MS being edited (Ah38). F. surveys the Castilian MSS of SP 1, notes the existence of numerous fragments, one of which he publishes for the first time (Doc. no. 1, Colegiada de Santa Iria, ANTT, containing l.xviii.21-xix.0-2, xx.5-8 [numbered xix.21-xx.0-2, xxii.5-8 in the fragment]; pp. lvi-lxi), with the interesting conclusion that the fragment presents a better text than Ah38, exhaustively describes the latter, includes a chapter on the mission of José Corinide, of the Academy of History, Madrid, to obtain copies of Portuguese MSS of SP for the preparation of Bh17, compares the organization and contents of Ah38 to Ah41 and Ah64, and briefly sketches the influence of SP in the Portuguese legal tradition. The only blemish on this fine presentation is F.’s dependence on García-Gallo (C274, C276) and Arias Bonet (Bh38, C46), which seriously flaws his conclusions about the place of Ah38 in the text tradition of SP. Unfortunately, Caskey (Bh52, C155) and Ferreira seem to have been unaware of each other’s work.


The paleographic and linguistic traits of the two fragments of SP III (the first: Ah4, containing xvi.36-40, xvii.2-6; the second: from the personal effects of Dr. Silva Marques, former director of ANTT, containing v.17-21, vii.8-11) are described in great detail. The author concludes that they are independent of each other as well as of Ah39 (SP III, in Portuguese). It seems pointless to set up a stemma (p. 122) in the absence of a critical edition of the Spanish original.

C714 Ferreiro Alemparte, Jaime. “Acercamiento mutuo de España y Alemania con Fernando III y Alfonso X el Sabio,” EyE, 179-222.

On pp. 213-21 F.A. proposes that SP was strongly influenced by the Aristotelian translations, in particular that of the Nicomachean Ethics, carried out by Herman the German in Toledo during the 1240s. This connection was observed by the 15th-century pundits Alfonso de Cartagena and Pero Díaz de Toledo. En passant, F.A. claims that there is an unequivocal reference to SP in Brunetto Latini’s Li Livres dou Tresor (p. 214, n. 51).


F.A. describes the portion of Set. given over to the discussion of ancient religions, based on the worship of the sun, moon and planets, and how those pagan creeds prefigured Christianity.

Arranged by subject under 15 headings: (1) “Bibliografía”, (2) “Su vida y entorno”, (3) “Problemas políticos...” (4) “Alfonso X y la Iglesia”, (5) “Reconquista y repoblación,” (6) “Aspectos económicos y sociales”, (7) “La administración y las instituciones políticas”, (8) “El mundo de sus ideas”, (9) “El panorama jurídico...”, (10) “Estudios de manuscritos, textos y ediciones...”, (11) “Las fuentes y su elaboración”, (12) “Estudios filológicos”, (13) “Su política y su obra legislativa”, (14) “El derecho de Alfonso X”, and (15) “Presencia fuera de Castilla” a postscript adds 16 unclassified items. There is a list of abbreviations (319) but no index of authors. Basically a useful effort, this unannotated compilation shows some signs of haste, such as misspelled names (Sniff for Seniff, Corney for Caskey [306], Villagrosa for Vallicrosa [310]) and spurious or duplicate entries (García Soriano vs. García Solalinde [310]; “C. P. y P.” [312] vs. “Puch y Portolés, Gayetane” [314]—sic; my sources give “Puch y Portolés, Cayetano”, see C558). The most inconvenient feature is the lack of annotation to explain the presence of items of no apparent connection to the subject, e.g., Solenni [311], who speaks only of the Primera Crónica General, or Montoya Martínez [310], whose essay takes up the question of royal authorship in general without once alluding to the legal works. Gonçalves book on the Infante Dom Pedro [317] has nothing to do with SP, though the phrase “Sete Partidas” occurs in the title; continents, not law books, are at issue there. These points aside, I will confess that G.-B. A. brought to my attention a number of items that should have been included in my original bibliography. Annotated in the Westfield College Medieval Hispanic Research Seminar Newsletter, 1 (1985), 5 (§14).


G.-G. combines here two lectures delivered at Madison and Madrid during the seventh centenary of Alfonso X’s death (1284). He restates his positions as established in earlier work (C274, C276) with no significant new evidence. Especially lamentable is his failure to face squarely the implications of the major arguments that have been made against his chronology of Alfonso X’s legal works. Virtually none of what he considers “hechos comprobados” deserve that appellation, so the arguments based on them remain as speculative as before.


A brief sketch of the points developed more fully in the previous item.


Useful confrontation of SP V.ii (concerning the commodatum, a non-commercial loan of
personal property) with its most immediate Roman (civil) sources. The author observes a certain degree of originality on the part of the Learned King’s jurists in their use of their Justinian models.


Extremely important and useful state of the art paper on the study of Hispanic canonists belonging to the period indicated in the title. Concerning canon law in SP, see pp. 48-49, and on Alfonsine legislation in general, pp. 50-51, with bibliography.


Among the many topics covered in this erudite survey, G. y G. includes a succinct description of the impact of Alfonsine legislation on medieval Portuguese law (pp. 144-45).


Extremely useful census of SP MSS which the author allowed me to use here. In his introduction G. y G. surveys the history of textual scholarship on SP with his customary thoroughness and erudition.


Learned and detailed analysis of the concept of custom as elucidated in SP I.ii, beginning with the Alfonsine text (in two main redactions) and continuing with its medieval, renaissance and modern commentators.


Syntactic analysis, in traditional terms, of noun clauses in 56 Alfonsine documents published by Torres Fontes, C651, vol. I. This item was originally prepared as a chapter in the author’s M.A. thesis, “Estudio morfosintáctico de unos documentos de Alfonso X”, University of Murcia, 1975.

G. makes the point that the body of rules governing the custodianship of castles and fortresses, referred to in 13th and 14th-century documents as the “costumbre de España”, is not necessarily to be identified directly with SP II.xviii. Rather that text constitutes a formalization of a preexistent customary tradition whereby the tenancy of castles and fortresses was arranged by means of a direct contract between the monarch and the chatelain without any feudal overtones.


In SP II.xxx.1 alfaqueque “redeemer of captives” is defined in such a way as to suggest an etymological association with the Arabic root $h$-$q$-$q$ “truth”. H. points out that in fact the word derives from the root $f$-$k$-$k$ “to release”. He speculates that Alfonso X’s scholars may have been loath to contradict their employer, since they, in H.’s view, could not have been unaware of the correct derivation.


H. reviews the question of authorship of SP as treated in historical literature from Alfonso X’s own time to the end of the 17th c. Especially valuable for its analysis of the supposed participation of Alfonso X’s father, Fernando III, in the compilation of SP. I.F.’s conjecture (pp. 52-53) that the Crónica particular de Alfonso X introduced this possibly fictional participation from the prologue of Set. is quite persuasive. The discussion (pp. 55-70) of Alfonso X’s legendary blasphemy (“If I had been present at creation...”) is flawed by I.F.’s ignorance of the actual text of the Conde de Barcelos’ Crónica geral de 1344. See Craddock, “Dynasty in Dispute”, Viator, XVII (1986), 197-219.


Two important points about FR and Esp. are made in the last of the three “notas” (pp. 148ff.): (1) a law on tithes from FR (I.v.4) was sent as a special regulation to the bishopric of Santiago de Compostela, because that region lay outside the area of any possible imposition or grant of FR; consequently, (2) the similar use of portions of Esp. as special regulations for individual municipalities does not prove that Esp. was in force, rather the contrary. If it had been in force it would not have been necessary to adapt and recast the text of Esp. laws instead of simply citing them. I.F. concludes that Esp. was neither completed nor promulgated.
Rebuttal of García Gallo, “La obra” (1984), which generates more heat than light. Nevertheless, the weaknesses of García Gallo’s chronology for Alfonso X’s legislative works are made fully apparent.

The author offers an interesting synthesis of Alfonso X’s legislative program against the background of the three types of law prevalent in the Hispanic Middle Ages: municipal, seigneurial and royal. The Learned King suffered serious setbacks in his efforts to expand royal law at the expense of the other two, but even so the tendency of royal law to infiltrate --assisted as it was by the Justinian reception--into all forms of legal relations continued unabated until its definitive establishment during the reign of Alfonso XI (with the Ordenamiento de Alcalá de 1348). This long essay is particularly important to this bibliography for its treatment of the rôle FR played in Alfonso X’s efforts at statutory unification (pp. 136-38, notes 81-99, pp. 176-81).

I.F. attacks my dating of FR and Esp. (Craddock, C195) mainly in order to accommodate his convictions that FR was completed before 25.viii.1255 and that Esp. was finished after FR. The article is full of important data concerning the legislative history of FR and Esp. His reasons for doubting that the latter never possessed force of law are quite strong and will have to be taken into account in future work on that text (see Martínez Diez, Ba8, pp. 31-39).

This heroically verbose contribution purports to be, above all, a commentary on García-Gallo’s epoch-making “El Libro de las leyes” (C274). It contains three parts, the first devoted to I.F.’s overall view of Alfonso’s legislation, the second and third to the critique mentioned above. The first is by far the most important; the author’s description and documentation of Alfonso’s tripartite legislative program--the establishment of exclusive royal prerogative in all matters legislative, the legislative unification of his realms, and the introduction of new legislation--carried out through a close reading of crucial texts of FR, Esp., and SP, is likely to become the standard doctrine on the subject. A long passage (409-57) is devoted to a brilliant and compelling demonstration that Esp. was probably never completed. The only objection I have to this part of I.F.’s essay is his unfortunate failure to integrate the prologue of the British Library MS Add. 20787 (Ah41) into his otherwise coherent analysis. The completion date of 1265 is relevant only to the version represented by this MS; I.F. does a disservice by not recognizing the significance
of the year 1272 as terminus a quo for the later versions of the prologue (as brought out in C197). It is hard to avoid the impression that the other two portions of this book-length ponencia are a bit supererogatory, since skepticism about and outright rejection of García-Gallo’s chronology of Alfonso’s legislative works are now quite widespread. The final section, defending the fundamental probity of the López (Bh7) and Academy of History (Bh17) editions of SP, adduces considerable documentation of a more than polemical value. See the review by Carlos Petit, AHDE LVI (1986), 1080-93, at 1087-91.


Edition and commentary of a royal document sent to Peñafiel on 15.iv.1264, quite important for the juridical history of FR. I.F. was apparently unaware that Procter, C555, pp. 286-291, had published the same document from the same MS (Add. 9916, BL). Besides his extensive commentary, I.F. includes extremely detailed and well documented material on the history of FR from its first concessions (which he places in 1255) to the promulgation of the Ordenamiento de Alcalá in 1348. Among his most important contributions is the demonstration that FR continued to be applied in towns where it had been officially derogated, and that in general its influence gradually but persistently grew at the expense of the individual municipal charters of a more traditional cast.


K. claims, against Kirby (C378), that the Speculum Judiciale of Durantis, rather than SP, was the Juan Ruiz’ legal guide for the don Ximio episode.


L. surveys the structure, philosophical basis, style and vocabulary of Set.


The 16th-century French jurist Guy Coquille allegedly drew upon SP II.i.1 (“el señorío no quiere compañero”) in laying down his own legal theory of royal absolutism. The lonely splendor of monarchic power was a fairly common notion so I find L. R.’s textual
comparisons rather less than compelling in and of themselves. If Coquille expressly confessed his debt to SP, L. R. does not inform his readers.


Note 16, pp. 399-400, makes a case for placing Set. in the period of Sancho el Bravo’s usurpation of royal authority (1282-84). There are other references to Alfonsine legislation concerning the ceremonies of coronation and anointment.


Until the reign of Alfonso XI, Castilian kings, however devout, were strictly secular, neither crowned nor anointed by ecclesiastical hands. L. studies what the Alfonsine legal works have to say on royal unction (SP I.iv.30 [I.iv.13 in the Libro del fuero de las leyes, Ah41] and Set. §89), concluding that they carry no implication that Alfonso or his predecessors underwent the ceremonies in question. L. favors a late date for Set.; see also Andrachuk, “Alfonso el Sabio” (1985) (C690), and Craddock, “Setenario” (1986) (C709).


M. draws some vague parallelisms between Alfonso X as legislating monarch and the Virgin Mary in her role as mediatrix between heaven and earth, according to her portrayal in the Cantigas. He includes a swift run-down of the legislative chronology of Set., FR, and Esp., still clinging, apparently, to the belief that SP is post-Alfonsine (p. 322, n. 6).

C740 -----. “El Espéculo atribuido a Alfonso X, su edición y problemas que plantea”. EyE, pp. 611-53.

M. provides here a preview of the introduction to his–at the time–forthcoming ed. of Esp. The main points are (1) that Esp. was composed by early 1254, though it may have been promulgated as late as May, 1255; (2) that Esp. originally contained, or was slated to contain, seven parts; (3) that Esp., along with FR, may have been among the Alfonsine legislative initiatives that the Learned King was forced to withdraw in the face of his subjects’ violent objections. Point (3) goes along with M.’s belief that the Ordenamiento de Zamora de 1274 presupposes the existence of Esp. only, not SP (against Iglesia Ferreirós C357).

Thorough and comprehensive survey of the legislative history of Alfonso X’s reign, with extensive bibliographical footnotes. The vexing questions relative to the chronology of Alfonsine legislation are presented with various points of view taken into account, at least those published at the time the author originally delivered this paper (April, 1981, at a symposium on “The Worlds of Alfonso the Learned and James the Conqueror,” held at the University of California, Los Angeles); the footnotes show some later addenda. I would like to see a more circumstantial account of his claim (p. 175, note 74) that the fixing of the western boundary of the municipality of Seville on the Guadiana river constitutes a “terminus ad quem” of 8 Dec. 1253 for the prologue of the Setenario, where Alfonso states that the boundary of the “reino de Sevilla” is precisely the Guadiana. If the boundary was a different one before that date, then the document placing it on the Guadiana would seem to represent a terminus a quo, i.e., a date after which the Setenario must have been composed. In any case, the Guadiana frontier was definitively established in the treaty of Badajoz, 16 Feb. 1267, which therefore might just as well constitute a terminus a quo for Set. See Florentino Pérez Embid, La frontera entre los reinos de Sevilla y Portugal (Sevilla: Ayuntamiento, 1975), p. 68. M.’s discussion of the succession to the throne could have been improved with more detailed consideration of the dynastic alliance between Alfonso X and Louis IX of France which is, I believe, at the root of the whole problem. These points notwithstanding, this essay is without doubt the most useful introduction to the subject now available in English.

C742 -----. “Notas sobre la edición de las obras legales atribuidas a Alfonso X de Castilla”, AHDE, LIII (1983), 721-725.

M. describes briefly the deficiencies of existing editions of Alfonsine juridical works and announces his own editorial plans. The Espéculo was scheduled, rather optimistically, for 1984, to be followed by OT, the latter in collaboration with Antonio Pérez Martín, Universidad de Murcia. Two points seem to require rectification: (1) the first ed. of FR, if my sources are to be believed, is Seville, 1483 (Bb1), not Venice, 1491 (Bb2); (2) it is off the mark to state that Gregorio López’ edition of SP (Bh7) “carece de interés a quienes se preocupan de la tradición manuscrita...” (p. 722) precisely because we do not know what MSS he may have consulted in addition to Montalvo’s text (Bh1). Bh7, when it disagrees with Bh1, is a textual witness that must be taken into account. On this last point see now Carpenter, Bh40 (update), chap. 3, pp. 13-26.


Within the general context of Alfonsine legislation, the author focuses on three problems, i.e., the Learned King’s conflict with the nobility which culminated in 1272, the succession to the throne after Fernando de la Cerda’s death in 1275 and Sancho el Bravo’s de facto deposition of his father in 1282. The three points of view correspond to Alfonso X himself, to his contemporaries, and to later historians. Designed for a general
audience (originally read in English at the International Symposium on Alfonso X, Madison, Wisconsin, April, 1984), there is little new or profoundly original material. M. rather passively follows García-Gallo’s chronology of SPF, so much so that that code is not even mentioned as one of the possible targets of the nobility’s objections to Alfonsine legislation in 1272. His discussion of the succession suffers much from his failure to consider the points made in Craddock, C195, pp. 400-17. The last portion covering Renaissance, 19th-century and contemporary historians (six in all) should be read in conjunction with Iglesia Ferreiros’ exceptionally detailed account of the treatment of Alfonso X in post-Alfonsine historiography, “Alfonso X” (1982).


M. describes a program designed to record the lexical and grammatical characteristics of all words occurring in the Espéculo. At the time this paper was originally delivered (at the International Conference on the Computer in the Humanities, University of Minnesota, 21 July 1973), the author did not dispose of equipment with sufficient memory capacity for his purposes; one wonders whether he has had time to adapt this project to the more high-powered hardware that has become available in the last decade.


M. compares SPF VII.xxvi with civil and canonical codes bearing on the same subject, i.e., heretics. He concludes that the Alfonsine provisions were not taken directly from the codes but rather through the agency of commentators, in particular the Summa codicis of Portius Azo, which M. qualifies as “fonte diretta anche se non letterale.” See also C51.


M. includes some interesting quotes that illustrate the juridical use of SPF in Spanish America during the Colonial and Independence periods, but fails to provide adequate bibliographical information.


Swift rundown of the reception of Roman (civil) law in Spain during the reign of Alfonso X, with special reference to FR. M.D.’s chief novelty in this essay is the claim, based on


The granting of FR to Burgos is discussed on pp. 104-07. The author argues for an original grant on 25.viii.1255. The fact that it was formally granted again on 27.vii.1256 is explained rather as an oversight. The main purpose of the document in which the latter grant appears was the concession of a series of tax exemptions to the “caballeros villanos” of the town; similar exemptions, tied to acceptance of the FR, were made in a whole series of documents dispatched to numerous castilian municipalities. For Burgos, Alfonso’s chancery seems to have copied an existing model document without adjusting the text to take into account the earlier grant of FR.


However exalted a notion Alfonso X may have had of kingship—as illustrated by O. with texts from Esp. I.i.4-6, 13—he nevertheless scoffed at the idea of royal thaumaturgy, a supposed attribute of French and English monarchs, in Cantiga 321, where the healing power of the Virgin Mary is revealed as truly efficacious. Cantiga 386 portrays the king presiding over his parliament (cortes); in O.’s view, the poem refers to an actual meeting that took place in Seville in 1281.


O. proposes that Alfonso X issued a general and public promulgation of FR as well as Esp. in Palencia, sometime during the months of May and June, 1255. According to O.’s reading of the prologue to Esp., it contains a reference to FR, ergo the latter must have been completed at the time of this alleged promulgation. The later (1256-65) letters patent conceding FR to individual municipalities would constitute, in this view, no more than specific confirmations of an earlier general concession of that code to all the townships of Castile and medieval Extremadura.

Very little is said here about SP. O.C. outlines the origin and development of derecho indiano, the legislation and jurisprudence of Spain’s American colonies. As in Castile, SP remained in force theoretically only to the extent that later law neither repealed nor supplanted its provisions; however, according to O.C., it often prevailed in actual judicial practice over more recent enactments.


P. provides facsimiles, transcriptions and a careful study of the orthography and language of these three fragments from the Archivo Histórico Provincial de León. They contain FR I.x.11-xi.4, Jacobo de las Leyes, Flores de derecho, I.ii.3-vi.2, and SP III.xviii.94-96. The first two are written in a form of Galician strongly influenced by the Leonese dialect, while the language of the last coincides for all practical purposes with medieval Portuguese. The translations they contain are independent of the other known Portuguese translations of the three works involved.


On p. 127 the author notes that the library of the Church of Santiago de Torres Novas in Portugal possessed in 1538 a copy of SP I, perhaps a Portuguese translation. García y García, “Tradición” (C722), §99.

C754 ------. “Livros de direito na idade media”, Lusitania Sacra, 7 (1964-66), 7-60.

The author (p. 13) imagines he has come across references to two SP MSS, one supposedly with a Latin gloss (the editions Bh1 and Bh7 contain Latin glosses, but an extensive Latin commentary in MS form is unknown to me), and the other with a vernacular one. The document is question (see pp. 21-25, esp. p. 24, as well as note 92 on p. 51) belongs to the same Liber Anniversariorum Ecclesiae Cathedralis Colimbriensis published by David and Sousa Soares, C202; see now García y García, “Tradición” (C722), §9, who doubts that either allusion involves SP.


Important survey of all Hispanic legislation in any way connected with the adoption and spread of civil law in Spain. For Alfonso’s legal works, see pp. 286-94, but note that glossators of those works are mentioned passim in the section “juristas castellanos de la Recepción”, pp. 269-86. P.M. criticizes--with regard to FR–García-Gallo (C276),
Martínez Diez, “Los comienzos” (1979), and Craddock (C195); following Iglesia Ferreirós, “Fuero Real” (1982), he accepts the alleged grant of FR to Aguilar de Campóo on 14 March 1255 as the terminus ante quem for the completion of that code. P.M.’s remarks on Esp., SP, and LN are less substantial. The comment, cited from Martínez Diez, that “entre el Fuero Real y el Espéculo no existe ningún contacto literal,” should be modified in view of FR I.ii.2 vs. Esp. II.i.10, concerning defamation of the king. P.M.’s view that SP “no es una obra de creación, sino fundamentalmente de divulgación, de recopilación” is overstated, as best accurate only for the parts of the code directly taken over from civil law.


P.M. reviews the background of FR, under the following headings: title, textual transmission, structure, sources, date of composition, authorship, place in Alfonsine legislation, the geography of its application, including Murcia, and its influence. He believes FR was finished by early 1255, that its chief literal author was Jacobo de las Leyes, and that it was a general code for Alfonso X’s domains outside León (including Galicia) and Andalucia. His most original conjecture is that FR occupied, vis-à-vis Esp./SP, a place analogous to the Justinian Codex vis-à-vis the Digest; FR/Codex are leges, actual legislation, while Esp./SP/Digest consistute ius, i.e., are doctrinal in nature.


On pp. 247-49 P.M. argues that the glosses to FR published by Cerdá, C167, should not be attributed to Arias de Balboa.


P.M.’s point of departure is Jacobo de las Leyes, whose career and juridical contributions are spelled out in detail. Then the author reviews the major legislative works of the Learned King, beginning a bit avant la lettre with the Libro de los doce sabios, compiled during the reign of Alfonso X’s father, Fernando III, on the grounds that it contains numerous analogies with Set., FR, and SP. P.M.’s views are fairly conventional; I would cavil at his claim that the Flores de derecho of Jacobo de las Leyes were dedicated to Alfonso Fernandez el Niño, illegitimate son of Alfonso X, rather than to the latter while he was still prince and heir apparent (see now Martínez Diez, Fuero Real [1988] [Bb27],
93-103); his belief that the allusions to SP in Jacobo de las Leyes’ Doctrinal and in Set.
allow the presumption that SP was not yet finished; and that Esp. was slated, like SP, to
have seven books (P.M. overlooks or ignores Iglesia Ferreirós [C357] at this point).

195-266; IX (1982), 327-423.

Pp. 229ff. include FR and SP in a brief survey of Castilian procedural literature.

C760 Pérez Prendes, José Manuel. “Las leyes de Alfonso el Sabio”, Revista de Occidente, no.
43 (Dec., 1984), 67-84.

Thoroughly conventional boiler-plate for this journal’s commemoration of the 7th
centenary; the author speculates idly that Alfonso X may have conceived of SP as a code
for the Holy Roman Empire.

C761 Powers, James F. A Society Organized for War: The Iberian Municipal Militias in the
Central Middle Ages, 1000-1284. Berkeley & Los Angeles: University of California

This extremely detailed survey of the military activity of medieval Iberian municipalities
includes systematic references to the Alfonsine codes (esp. Esp. and SP) with regard to
each topic broached: the history of municipal militias, the conditions of military service,
defensive and offensive campaigning, the division of spoils, and military justice. The
extensive bibliography includes a list of published municipal charters (pp. 315-41),
arranged alphabetically by the name of the municipality, the most complete and
up-to-date that I know of.

C762 Procter, Evelyn S. “The Towns of León and Castille as Suitors before the King’s Court

In the course of the 13th c., the selection of legal representatives (personeros) by
corporate bodies such as municipalities and cathedral chapters became an established
custom. P. traces this development with careful attention to Alfonso X’s legislative acts
and to his law codes (FR, Esp., and SP).

C763 Romano, David. “Los judíos y Alfonso X,” Revista de Occidente, no. 43 (Dec., 1984),
203-17.

R.’s survey of the positive and negative aspects of Alfonso X’s reign, as far as the Jews
were concerned, includes commentary on various laws from SP VII.24, as well as a
discussion of the various enactments on usury that began in 1253 (SP is silent on this
matter in the title on the Jews [VII.24]).

This state-of-the-art paper (as of Nov. 1982, on the occasion of the “Mesa Redonda sobre Alfonso X”, sponsored by the Centro de Estudios Sociales del Valle de los Caídos) is principally a call for further research on the institutional and social history of the Jews in 13th-century Castile. Of principal interest to this bibliography are sections 2 “La «filosofía» de las leyes alfonsíes”, 3 “Un ejemplo de esta «filosofía», teoría y realidad: la construcción y restauración de sinagogas”, and 4 “Un ejemplo de teoría y realidad, sin «filosofía»: las usuras”. R. concentrates on SP VII.xxiv, providing a running commentary of the entire title, with special attention in section 3 to law 4, which forbids the reconstruction and renovation of synagogues without express permission of the monarch. Section 4 discusses the limitation on interest rates (33%) imposed by FR IV.i.6.


Pp. 275-78 contain an important critique of the punctuation in Arias Bonet’s edition of *SP* I (Bh38).


Baeza was governed by *FR* for some time before 24.i.1273, the date of a document in which Alfonso X allowed the town to return to the Fuero de Cuenca. Roudil publishes a transcription and a facsimile of the document concerned (pp. 422-25); for discussion, see pp. 23-25.


Impassioned defense of the thesis that *SP* had actual legal authority in the Spanish colonies. Bibliography on pp. 209-212.

C769 *Simón, José G. “Desarrollo semántico de las palabras definidas por el rey Alfonso en la


Extremely well documented essay that surveys briefly laws concerning the Jews in FR, not only in the title specifically devoted to them (IV.ii), but in various other places (I.v.5, I.ix.4, III.v.7, III.vi.16, III.viii.3, III.ix.2, IV.i.1, and IV.xx.2); in Esp. (IV.vii.5, V.viii.35, V.xi.16); and, particularly in SP (VII.xxiv, with brief reference to VII.xxviii.6, which forbids Jews and Moselms to insult the Christian religion). S.’s detailed commentary of SP VII.xxiv includes useful indications of canonical sources.


There was, in the Europe of the 13th century, a general “rush to codify”, a phenomenon whose most notable effect was precisely the appearance of the Alfonsine legal corpus. The curious parallels between Denmark’s principal contribution to this movement, the “Law of Jutland” (1241), and Esp./SP reflect the use of common sources, particularly St. Isidore’s Etymologiae and Gracian’s Decretum.


Inconsequential oration whose sole value lies in the observations the speaker makes concerning the validity of SP in the Americas during the colonial period and later.


Chap. 3, “Un monarca legislador”, pp. 27-33, goes lightly and agreeably over Alfonsine legislation, without offering anything new or original. A facsimile of a FR folio (unidentified here; BNM 6501, fol. 86r) appears on p. 34, while the body of the work is followed by an anthology divided into juridical, historical, scientific, ludic, and literary texts. The first section includes FR prologue, Esp. I.i.13, II.vii.4, III.v.0, IV.vii.6, xii.52,

W. discovers many more contrasts than similarities between Emperor Frederick II’s *Constitutions of Melfi* (1231) and Alfonsoine legislation, esp. *FR* and *SP*; see esp. p. 77 for a few fairly doubtful parallels.


W.’s study of Alfonso X’s election to the Holy Roman Empire in 1257 refers to *SP* II.i.2 (pp. 25-26, 34) in support of his thesis the number of German electors had not yet been set at seven. Though it does not affect his main purpose, i.e., to show that the Empire, though elective, was in effect limited to candidates of imperial descent, W. seems poorly informed about the circumstances surrounding the introduction of the principle of hereditary representation in *SP* II.xv.2 and its connection to the dynastic dispute between Sancho el Bravo and the Infantes de la Cerda.
RESEARCH BIBLIOGRAPHIES & CHECKLISTS

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The Legislative Works of Alfonso X, el Sabio: a critical bibliography
by
Jerry R. Craddock
RESEARCH BIBLIOGRAPHIES & CHECKLISTS

THE LEGISLATIVE WORKS OF ALFONSO X, EL SABIO

General editors

A.D. Deyermond, J.R. Little and J.E. Varey

a critical bibliography

JERRY R. CRADDOCK

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INTRODUCTION

This bibliography is divided into three main sections: Manuscripts, Editions and Studies. It begins with a list of abbreviations and ends with a subject index to the last section. The list of abbreviations expands all short references except those that involve the items annotated in the Studies section. The latter are given by author’s name and item number (e.g. Vance, C673). Allusions to Alfonso the Wise’s larger codes appear in the form: FR III iv. 6, which expands to Fuero real, book three, title four, law six. The shorter works allow a simpler style, e.g., LN § 22, which means Leyes nuevas, law (or item) 22.

I have adhered to the traditional canon of Alfonsine legislative works. The Wise King’s general law code first took the form of what since the fourteenth century has been called the Espéculo, made public, or perhaps promulgated, sometime in the period May-June, 1255. It was transformed into the more comprehensive Siete partidas, likewise a fourteenth-century designation, between 23 June 1256 and 28 August 1265; there is no evidence that at this point the code was divided into seven parts. This second version of Alfonso’s general law code was itself twice revised after 1272, at which time it is certain that the text had been definitively arranged into seven parts. Finally, I take the heretical position that the incomplete Setenario was to have been the final version of the great law code, and belongs to the last years of Alfonso’s long reign (1 June 1252–4 April 1284).

The Fuero real, Alfonso’s model municipal code, was finished 25 August 1255 and granted to numerous Castilian towns beginning in July 1256. The most important of these early grants was that of Burgos, 27 July, where, beginning in 1260, an unofficial collection of royal explanations and amendments of the Fuero real was gathered together and eventually entitled Leyes nuevas. The Leyes del estilo, a set of procedural rules and precedents lacking any royal sanction but much used in practice, are definitely post-Alfonsine, but since they have long
been deemed an inseparable adjunct to the Fuero real, I include them here. The unauthorized Leyes para los adelantados mayores were taken from the Espéculo at a time and for a purpose that have been lost to history. Finally, Alfonso's ordinance on gambling dens, the Ordenamiento de las tafurerías, was, according to its prologue, compiled at the King's command by a certain Master Roland in 1276. The index will lead the reader to information on the remainder of Alfonso's multifarious legislative activity, i.e., other Ordenamientos, his Cortes or parliament, charters, privileges and letters patent, all of which include material of a legally binding nature.

In conclusion, I would like to acknowledge the invaluable editorial assistance of Alan Deyermont, and to express my appreciation for the endless travails to which I subjected two departments of Doe Library, University of California, Berkeley: the Interlibrary Borrowing Service and the Cooperative Services. Without their cheerful and efficient efforts to provide me with books not available locally and to transport to my office large quantities of those that were, I have every reason to doubt that I could have ever brought this bibliography to a conclusion. To my good friends and colleagues Arthur L.-F. Askins and Charles B. Faulhaber, both world-class bibliographers and scholars of international reputation, I owe numerous entries that they were kind enough to bring to my attention.

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Editor's note: This Bibliography covers the period to 1981. Its length, and circumstances for which I, not the compiler, am to blame, have delayed its publication. Publication details of a few items that were in press have been added editorially, as have references to two newly-published major bibliographical works, the third edition of the Madison Bibliography of Old Spanish Texts and Faulhaber's catalogue of the manuscripts of the Hispanic Society of America. Editions and studies from 1982 onwards will be listed in the first Supplement to the present bibliography; users are urged to send additions and corrections to the compiler.

A.D.D.

ABBREVIATIONS


AEM Academia Española, Madrid.

AHDE Anuario de Historia del Derecho Español. Madrid, 1924-.

AIHM Academia de la Historia, Madrid.


ANTT Arquivo Nacional da Torre do Tombo, Lisboa.

APSYB American Philosophical Society Year Book. Philadelphia, 1938-.

Alfonso X, el Sabio


AUUMD Anales de la Universidad de Murcia: Derecho. Murcia, 1954-.

BAE Biblioteca de Autores Españoles. Madrid: Rivadeneyra, 1846-

BANH Boletín de la Academia Nacional de Historia. Caracas, 1912-


BCB Biblioteca de Catalunya, Barcelona.


BCT Biblioteca de la Catedral, Toledo.

BE Bibliografía española. Madrid, 1958-

Beer, Handschriftenschatze Rudolf Beer. Handschriftenschatze Spaniens. Vienna: C. Gerold's Sohn, 1894. 755pp. Originally publ. in Sitzungsberichte der kaiserlichen Akademie der Wissenschaften, Vienna, Philosophisch-historische Classe, 124 (1891), no. 6; 125 (1891), nos 3, 7; 126 (1892), no. 2; 128 (1893); nos 8, 12; 129 (1893), nos 4, 6; 131 (1894), nos 7, 11.

BFDUC Boletim da Faculdade de Direito da Universidade de Coimbra. Coimbra, 1914-

BFE Boletín de Filología Española. Madrid, 1953-

BH Biblioteca Hispana. Madrid, 1943-

BHS Bulletin of Hispanic [formerly of Spanish] Studies. Liverpool, 1923-


BJE José Manuel Pérez-Prendes and Angel Sánchez de la Torre (eds).

Abbreviations


BL, General Catalogue The British Library General Catalogue of Printed Books to 1755. London: C. Bingley, 1979-


BNM Biblioteca Nacional, Madrid.


BPM Biblioteca de Palacio, Madrid.

BPUV Biblioteca Provincial y Universitaria, Valencia.

BRAG Boletín de la Real Academia Gallega. La Coruña, 1906-

BRAH Boletín de la Real Academia de la Historia. Madrid, 1877-


BUG Boletín de la Universidad de Granada. Granada, 1928-
Alfonso X, el Sabio


BUS Biblioteca Universitaria, Salamanca.

C La Corónica, 1972-.


CHE Cuadernos de Historia de España. Buenos Aires, 1944-.

CLHM Cahiers de Linguistique Hispanique Médiévale. Paris, 1976-.

CLR California Law Review. Berkeley, Calif., 1912-.


Abbreviations


Columbus, Catalogue. Catalogue of the Library of Ferdinand Columbus; Reproduced in Facsimile from the Unique Manuscript in the Colombine Library at Seville by Archer M. Huntington. New York: [HSA], 1905. 260pp.

Copinger see Hain/Copinger.

*Corminas, Suplemento. Suplemento a las memorias ... a formar un diccionario crítico de los escritores catalanes ... que en 1836 publicó ... Felix Torres Amat. Burgos: Arnáiz, 1849. 368pp. Palau, Manual, IV, p. 106 (862012).


Esp. Espéculo.
Alfonso X, el Sabio


FJ  Fuero juzgo.

Floranes, ‘Apuntamientos’  Rafael Floranes. ‘Apuntamientos ... para un tratado sobre el origen de la imprenta ...’ (1794), in Méndez/Hidalgo, pp. 269-320.

FR  Fuero real.


García y García, CMICC  Antonio García y García, Francisco Cantelar Rodríguez and Manuel Nieto Cumplido. Catálogo de los manuscritos e incunables de la Catedral de Córdoba.

Abbreviations


Gesamtkatalog  Gesamtkatalog der Wiegendrucke. Leipzig, 1925-.

GfT  Gesellschaft für Typenkunde des XV. Jahrhunderts. Veröffentlichungen. Leipzig, 1907-.


Alfonso X, el Sabio


H *Hispania* (U.S.A.). 1918--.


HAINR *Hispanic American Historical Review*. Baltimore, 1918--.


His *Hispania*. Madrid, 1945--.

HMML *Hill Monastic Microfilm Library*, Saint John's University, Collegeville, Minnesota.

HR *Hispanic Review*. Philadelphia, 1933--.

HSA *Hispanic Society of America*.


HSMS *Hispanic Seminary of Medieval Studies*.


Inventario *Biblioteca Nacional*, Madrid. *Inventario general de manuscritos* ... Madrid: Ministerio de Educación Nacional, Dirección General de Archivos y Bibliotecas, Servicio de Publicaciones, 1953--.


Jurisconsultos *Real Academia de Jurisprudencia y Legislación*, Madrid.
Alfonso X, el Sabio


LAM Leyes para los adelantados mayores.


LBA Juan Ruiz, Arcipreste de Hita. Libro de buen amor.

LC Library of Congress, Washington, D.C.

LE Leyes del estilo.


LN Leyes nuevas.


Abbreviations


MHE Memorial Histórico Español. Madrid, 1851-.


MRAE Memorias de la Real Academia Española. Madrid, 1870-.

MRAH Memorias de la Real Academia de la Historia. Madrid, 1796-.


OT Ordenamiento de las tafurerias.

Alfonso X, el Sabio


PMLA Publications of the Modern Language Association. Baltimore, 1884-


NUC-36, CDLXXVI, p. 399: 'Large-paper edition of his "rough list" no. 148'.

RABM Revista de Archivos, Bibliotecas y Museos. Madrid, 1871-

Abbreviations


RDP Revista de Derecho Privado. Madrid, 1913-

REDC Revista Española de Derecho Canónico. Madrid, 1946-

REP Revista de Estudios Políticos. Madrid, 1941-

RFE Revista de Filología Española. Madrid, 1914-


RGLJ Revista General de Legislación y Jurisprudencia. Madrid, 1852-


RJb Romanistisches Jahrbuch. Hamburg, 1947-

RL Revista Lusitana. Lisbon, 1887-1943.


RPh Romance Philology. Berkeley, 1947-


Serrano, Reseña José Enrique Serrano y Morales. Reseña histórica
Alfonso X, el Sabio

en forma de diccionario de las imprentas que han existido en Valencia ... Valencia: F. Domenech, 1898-99. xxviii + 655pp.

SG Studia Gratiana. Bologna, 1953-.


SP Siete partidas.


UNAM Universidad Nacional Autónoma de México.

Abbreviations


A. MANUSCRIPTS

The following list is divided alphabetically first by the titles of the various Alfonsoine legal works, second by the name of the cities where the libraries are located and finally by the name of the libraries where the MSS are housed. The individual MSS are cited in numerical or alphabetical order of the call (shelf) number, whichever is appropriate. I provide only summary descriptions for MSS belonging to collections that boast printed catalogues. Otherwise, if I have seen the MS or possess photocopy, I attempt a more detailed description. Manuscripts I have been unable to consult directly or in photocopy are marked with an asterisk. A complete census of Alfonsoine legal MSS has been promised by Robert A. MacDonald, *RPH*, 33 (1979-80), 447.

Aa. Espéculo.

Madrid.

Academia de la Historia.

Aa1  *9-30-3 G112 (or 6112?; olim [?]) 9-18-1 no. 2). 19th c.
Copy of Aa3 most likely made at the time the Academy was preparing its publication of *Opúsculos*. MacDonald, C425, pp. 78, 81; Simón Díaz, *Bibliografía*, III:1. p. 125 (81131).

Biblioteca de Palacio.

Copy of Aa3. MacDonald, C425, pp. 78, 81.

Biblioteca Nacional.

Aa3  10123 (olim II-5). 14th c. Paper, 205ff., 2 cols.
Alfonso X, el Sabio

Exp. III: ff. 145r-196v. BOOST, p. 141 (81918); Opúsculos, I, pp. v-vi (sigillum: cod. 2°); Rocamora, Catálogo, p. 9 (824); Schiff, Bibliothèque, p. 229 (IXIII); Simón Díaz, Bibliografía, III:1, p. 125 (81130).

Ab. Fuero real.

El Escorial.

Biblioteca del Monasterio.

BOOST, p. 28 (8380); Crestomatía, I, p. 259 (872), incorrectly identified as the Fuero de Santo Domingo de la Calzada (sigillum: K); Llacyo, Antiguos manuscritos, p. 305; Simón Díaz, Bibliografía, III:1, p. 125 (81139); Villamal, Reseña, pp. 41-42, 72; Zarco, BMC, II, pp. 176-77.

FR: ff. 1r-244v. Also contains LN. Antonio, C36, II, p. 88; BOOST, p. 30 (8995); Crestomatía, I, p. 249 (872); sigillum: Q; Villamal, Reseña, pp. 42, 72; Zarco, BMC, II, pp. 205-06.

Ab3 Z. I. 5. 15th c. Paper, 88ff., long lines. 
Contains the gloss of Vicente Arias de Balboa, bishop of Plasencia (1414), see also Aab16. BOOST, p. 45 (8618); Crestomatía, I, p. 249 (872); sigillum: Z; Simón Díaz, Bibliografía, III:1, p. 126 (81143); Zarco, BMC, III, p. 60. Cerdá, C167, was unaware of this MS.

Two copies: ff. 1r-116r and 136-187r. Also contains LAM and LN. Antonio, C36, II, p. 88; BOOST, p. 47 (8645); Opúsculos, I, pp. viii (the first copy was chosen as base MS with the sigillum Esc. 1°); Rodriguez de Castro, C584, p. 680; Simón Díaz, Bibliografía, III:1, p. 125 (81136); Villamal, Reseña, pp. 40-43, 72; Zarco, BMCC, III, pp. 117-18.

Ab5 Z. III. 5. 15th c. Paper, 100ff., 2 cols. 
Antonio, C36, II, p. 88; BOOST, p. 48 (8657); Opúsculos, I, p. vii (sigillum: Esc. 2°); Rodriguez de Castro, C584, p. 679; Simón Díaz, Bibliografía, III:1, p. 125 (81138); Villamal, Reseña, pp. 42, 72; Zarco, BMC, III, p. 135.

Manuscripts

FR: ff. 1r-15v, 24r-89r. The text is interrupted by a copy of Jacobo de las Leyes, Flores de derecho. Also contains LE. Antonio, C36, II, p. 88; BOOST, p. 48 (8665); Simón Díaz, Bibliografía, III:1, p. 125 (81137); Villamal, Reseña, pp. 26-28, 42, 72; Zarco, BMC, pp. 140ff.

FR: ff. 1r-64r. Also contains LN. Antonio, C36, II, p. 88; BOOST, p. 49 (8672); Crestomatía, I, p. 249 (872); sigillum: S; Opúsculos, I, p. viii (sigillum: Esc. 5°); Rodríguez de Castro, C584, p. 679; Simón Díaz, Bibliografía, III:1, p. 125 (81132); Villamal, Reseña, pp. 42, 72; Zarco, BMC, III, pp. 143-45.

Ab8 Z. III. 16. 13th-14th c. Vellum, 139ff., 2 cols. 
FR: ff. 1r-132v. Also contains LN. Antonio, C36, II, p. 88; BOOST, p. 49 (8678); Crestomatía, I, p. 249 (872); sigillum: E, with transcription from this MS of the prologue, II. ix. 1, 4, 8, IV. xxiii and xviii.1-2, 5-6; Llacyo, Antiguos manuscritos, p. 306; Opúsculos, I, pp. vii (sigillum: Esc. 4°); Rodríguez de Castro, C584, p. 679; Simón Díaz, Bibliografía, III:1, p. 125 (81133); Villamal, Reseña, pp. 32-35, 42, 72; Zarco, BMC, III, p. 147.

FR: ff. 1r-102r. Also contains fragments of LE. BOOST, p. 50 (8680); Opúsculos, I, p. vii (sigillum: Esc. 3°); Simón Díaz, Bibliografía, III:1, p. 125 (81134); Villamal, Reseña, pp. 42, 72; Zarco, BMC, III, p. 148.

Gerona.

Palacio de Perelada.

Ab10 14984. 15th c. Paper, i + 197ff., 2 cols. 
FR: ff. i-184r. Also contains LN. HMML No. 34,696. 
Rubric (f. ir): Aquí comienzo / ca el libro / e fuero de / las leyes. / e los títulos / del primero fil / que son doze títulos que fi / a los nobles Rey don alfon / so fijo del muy .noble. Rey don fer / nando e visnieto de don al / fonso emperador de espana / e de la muy noble Reyna / donua beatriz nieta del en / perador de Roma que murio en / ultamar. Incipit (f. 1r): [E]n el non / bre de dios / e de sancta / maria amen / Por que los / corazones / de los onbres ... Explicit (f. 184r): E si al / guinos andoujen enel / niano que non traxeren si / non sus / cuerpos non se / an tenjentos de dar nada. Rubric: Aqui se acaba el lli / bro quarto E todo el fu / ero de las leyes. sit la / us et gloria xy . Amen.
Alfonso X, el Sabio

After LN one finds the following rubric (f. 193v): Este libro es del / honrado e discre / to varon gines coruulan / bachiller en decretos.
Rubric (f. 194r): Estos son los casos en que non ha logar la reconvención. / [L]os que son acusa / dos de algun / maleficio ... Rubric (f. 194v): Quantas maneras son de / interesse. / Tres maneras son de / interesse ... Rubric (f. 195r): A quales non defiende la / iglesia. / Quales cosas en que los canones muardan / sacar de la iglesia ... The original colophon of FR is placed on f. 196r: Este libro fue acabado / en valladolid por mandado / del Rey don alonzo / a diez / e ocho dias del mes de julio / Era de Mocheceixxi años / en el año que don duarte fijo / primero heredero del Rey / enrique de juglusterra / bían caualleria / en burgos / del Rey don alfonso / el sobre / dicho. E escriuesse enel / quarto anno que este dicho / Rey Regno. Various other chronological and miscellaneous notes fill out the volume. BOOST, p. 218 (f2646).

Lisbon.

Arquivo Nacional da Torre do Tombo.

Ab11 *No. 4 do maço 6 dos forais antigos. 13th c. Vellum, 155ff., long lines.

Madrid.

Academia de la Historia.

Fragmentary: II.ii.2-end. Only a portion of the first leaf near the binding is preserved; the full text begins on f. 2r with II.iii.5. Opisculos, I, p. ix (sigillum: s. Millan).
Incipit: o mandar / ... sin derech / ... do del alca / ... por que iu ... / que non deu ... Explicit (f. 40v): e[s] algunos andidieren enel auiuo / que non troxieren si non sus cuerpos non / sean tenjados [de] pa[ga]r [na] da.

Academia Española.

Ab13 52. 15th c. Vellum, ii + 83ff., long 11.
Incomplete at the beginning (I.i, near the end). BOOST, p. 78 (f1028); Opisculos, I, p. ix (sigillum: Acad. Esp.); Simón Díaz, Bibliografia, III:1, p. 126 (f1144).

Manuscripts


Archivo General de la Villa.

Ab14 "Call. no.? 14th c.
Fragment: IV.xvii-xv. Palacio, C523, I, p. 253: 'Este ordenamiento [granted by Alfonso XI, 2.v.1339] existe al final de un cuaderno de hojas de pergamo avitulado, escrito a dos columnas e incompleto. Es un fragmento del Fuero Real que comprende los titulos desde el XVII al XXV del libro IV'.

Biblioteca Nacional.

FR: ff. 3r-71v. Also contains OT. Inventario, II, pp. 162-63; Sánchez Pérez, C617, p. 132.

Contains the gloss of Vicente Arias de Balboa, bishop of Plasencia (†1414); see also Ab3. The gloss only was edited from this MS by Cerdá, C167. BOOST, p. 90 (f1197); Gallardo, Ensayo, II, appendix, p. 59; Inventario, II, p. 184; Simón Díaz, Bibliografia, III:1, p. 125 (f1140).

Incipit: Quando el que casare diere / arras a la mancheba ... Explicit: ... non sean / tenudos de dar nada. Rubric: Este libro fue echo / e acabado eñ ualla / dobl por mandado / de nuestro señor el rey don / alfonso uyne e cinco dias / del mes de agosto en la era de / mill e / dozientes e nouenta / e quatro anos Eñ el anvo / que don doat (sic) / fio primero / heredero del rey anrique / de ingla terra rescebjo Cau / alleria en burgos del rey / don alfonso el sobre dicho.
Alfonso X, el Sabio

Ab18 6501 (olim S 194). 14th c. Vellum, 158ff., 2 cols.
Gallardo, Ensayo, II, appendix, p. 59; personal communication (25.viii. 1980) from Manuel Sánchez Mariana, curator of MSS, BNBM.
Rubric: En el nombre de dios amen. Incipit: Por que / los cora / cones delos omes son depar / tidos ... Explicit (f. 124v): ... e si algunos / andaren en el que non / troguieren hy si non sos / cuerpos non sean tenudos / de dar nada. Rubric: Este libro fue hecho e aca / bado en ualladolid por man / dado del rey don Alfonso / xsv. dias andados del mes de / agosto. En era de mil. / 1.y. e xxx. x.xix. i.iij. an[n]os / el anno que don doarte fijo prime / ro e heredero del rey / don an / rique de engla terra recibio ca / ualleria en burgos del rey / don Alfonso sobredicho. Ff. 124v-158v contain the Flores de derecho of Jacobo de las Leyes.

FR: ff. 1r-59r. Also contains LN. BOOST, p. 112 (81509); Gallardo, Ensayo, II, appendix, p. 59; Simón Díaz, Bibliografía, III:1, p. 126 (81142).
Rubric *f. 1r: Libro prim[er] o / de a triñadit e de la fe catholica. Table of contents: f. 1r-v. Rubric (f. 1v): Este es el libro que dio el rey / don alfonso a la uilla de Car / rion dont ouiessen fuero / En el no[m]bre de dios am / en. Incipit: Por que los cora / cones de los omes son deparidos ... Explicit (f. 59r): ... non sean tenidos de dar nada / [decoration]. Rubric: hacun postquam scriptus q.? (pt?) petit (pt?) pa / gina dixit. Hi (sic) liber est scriptus q.? (pt?) / petit (pt?) sit benedictus. Various biblical passages fill out f. 59r-v.

Ab20 8417 (olim V 300). 14th-15th c. Vellum, ii + 51ff., 2 cols.
Gallardo, Ensayo, II, appendix, p. 59; personal communication (25.viii.1980) from Manuel Sánchez Mariana, curator of MSS, BNBM.
Rubric (f. ii, 17th c. hand): Fuero R^1_1 de Castilla / tiene 51 folios en Pargamino. Rubric (f. ii^1, 17th c. hand): Titulos Delas / Leyes / Antiguas de Castilla. Rubric (f. 1r): Liber primus. titulo primu. (sic) Table of contents. Rubric (f. Iv): Libru primu (sic). Incipit: En el / nombre de dios aner. Incipit: Porque los / corazones de / los omen son / deparidos ... Explicit (f. 51v): ... si algunos andaren en el nauio que / non troxieren si non sos cuerpos non / sean tenidos de dar nada.

Opisculos, I, p. ix (sigillum: Inf.); Rocamora, Catálogo, p. 4 (88); Schiff, Bibliothèque, p. 413.

Ab22 17809. 14th c. Vellum, 37ff., 2 cols.
Fragmentary: 1x.16-IV.xxi.[4] (=IV.xxiv.5 of the Opisculos ed.).

Manuscripts

BOOST, p. 136 (81852); Roca, Catálogo, p. 331 (81044); Simón Díaz, Bibliografía, III:1, p. 125 (81135).
Incipit: personero commo es so contendor / (new law, without epigraph: 1x.17) Otrossi mandamos que asi commo el duern / no de la uoz ...
Explicit: ... Ca / non omo poder si Rey non de / dar fidalgo por aleuso njo de quiar. Extensive marginalia throughout, in a 14th-c. hand.

New York City.

Hispanic Society of America.

Ab23 B2568. 14th c. Vellum, 96ff., 2 cols.
FR: ff. 1r-9r. Also contains a fragment of SP VII. BOOST, p. 198 (82370); Faulhaber, Catalogue (1983), I, pp. 219-20 (8224); García y García, 'Los manuscritos', p. 549.

H.P. Kraus.

Bibliotheca Phillippsica: Manuscripts on Vellum and Paper from the 9th to the 15th Centuries from the Celebrated Collection Formed by Sir Thomas Phillipps: The Final Selection. New York: H.P. Kraus, 1979. Pp. 31, 144 (with facsimile of text corresponding to IV.i-ii.i). If the date claimed for this MS (ca 1275) proves to be correct, it would be the earliest known extant copy, as well as the only one copied in the Alfonse scriptorium. However, Professors Lloyd Kasten and John Nitti, Seminary of Medieval Hispanic Studies, Madison, are skeptical (personal communication, 17.viii.1981). This copy was granted to the town of Carrión (de los Condes); see also Ab19. BOOST, p. 197 (82351).

Philadelphia.

Free Library.

Ab25 Lewis European MS 245. Late 13th c. Vellum, 92ff., long lines. Incomplete at the end (IV.xxii.2). Table of contents: ff. Ir-2r. Rubric (f. 3r): Este es el libro de los fueiros que dio el Rey don alfonso ala noble cibdat / de burgos que es cabeza de castll[a]. Rubric (with illuminated initial): ENEL NOMBRE / DE DIOS AMEN. Incipit: Por que los corazones de los omen ... Explicit: quer en la uida del romero quer / depues en / la muerte quanto tomare entuguelo (sic) a aquel aquel lo mando. BOOST, p. 219 (82654).
Alfonso X, el Sabio

Salamanca.

Biblioteca Universitaria.

Ab26 *1862 (formerly II-565 [olim 2-F-4], BPM). 14th-15th c.
Crestomatiae, I, p. 259 (§72; siglum: F).

Ab27 *2673 (formerly II-912 [olim 2-H-3], BPM). 13th-14th c.
Crestomatiae, I, p. 259 (§72; siglum: H).

Toledo.

Biblioteca de la Catedral.

FR: ff. 2r-114r. Also contains LN. BOOST, p. 258 (§3125); García y García and González, Catálogo, p. 173; HMML, No. 33,607; Opisculos, I, p. ix (siglum: Tol. 2ª); Sarmiento, C622, p. 288 (§639).

Ab29 43-22. 14th c. Vellum, 98ff., 2 cols.
FR: ff. 1r-67r. Also contains an apparent fragment of LN. BOOST, p. 258 (§3127); García y García and González, Catálogo, p. 174; HMML, No. 33,608; Opisculos, I, p. ix (siglum: Tol. 1ª); Sarmiento, C622, p. 288 (§639).

Ac. Leyes del estilo.

El Escorial.

Biblioteca del Monasterio.

Ac1 Z.II.8. 14th c.
LE: ff. 192r-214v. Also contains FR. BOOST, p. 47 (§648); Opisculos, I, p. xi (siglum: Esc. 1º); Villaamil, Reseña, pp. 73-74; Zarco, MMC, III, pp. 117-18 (§6).

LE: ff. 429r-459v. Also contains OT. BOOST, p. 47 (§651); Rodríguez de Castro, C584, p. 680; Villaamil, Reseña, pp. 73-75; Zarco, MMC, III, p. 125 (§69).

Ac3 Z.III.11. 14th c.
LE: ff. 97r-147r. Also contains FR. BOOST, p. 49 (§668); Villaamil, Reseña, pp. 72-73; Zarco, MMC, III, pp. 140-41 (§5).

Manuscripts

Ac4 Z.III.17. 14th c.
LE: ff. 149r-152v. Also contains FR. Zarco, MMC, III, p. 148 (§3).

Madrid.

Biblioteca Nacional.

Ac5 5764 (olim Q 102). 15th c.
LE: ff. 46r-91v. Also contains FR.
Rubric (f. 46r; 17th c. hand): Leyes del estilo. Incipit: Este es el libro / de las declaras / ciones en rra / zon de los demandadores / e de los / denan / dados... Explicit (f. 91v): ... E consentio el / rey don Alfonso e tiene (sic) lo por / bien. / Explicit declaraciones / super forum. Laus reddatur x2 Occasional marginalia.

Valencia.

Biblioteca Universitaria.


Ad. Leyes nuevas.

El Escorial.

Biblioteca del Monasterio.

Ad1 K.III.25. 14th c.
LN: ff. 244v-266. Also contains FR. López Ortiz, C420, pp. 11, 23; Villaamil, Reseña, pp. 33, 72; Zarco, MMC, II, pp. 205-06 (§2).

Ad2 P.III.2. 13th c.
LN: ff. 45r-46v (fragment). BOOST, p. 8 (§144); Simón Díaz, Bibliografía, III:1, p. 132 (§1212); Zarco, MMC, II, pp. 337-38. Erroneously identified in all sources as SP III:xi.20-21, 23.

Ad3 Y.II.5. 14th c.
LN: ff. 93r-98r (fragment). Ac, I, p. 1 (siglum: Esc. 1º), erroneously identified as material pertaining to SP III:xi; Zarco, MMC, III, p. 24. See entry for this MS under SP, Ah17.
Ad4 Z.II.5. 15th c. Paper, 359ff., long lines.

LN: ff. 171v-178r. Also contains OT. Antonio, C36, II, p. 89; BOOST, p. 47 (664); López Ortiz, C420, p. 11; Rodríguez de Castro, C584, p. 680; Zarco, CMC, III, p. 106 (811).

Ad5 Z.II.6. 15th-16th c. Paper, 266ff., long lines.

LN (two copies): ff. 27r-37v, 39r-48v. Also contains OT and the Ordenamiento de Zamora de 1274 (two copies: ff. 1r-6r, 7r-12v).


Ad6 Z.III.13. 13th c.

LN: ff. 65r-80r, and fragmentary second copy, ff. 98v-99v. Also contains FR. López Ortiz, C420, p. 23, who gives the erroneous call no. Z.II.13; Opúsculos, I, p. xi (siglum: Esc. 5v); this MS is the source for a set of documents published as an appendix to LN, II, pp. 199-209; Villaamil, Reseña, pp. 33, 72; Zarco, CMC, III, pp. 143-45 (82, 4).

Ad7 Z.III.16. 13th-14th c.

LN: ff. 134r-139r. Also contains FR. BOOST, pp. 49-50 (6679); López Ortiz, C420, p. 27; Opúsculos, I, pp. x-xi (siglum: Esc. 3v); Villaamil, Reseña, pp. 32-35, 72; Zarco, CMC, p. 147 (82).

Gerona.

Palacio de Perelada.

Ad8 14984. 15th c.

LN: ff. 184r-193v. Also contains FR. BOOST, p. 219 (62647); HMMML No. 34,696.

Rubric (f. 184v): Estas son las le / yes que acréscento / e declaro el Rey / en el su libro del fuero de / leyes supra escripto. Table of contents: La primera ley ... La xxv. es de los que com / pran las heredades sobre / que han otras deudas. Rubric (f. 184v): Aquí se comienzan las le / yes nuevas que enbio ago / re el Rey don alonzo a / los concesos en toda su / tierra. Ley primera. Incipit: [D]on alonzo / por la gracia / de dios ... Explicit: ...El conrador tornesse aquel que gelo / vendio o a aquel que g elo / enpenno.

London.

British Library.

Ad9 Add. 9916. 18th c. Paper, 613ff., long lines.

Manuscripts

LN: ff. 189r-206v. Also contains LAM and OT. Gayangos, Catalogue, II, p. 40 (87); Procter, C555, pp. 144, 295.

Title page (f. 189r): D. Alonso X. / Leyes Nuevas que açrescentó / et declaró el Rey en el su li - / bro del Fuero de las Leyes. / Almazán 28 de Abril. / Sacadas de un delos Apéndices que tiene un / Códice del Fuero Real de letra del siglo / XIV. que posee el Señor Conde / de Campomanes. Rubric (f. 190r): Estas son las Leyes que açrescentó / et declaró el Rey en su Libro del / Fuero de Leyes supra escripto. Explicit (f. 206v): ... ó al que lo empenno el comprador / tornese a aquel que g elo vendió ó a aquel que / g elo empenno. Rubric: Nota. Estas Leyes segun por ellas aparece / son interpretaciones que D. Alonso X. hizo / a va / rias leyes del fuero Real resolviendo las dudas / [f. 206v] que le consultaron alguno ó algunos de aquellos Pueblos a quienes se habia / dado por fuero mu / nicipal el fuero Real ó de las Leyes; y como se / sabe / que este fuero se dió a los concejos de Castilla en el / año de / 1255 es consiguiente que estas Leyes Decla / ratorias de las del Fuero sean posteriores al cita / do año aunque no se pueda señalar el fijo / de su / Data.

Madrid.

Biblioteca Nacional.

Ad10 6655 (olim S 480). 14th c.

LN: ff. 60r-65r. Also contains FR.

Rubric (f. 60r): Estas son las razones en que / dudanau los alcales. Incipit: Lo primero es quando los escriuan / os fazen cartas ... Explicit: (f. 65r): ... non puede el ju / yz toller dellas assi cuemo / son / iuradas. Numerous marginalia in a 14th-c. hand.

New York.

Hispanic Society of America.

Ad11 *HC 380/685/1. 18th c. Paper, 189ff., long lines.

LN: ff. 71r-74r; 84r-88v. Also contains LAM and OT. Faulhaber, Catalogue, I, pp. 204-06 (8206); García y García, 'Los manuscritos', pp. 509-10 (811, 13). Item no. 811, dated 6.viii.1263, bears the rubric: 'Dudas propuestas por los de Burgos sobre las Leyes del Fuero Real' and was published as part of LN in Opúsculos, II, pp. 203-04 (from Ad6). No. 813 bears the rubric: 'Peticiones dadas por los procuradores de Burgos y respondidas en Xerez, año de 1268' and was published as part of LN in Opúsculos, II, pp. 205-08. García y García erroneously
identified the latter as a cuaderno of the Cortes held in Jerez in 1268.

Toledo.
Biblioteca de la Catedral.

Ad12 43-21. 14th c.
LN: ff. 114r-126v. Also contains FR. BOOST, p. 258 (B3126); García y García and González, Catálogo, p. 173; López Ortiz, C420; Opisculos, I, pp. ixf. (sigillum: Tol. 2ª); base for the ed., though mistakenly called 'Toledano primero' on p. x.

Ad13 43-22. 14th c.
LN: ff. 67r-69v (fragment). Also contains FR. BOOST, p. 258 (B3126); García y García and González, Catálogo, p. 174. The fragment consists of a version of a document dated in Uclés, 3.v.1260, containing the proper form of oaths for Christians, Jews and Moors, material which corresponds approximately to the introduction and laws 27-29 of LN (as in the Opisculos ed., II, pp. 181-83, 194-97), without, however, betraying any textual clues of having been extracted from Exp. V.xi.15-17.

Ae. Leyes para los adelantados mayores.

El Escorial.
Biblioteca del Monasterio.

Ae1 Z.II.8. 14th c.
LAM: ff. 116r-120r. Also contains FR. BOOST, p. 47 (B646); Opisculos, I, p. x (basis for the ed.); Pérez Prendes, C537; Zarco, CMC, III, pp. 117-18 (B2). Parent of all other known copies.

London.
British Library.

Ae2 Add. 9916. 18th c.

New York.
Hispanic Society of America.

Ae3 *HC 380/685/I. 18th c.
LAM: ff. 1r-7v. Also contains LN and OT. Copied from Ae1. Faulhaber, Catalogue (1983), I, pp. 204-06 (B206); García y García, 'Los manuscritos', p. 508 (II).

Af. Ordenamiento de las tafererías.

El Escorial.

Biblioteca del Monasterio.

OT: ff. 1r-4v. BOOST, p. 45 (B619); Zarco, CMC, III, p. 6 (B1).

OT: ff. 1r-4r. BOOST, p. 46 (B623); Zarco, CMC, III, p. 72 (B1).

OT: ff. 1r-4r. BOOST, p. 46 (B626); Zarco, CMC, III, p. 78 (B1).

OT: ff. 1r-6r. Antonio, C36, II, p. 88; BOOST, pp. 46-47 (B637); Zarco, CMC, III, p. 98 (B1).

Af5 Z.II.5. 15th c.
OT: ff. 57r-64r. Also contains LN. BOOST, p. 47 (B639); Zarco, CMC, III, p. 105 (B3).

Af6 Z.II.6. 15th-16th c.
Alonso X, el Sabio

OT: ff. 13r-22r. Also contains LN. Antonio, C36, II, p. 89; BOOST, p. 47 (8643); Rodríguez de Castro, C584, p. 680; Zarco, CMC, III, p. 110 (82).

Af7 Z.II.14. 15th c.
OT: f. xxxv-r. Also contains LE. Zarco, CMC, p. 119 (82).

London.

British Library.

Af8 Add. 9916. 18th c.
OT: ff. 301r-322v. Also contains LN and LAM. Gayangos, Catalogue, II, p. 41 (817).
Title page (f. 301r): D. Alonso X. / Ordenamiento / de las tafernerias / compuesto por el / Maestre Roldan / mandado / del Rey D. Alonso X. / Firmado en 27. de septiembre / Era 1314 / Año de Cristo 1276. / Sacado del tomo grueso / ordenamientos que hay en la libreria / de D. Luis / de Salazar, y cotejados / con otros exemplares / del Escurial.
Rubric (f. 302r): Ordenamento / de las Tafernerias / compuesto por el / Maestre Roldan / mandado de d. Alonso / so X el año de 1276. Incipit of the introduction: Era de mill e trescientos e quatroce anos / Este es el / libro que yo Maestre Roldan ordené ... Table of contents, ff. 302r-304r.
Rubric: Título I / Delos que descreen en Dios. Incipit: El Río ome que juegare los dados, e tambien el fijo dalgo que descreyere ... Explicit (f. 321v): ... sin refrierta / alguna, segund dice ena jura delos cristianos / e delos Judios. Rubric: Nota: A lo que consta en el original se ha añadido en esta copia los / números a los títulos en la tabla que de / ellos se pone al prin. / cipio del ordenamiento, y después se han repetido / en el cuer. / po de el y segun corresponde a cada parte / los mismos títulos / con su numero y su epigrafe en todo conforme a / que de / ellos consta en dha. tabla del principio. Por lo demas dice que / presente se ha sacado escrupulosa y literalmente del orig. / o sea exemplar del / Cavallero copiando hasta el sin número de / errores que contiene. Rubric (f. 322r): Variantes que resultan del cotejo que se ha hecho de este / exemplar con el de D. 3. Jph. Ruiz de Celada sacado del tomo gue. / so de ordenamientos que hay en la Libreria de D. Luis de Salazar / y / cotejado con otros exemplares de la del escurial. List of variants, f. 322r-v.

Madrid.

Academia de la Historia.

Af9 *Call no.? 18th c.
BOOST, p. 261 (83168); Opisculos, I, p. xi: ‘copia de la que el Sr. Conde de Campomanes sacó de otra que se conserva en la biblioteca / de D. Luis de Salazar y Castro, la cual ha servido de texto para la / edición’.

Biblioteca Nacional.

Af10 23 (olim D 35). 15th c. Paper, 228ff., long lines.
OT: ff. 50r-53v. BOOST, p. 87 (81142); Gallardo, Ensayo, II, Appendix, p. 5; Inventario, I, pp. 25-27 (82).

Af11 691 (olim D 43). 15th c.
OT: ff. 290r-296v. Also contains FR. BOOST, p. 90 (81189); Inventario, II, p. 162-63 (84).

Af12 *5784.
Inventario, II, p. 163 (see end of description of Af11).

New York City.

Hispanic Society of America.

Af13 *HC 380/685/1. 18th c.

Af14 *B2193. 15th c. Paper, 147ff., 2 cols.
OT: ff. 30r-34v. BOOST, p. 6 (8103); BOOST, p. 197 (82354); Faulhaber, Catalogue (1983), I, pp. 220-22 (8225); García y García, ‘Los manuscritos’, p. 541 (81).

Ag. Setenario.

El Escorial.

Biblioteca del Monasterio.

Ag1 *P.II.20. 14th c. Paper, 105ff., 2 cols.
Alfonso X, el Sabio

Antonio, C36, II, p. 88; BOOST, p. 34 (§461); Llacayo, Antiguos manuscritos, p. 330; Rodríguez del Castro, C584, pp. 680-86; Simón Díaz, Bibliografía, III: 1, p. 130 (§1190); Vanderford, Bg1, pp. xlv-xlix (siglum: E), and C674; Zarco, CMC, II, p. 336.

Gijón.

Instituto de Jovellanos.

Ag2 *10. 18th c.

Fragments copied from MS 43-20, BCT. Beer, Handschriftenschatze, §167 (erroneously identified as SP); Somoza, Catálogo, p. 26.

Madrid.

Biblioteca Nacional.

Ag3 *12991 (olim Dd10). 18th c. Paper, 199ff., long lines.

Antonio, C36, II, p. 87; Simón Díaz, Bibliografía, III: 1, p. 130 (§1192); Vanderford, Bg1, pp. xliii-xlvi (siglum: M) and C674, p. 238. Copy of Ag5.

New York City.

Hispanic Society of America.

Ag4 HC 397/573. 14th c.

This MS of SP I (see Ah60) contains extensive interpolations from Set. unknown to Vanderford. Arias Bonet, C45; Craddock, C197, p. 364.

Toledo.

Biblioteca de la Catedral.

Ag5 43-20. 14th c. Paper, 199ff., 2 cols.

Set.: ff. 1r-77v. Also contains SP I and fragments of SP V, VI and VII. Antonio, C36, II, p. 87; BOOST, p. 257 (§3110); García y García and González, Catálogo, pp. 172-73; Rodríguez de Castro, C584, pp. 680-86; Sarmiento, C622, pp. 288-89; Simón Díaz, Bibliografía, III: 1, p. 130 (§1193; the entry §1191 refers to this same MS and should be suppressed); Solalinde, 'Un códice'; Vanderford, Bg1, pp. xliii-xlvi (siglum: T; basis for the edition), and C674.

Manuscripts

Ah. Siete partidas.

Barcelona.

Biblioteca de Catalunya.

Ah1 *15. 15th c. Vellum, 25ff.

SP II.xviii, in Catal. Abadal, C1, pp. 16-17 (siglum: B); Guía, p. 53;

Massó Torrents, 'Catalé', BBC, I (1914), pp. 159-60; Simón Díaz, Bibliografía, III: 1, p. 132 (§1208).

Table of contents: f. iiv. Rubric: aci comen ça la segona part i da e parle de la justicia ten / poral e daquelles quela an a man / tenir. Incipit: La fe catolica de nostre senyor Jehu / est ossen mostrat ... Explicit: ... E deu dar atresi bones ffer / manes dallo que guardas be e lealment / tots los libres que aell serin (?) comunats e de / nats pera uendre que noi fican engan. Rubric: Penulla scriptoris requiescant fessa laboris / finito libro sit laus glorias xpo. / Qui est ebbe scriuui deus laport a bona ffl.

Ah2 942. 14th c. Paper, i + 140ff., 2 cols.


Toledo.

Biblioteca de la Catedral.

Ah3 14th c. Vellum, i + 165ff., 2 cols.

SP II, incomplete at the beginning (i.5). BOOST, p. 2 (§17); Guía, p. 95.

F. i, much deteriorated, contains a decoration followed by the rubric: Quiem hic. escriba. sempre comm. domino viua. Amen. Note in a 16th c. hand: Compre este libro de Antonio Tellez librero / en Valladolid a vo de Noviembre 1545. Incipit (f. ir): Uarios de dios son los Reyes ...

Explicit: ... E deu otrossi tres / ... fiaedores del que guardara / ... todos los libros que a / el ... dados para vender e que no flaga ... ganno. Rubric: Aqui se acaba la segunda partida / deste libro que fiable los Reyes / ... se deuen ... e de los om[e]s / ... fazer por los / castellos /[otr]osi fiable de las otras / [c]osas que so[n] a pro comun al de todos / ... / see que ... escrissipt ssebat (?) sserp (?) / ... esta segunda / [p[art]i] da ... / ...
Cordoba.

Biblioteca de la Catedral.

Ah5 *Inc. 204, Inc. 423:1-13th-14th c.

SP IV fragments sewn into the binding of two incunabula (i.4-8, xi.18-21, vii.4-6). BOOST, p. 11 (1144); García y García, CMICC, pp. 326, 338-39, 465.

Ah6 *53. 14th c. Paper, ii + 128 + iiiff., 2 cols.

SP V, incomplete at the beginning and the end (i.5-xiv.2). BOOST, pp. 10-11 (1140); García y García, CMICC, p. 127.

El Escorial.

Biblioteca del Monasterio.

Ah7 L.II.22. 14th c. Vellum (ff. 1-16) and paper, 176ff., 2 cols.

SP III, incomplete at the beginning and the end (iv.3-xxxii.25). BOOST, p. 31 (1101): Simón Díaz, Bibliografía, III:1, p. 322 (11211); Zarco, CMIC, II, pp. 261-62.

Ah8 M.I.1. 14th c. Paper, 93ff., 2 cols.

SP VII, Bh17, I, p. lix (siglum: Esc. 2°); BOOST, p. 31 (1141); Carpenter, C148, p. 12 (siglum: E); Llachay, Antiguos manuscritos, p. 305; Simón Díaz, Bibliografía, III:1, pp. 132-33 (11219); Zarco, CMIC, II, p. 267.


SP I, in Catalan. Bh17, I, p. xxix (siglum: Esc. 4°); Craddock, C197, pp. 365, 390 (siglum: E); García y García, C292, p. 272 (siglum: C); Llachay, Antiguos manuscritos, p. 305; Zarco, CMICVG, pp. 47-48.


SP II, Bh17, I, p. xlv (siglum: Esc. 6°); BOOST, p. 31 (1147); Crestomatía, I, p. 214 (861; siglum: M); Simón Díaz, Bibliografía, III:1, p. 131 (11202); Zarco, CMIC, II, p. 268.


SP III, Bh17, I, pp. xlvii. (Siglum: Esc. 2°); BOOST, pp. 32-33 (1145); Llachay, Antiguos manuscritos, p. 305; Simón Díaz, Bibliografía, III:1, p. 132 (11210); Zarco, CMIC, II, p. 289.


SP II, Bh17, I, pp. xlivf. (Siglum: Esc. 5°); BOOST, p. 33 (1146); Llachay, Antiguos manuscritos, p. 305; Simón Díaz, Bibliografía, III:1, pp. 131-32 (11206); Zarco, CMIC, II, pp. 290-91.


SP V, the earliest dated copy of any Partida MS. Bh17, I, p. li (siglum: Esc. 1°); Arias Bonet, C40, p. 560 (siglum: Y1); BOOST, p. 42 (11569); Zarco, CMIC, III, p. 22.


SP VI-VII, Bh17, I, p. liv (siglum: Esc. 4°); BOOST, p. 42 (11570); Carpenter, C148, p. 13 (siglum: E); Zarco, CMIC, III, pp. 22-23.


SP II, Bh17, I, p. xlv (siglum: Esc. 7°); BOOST, p. 42 (11571); Zarco, CMIC, III, p. 23.


SP III, Bh17, I, p. xlvii (siglum: Esc. 1°); BOOST, p. 42 (11572); Zarco, CMIC, III, pp. 23-24.

Ah17 Y.II.5. 14th c. Paper, 98ff., 2 cols.

SP IV. Ff. 93r-98v contain a version of LN, including the laws on oaths that correspond to Exp. V.xi.18, 15-17 (in that order). Bh17, I, p. 1 (siglum: Esc. 1°); BOOST, p. 42 (11573); Zarco, CMIC, III, p. 24.


SP V, Bh17, I, p. iii (siglum: Esc. 2°); Arias Bonet, C40, p. 560 (siglum: Y6); BOOST, p. 42 (11574); Zarco, CMIC, III, pp. 24-25.


SP II, Bh17, I, pp. xlv-xlvi (siglum: Esc. 8°); BOOST, p. 43 (11585); Craddock, C195, pp. 408-11; Zarco, CMIC, III, pp. 34ff.

Ah20 Y.III.4. 15th c. Paper, 143ff., long lines and 2 cols.

SP II, xxxi-xxxii, VII,iii-iv, vi-xi, II,xxvii, in Catalan: ff. 58r-114r. BOOST, p. 44 (11593); Zarco, CMIC, III, pp. 42-43; CMICVG, pp. 82-84.


SP III, Bh17, I, pp. xlvii-xlvii. (Siglum: Esc. 4°); BOOST, pp. 44-45 (11605); Simón Díaz, Bibliografía, III:1, p. 132 (11213); Zarco, CMIC, III, p. 53.

Alfonso X, el Sabio

SP II. Bh17, I, p. xlii (siglum: Esc. 4°); BOOST, p. 45 (6606); Simón Díaz, Bibliografía, III:1, p. 131 (81205); Zarco, CMC, pp. 53-54.

SP II. Bh17, I, p. xlv (siglum: Esc. 3°); BOOST, p. 45 (6607); Cretomatie I, p. 214 (661; siglum: Y); Simón Díaz, Bibliografía, III:1, p. 131 (81204); Zarco, CMC, III, p. 54.

Ah24 Y.III.17. 14th c. Vellum, 75ff., 2 cols.
SP VI. Bh17, I, p. liv (siglum: Esc. 2°); BOOST, p. 45 (6608); Simón Díaz, Bibliografía, III:1, p. 132 (81216); Zarco, CMC, III, p. 54.

SP VI-VII. Bh17, I, pp. liiv (siglum: Esc. 5°); BOOST, p. 45 (6609); Carpenter, C148, p. 12 (siglum: E3); Zarco, CMC, III, p. 55.

SP I. Bh17, I, pp. xxxviii (siglum: Esc. 3°); BOOST, p. 45 (6610); Craddock, C197, pp. 366, 390 (siglum: E3); Cretomatie I, p. 214 (661; siglum: Y); García y García, C292, p. 272 (siglum: Fc); Simón Díaz, Bibliografía, III:1, p. 131 (81198); Zarco, CMC, III, pp. 55-56.

SP VI. Bh17, I, p. liii (siglum: Esc. 1°); BOOST, p. 45 (6611); Simón Díaz, Bibliografía, III:1, p. 132 (81217); Zarco, CMC, III, p. 56.

SP I, plus a collection of unnumbered laws drawn from MSS representing other redactions of SP I (I list them according to the numbering given in Ac for the lost Ah58): I.i.ii.0, 2; i.2, 9, 7; ii.0-3; iii.3-5 (ff. 171r-173r). Bh17, I, pp. xxxvii (siglum: Esc. 1°); BOOST, p. 45 (6612); Craddock, C197, pp. 365, 390 (siglum: E3); García y García, C292, p. 272 (siglum: Ba); Simón Díaz, Bibliografía, III:1, p. 131 (81196); Zarco, CMC, pp. 56-57 (places MS in the 15th c. despite the date given in the colophon).

SP V-VI-VII. Bh17, I, pp. liii-1 (siglum: Esc. 3°); Arias Bonet, C40, p. 560 (siglum: Z); BOOST, p. 46 (6630); Carpenter, C148, p. 13 (siglum: E3); Rodríguez de Castro, C584, p. 679; Zarco, CMC, III, pp. 87ff.

SP II, Bh17, I, p. xliii (siglum: Esc. 1°); BOOST, p. 46 (6631);

Manuscripts

Rodríguez de Castro, C584, p. 679; Simón Díaz, Bibliografía, III:1, p. 131 (81203); Zarco, CMC, III, p. 88.

SP I-II (each in a different hand). Bh17, I, p. xxxviii (siglum: Esc. 2°); BOOST, p. 46 (6633); Craddock, C197, pp. 365, 390 (siglum: E3); García y García, C292, p. 272 (siglum: Bc); Rodríguez de Castro, C584, pp. 678-79; Simón Díaz, Bibliografía, III:1, p. 131 (81197); Zarco, CMC, III, pp. 88-90, who transcribes a cuaderno vie poem on the duties and responsibilities of lawyers that appears in the first folio. See also Arias Bonet, C42.

Ah32 Z.I.15. 14th c. Vellum, 235ff. 2 cols.
SP III-IV. Bh17, I, p. xlvii (siglum: Esc. 3°); BOOST, p. 46 (6634); (8142); Rodríguez de Castro, C584, p. 679; Simón Díaz, Bibliografía, III:1, p. 132 (81214); Zarco, CMC, III, p. 90.

SP VII. Bh17, I, pp. lvii-lxxi (siglum: Esc. 1°); BOOST, p. 46 (6635); Carpenter, C148, p. 12 (siglum: E3); Rodríguez de Castro, C584, p. 679; Simón Díaz, Bibliografía, III:1, p. 133 (81220); Zarco, CMC, III, p. 91.

León.

Real Colegiata de San Isidoro.

Ah34 22. 14th c. Paper and vellum, i + 125 + iff., 2 cols.
SP III. Arias Bonet, C44, pp. 566ff., who claims erroneously that this copy of SP III lacks the first 17 titles; BOOST, p. 55 (8750); Pérez Llamazares, Catálogo, p. 44.

Table of contents (f. 1): (1) Titulo primera dela justicia... Rubric (f. ir): A[aquí c]omienza la tercera parti [da que] fiable del ju[s]ticia de / com[n]os [e a] de fizer ordenada mjen / te, cada lugar por palabra / de juse... e por obra de fi[che] / lley prologo. Incipit: Fizo nuestro sen[nor] dios / todas las cosas con / prida mjen... Explicit (f. 125r):... deue per / der entonce las missions que fisio ena laur / e lo que es y labrado de nueuo e deue fíncar / communal mjen atodos los companeros. Rubric: Fino libro Redatur gracio T xpó, este libro es acabado el nombre de dios sea / loadá: bernado alph (? ) omaroud / fazer esteuau díaz (? ) ofcruiuo por seu mandado / (in a different, but contemporary, hand) Este libro a cento e vinte e seys folias escerptas /... de mayo (? )... de... ffisico (?)... de xereiz.
Ah35 24. 14th c. (Liii.1347). Vellum and paper, 12ff., 2 cols. SP VII, incomplete at the beginning (xvii.12). Arias Bonet, C44, p. 567; BOOST, p. 55 (8752); Carpenter, C148, pp. 14-15 (siglum: C); Pérez Llamazares, Catálogo, p. 45, who claims this MS has 19ff. Incipit: Lles as fflago aff... de... de co[m]p[ul]an / ... con... muger contra... defendi...to. Explicit: Por ende non las que / riendo doblar tujoues que abandonen los / enxiempos que Aquí suemos mostrados. Rubric: Et este libro es acabado dio se la lloa / do amen. / primero dia de março Era de mill e / trezientos ochenta e cinco años. Numerous marginalia on the concluding f.

Ah36 110. 14th c. Paper and vellum, 51ff., 2 cols. SP I, incomplete at the beginning and the end (vi.i-xxiv.4). Arias Bonet, C44, p. 567; BOOST, p. 56 (8761); Pérez Llamazares, Catálogo, p. 83. Incipit: [leedor] Et este de... ss... que... / ...laciones abiért[am]en... departi... / [l]as palabras ssegundo sos... Explicit: ... Et en aquesto sea cr[e] la p[al]bra / del R[omero] o delos compañeros que / andauan con el.

Lisbon.

Arquivo Nacional da Torre do Tombo.


Ah38 *Fundo Antigo No. 2 (olim Alcobacense 324). 15th c. Vellum, 178ff., 2 cols. SP I, in Portuguese. Bh17, I, p. lx (siglum: Salm.); BOOST, p. 72 (8942); Carpenter, C148, p. 14 (siglum: H.); Simón Díaz, Bibliografía, III:1. p. 132 (8218), who gives call no. 12-25-4 C65. Table of contents (f. lv-v): Título primero delas acusaciones... Rubric enclosed in large ornament (f. 2v): [A] qui comienza... / partida de / fable de.../ chiones e.../ efficios... / en qual/ / ffagan. Incipit (f. 3r): Oluidança e atreymiento son dos / cosas... Explicit (f. 150r): por ende non las queriendo doblar. por ende te / nemos que abandonen los / enxiempos que aqui / suemos mostrados. Rubric: Este libro fiue acabado martes quinze di / as de abril Era de mill e ccc e sessenta / e tres anos. / qui me escripsit scribat seneper cum domjno viuat.

Ah43 9-26-1 D-2. 18th c. (18.1x.1799). Paper, xxxi + 423ff., long lines. SP I. Copy of Ah38, prepared by José Cornide for use in Bh17; allusions to its readings bear the siglum P. Title page: Copia del Livro I das / sete Partidas das Leys de Cas / tella da D. Alfonso X intitulado o / Sabio, que se acha no Real Ar / chivo da Torre do Tombo, para on / de veio remettido pelo Guarda Mór / José de Scarba da Silva, para delle / se extrahir esta Copia. The preliminary sheets (ff. [i'-ix']) contain a report of Cornide: Noticia de los tres Codices copiados en el R^1. Archivo / de la Torre del Tombo / de la Ciudad de Lisboa de orden de la R^1. / Academia de la Historia de Madrid, basco la direccion de / su Individuo de numero D^6. José Cornide. Colophon (f. 423r): A qual Copia foi extrahida do referido / Livro Primeiro das Sete Partidas de Castella / em cumprimento do
Avizo de Sua Magestade / de treze de Desembro de mil setecentos noventa / e oito, expedido pela Secretaria d'Estado doz / Negocios Estrangeiros e da Guerra. Torre do Tombo dezoito de Setembro de mil sete- / centos noventa e nove annos. [Signature]

Ah44 9-26-1 D-3. 18th c. (13.xiii.1799). Paper, 446ff., long lines. SP III. Copy of Ah39, prepared by José Cornide for use in Bh17, but its readings were not included in the apparatus. Title page: Copia do Livro III / das Sete Partidas das Leys / de Castella de D. Alfonso X / intitulado o Sabio que se acha / no real Archivo da Torre / do Tombo, para onde veio re- / metido do Convento de Santo / Antonio de Nossa Senhora / da Merciana. Colophon (f. 446v): A qual Copia foi extrahida do referido / Livro Terceiro das Sete Partidas de Cas / tenna em cumprimento do Avizo / de Sua Magestade de treze de Desembro de / mil setecentos noventa / e nove anoz. [Signature].

Ah45 9-26-1 D-23. 15th c. Vellum, i + 67ff., 2 cols. SP VII, incomplete at the beginning, most of f. 2 having been cut away (i.2). Bh17, I, pp. lxxf. (siglum: Acad.); BOOST, p. 73 (f855); Carpenter, C148, p. 14 (siglum: H2); Simón Díaz, Bibliografía, III:1, p. 133 (f1221). Rubric (f. iv): En el nombre de dios. Aqui comien / can los titulos dela setena partida. Table of contents. Framed rubric: Aqui comienzan la setena par / tida deste libro que fabla / de todas las acusaciones / et maleficios queros omes / fazen por que merescen / aher pena. Rubric in large illuminated capitals: ESTE LIBRERO ESCRIU / IUI YO NICOLAS G / ONCALEZ ESCRIU / ANO DEL REY. Rubric in large illuminated capitals (f. 2r, mutilated): COMO... Incipit (f. 2v): ... o Et quentas maneras son / ... fazer Et quien non / ... seer fecha. Continuous text on f. 3r: ha ualia de cinquenta mr. non puede / fazer acusamiento / ento. Nin los que fueron companeros... Explicit: /... por ende / non las queriendo doblar tenemos que abondon / los examplos que aqui auemos mostrados. Rubric: Finito libro. sit laus et gloria xpiosto.

Ah46 9-30-1 G-111 (olim 9-18-1 no. 3). 19th c. SP V-VI. Copy of Ah55, prepared for the printer of Bh17, very instructive for understanding the editorial procedure of that edition, which involved extensive tacit emendation of the base MSS. Simón Díaz, Bibliografía, III:1, p. 132 (f1215).

Biblioteca de Palacio.

Ah47 II 2975. 14th c. Paper, 220ff., 2 cols. SP II, lacking a leaf at the beginning. The first 19ff. have recently been reinforced. Extensive moisture damage. BOOST, p. 187 (f2218). Rubric (17th-c. hand): Leyes antiguas. Table of contents (f. Ir-v). Incipit (after missing leaf, f. 2r): Et quarles deuen ser a sus pu / e bloes e sus pueblos a ellos... Explicit: /... guardar bien e leal merite / to / dos los libros que a el ffueren dados para / vender e que non / faga enganxo. Rubric: Esplícit secunda partitum.

Ah48 II 3087 (olim VIII-G-4). 15th c. Paper, 335ff., long lines. SP VI-VII. Originally two separate MSS; the first (SP VI, dated 3.i.1401) occupies ff. 1r-175r. Incomplete at the beginning (14ff.). The second (SP VII) occupies ff. 175r-334r. BOOST, p. 187 (f2226); Carpenter, C148, p. 15 (siglum: P). Incipit: en la f[az]iendo o veyendo se en peligro de mu / uerte... Rubric (f. 175r): Acabado es este libro seudo loado sea el non / bre de díos e / acabose en mejercos veynte / e tres dias de marco del ano del / Nascimento / de nuestro salvador / Ihesus xpto de mill e quarçochi / entos e vix annos E fízolo toribio fijo de / toribio martinez (? de / torre de lobaton (? e / quando lo acabo / suua treze Annoes / toribio A. / Ff. 175v+176v in another hand): Aycer da dela ley vistimientur de peculo... F. 177 is blank. Table of contents (f. 178r-v). Incipit: [O]uudança e / atreijumento son dos caso... Very numerous marginalia throughout the copy of SP VII.

Biblioteca Nacional.

Ah49 22 (olim D 34). 15th c. Vellum, 275ff., 2 cols. SP I-II-III. Bh17, I, pp. xxxvff. (siglum: B.R. 2ª); BOOST, p. 87 (f1141); Caddock, C197, pp. 365, 390 (siglum: M1); Cremonati, I, p. 214 (f61; siglum: D); García y García, C292, p. 272 (siglum: Bd); Inventario, I, p. 24f.

Ah50 580 (olim d 9). 15th c. Vellum, 176ff., 2 cols. SP VI-VII. Bh17, I, pp. livvif. (sigla: B.R. 3ª [SP VI], B.R. 1ª [SP VII]), basis for the ed. of SP VII; BOOST, p. 89 (f1175); Carpenter, C148, p. 13 (siglum: N1); Inventario, II, p. 81. SP VI is incomplete, breaking off in xvii.2.

Ah51 708 (olim D 59). 15th c. Paper, 155ff., 2 cols. SP VII. Bh17, I, pp. lii-lviii (siglum: B.R. 2ª); BOOST, p. 90 (f1196); Carpenter, C148, p. 13 (siglum: N2); Domínguez Bordona, Manuscritos, I, p. 252 (f508); Inventario, II, p. 183.
SP II, incomplete at the beginning (l.2). Bh17, I, pp. xliii-xliii (sigillum: B.R. 4°); BOOST, p. 113 (81514); Craddock, C195, pp. 408-11; Crestomatia, I, p. 214 (861; sigillum: S); Gallardo, Ensayo, II, appendix, p. 122; Maldonado, C428, p. 81. 
Incipit: perader e como deue usar del inperio. / El poderio quel esperador ha... Explicit: ... guardara bien e leal mente to / dos los libros que a el fueren dados / para vender e que non faga enganuo. 
Rubric: finito libro. sit laus et gloria. domino nostro ihi xpi. / Sit pax scribenti. sit vita salusque legenti.

SP I, IV. Bh17, pp. xxxiii-xxxiv (sigillum: B.R. 1°), basis for the edition; BOOST, p. 134 (81818); Craddock, C197, pp. 366, 390 (sigillum: M2); Crestomatia, I, p. 214 (861; sigillum: B); Domínguez Bordona, Manuscritos, 1, p. 304 (8776); García y García, C292, p. 272 (sigillum: G), erroneously identified as Ah50; Martínez Marina, C462, pp. 414-16; Simón Díaz, Bibliografía, III:1, p. 131 (81195). Originally formed a single codex with Ah54 (SP II-III) and 55 (SP V-VI). There is a modern foliation in pencil which will be followed below. 
Rubric (f. lr): Aquí comiença la primera e quarta partida. Table of contents for SP I-VII (ff. 1r-6v). Instead of epigraphs, the first few words of each law are entered. A full-page illumination representing the last judgement occupies f. 7r. Blank leaves: ff. 8r-15v. Incipit with illuminated initial (f. 16r): Dios es comienço e / mediania... SP I: ff. 16r-95v. The original foliation begins on f. 16r, according to which SP I occupies ff. 1r-80v. Explicit: ... fagan lo saber al Rey e el mando / y lo que toujoure por bien. Blank leaves: 96[81]-1r00[85]v. Rubric (f. 101r): Aquí comienza la quarta partida / que fabla de despo so / rios... Incipit with illuminated initial: Ondras senzaladas dio / nuestro senyor dios al ome... At this point one observes a third foliation, no doubt that, which was corrected, but remains legible. SP IV: ff. 101r-135r, 86r-119r in the 2d medieval foliation, 235r-287r in the original foliation. Explicit: ... quando a el desfalle do am[iz]taj ad lo que qui / ere asi comunto diximos desuso. Rubric: A dios gra / cias amen. / Deo gracias amen. 
The foliation according to which SP I ends at f. 80v and SP IV begins at f. 253r shows quite clearly that they were originally separated by what is now Ah54 (SP II-III), since the latter bears an original foliation 81-251. The paper of Ah53-55 is watermarked with the figure of a rampant griffin, similar to those catalogued by Briquet, Les Filigranes, I, p. 190, very common in the 14th c. The blank leaves intercalated between SP I and IV show a later watermark, Briquet's type 83544.

SP II-III. Bh17, I, pp. xxxiiii-xxxv (sigillum: B.R. 1°), basis for the edition; BOOST, p. 134 (81819); Crestomatia, I, p. 214 (861); Domínguez Bordona, Manuscritos, I, p. 304 (8777). 
Rubric (f. ivv): Aquí se comienza la segunda partida... Table of contents of SP II-III (corrected by a 2d hand): f. ivv. Rubric (f. 1r): Este es el segundo libro destas siete par / tidas... Incipit with illuminated initial: La fe cato / lica de nuestro / senyor / ihi xpi / ausemos mostrado... SP II: ff. 1r-70r. There is an original foliation, crossed out but legible, that begins with the table of contents (81); according to it, SP II ends at f. 152v. Explicit: ... guardara bien / e leal mente todos los libros que ael fues dado / para vender e que non faga enganuo. Rubric (on a leaf numbered 1, beneath the number 78 [crossed out], in the 2d hand mentioned above): Aquí se comienza la iij partida... Table of contents of SP III: f. 1[78]r-v. Rubric: Aquí se comienza la tercera partida... Incipit with illuminated initial: Fizo nuestro Senyor / dios todas las co / sas... At this point three foliations are in evidence: the original, continuing here with 155r, crossed out; a second, designed for this MS in its present state, continuing here with 79r, likewise crossed out; and a third which begins with the table of contents of SP III. I can find no modern foliation. SP III: 178/154r-97/176/251r. Explicit: ... comunal monte a todos los companeros. Unnumbered blank leaf. The numbering of ff. 5-6 (SP II, 2d medieval foliation) is reversed, but not the text; ff. 199-200 (SP III, original foliation) are reversed. 
The original foliation continues that of SP I in Ah53. The second foliation was added after SP II-III were broken from the set; the third, covering SP III only, was added at a time when that Partida was separated from SP II, as was noted by the 15th-c. corrector's hand on f. ivv: esta tercera partida / non esta en este bolu / men por que se aparto en otro.

Ah55 12795 (olim Bb 43). 14th c. Paper, 42 + iv + 26 + iiif., 2 cols. 
SP V-VI. Bh17, I, pp. xxxiii-xxxv (sigillum: B.R. 1°), basis for the edition; Arias Bonet, C40, p. 560 (sigillum: B); BOOST, p. 134 (81820); Domínguez Bordona, Manuscritos, 1, p. 304 (8777). 
Blank leaves: ff. i-v. Rubric (f. 1r, numbered 288): la quinta e sesta...
partida. Otherwise the page is blank. Rubric (288v): Aquí comienzan los títulos de la quinta partida de / ste libro. Table of contents of SP V. Incipit with illuminated initial (f. 289v): Nacen entre los omenes / muchos enexcos... SP V: ff. [1]/288r-[42]/339v. Explicit: Et es temudo el deb / dor dela pagar tan bien commo sy non gela ou / se quita.

Rubric: Explicit liber quintus sit laus et gloria xpto. Four unnumbered blank leaves, and one page numbered 331. Table of contents of SP VI (f. 331v). Rubric (f. 332r): Aquí comienza la sexta partida... Incipit: Dixieron los sobios antigos que se / que sesuda mente pasan su tiempo...

SP VI: ff. [47]/331v-[73]/357v. Explicit: ... non deve ser desatado despuès como qu / yer que diga que non era de hedat quando lo fizo.

Rubric: Qui tespao (?) scripist semper cum domino viuat / amen / finito libro redatur glacia xpto / Era de mill e. The last phrase breaks off in the middle of the first column. Blank page numbered 358. Two unnumbered blank leaves. The foliation continues that of Ah53, and no effort was made to rectify or replace it.

Ah56

12897 (olim Bb44). 14th c. Paper vi + 69 + ivff., 2 cols.

SP VI, lacunary at the beginning (i.5), end (xvi.21) and between ff. 10v-11r, where an unnumbered page has been inserted (iii.2[end] - 7 have disappeared). This MS was apparently utilized in Bbl7 with the sigillum B.R. 2°, but was not described in vol. I. Since some of the variants attributed to B.R. 2° pertain to portions of SP VI no longer represented in this MS, one must conclude that it has suffered deterioration since its use in the edition. BOOST, p. 134 (81823).

Incipit: te (?) E Acaesye a les vegadas que los / [en] peradores...

Explicit: ...todos sus bienes / al huerfano e a sus herederos.

Ah57

Vit. 4-6. 15th c.vellum, 456ff., 2 cols.

SP I-II-III-IV-V-VI-VII; prominent Navarrese orthographic traits throughout. Arias Bonet, C40, p. 560 (sigillum: V), who mistakenly claims that the MS lacks SP I; Beer, Handschriftenschatze, p. 304 (8228); BOOST, p. 141 (81923); Carpenter, C148, p. 13 (sigillum: N); Craddock, C195, pp. 393-94 (with further bibliography); Domínguez Bordona, Manuscritos, I, p. 340 (873), who gives the call no. Vit. 2-8; José M. Escudero de la Peña, 'Encuadernaciones de la Edad Media y Moderna', Museo Español de Antigüedades (Madrid), 7 (1876), 484-92, at pp. 484 and 490, who also states that this MS lacks SP I; Exposición histórico- europea 1892 a 1893 [Madrid], Catálogo general (Madrid: T. Fortanet, 1893; 332pp., unnumbered), 'Sala XVIII: Biblioteca Nacional', 8216; *Enrique de Leguina, 'La exposición histórico-europea, VI: Biblioteca Nacional', La Época (28.xi.1892); Antonio Paz y Melia, 'Cóndices más notables de la Biblioteca Nacional, XT, RABM, 3ª época, XI (1904), 437-40. This splendid MS once belonged to the Catholic Monarchs; its magnificent binding bears the initials F[ernando] and Y[sabel]. Rubric (f. 1v): Estos son los títulos de la segunda partida. Incomplete and out-of-place table of contents for SP II. Rubric (f. 1v): Aquí comienza el libro de / las leyes que fizo el muy no / ble Rey don alfonso fijo / del muy noble Rey don fer / nando visnieto de don alfonso emperador despanna. E dela muy noble Reyna douena / beatriz nieta de don fabrique emperador / de Roma que murió en vitramar. El quod libro partio ssie partie partic de / las quales es esta que aqui comienza / la primera. Table of contents of SP I. Incipit with illuminated initial (f. 2r): Dios es comi / enço e medio / e acadabion / to de todas / las cosas... SP I: ff. 1v-99v. Explicit: ...

...deuen pago portado nin otro derecho / ninguno por quelo saque del Reyno. Rubric (f. 100v): Estos son los títulos dela segunda partida. Table of contents of SP II. Rubric (f. 101r): Aquí se comienza la segunda partida deste libro... SP II: ff. 100v-184v. Explicit: ...

guaradar bien e ielmaimiento todos los libros que / a el fueren dados para uender e que non fana en / gaynno. Deo gracias. Deo gracias. Rubric: Finito libro redatur gracia xpto. Rubric (f. 185v): Estos son los títulos dela tercera partida. Table of contents of SP III. Incipit with illuminated initial (f. 186v): Fizo nuestro / seynnor Dios / todas las co / sas... SP III: ff. 185v-285v. Explicit: ...

...loque es ya labrado de nuevo dueño fín / car comunalmente de todos los compayneros.

Rubric: In unitate sancti spirtus benedictat nos pater et filius. / Aquí se acaba la tercera partida deeste libro. Rubric (f. 286v): Estos son los títulos de la quarta partida. Table of contents of SP IV. Rubric (f. 287v): Aquí se acaba el libro de la quarta partida / que como dellos siete (sic). Incipit with illuminated initial: Honras se / ynnala / das dio / nuestro seyn / nor Dios / al onvre... SP IV: ff. 286v-322v. Explicit: ...

... se desata quando ha el desafaylesco del ami / go loque quiere asse como de suso dixiemos. Rubric: Aquí se acaba la quarta partida deste libro. Deo gracias deo gracias. Table of contents of SP V omitted. Incipit with illuminated initial (f. 323r): Nascent entre / los omenes mu / choses enexcos... SP V: ff. 323r-370v. Explicit: ...

... estenido dela pagua tan bien co / mo si gela ouiesen quitada. Rubric: Aquí se acaba la quinta partida deste nuestro libro / Finito libro redatur gracia xpto. amen. Rubric (f. 371v): Estos son los títulos dela sexta partida. Table of contents of SP VI. Incipit with illuminated initial (f. 372v): SÉesudamen / tre dixieron / los saulos an / tigos que passan / su tiempo... SP VI: ff. 371v-409v. Explicit: ...

...fasta treienta aynnos de / del day que fuese fecha el enganrimento / dela cosa. Table of contents of SP VII omitted. Incipit with illuminated initial (f. 410r): Oluidança e / atreumien / to son dos co / sas... SP VII: ff. 410r-456v. Explicit: ...

Por ende non las queriendo / doblar touiemos que abanduañ.
Alfonso X, el Sabio

los exiím / plos que aquí auemos mostrado. Rubric: Finito libro det laus et gloria xpo / Qui scriptis scribat semper cum domino uiuat. / Aquí se acaba la setena partida deste libro.

My foliation is estimated from a microfilm. I have noticed certain occasional modern foliations as follows: 286r is numbered 291 in pencil; 321v is numbered 321 in a different and earlier hand; 322r is numbered 328 in the first hand; 370v is numbered by the first hand, but I am unable to read the figures in my microfilm; 371v is numbered 369 by the second hand; 409v is numbered 405 by the second hand; 456r is numbered 464 by the first hand; 456v is numbered 455 by the second hand.

Ah58 *X-131 (lost). 15th c. Vellum, 223ff. (later [?] 218ff.), 2 cols. SP I-II, with Aragonese orthographic traits. Bh17, I, pp. xxxvi-xxxvii (siglum: B.R. 3); García y García, C292, p. 272 (siglum: Ab). SP I-iii were transcribed in Bh17 from this MS as a variant text at the foot of the page.

After its disappearance from BNMM, this MS may have been unwittingly acquired by José Miró. His Catálogo de manuscritos españoles (Antwerp: Propiedad del Autor, 1886), p. 3, describes a MS of SP I-II as follows: 'Primera y Segunda parte de las Leyes de Partidas, que el noble Rey D. Alfonso de buena memoria et[c]. Códice en vitela con orla y letras Minidas en oro y colores. Doscientas diez y ocho hojas en folio'. In the margin, one reads: 'Leyes de la [sic] Partidas, sin año'. The description is preceded by a handsome facsimile of a text, a brief prologue or perhaps rubric to SP I that follows immediately upon the general prologue. This text occurs exclusively in the first redaction of SP I, a redaction whose only known textual witnesses are the Ah41, 60 and 58 (B.R. 3°) as published in Bh17. The following is a palaeographic transcription of the facsimile:

Aqui comienza el pri / mer libro que mues / tra que cosa son las / leyes et fabla de la / sancta trinidad e de / la fe catholica et delos articulos / della e delos sacramentos de san / ta eglesia e del apostolico e delos / otros prelados que los pu- den / dar en que manera deuen deuen / seer honrados e guardados e de / los cleros e delos religiosos e / de todas las otras cosas tambien / de privilegios como delos otros / derechos que pertenesen a sanc / ta eglesia. Titulo primero delas / leyes.

Punctuation and accent marks aside, the transcription published in Bh17 (I, p. 10) differs from the facsimile only with regard to minor orthographic modernizations (comienças for comienza, católica for catholica, deben de deuen, privilegios for privilegios) and to the absence of the dittography deuen deuen present in the facsimile. Both the orthographic changes and the tacit elimination of the repeated word deuen would be perfectly in accord with the principles that guided the editors of Ac.

The description of Ah58 (B.R. 3°) provided in Bh17 (I, pp. xxxvi-xxxvii) contains one other suggestive coincidence with Miró's account of his MS, as well as some major discrepancies, for which I believe there exists a plausible explanation. The final rubric of Ah58 is transcribed in Bh17 as follows: 'Aquí son acabadas la primera et segunda Partidas de Espanya, las cuales fizo el noble rey don Alfonso de buena memoria'. The phrase 'de buena memoria' was also used twice in the table of contents, and I know of no other MS that refers to the Wise King in this fashion. The same phrase appears in Miró's description; his wording does not match perfectly that of the final rubric of Ah58, but I suspect the bibliophile was quoting inaccurately from memory. The editors of Bh17 claim that Ah58 concludes on f. 223, numbered in Roman style: cccxiii, while Miró gives the number of folios as 218. The two most commonly confused numerical symbols in the Middle Ages were x and v. Note that the numerical discrepancy involves just such a possible interchange of x and v when the two numbers are written out in Roman form: cccxiii vs. cccxviii. It remains to be seen which of the two figures is the correct one.

The most glaring disagreement between the two descriptions at issue is at the same time the one that appears to offer a potential solution to the mystery of Ah58’s disappearance. I refer to the phrase 'sin año' given in the margin by Miró. Before Ah41 became well known among Alfonsoine scholars, Ah58 was justly famous for having preserved the original dates of composition of SP: 23.vi.1256—28.viii.1265 (see the corresponding text in Bh17, I, p. 1). I find it most unlikely that even a careless bibliophile could have overlooked such a salient feature of the MS he was offering for sale. The rubric containing the dates just mentioned appeared on the first numbered folio of Ah58, according to the description in Bh17; this same folio was magnificently illuminated, including some prominent heraldic devices. One is led almost irresistibly to a very grim conjecture: Ah58 was not only stolen from BNMM, but must have been mutilated in the process by some person eager to have the first folio, probably because the heraldic devices belonged, or were imagined to belong, to the thief’s family. I further speculate that the mutilated remains of Ah58 came innocently into Miró's possession, since he would have had compelling motives not to make public a manuscript he knew to be stolen. Shorn of its initial folio, Ah58 would have lacked any chronological indications; hence the expression 'sin año' would have corresponded exactly to the state of the MS as Miró possessed it.
Alfonso X, el Sabio

Fundación Lázaro Galdiano.

Ah59 *428. 15th c.
SP V, incomplete at the beginning. Also contains a Libro de las leyes del fuero by Blasco de Cárdenas that I am unable to identify, dated 1302. BOOST, p. 84 (B1107); Charles B. Faulhaber, 'Some Private and Semi-Private Libraries: Travel Notes', C, 4 (1975-76), 81-90, at p. 83.

New York City.

Hispanic Society of America.

Ah60 HC 397//573. 14th c. Paper, 185ff., 2 cols.

Ah61 *B1570. 15th c.

Ah62 B2568. 14th c. Vellum, 96ff., 2 cols.
SP VII.xxx-5.xxxi.11: ff. 89r-96v. Also contains FR. BOOST, p. 198-99 (B2371); Faulhaber, Catalogue (1983), I, p. 228 (B231); García y García, 'Los manuscritos' (1963), p. 549. The last text in this MS, 'Juramento que se deue / tomar a los judíos' (f. 96v), is misidentified as SP III.xi.20; in fact, it is different from any of the oaths I have come across, including Exp. V.xi.15.

Paris.

Bibliothèque Nationale.

Ah63 Esp. 58. 15th c. Paper, 209ff., 2 cols.
SP II. BOOST, p. 208 (B2484); Morel-Fatio, Catalogue, p. 11 (B42); Simón Díaz, Bibliografia, III:1, p. 132 (B1109).

Ah64 Esp. 440. 14th c. Paper, 289ff., 2 cols.
SP I, badly damaged and disorganized at the beginning, incomplete

Manuscripts

at the end (xix.7). Bh17, I, p. xlii (siglum: S); Arias Bonet, C39 and 46; BOOST, p. 215 (B2600); Craddock, C197, pp. 366, 390 (siglum: P); García y García, C292, p. 272 (siglum: D), mistakenly listed as lost; Morel-Fatio, Catalogue, p. 11 (B41); Simón Díaz, Bibliografia, III:1, p. 131 (B1194). Entry $1200 in Simón Díaz refers to this same MS and should be deleted.

Toledo.

Biblioteca de la Catedral.

SP III.xi.19-21: ff. 51v-53r. BOOST, p. 256 (B3102); García y García and González, Catalogo, pp. 115-16 (B6).

Ah66 43-11. 15th c. Vellum, 358ff., long lines.
SP I-II. Bh17, I, pp. xii-xliii (siglum: Tol. 3°); BOOST, p. 257 (B3109); Craddock, C197, pp. 366, 390 (siglum: T); García y García, C292, p. 272 (siglum: Fb); García y García and González, Catalogo, p. 168; HMML, No. 33,597. The vague entry in Simón Díaz, Bibliografia, III:1, p. 131 (B1199), should be corrected. This MS forms a set with Ah67.

SP III-IV, copied by the same scribe as Ah66. Bh17, I, p. xlii (siglum: Tol. 3°); BOOST, p. 257 (B3110); García y García and González, Catalogo, pp. 168-69; HMML, No. 33,598.

SP I. Bh17, I, p. xlii (siglum: Tol. 2°); BOOST, p. 257 (B3111); Craddock, C197, pp. 366, 390 (siglum: T); García y García, C292, p. 272 (siglum: Fa); García y García and González, Catalogo, p. 169; HMML, No. 35,599.

SP III. Bh17, I, p. xlii (siglum: Tol. 1°); BOOST, p. 257 (B3113); García y García and González, Catalogo, p. 170; HMML, No. 33,600.

Ah70 43-15. 14th c. Paper, 75ff., 2 cols.
SP IV. Bh17, I, pp. xli-xlii (siglum: Tol. 2°); BOOST, p. 257 (B3114); García y García and González, Catalogo, pp. 170-71; HMML, No. 33,601.

SP IV. Bh17, I, pp. xli (siglum: Tol. 1°); BOOST, p. 257 (B3115); García y García and González, Catalogo, p. 171; HMML, No. 33,602.

Ah72 43-17. 14th c. Paper, 81ff., 2 cols.
SP V. Bh17, I, pp. 1-lii (siglum: Tol. 1°); Arias Bonet, C40, p. 560
(siglum: 17); BOOST, p. 257 (B3116); García y García and González, Catálogo, p. 171; HMML, No. 33,603.

SP V. Bh17, I, p. li (siglum: Tol. 2ª); Arias Bonet, C40, p. 560 (siglum: 18); BOOST, p. 257 (B3117); García y García and González, Catálogo, pp. 171-72; HMML, No. 33,604.

SP VI. Bh17, I, p. lv (siglum: Tol.); BOOST, p. 257 (B3118); García y García and González, Catálogo, p. 172; HMML, No. 33,605.

Ah75 43-20. 14th c. Paper, 199ff., 2 cols.
SP I, incomplete; ends with xvi.2. ff. 78r-158r; V.xv,7-9 (numbered 8-10): f. 191r-v; VI.xv,10-xvi,8: ff. 192r-193r; VII,ii,6-iii,4: f. 194r-v; VII,ix,12-17: f. 195r-v. Also contains Ser. Bh17, I, pp. xxxixf. (siglum: Tol. 1ª); BOOST, pp. 257-58 (B3120); Craddock, C197, pp. 365, 390 (siglum: T.3); García y García, C292, p. 272 (siglum: Bb); García y García and González, Catálogo, pp. 172-73; HMML, No. 33,606; Solalinde, 'Un códice'.

Valencia.

Biblioteca Provincial y Universitaria.

Ah76 *92-6-20. 15th c. Paper, 110ff., 2 cols.

Ah77 *2084. 15th c. Paper, 224ff., 2 cols.

Convento de Predicadores.

Ah78 *Call no. (?). 13th c. (?).
SP III-IV. Martin-Retortillo, C445, p. 106: 'Además de los siete [MSS] manejados por la Academia, hemos localizado uno en el Convento de Predicadores de Valencia que contiene la tercera y cuarta Partida', with a note: 'Dato facilitado por J.A. Martínez Bara, del Archivo Histórico Nacional'; Valdeavellano, C668, p. 217: 'el manuscrito del convento de Santo Domingo de Valencia, que contiene las Partidas III y IV, es considerado como del siglo XIII, lo que da especial autoridad a su texto.'

Ah79 *Call no. (?). 15th c. (?).
SP I-II-III-IV. Joaquín Lorenzo Villanueva, Viaje literario a las iglesias de España, IV (Madrid: Imp. Real, 1806), p. 135: 'Vi también allí [la biblioteca de mi convento de Predicadores] un vol. fol. MS vit. que contiene las cuatro primeras partidas del rey D. Alonso: está escrito con gran proximidad y exactitud, y es de principios del siglo XV.' Perhaps this is the same MS as Ah78.

Valladolid.

Biblioteca de Santa Cruz.

Ah80 *140. 15th c. Paper, 122ff., 2 cols.

Vitoria.

Biblioteca del Seminario Diocesano.

Ah81 *10. 16th c. Paper, 125ff.
SP II. BOOST, p. 275 (B3355); Personal communication from Charles B. Faulhaber.
B. EDITIONS

Ba. Espéculo.

Ba1  1836. Opúsculos, I.


Ba3  *1866. Colección de códigos, IV.

Ba4  *1867. Las leyes españoles, [III-IV].


Bb. Fuero real.


Bb2  1491 (31 Mar.). Venice: Johannes Hamman. 160ff. BOOST, p. 156 ($2012); García Rojo, Catálogo, pp. 209-10 ($823); *Haebler, Frühdrucke aus der Bücherei Viktor von Klemperer
Alfonso X, el Sabio


**Bb3** *1500 (12 Jan.).* Venice: Simone de Luere. 160ff.

BCS, Catálogo, III, pp. 138-39; BL, General Catalogue, LV, p. 519; BL, XVII Century, VII, p. 1142; BOOST, p. 156 (80133); Caballero, C129, pp. 97-120; Daunou, Catálogue, pp. 216-17 (8954); García Rojo, Catálogo, p. 210 (8224); Hain/Copinger, Repertorium, I:2, p. 410 (75034); *Le Tellier, Bibliotheca, 8171;* Maittaire, Annales, p. 736; Palau, Manual, I, p. 205 (87116); V, p. 523 (899539); Pellechet, Catálogue, III, p. 428 (84887); Simón Diaz, Bibliografía, III:1, p. 135 (81235); Toda y Güell, Bibliografía, II, p. 113 (81737); III, p. 142 (83372); UCM, Catálogo, p. 57 (8240); Ureña, C656, p. 21; Klaus Wagner, *El negocio de las Siete Partidas*, La Bibliofilia, 78 (1976), 67-82, at p. 72; Zaccaria, Bibliografía, p. 97 (8691).

**Bb4** *1501 (4 Aug.).* Zaragoza: [Jorge Coci and Leonardo Hutz]. 231ff.

BNP, Imprimés, II, col. 556; Caballero, C129, p. 121; Guitarte, *Incunables... Teruel*, p. 115 (B 87); Norton, Catálogue, pp. 220-21 (8598); NUC-56, XVIII, p. 449; Palau, Manual, I, p. 205 (87117); Sánchez, Bibliografía, I, pp. 3-6; Simón Diaz, Bibliografía, III:1, p. 135 (81236); Vance, C673, p. 91.

**Bb5** *1501 (4 Sept.).* Salamanca: Johannes Gysser. 176ff.


**Bb6** *1533 (20 June).* Burgos: Juan de Junta. 263ff.


**Bb7** *1541 (9 Feb).* Burgos: Juan de Junta. 263ff.


**Editions**

**Bb8** *1543 (20 Aug.).* [Burgos: n. pr.]. 263ff.


**Bb9** *1544 (30 Jan.).* Medina del Campo: Pedro de Castro. 263ff.


**Bb10** *1547.* [Medina del Campo]: Guillermo de Millis. 263ff.


**Bb11** *1569.* Salamanca: Juan Bautista de Terranova. 263ff.


Edited from Ab4, first copy (ff. 1r-116r), with variants from the second copy of the same MS (ff. 136r-187r; siglum: Ec. 1°, 2° copia), as well as from Ab5 (Ec. 2°), Ab9 (Ec. 3°), Ab8 (Ec. 4°), Ab7 (Ec. 5°), Ab16 (B.R. 1°), Ab17 (B.R. 2°), Ab21 (Int.), Ab29 (Tol. 1°), Ab28 (Tol. 2°), Ab12 (s. Millán); Ab13 (Acad. Esp.). NUC-56, XVIII, p. 450; Opúsculos, I, pp. vi-x; Palau, Manual, I, p. 205 (87127); Vance, C673, p. 91.

Reproduces Bb12 without Díaz de Montalvo’s gloss; parent of all subsequent Spanish editions. Caballero, C129, p. 130; Palau, Manual, I, p. 205 (87126); Simón Díaz, Bibliografía, III:1, p. 136 (81246); Torres Campos, Bibliografía, 1ª parte, pp. 37-38 (8265); Vance, C673, p. 91.


Bb16 *1867. Las leyes españoles, [II].


Extracts and Compendia.


Bb20 *1874. Códigos de España, II.

Bb21 1965. Crestomatía, I, pp. 259-62 (872). Under the erroneous title Fuero de Santo Domingo de la Calzada (which simply involves the name of one of the many towns that received FR as their municipal charter), the editors transcribe the prologue and laws II.i, x, 1, 4, 8, IV.xxv, xviii, 2-5, 6, from Ab8 (siglum: E), with variants from MSS Ab1 (K), Ab7 (S), Ab3 (Z), Ab2 (Q), Ab26 (F) and Ab27 (H).

Doubtful Editions.

Bb22 ?1500. Salamanca.

Antonio, C36, II, p. 334; BOOST, p. 264 (83206); Brunet, Manuel, III, col. 1845; Caballero, C129, p. 96; Haebler, Bibliografía, I, pp. 129-30 (8284); The Early Printers, p. 105; Méndez/Hidalgo, Tipografía, p. 363 (812); Simón Díaz, Bibliografía, III:1, p. 135 (81234); Ureña, C656, p. 21; Vance, C673, p. 91; Vindel, El arte, [II], p. 234 (8148).


Bc. Leyes del estilo.

Bc1 *1497 (10 Feb.). Salamanca: [Leonardo Hutz and Lope Sanz]. 36ff.


Bc2 *1498 (26 Feb.). Toledo: [Pedro Hagenbach].

Gallardo, Ensayo, I, cols. 740-41 (6629); Haebler, Bibliografía, I, p. 165 (8351); Early Printers, p. 136; Hain/Copinger, Supplement, I, p. 360 (83566); Kurz, Handbuch, pp. 146-47 (8314); Méndez/Hidalgo, Tipografía, p. 405 (834); Palau, Manual, VII, p. 536 (8137390); Pérez Pastor, Toledo, pp. 10-11 (89); Ureña, C656, p. 22; Vindel, El arte, [VI], p. 87 (822); BOOST, p. 264 (83210).

Bc3 *1498 (30 July). Burgos: Fadrique de Basilea. 34ff.

BOOST, p. 275 (83362); Goff, Incunabula, L-191; Goff, LC, p. 22; Haebler, Bibliografía, II, p. 102 (8351 [5]); Kurz, Handbuch, p. 148 (8315); Palau, Manual, VII, p. 536 (8137388); Vindel, El arte, [VII], pp. 181-83 (858); Manual, VII, p. 105 (8371).

Bc4 *1500 (12 Apr.). Salamanca: n. pr. 30ff.

BOOST, p. 205 (84444); Haebler, Bibliografía, I, p. 166 (8353); II, p. 103 (8353); Early Printers, p. 105; Hain/Copinger, Repertorium, II, p. 259 (810063); Kurz, Handbuch, p. 148 (8316); Méndez/Hidalgo, Tipografía, p. 363 (813); Palau, Manual, VII, p. 536 (8137392); Ureña,
Alfonso X, el Sabio

C656, p. 22; Valverde, Catálogo, p. 170 (8286); Vindel, El arte [II], pp. 192-94 (8118).

**Be5**


**Be6**


**Be7**

*1511 (18 Feb.). Toledo: Juan Valera*. 28ff.  

**Be8**

*ca. 1515. Toledo: Juan de Villalquirán*. 34ff.  

**Be9**

*1525 (15 Feb.). Toledo: Ramón de Petras*. 24ff.  

**Be10**


**Be11**

*1539. Cuenca: Guillermo Reymon*.  

**Be12**

*ca. 1540. Salamanca: Juan de Junta*. 30ff.  

**Be13**

*ca. 1545. Salamanca: Juan de Junta*. 30ff.  

**Be14**

1550. [Salamanca: Juan de Junta]. 27ff.  

**Be15**

*1569. Salamanca: Juan Baptista de Terranova*. 30ff.  

**Be16**

LE: I, 87pp., separately numbered. Also contains FR.

**Be17**

*Opúsculos*, I, p. xi. The description of the early printed edition used as basis is too vague to be useful. Variants of Acl (Esc. 1º) and Ac5 (B.R. 2º), are indicated.

**Be18**

Reproduces Be6.

**Be19**


**Be20**

1867. *Las leyes españoles*, [II].

**Be21**


**Be22**

Transcribed from Ac6.

Extracts and Compendia.

**Be23**

*1798. Madrid: n. pr. (?).*  
See Bb19.

**Be24**

1874. *Códigos de España*, II.
Doubtful Editions.

Bc25 1512. Toledo: Juan Varela.
Norton, Catalogue, p. 391 (B1089); Palau; Manual, VII, p. 536 (B137398).

Bc26 1514. Toledo: n. pr. (?).
Palau, Manual, VII, p. 536 (B137399); Pérez Pastor, Toledo, p. 39 (B68).

Bc27 1520. N. pl.: n. pr.
Gil Ayuso, Noticia, p. 6 (B25); Palau, Manual, VII, p. 536 (unnumbered entry).

Bc28 1549. Salamanca: n. pr. (?).

Bd. Leyes nuevas.

Based on Ad12 (Tol. 2°), though the editors mistakenly refer to it as 'el códice primero toledano' (= Ad13), with an appendix taken from Ad6 (Esc. 5°). The editors mention a prior ed. of LN based on a MS belonging to the Conde de Campomanes, neither of which is known to me. Variants are included from Ad7 (Esc. 3°), Ad6 (Esc. 5°); 5764, BNM (BR. 2°); and the 'códice del Sr. Campomanes'. Parent of all later eds. López Ortiz, C420; Opúsculos, I, pp. x-xi.


Bd4 *1867. Las leyes españoles, [II].

Bd5 1885. Códigos antiguos, I, pp. 176-84.

Be. Leyes para los adelantados mayores.

Be1 1836. Opúsculos, II, pp. 171-77.
Transcribed from Ael (Esc. 1°), the only known medieval copy. Opúsculos, I, p. x; Pérez Prendes, C537.


Editions

Be3 1865. Colección de códigos, I, pp. 339-44.

Be4 1885. Códigos antiguos, I, pp. 175-76.

Bf. Ordenamiento de las tafurerías.

The base MS is 'una copia de la que el Sr. Conde de Campomanes sacó de otra que se conserva en la biblioteca de D. Luis de Salazar' with variants from A6. Opúsculos, I, p. xi.


Bf3 1865. Colección de códigos, I, pp. 343-51.

Bf4 *1867. Las leyes españolas, [II].


Bg. Setenario.

The base MS is Ag5 (siglum: T), collated with Ag1 (siglum: E). See also C674

Extracts.

Bg2 1758. [Burriel], C126, pp. 76-84.

Bg3 1786. Rodríguez de Castro, C584, pp. 681-84.

Bg4 1800. Memorias para la vida del santo rey don Fernando III dadas a luz con apéndices y otras ilustraciones por don Miguel de Manuel Rodríguez. Madrid: Viuda de Ibarra. xxxvi + 574pp. Pp. 217-26 reproduce Set. 1-10 under the title 'Elogio que don Alfonso el Sabio hizo a su padre don Fernando por razón de las virtudes y bellas prendas que tuvo en vida'.

Reproduces Set. 7 from Bg1.
Alfonso X, el Sabio
Bh. Siete partidas.

Edited by Alfonso Diaz de Montalvo, who inserted numerous ‘adiciones’ containing references to other Castilian legal codes. Arana, ‘Siete Partidas’, p. 69; BOOST, p. 173 (B2105); BL, General Catalogue, LV, p. 519; XVith Century, x, p. 38; Brunet, Manuel, v, p. 378; Caballero, C129, pp. 186-88; Caballero/Fontán, Breve examen, p. 146; Castañeda, C157, p. 97; Census, p. 166 (B12426); Francisco Collantes de Terán, ‘Un taller alemán de imprenta en Sevilla en el siglo VT, Gutenberg Jahrbuch (1931), 145-65, at p. 160; Craddock, C197, pp. 365-66; Eloy Díaz-Jiménez y Molleda, ‘Papeleta para la historia de la bibliografía española’, Revista Castellana, 5 (1919), 64-65; Escudero, Tipografía, p. 69 (B13); Floranes, ‘Apuntamientos’, pp. 301-02; Floranes, C245 (1851), pp. 324-30; Gallardo, Ensayo, i, col. 159 (B145); García-Gallo, C274, pp. 350-01; García Rojo, Catálogo, p. 358 (B1389); Goff, Incunabula, P-124; Gómez de la Serna, C313, p. xxxvi; Haebler, Bibliographia, I, p. 246 (B158); Early Printers, p. 124; Geschichte, pp. 381-82; Tipografía, Plate lii, no. 96; Hain/Copinger, Repertorium, II:2, p. 35 (B12426); Hazañas, Ensayo, p. 114; Noticias, pp. 22, 28, 35; Heredia, Catalogue, I, p. 91 (B285); Herriott, C344, p. 166; HSA, Incunabula, II, pp. 5-12; Kurz, Handbuch, p. 26 (B24); La Serna, Diccionario, III, p. 235; Martínez Marina, C462, pp. 400-01; Méndez/Hidalgo, Tipografía, pp. 89-90 (B27); NUC56, XVIII, p. 450; Palau, Manual, I, p. 203-04 (B7085); Penney, Printed Books, p. 18; *Quaritch, Bibliotheca, B148; Salvá, Catálogo, II, p. 720 (B3723 note); Simón Díaz, Bibliografía, III:1, p. 137 (B1252); Thomas, Short-title Catalogue, p. 20; Urefsa, C656, p. 20; Valverde, Catálogo, pp. 7-8 (B13); Vance, C673, p. 102; Vance, ‘Editions’, 81; Vindel, El arte [V], pp. 93-98 (B26); Manual, I, p. 79.

Bh2 *1491 (24 Dec.). Seville: Paulo de Colonia, Johannes Pegnizer de Nuremberga, Magno Herbst and Thomas Glockner. 480ff. Arana, ‘Siete Partidas’, p. 69; BL, General Catalogue, LV, p. 519-20; XVith Century, x, p. 35; BOOST, p. 173 (B2106); Brunet, Manuel, v, p. 378; Caballero, C129, pp. 188-92; Caballero/Fontán, Breve examen, pp. 75-76 (B85); 146; Castañeda, C157, pp. 98-99; Census, p. 166 (B12427); Escudero, Tipografía, pp. 69-70 (B14); FAE, Catalogue, I, pp. 80-81; García Rojo, Catálogo, pp. 358-59 (B1390); García Romero, Catálogo, pp. 105-06 (B119); Goff, Incunabula, I-125; Gómez de la Serna, C313, p. xxxvi; Haebler, Bibliographia, I, pp. 246-47 (B519); Geschichte, pp. 363, 365 ($409-10); Tipografía, Plates xvii, no. 87 and xlii, no. 90; Hain/Copinger, Repertorium, II:2, p. 35 (B12427);


Bh4 *1528 (31 Jan.). Venice: Lucantonio de Giunta. 2 vols. Antonio, C36, II, p. 335; Arana, ‘Siete Partidas’, p. 69; Caballero, C129, pp. 193-95; Castañeda, C157, pp. 102-03; Gil Ayuso, Noticia, p. 12 (B52); Gómez de la Serna, C313, p. xxxvi; Martínez Marina, C462, pp. 402-04; Palau, Manual, I, p. 204 (B7088); Simón Díaz, Bibliografía, III, p. 142 (B3370, note); Vance, C673, p. 103; Vance, ‘Editions’, 87; Zaccaria, Bibliografia, p. 105 (B731).

Bh5 *1542 (1 Mar.). Alcalá de Henares: Juan de Brócar. 2 vols. Antonio, C36, II, p. 335; Arana, ‘Siete Partidas’, p. 70; Caballero, C129, pp. 195-97; Castañeda, C157, pp. 103-04; Escorial, Impresos, pp. 36-38 (B59); FAE, Catalogue, I, p. 87; García López, Tipografía, p. 66 (B183); García Rico, Catálogo, pp. 31-32 (B604); Gil Ayuso, Noticia, p. 24 (B98); Gómez de la Serna, C313, p. xxxvi; Martínez Marina, C462, p. 404; Palau, Manual, I, p. 204 (B7089); Simón Díaz, Bibliografía, III:1, p. 137 (B1261); Vance, C673, p. 103; Vance, ‘Editions’, 88; Vindel, Manual, I, p. 81.

Alfonso X, el Sabio


Bh8 1565. Salamanca: Andrea de Portonaris. 7 vols in 3.


Bh9 1576. Salamanca: Domingo de Portonaris. 4 vols. This edition inaugurates the Spanish and Latin indices prepared by Gregorio López de Tovar, grandson of the glossator.


Alcocer, *Catálogo*, p. 154 (B318); Arana, *Siete Partidas*, p. 73; BL, *General Catálogue*, LV, p. 519; Caballero, C129, p. 200; Castañeda, C157, pp. 29-30; Gómez de la Serna, C313, p. xii; Martínez Marina, C462, p. 408;
Alfonso X, el Sabio

NUC-56, XC VIII, p. 449; Vance, C673, p. 103; Vance, 'Editions', #17; 'Indexes', #17.

Arana, 'Siete Partidas', p. 74; Berni, C107; BNP, Imprimés, II, col. 557; Caballero, C129, p. 201; Castañeda, C157, pp. 95-96, 105-06; García Rico, Catálogo, p. 30 (#609); Gómez de la Serna, C313, p. xl; Martínez Marina, C462, p. 408; NUC-56, XC VIII, p. 451; Palau, Manuel, I, p. 204 (#B7097-98); Simón Díaz, Bibliografía, III:1, p. 139 (#B1269); Vance, C673, pp. 103, 106; Vance, 'Editions', #18; 'Indexes', #B18-19.

Arana, 'Siete Partidas', p. 74; Brunet, Manuel, V, p. 376; Caballero, C129, p. 201; Castañeda, C157, p. 106; García Rico, Catálogo, Supl. I, p. 12 (#B3502); Gómez de la Serna, C313, p. xl; Martínez Marina, C462, p. 408; NUC-56, XC VIII, p. 451; Palau, Manuel, I, p. 204 (#B7099); Simón Díaz, Bibliografía, III:1, p. 139 (#B1270); Vance, C673, p. 103; Vance, 'Editions', #19; 'Indexes', #B21.

Edited by the Academia de la Historia, Madrid, from Ah53 (SP I, IV), Ah54 (SP II-III), Ah55 (SP V-VI) and Ah50 (SP VII), all of which were given the siglum 'B.R. 1º'. These were collated with the following MSS:
SP I - Ah49 (B.R. 2º), Ah58 (B.R. 3º); Ah28 (Esc. 1º), Ah31 (Esc. 2º), Ah26 (Esc. 3º), Ah32 (Esc. 4º); Ah75 (Tol. 1º), Ah68 (Tol. 2º), Ah66 (Tol. 3º); Ah64 (Sil); Ah38 (P; not described in the introduction to the edition).
SP II - Ah49 (B.R. 2º), Ah58 (B.R. 3º), Ah52 (B.R. 4º); Ah30 (Esc. 1º), Ah31 (Esc. 2º), Ah23 (Esc. 3º), Ah22 (Esc. 4º), Ah12 (Esc. 5º), Ah10 (Esc. 6º), Ah15 (Esc. 7º), Ah19 (Esc. 8º); Ah66 (Tol.).
SP III - Ah69 (Tol. 1º), Ah67 (Tol. 2º); Ah16 (Esc. 1º), Ah11 (Esc. 2º), Ah32 (Esc. 3º), Ah21 (Esc. 4º); Ah49 (B.R. 2º).
SP IV - Ah71 (Tol. 1º), Ah70 (Tol. 2º), Ah67 (Tol. 3º); Ah17 (Esc. 1º), Ah32 (Esc. 2º).
SP V - Ah72 (Tol. 1º), Ah73 (Tol. 2º); Ah13 (Esc. 1º), Ah18 (Esc. 2º), Ah29 (Esc. 3º).
SP VI - Ah27 (Esc. 1º), Ah24 (Esc. 2º), Ah29 (Esc. 3º), Ah14 (Esc. 4º), Ah25 (Esc. 5º); Ah74 (Tol.); Ah56 (B.R. 2º; not described in the introduction), Ah50 (B.R. 3º).
SP VII - Ah51 (B.R. 2º); Ah33 (Esc. 1º), Ah8 (Esc. 2º), Ah29 (Esc. 3º), Ah14 (Esc. 4º), Ah25 (Esc. 5º); Ah42 (Salms), Ah45 (Acad.).

Editions


Arana, 'Siete Partidas', p. 76; Brunet, Manuel, V, p. 378; Caballero, C129, p. 201; Castañeda, C157, p. 106; NUC-56, XC VIII, p. 451; Palau, Manuel, I, p. 205 (#B7104); Simón Díaz, Bibliografía, III:1, p. 139 (#B1272); Torres Campos, Bibliografía, 1ª parte, p. 39 (#B744d); Vance, 'Editions', #22; 'Indexes', #31.

NUC-56, XC VIII, p. 451; Vance, 'Editions', #23; 'Indexes', #30.

Bh20 *1843-44. Madrid: Compañía General de Impresores y Libreros del Reino. 4 vols.
Arana, 'Siete Partidas', p. 76; BL, General Catalogue, LV, p. 520; Caballero, C129, p. 201; Castañeda, C157, p. 106 (erroneously listed as 1823); García Rico, Catálogo, p. 32 (#B612); Hidalgo, Diccionario, III, pp. 484-85; Gómez de la Serna, C313, p. xl; NUC-56, XC VIII, p. 451; Palau, Manuel, I, p. 205 (#B7106); Simón Díaz, Bibliografía, III:1, p. 139 (#B1274); *Suárez, Catálogo; Torres Campos, Bibliografía, 1ª parte, p. 39 (#B746e); Vance, 'Editions', #24; 'Indexes', #34.

Bh21 *1843-44. Paris: Leconte et Laserre. 5 vols.

Bh22 1843-44. Las 'Siete Partidas' del sabio rey don Alfonso el IX, con las variantes de más interés, y con la glosa del lic. Gregorio López, del Consejo Real de Indias de S.M., vertida al castellano y estensamente adicionada con nuevas notas y comentarios y unas tablas sinópticas comparativas, sobre la legislación española, antigua y moderna, hasta su actual estado. Ignacio Sanponts y Barba, Ramón Martí de Eixáal y José Ferrer y Subirana, eds. Barcelona: A. Bergnes. 4 vols.
The editors added various appendices (limited to SP III, V-VI and VII)
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on later developments in Spanish law, included the chief variant texts from Ac (mainly with regard to SP I and VII), and, in the first volume, intercalated their own glosses among those of López. In the copy I examined, I was unable to discover the synoptic tables promised in the title page.

Aranza, 'Siete Partidas', p. 76; BL, General Catalogue, LV, p. 520; Caballero, C129, pp. 201-02; Castañeda, C157, p. 106; Colegio, Catálogo, p. 258; *Corcinos, Suplemento, p. 238; García Rico, Catálogo, pp. 50-31 (611); Hidalgo, Diccionario, III, p. 485; NUC-56, XVIII, p. 451; Palau, Manual, I, p. 205 (7108); Simón Díaz, Bibliografía, III:1, p. 139 (81275); Torres Campos, Bibliografía, 1ª parte, p. 39 (8274-75); Vance, C673, p. 103; Vance, 'Editions', 826.


Bh25 1848. Código español, II-V. 2d ed. 1872. Vols II-V.
Aranza, 'Siete Partidas', p. 78; García Rico, Catálogo, p. 239 (85120-21); Palau, Manual, I, p. 205 (7112); Torres Campos, Bibliografía, 1ª parte, pp. 37-38 (8265a-b); Vance, C673, pp. 103-04; Vance, 'Editions', 830, 37.


Bh28 1866. Colección de códigos, II-III.

Bh29 1867. Las leyes españolas, [II]-[III].

Editions

Bh30 1877-78. Código de las 'Siete Partidas' del Rey D. Alfonso el Sabio, glosadas por el licenciado Gregorio López, nueva y concordadas con los demás códigos y con las leyes, disposiciones y sentencias del Tribunal Supremo publicadas hasta el día, por el Dr. D. Clemente Fernández Elías, con la colaboración del licenciado D. Justo Ximénez Torres, y vertida la gloria al castellano por don Antonio Pérez Romeu. Madrid: Impr. de la Nueva Prensa. 2 vols.
Boletín de la Librería, 5 (1877), no. 2, p. 17; no. 5, p. 66; BL, General Catalogue, LV, p. 520; Camacho, C135, p. 34; Colegio, Catálogo, p. 258; Font Rius, C49, p. 321; León y Olarieta, C398 (1877), p. 244; *Roura y Pujol, Catálogo; Simón Díaz, Bibliografía, III:1, p. 140 (81281); Torres Campos, Bibliografía, 1ª parte, p. 39 (8270c); Vance, 'Editions', 839.


NUC-56, XVIII, p. 452.


Bh35 1962. Arias Bonet, C40, pp. 560-66. Transcription of SP V.ii from Ahc29 (siglum: Z), with variants from Ah13 (Y1), Ah18 (Y6); Ah72 (17), Ah73 (18); Ah57 (V).

Bh36 1970. Hutto, C355. Transcription of SP VII.xxii-xvi from Ah33, with variants from Ah58, Ah42 and Ah45.

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Critical ed. of the chronological portion of the prologue to SP, based on Ah49 (siglum: M₁), Ah53 (M₂); Ah66 (T₁); Ah26 (E₁); Ah64 (P); Ah38 (A1c); Bh1 and Bh7.


Includes a palaeographic transcription and concordance of Ah41. For comment, see C376.

Critical ed. of SP VII.xxiv 'De los judíos', based on Ah8 (siglum: E₁), Ah33 (E₂), Ah25 (E₃), Ah14 (E₄), Ah29 (E₅); Ah50 (N₁), Ah51 (N₂), Ah57 (N₃), Ah42 (H₁), Ah45 (H₂); Ah34 (C); Ah48 (P); as well as Bh1, 7 and 17.

Bh41 Forthcoming. Ed. of Ah60 (SP I), HSA, by Francisco R. Bossini, University of Granada.

Translations: Medieval.

Catalan.

SP II.xviii, transcribed from Ah1 (siglum: B), with variants from Ah76 (V).

Galician.

SP IV.xxvii.1-6, published with the Spanish text in parallel columns.

Editions

SP III.ii.18-19, 22; IV.xviii.9-19, xix.1; V.v.48-52, 59-64, vi. 3-5, vii.5-7; VII.ix.7-12, 14-15; published as above.

See also Herriott, C343, p. 283; Simón Díaz, Bibliografía, III:1, p. 146 (B1336).

Bh46 1915. Eladio Oviedo y Arce. 'Fragmento de un códice galego-castellano de las Partidas', BRAG, 10, 73-82.
SP I.xx.48-53. Herriott, C343, p. 283; Simón Díaz, Bibliografía, III:1, p. 146 (B1337).

Portuguese.

SP II.xx.3-4, xxi.10-11, extant on strips of vellum used for the binding of Ah37. Simón Díaz, Bibliografía, III:1, p. 158 (B1480); Valle Cintra, Bibliografía, p. 64 (B297).


Transcription of the first 38ff. of Ah38, embracing SP I.0-v.6 (= iv.56 in Bh7). Billick, 'Graduate Research', p. 71; DAIF, 28, p. 319A.

Continues the work of Bh49. Billick, 'Graduate Research', p. 70; DAIF, 34, p. 5964A.
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Translation: Modern English.

Bh54 1931. ‘Las Siete Partidas’. Translation and Notes by Samuel Parsons Scott... Introduction, Table of Contents and Index by Charles Sumner Lobingier... Bibliography by John Vance... Chicago: Commerce Clearing House, for the Comparative Law Bureau of the American Bar Association. xvii + 1505pp. NUC, XC VIII, p. 452. For comment on Lobingier’s introduction, see C407.

Anthologies, Compendia, Extracts.

Bh55 1784. Vicente Vizcaino Pérez, Compendio del derecho público y común o de las leyes de las ‘Siete Partidas’ colocado en orden natural... con remisiones a las leyes posteriormente recopiladas, que las confirman, corren o declaran. Madrid: J. Ibarra. 4 vols. The text of SP is adapted into modern Spanish and rearranged under the following headings: persons, things, occupations, contracts, crimes, judges, judgements, military status and ecclesiastical status. Vol. IV contains three indices: the first lists the titles of SP in their original order with indications as to where their counterparts can be found in the Compendio; the second reproduces Gregorio López de Tovar’s compilation of correspondences between SP and Roman law (see Bh9); the third is a subject guide to the Compendio. The body of the text contains much supplementary material from more recent legislation, with consistent references to the specific laws involved. For comment, see C678. See also Dunham, C216.


Bh60 *1875. José Muro Martinez, Las ‘Siete Partidas’ compendiadas y anotadas, Códigos de España, III-IV. Arana, ‘Siete Partidas’, p. 77; Palau, Manual, I, p. 205 (B7113); X, p. 367 (B186288); Simón Díaz, Bibliografía, III:1, pp. 140-41 (B1287); Torres Campos, Bibliografía, 1ª parte, pp. 38-39 (B269).

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‘Extracts from Las Siete Partidas and Other Writings, Translated, with Bibliographical Notice’, by Charles Dudley Warner.


Bh63 1941. Juan Beneyto Pérez, Ideas políticas de la Edad Media. Madrid: Ediciones Fe. 150pp. 2d ed. 1942. Breviarios del Pensamiento Español. Dozens of entries from SP relating to social organization are included, but the editor failed to identify book, title and law. The index provides only very incomplete bibliographical identifications.

Bh64 1944. Alfonso el Sabio (antología), ed. Carmen Castro. Madrid: Ediciones Fe. 207pp. Extensive selections (pp. 33-94) from SP, drawn from Bh17, without commentary. A brief glossary is appended (first unnumbered leaf at end).


Bh66 1953. Textos jurídicos antiguos, ed. Alfonso García-Gallo. Madrid: Gráfica Administrativa. vii + 328pp. Originally Vol. II of G.C.’s Historia (C273), this anthology has been entirely superseded by the more voluminous version included in vol. II of C275. The Alfonsoine texts (FR and SP) can be located with the aid of the index.

Bh67 1954. Textos jurídicos españoles, ed. Rafael Gibert y Sánchez de la Vega. Pamplona: Gómez. 227pp. Many passages from FR and SP appear among the selections, which are divided under the headings of private, penal and procedural law; no commentary, notes or index.

Bh68 1965. Crestomatía, I, pp. 214-22 ($61). The prologue is edited in parallel columns from Ah54 (siglum: R) and Ah53 (B); I.xi.25, xvii.15, from Ah41; and II.xxxi.1-5, 11, from Ah54 (Bb), with variants from Ah10 (M), Ah23 (Y), Ah26 (Y1), Ah49 (D) and Ah52 (S), BNM. There is a crude misreading on p. 215, col. 2, line 34, where mentiva is transcribed as manera.

Editions

Doubtful and Spurious Editions.

Bh69 1508. Burgos.

Bh70 1513. Alcalá de Henares: Juan de Brócar. 2 vols.
Simón Díaz, Bibliografía, III:1, p. 137 ($1256).

Bh71 1518. Burgos.

Bh72 1528. Burgos.

Caballer, C129, p. 195; Castañeda, C157, p. 105; Palau, Manual, I, p. 204 ($7089); Simón Díaz, Bibliografía, III:1, p. 137 ($1260); Vance, ‘Editions’, $9. Same as Bh5?


Vance, ‘Editions’, $29 (second-hand information). Hasfrey is the printer of Bh12.


Bh77 1861. Sèvres. 5 vols.
Torres Campos, Bibliografía, Iª parte, pp. 39-40 ($274g); Vance, ‘Editions’, $34.
C. STUDIES


C3 ———. Cortes de los antiguos reinos de León y Castilla. 5 vols. Madrid: Rivadeneyra, 1861-1903. This superseded Colección de Cortes de los reinos de León y de Castilla. Nos. 1-18, separately paginated. Madrid: M. Calero y Portocarrero, 1836-45. The Cortes of Alfonso's reign (pp. 54-94) are neither complete nor reliably edited. The records of the Cortes, besides containing a practical and every-day sort of legislation, are often found in law books of the period, provide important hints to the external history of the major Alfonsine codes. The Cortes [actually, Ordenamenes] de Zamora, 1274 (I, pp. 87-94) refer (840, p. 93) to a 'libro que fue hecho por corte en Palencia en el anno que casó don Duarte' with regard to the payment allowed to the makers of seals for public documents. Since FR is silent on that particular point, the 'libro' in question must be Esp., which regulates the activities of seal makers (V.xiii). Prince Edward's marriage to Alfonso's half-sister
Leonor took place on 1. Nov. 1254, while the Wise King is known to have spent the months of May and June 1255, in Palencia. Consequently, May-June 1255 may be regarded as a firm date for the completion of *Esp.* See Procter, C55, p. 122 and Craddock, C195.

The *Cortes de Jerez*, 1268 (I, pp. 64-85), regulate, among other things, the practise of usury, appending a set of oaths to be taken by Christians, Jews and Moors in law suits (§344-47) that correspond literally to similar dispositions contained in *Esp.* V.xi.15-17 and SP III.xi.19-21, to say nothing of LN §§27-29. It is most exasperating to discover that the editors 'corrected' the text (I, p. 83n1) to make it correspond more closely to that of SP, since one needs to sort out exactly the filiation and chronological sequence involved.

Later Cortes often illustrate the growing importance of Alfonsoine legislation. I will mention only three of the more significant instances. The *Ordenamiento de Alcalá*, 1348 (L, pp. 492-593), first gave SP force of law, albeit as a supplementary code (664; I, pp. 541-43). On the field of battle at Olmedo (1455), Juan II convened Cortes (III, pp. 456-94) for the purpose of refuting those who based their rebellion against him on SP II.xiii.25 which holds that a king's subjects are duty bound to prevent him from doing evil. Finally, the preparation and authorization of the López edition of SP (Bh7) is the subject of petition 1108 entered at the Cortes of Madrid, 1551 (V, p. 547).

C4

--------. 'Documentos de la época de D. Alfonso el Sabio', *MIHE*, 1 (1851), 1-344; 2 (1851), 1-135.

From the philological point of view, this collection should be done over again. One would want to add, of course, the many hundreds of relevant documents that have come to light since the mid-19th c. For a more abundant, but still far from complete, list (texts not included), see Ballesteros, C62, pp. 1059-1130. Such as they are, these documents provide important information for the external history of Alfonso's legislation. For instance, *Esp.* was apparently granted on 14.iii.1255 to Aguilar de Campoo (I, pp. 57-62) as a municipal code: 'doles et orzogles á todos comunialmente [sic] que ayan el fuero mi libro aquel que estava en Cervatos pora siempre iamas, porque bivan et que usen por el...'. However, the date of the document precedes the completion dates of both *Esp.* (May-June, 1255) and *FR* (25.vii.1255), and the reference to the town of Cervatos is obscure. Numerous concessions of *FR* are recorded: Peñafiel (19.vii.1256; I, pp. 89-93); Buitrago (23.vii.1256; I, pp. 93-97); Burgos (27.vii.1256); I, pp. 97-100; Talavera (18.x.1257; I, pp. 124-27); Escalona (5.v.1261; I, pp. 175-80); and Niebla (16.ii.1263; I, pp. 202-04). Some * Ordenanzas* given at Valladolid (31.viii.1258; I, pp. 139-44) show close textual correspondences to *Esp.*, as detailed by García-Gallo, C274, pp. 513-28. One concession granted by Lorenzo, bishop of Badajoz, to Campomayor (27.ii.1269; I, pp. 250-52), though ostensibly involving *FR*, since the *fuero* in question is said to have 'quatro partes', may in fact refer to SP. The description of the *fuero* as 'este libro quien bien lo catar fallará en el cumplimiento de lo que a mester, que es como fuente perenal en comparación de todos los otros que fueron e son en Spagna', constitutes inexcusable hyperbole if *FR* is meant. Nothing is known about the external makeup of *SP* in its first redaction, completed 28.viii.1265; in the later redactions, which postdate 1272, the seven-part division of *SP* is announced in the general prologue and in the prologue of *SP* I. There is no hint of it in the original prologue. Furthermore, within Alfonso's lifetime, no other concessions of *FR* are documented after that to Valladolid, 19.viii.1265. Alfonso's last wills and testaments occupy vol. II, pp. 110-34. In the second, he leaves his *libro setenario* to his heir (II, p. 126), by which title the Wise King no doubt meant *SP*, especially if it turns out to be the case, as I believe likely, that *Set.* was intended to be the final version of *SP*. See also Iglesia, C356, pp. 560-61.

C5

--------. 'Prólogo'. Bh17, I, pp. i-xii.

Useful only for the listing of MSS utilized in the edition (pp. xxxii-xiii). The remainder is a trivial discussion of authorship, date, legislative history of *SP*, and the like. The true and proper use to Bh17 is, of course, Martínez Marina, C462.

C6


C7


C8

C9 Aguilera, Miguel. ‘Séptimo centenario de las Siete Partidas’, Boletín de la Academia Colombiana, 13 (1963), 241-57. The author cites various laws of SP and comments on them with picturesque hyperbole.

C10 Aguirre y Ramírez, Gabriel. Don Alfonso el Sabio: apuntes sobre algunos aspectos de su historia. Mexico City: UNAM, Facultad de Filosofía y Letras, 1951. 127 pp. This modestly titled M.A. thesis remains one of the more readable monographic accounts of Alfonso’s reign. The author’s views on events with legislative implications (the rebellion of nobles and municipalities in 1272, the question of the succession in 1275) have not been entirely superseded by later publications.

C11 ————. Don Alfonso el Sabio: las directrices de la política interior de su reinado. Mexico City: UNAM, Facultad de Filosofía y Letras, 1955. 217 pp. Pp. 63-69 contain a capsule history of Alfonseine legislation, which is not the best part of this dissertation, in other regards still worth consulting on the major events in Alfonso’s reign.

C12 Ajo González de Rarapiegos y Sainz de Zúñiga, Cándido María. Historia de las universidades hispánicas: orígenes y desarrollo desde su aparición a nuestros días. 10 vols. Madrid: La Normal, 1957-77. In vol. I there is a handy account of Alfonso’s dispositions with regard to the Universities of Seville (pp. 205-07) and Salamanca (pp. 222-27) as well as a running commentary on SP II.xxxi (pp. 230-33).

C13 Alcalde Prieto, Domingo. Curso teórico-práctico, sinóptico-bibliográfico de derecho civil español, común y foral. Valladolid: Hijos de Rodríguez, 1880. xi + 419 pp. The first portion of this guide consists of a ‘programa’ (lessons 20-22, pp. 18-19, concern Alfonso X) with references to the bibliography at the end of the book (pp. 305-416). The latter is arranged by subject, then indexed alphabetically, and can still be consulted with profit.

C14 ————. Introducción al estudio del derecho civil español, a la que acompañan varios cuadros y apéndices filosóficos, históricos, biográficos y bibliográficos. Valladolid: Hijos de Rodríguez, 1889. xi + 449 pp. The appendices are more interesting than the historical portions of this manual (for Alfonso’s legal works, see pp. 155-65). In particular the third appendix, ‘Noticia biográfica de los principales civísistos españoles’, pp. 359-420, beginning with St Isidore of Seville and extending to the author’s own time, still provides useful bibliographical leads.

C15 Alejandro García, Juan Antonio. ‘Estudio histórico del delito de falsedad documental’, AHDE, 42 (1972), 117-87. The provisions of FR and SP regarding forgery are placed in the context of the 13th-c. reception of Roman law, pp. 155-78.

C16 Altamira y Crevea, Rafael. Historia de España y de la civilización española. 3 vols. *Barcelona: J. Gili, 1900-06. 2d ed. 4 vols. 1909-11. *3d ed. 1913. *4th ed. 1928. Vol. II, pp. 74-83 (2d ed.), offers a succinct external history of Alfonso’s legal works. The author claims that far too much importance has been attributed to formal codes like SP as opposed to the literature of positive law (documents, charters, Corts, and the like) and advocates intensified study of the latter. References to Alfonseine legislation, esp. SP, appear throughout the section devoted to the ‘cuaña época’ (1252-1479), pp. 5-366.

C17 ————. ‘Les Lacunes de l’histoire du droit romain en Espagne’, in Mélanges Fitting, I. Montpellier: Impr. Générale du Midi, 1907, pp. 59-84. Trans. ‘Los vacíos en la historia del derecho romano en España’, in his Cuestiones de historia del derecho y de legislación comparada. Madrid: Hernando, 1914. Pp. 48-82. The lacunae in the treatment of Alfonso’s legal works were, according to the author, the lack of detailed study of SP’s sources in civil law and the want of a close record of the practical application of SP in law courts, notary practices, etc. For a notable recent effort to remedy the second shortcoming mentioned, see Kirby, C378.

The truly unifying factors in Spanish legal history were not the various general codes such as SP, the Nueva recopilación, etc., which in fact served only to complicate further already complex legal sources, but rather the legislative assemblies (Cortes) and the Romanistic procedure introduced into law courts beginning in the 13th c. The author's appeal for closer study of those two phenomena derives from his theory of derecho vivo, that is, the law as actually experienced rather than as codified in law books.


The portion dealing with Alfonso’s legal works (pp. 127-36) repeats more or less literally the points made in C17-18.


This essay has stood the test of time rather well. Chap. II, pp. 617-58, is of particular interest to students of Alfonseine legislation. The author provides both an external history and a summary of the Wise King’s codes, and places them within the context of the ever-growing influence of Roman law in the 13th c. The later chapters include allusions to the continuing importance of SP in post-medieval Spanish legal history.


On Alfonseine legislation, see pp. 595-96; in the bibliography the author provides exasperatingly laconic references to numerous manuscript sources for Alfonso’s reign.


Brief history of Alfonseine legislation, I, pp. 4-6. SP, in particular, is used extensively throughout the work.

C23  *Alvarez de Baeza, Antonio. Tratado sobre la ley de Partida de lo que son obligados a hacer los buenos alcaydes que tienen a su cargo fortalezas y castillos. Valladolid: F. Fernández de Córdova, 1558. 88ff.

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Brief allusions to Alfonso’s penchant for defining words and his relatively tolerant attitude towards Jews, illustrated with passages from *Sp*, accompany a general appreciation of the Wise King’s literary production.

Brief florilegium of *Sp* laws (esp. from II.xxxi) in English translation, with introductory material drawn from Ticknor, C646.

The 14th-c. chronicler gives an incomplete and confused chronology of Alfonso’s legislative works in Chap. 9, covering the eighth year of the Wise King’s reign (1260-61); see p. 8 of Rosell’s ed. Consult also Craddock, C195, pp. 371-72.

Rev.-art. on Juan Sempere y Guarinos, *Histoire des Cortes d’Espagne* (Bordeaux: chez Beaume, 1815). The reviewer regrets that the reception of Roman law in Spain, esp. as represented by *Sp*, thwarted the development there of trial by jury of one’s peers (see pp. 131-32).

C33 ——. ‘Nota del editor’, epilogue to the *Boletín Oficial del Estado*’s repr. (1974) of Bh7. 7 unnumbered pages at the end of vol. III.
This important piece summarizes the legislative history of *Sp* from 1348 to the present. It comes as a most surprising, and gratifying, revelation that certain laws of *Sp* have retained their validity even after the promulgation of the Civil Code of 1889 and that *Sp* continues to be cited in law suits that come before the Spanish Supreme Court (the most recent sentence cited was handed down in 1971).


Studies

The index to the 2d ed. contains a section (‘ad leges regnorum Castellae & Legionsis’), II, p. 604, that identifies authors who have dealt with Alfonso’s legislation. The entry for Gregorio López, Bh7 (I, pp. 544-45) is unusually detailed.

Vol. II, p. 87 (2d ed.) contains a brief mention (§220-23) of *Sp* couched in rather hyperbolic terms. Pérez Bayer’s footnotes refer to *Ser.*, *FR* and *OT*, with allusions to manuscript collections, while the last-mentioned text also merits a paragraph (§226) on p. 88. On Díaz de Montalvo’s eds of *FR* (Bb1) and *Sp* (Bh1), see vol. II, pp. 334-35.

Pp. 70-82 present a dissertation on Alfonso’s imperial aspirations with special reference to *Sp* II.

C38 Argüello, Vicente. ‘Memoria sobre el valor de las monedas de D. Alfonso el Sabio mencionadas en las leyes del Espéculo, Fuero Real y Partidas’, *MRAH*, 8 (1852). 58pp., separately paginated.
The author attempts to determine the relative and absolute values of Alfonso’s coinage. His results appear to have little bearing on the chronological problems of Alfonso’s legal works, though he claims (p. 20) that *Sp* VII.xxxii.2 could have been composed no earlier than 1264. A. was unaware of the original completion date, 28.viii.1265.

A.B. describes Ab64, formerly belonging to the monastery of Santo Domingo de Silos, hence given the siglum ‘Sil[ena]’ in Bh17. For further details, see his introduction to Bh38.

The author shows that even in the case of passages known to reflect Roman law exclusively, such as *Sp* V.iii, here analysed and edited on the basis of seven MSS (see Bh35), the determination of immediate sources is a difficult task, since Alfonso’s compilers did not follow
slavishly any single glossator. In the edition, the editor did not attempt a filiation of the MSS; the reader is left uncertain as to whether this is a critical text or a transcription of a base MS with variants. A.B. is one of the few scholars aware of the existence of the magnificent Ah57, but cannot have inspected it too closely, since he makes the bizarre and false claim that it lacks the first Partida.

After disposing of the widespread notion that the medieval maritime code called Ròles d’Olèron had any direct influence on SP, A.B. identifies the source of SP V.ix as, in part, the Justinian Digest. Other likely sources are reviewed, including an apparent verbal reminiscence of Vegetius’ De re militari (p. 104).

C42  ‘Un epitome de las Partidas: el ms. 140 de la Biblioteca Universitaria de Valladolid’, AHDE, 38 (1968), 671-73.
A.B. has turned up a 15th-c. Latin synopsis of SP (Ah80), which he finds closely related to Ah31, as far as the first Partida is concerned.

The role of the solicitor (personero) is so expanded in SP V that the Roman rule forbidding contracts in the name of a third party is largely circumvented.

C44  ‘Manuscritos de las Partidas en la Real Colegiata de San Isidro de León’, AHDE, 35 (1965), 565-68.
A.B. corrects and supplements the information provided by Pérez Llamazares, Cadágro, šXXI, XXII, XXIII and CX (pp. 43-44, 83). Items XXI and XXIII are not in fact MSS of SP, but rather of El libro de las confesiones by Martín Pérez (14th c.). See Antonio García y García, Estudios sobre la canonistica portuguesa medieval (Madrid: Fundación Universitaria Española, 1976), pp. 201-17.

C45  ‘Nota sobre el códice neoyorkino de la primera Partida’, AHDE, 42 (1972), 753-55.
With regard to Ah60, containing a unique version of SP I, A.B. made the important discovery that extensive portions of its text match that of Ser. This and other rectifications of García y García, C292, are provided.

C46  ‘La primera Partida y el problema de sus diferentes versiones a la luz del MS. Add. 20.787 del British Museum’, in Bh38, pp. xlvi-xii.
This comparison of Ah41 and Ah64 (‘Silense’), fails to achieve its main purpose, which is to show that the redaction represented by the former is not anterior chronologically to the redaction contained in the latter. A bipartite comparison can prove no such thing: one must have a tertium comparationis to see which version is closer to a proven source, an operation performed by Giménez, C309, p. 269, who noted that the lost Ah58 (B.R. 3º in Bh17), follows its source closely, while the other versions betray a deliberate departure from them. Ah41 is a close relative of Ah58 while Ah64 belongs to the latter group. Ah64 therefore unquestionably contains a later redaction of SP I. See also Craddock, C197, where it is shown that the prologue of the group of MS including Ah64 must be dated after 1272, whereas Ah41 and Ah58 carry the unimpeachable completion date of 28.viii.1265. Further reactions in Craddock, C195, p. 397, and García-Gallo, C276.

Close analysis of SP V.xi on oral contracts, with ample consideration of sources and the position the Alfonsoine text occupies in the legal tradition of Castile.

This study of SP VII.xxxiii.13 (VII.xxxiv in the López text, Bh7) is noteworthy for the attention the author pays to the manuscript tradition. However, he vitiates this virtue by claiming that ‘las discrepancias entre [los MSS] son irrelevantes’ (p. 168), a statement no philologist would be prepared to accept. A.B.’s main purpose is to illustrate the use made of civil law sources and their commentaries in the Reglas de derecho.

Useful demonstration of the manner in which Alfonso’s compilers adapted their Roman sources: they are fully explained in clear language rather than merely translated. While admirable, this procedure makes it somewhat less likely that the sources can be used as a close control over the establishment of a critical text.
Arias de Balboa, Vicente, bishop of Plasencia. †1414. Glossator of FR. See Ah3 and 16, as well as Caballero, C129, p. 91, and Cerdá, C167.


Asso y del Río, Ignacio Jordán and Miguel de Manuel y Rodríguez (ed.). El 'Fuero Viejo de Castilla', sacado y comprobado con el exemplar de la misma obra, que existe en la Real Biblioteca de esta Corte, y con otros MSS... Madrid: J. Ibarra, 1771. Ivi + 143pp. Repr. Valladolid: Lex Nova, [1960]. Códigos españoles, I, pp. 427-85. Title xxviii, law 1, of this Ordenamiento for the first time gave force of law to SP, placing it last in order of preference among all codes in force. See C3, I, pp. 541-43, and José Berní y Catalá, Carta que escribieron a los doctores... sobre la publicación del 'Ordenamiento de Alcalá' (Valencia: J. Estevan y Cervera, 1774, 16pp.) (cited from Castañeda, C157, pp. 126-27).


Instituciones del derecho real de Castilla... Van añadidas al fin de cada título las diferencias
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Palau, Manual, II, p. 10 (82806); Sánchez, *Fueros* (1919), p. 272; Bonet Ramón, 'La historiografía jurídica' (1931), p. 355. FR III.vii.2 states that the guardian of orphans may take 10 per cent. of the income from his charges' property to defray his expenses.


Alfonso's reign is covered on pp. 409-14. B. places Exp. before June, 1253 (p. 409), but does not otherwise discuss the chronological problems involved in Alfonso's legal works. He relates (pp. 411-12) SP II to the wisdom literature of the period without demonstrating specific textual relationships.

C60  Ballesteros Álava, Pío. 'Algunas fuentes de las Partidas', *RCJS*, 1 (1918), 542-47.

The author makes some interesting comparisons between passages from SP II and St Thomas Aquinas' De regno (actually, except in one case, a 14th-c. continuation of the incomplete treatise is involved) and the Bocados de oro (see Knut in this bibliography). He was, however, naïvely unaware of how delicate a task it is to establish that one work is a direct source for another when it concerns two such abundant genres as wisdom literature and the education of princes. One must not rule out that the influence could have proceeded in the direction opposite to that assumed, i.e., from SP to the Bocados, or, more likely, that a common source explains the resemblances detected.


B. demonstrates how Alfonso's views on the independence of imperial power from Papal overlordship (as revealed in various laws of SP II) may have been a factor in his failure to enlist Papal support for his pretensions to the crown of the Holy Roman Empire. The author returned to this subject in collaboration with Ballesteros-Beretta, C70.


The author's literary heirs would have rendered a far greater service to scholarship if they had suppressed the text and published the documentary collection meant to accompany it, since it appears that both could not be made available. The result is surely one of the most unreadable histories ever to come from the pen of a major historian. In addition to the punishment inflicted by the turgid and repetitive style, the reader must suffer all the agony of Tantalos as he wades through myriad allusions to documents whose text he cannot consult. Furthermore, B.-B. was never intrigued by the chronological problems posed by Alfonso's legal works, so that this monumental biography is most disappointing in that regard. The section on FR (pp. 142-46) repeats the spurious concessions to Burgos on 25.viii.1255 and to Valladolid on 30.viii.1255, while failing even to speculate as to what fuero was granted previously to Aguilar de Campóo (14.jii.1255: 'el mio libro que estaua en Cervatoss').

In the portion devoted to SP (pp. 356-61), B.-B. does not so much as mention the completion date in the first redaction of the prologue (28.viii.1265), as opposed to the mythical 'siete años complicidos' (i.e., 1263) that figure in the later version of the prologue. With all its defects, this remains the best historical treatment of the Wise King, and is indispensable for any work on his legislation. The text is not indexed, but there is an important 'Índice de documentos' arranged in chronological order (pp. 1059-1130), containing 1447 items.

C63  'Alfonso X, emperador (electo) de Alemania', in Discursos leídos ante la Real Academia de la Historia en la recepción pública de... Madrid: RAH, 1918. Pp. 7-83.

While not directly concerned with Alfonso's legal works, this brilliant lecture remains fundamental for our understanding of the intellectual and political currents that appear to have inspired, at least in part, the compilation of SP. Alfonso's aspirations to the Holy Roman Empire are reflected rather clearly in the first titles of the second Partida, devoted to defining and regulating the duties and prerogatives of emperors, a topic, as Adolfo Bonilla y San Martín remarks in his 'Contestación' (pp. 87-96, at p. 93), entirely foreign to Exp.

C64  'Burgos y la rebelión del infante don Sancho', BRAH, 119 (1946), 93-194.

The rebellion is here viewed exclusively through the documentary collections of the city and cathedral of Burgos, and the monastery of Las Huelgas. Items relevant to FR are mentioned on pp. 103-04, while pp. 107-08 and 137 contain several important emendations of documents belonging to LN.
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C65 ————. ‘Las Cortes de 1252’, Anales de la Junta para la Ampliación de Estudios e Investigaciones Científicas, 3 (1911), 109-44. Alfonso’s first formal legislation is here published from an 18th-c. copy of the cuaderno sent to Burgos. The regulations deal principally with price controls, sumptuary restrictions, export embargoes, and the like. See also C62, pp. 68-74; for a somewhat defective transcription of the original cuaderno, consult García Ramíla, C288.

C66 ————. ‘El fuero de Atienza’, BRAH, 68 (1916), 264-70. On 22.vii.1256 Alfonso, having found that the town of Atienza lacked a proper set of laws, granted the inhabitants ‘aquel fuero que yo fiz con consejo de mi corte scripto en libro e sealado con mio seello de plomo... porque se juguen por el en todas cosas pora siempre iamas...’ (p. 267), which fuero is, no doubt, FR. As B.-B. points out, substantially identical grants were given to a number of towns at about this time.

C67 ————. Historia de España y su influencia en la historia universal. 9 vols. Barcelona: P. Salvat, 1919-41. 2d ed. 12 vols. 1948-64. For Alfonsoine legislation, see vol. III, pp. 432-34 (1st ed.) and IV, pp. 141-47 (2d ed.). The much expanded bibliography of the 2d ed. (IV, pp. 219-20, 240-43) is useful, though numerous incomplete, inaccurate and repeated items suggest that the author’s fichero was a rather topy-turvy affair, not easily handled by his heirs (B.-B. died in 1949).

C68 ————. ‘Itinerario de Alfonso X, rey de Castilla’, BRAH, 104 (1934), 48-88, 455-516; 105 (1934), 123-80; 106 (1935), 83-150; 107 (1935), 21-76, 381-418; 108 (1936), 15-42; 109 (1936), 377-460. The first four installments were published separately under the title El itinerario de Alfonso el Sabio... I (1252-1259). Madrid: Tip. de Archivos, 1935. 232pp. The original series was interrupted by the Spanish civil war after reaching the year 1267. Perhaps B.-B.’s most important contribution to Alfonsoine scholarship, it has not been superseded by his biography of the Wise King, though one can deduce from the latter’s index of documents the king’s itinerary for the years 1268-84. Various documents mentioned in this publication are important for the external history of FR. For Alfonso’s knighting of Prince Edward of England on the occasion of his marriage to the king’s half-sister Leonor, an event recalled in the explicit of FR, see p. 70 of the 1935 reprint. B.-B. apparently did not believe that the fuero conceded to Aguilar de Campoo (p. 106) was FR, since for him the first concession of the latter was to Burgos, 25.viii.1255 (p. 126), a wholly spurious datum he picked up from the 15th-c. explicit to the Ordenamiento [Cortes] de Zamora of 1272. Burgos received FR for the first time on 27.vii.1256, at about the time that many other towns and cities adopted the same code (pp. 160-62). No portion of LN can have existed as early as 21.iv.1256 (p. 156) for the simple reason that LN is a collection of amendments to FR.


C70 ———— and Pío Ballesteros Alava. ‘Alfonso X de Castilla y la corona de Alemania’, RABM, 34 (1916), 1-23; 35 (1916), 187-219; 39 (1918), 142-62; 40 (1919), 467-90. Chap. 7 (the last installment) compares what Alfonso has to say about the Holy Roman Emperor in SP (esp. Ill) with medieval German legal compilations, concluding that Alfonso was not very well informed. According to the authors, Alfonso is the first Spanish writer to concern himself with that venerable institution.

C71 Baquero Almansa, Andrés. Estudio sobre la literatura en Murcia, desde Alfonso X a los Reyes Católicos. Madrid: T. Fortanet, 1877. 146pp. Chap. 2 (pp. 21-32) is devoted to Alfonso X and Jacobo de las Leyes, with some details on the external history of the latter’s Flores de las leyes.

C72 Barandiaron, José León. ‘Alfonso el Sabio y las Siete Partidas’, Revista Jurídica del Perú, 4 (1953), 139-51. Also in Letras Peruanas, 3 (1953), 13-15. General philosophical discussion of certain jaws contained in SP I-II.

C73 Barrero García, Ana María. ‘Los fueros de Sahagún’, AHDE, 42 (1972), 385-597. Detailed study with synoptic edition of the municipal charter of Sahagún and the texts derived from it. Alfonso X granted on 25.iv.1255 a revised Castilian version of the town’s charter, adding a clause that imposed as supplementary law ‘el otro fuero que les damos en libro escrito e sealado con nuestro seello de plomo’ (see pp. 403-05, 525-29, 597). This other fuero would appear to be Exp., even though the promulgation of the latter in May-June 1255 occurred somewhat after the granting of the charter.
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C74  ‘Los repertorios y diccionarios jurídicos desde la Edad Media hasta nuestros días’, AHDE, 43 (1973), 311-51. This expert compilation reveals, in many cases, which of the numerous thesauruses and dictionaries discussed have made use of Alfonso’s legal works as sources. Of particular interest are the author's remarks about Gonzalo González de Bustamante's Peregrine, C318 (pp. 321-22).

C75  Barthe Porcel, Julio. ‘En torno a las diferencias de la 2ª Partida en las ediciones de Díaz de Montalvo y Gregorio López’, AUMD, 30 (1971-72), 173-92. A collation of a brief portion of SP II as it stands in the Montalvo ed. (Bh5) with its counterpart in the López ed. (Bh8) reveals that the latter editor made many sound improvements in the text of the laws.

C76  ‘Las Siete Partidas y el vigente código civil del estado norteamericano de Louisiana’, AUMD, 21 (1962-63), 187-97. B.P. compares some state laws of Louisianan with their SP sources; his purpose is purely informative, with no attempt at analysis. See also Dart, C200.

C77  Battle Vázquez, Manuel. ‘El estilo usuario de las leyes de Partidas’, AUMD, 21 (1962-63), 61-67. B.V. describes and illustrates the explanatory, exhortatory and persuasive facets of Alfonsoine legal diction, which contrasts so sharply with that of most legal codes, generally limited to the unadorned expression of prohibition, compulsion and penalty.


C79  Battistessa, Ángel J. ‘La biblioteca de un jurisconsulto toledano del siglo XV’, Revista de la Biblioteca, Archivo y Museo del Ayuntamiento de Madrid, 2 (1925), 342-51. Alonso de Cota, who perished at the hands of the Inquisition on 16.viii.1495, possessed MS copies of SP III, IV, VII (B24-26), two MSS of FR (B27, 47) and one printed copy of the latter (E50), in his extensive legal collection.


Studies

The main purpose of this article is to analyze in detail Alfonso’s charter (8.v.1254) to the University of Salamanca, intended to place it on firm academic and economic foundations. In his commentary, B. makes occasional reference to SP, in particular II.xxxi.

C81  Beltrán Guerrero, Luis. ‘La lengua del Rey Sabio’, BANH, 47 (1964), 34-37. This brief oration contains only one paragraph on SP (p. 36), where the academician provides some information on the status of that law code in the Venezuelan legal system, as well as a tantalizing reference to Ruffino José Cuervo that I have been unable to identify.


C83  Benavides Checa, José (ed.). El fuero de Plasencia... con un discurso preliminar del ilustre sr. dr. d. Daniel Berjano. Rome: M. Lobsei, 1896. 216pp. We have here a curious case: the editor in his notes attacks (p. 71) his prologuist, concerning the question as to whether Alfonso X granted FR to Plasencia (p. 13). The editor is, unfortunately, incompetent both as philologist and historian. The text he edited is one of the typical fuesos extensos that were compiled in the last years of the 13th c. as a reaction to the Wise King’s attempt to impose legislative uniformity. There is no incompatibility between the prior existence of a brief Fuero de Plasencia and a concession of FR to that city. Indeed, that is a typical sequence of events (for Madrid, see C523), with a later revision to the ‘original’ fuero which turns out, however, to be an amalgam of the brief text with some later and more developed municipal charter, in the case at hand, the Fuero de Cuenca.

C84  Beneyto Pérez, Juan. ‘El beneficio en el derecho medieval español’, RGLJ, 164 (1934), 674-88. B.P.’s subject is the lay benefice in its broadest terms, esp. the exchange of military services for land grants. He surveys on pp. 699-701 the juridical principles governing the institution in FR and SP, with particular regard to SP IV-V.

C85  ‘El derecho español en el De Legibus de Francisco Suárez’, in Homenaje a don Ramón Carande. Madrid: Sociedad
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Suárez (1548-1617) drew frequently on SP, FR and LE in his efforts to define precisely the concepts of costumbre ‘custom’, fuero ‘charter’ and estilo ‘court procedure’.

C86 ———. Fuentes de derecho histórico español: ensayos. Barcelona: Bosch, 1931. 196pp. Abundant, but far from exhaustive, bibliographical information is the chief virtue of this work. The section on Alfonso (pp. 129-37), while neither original nor very accurate, provides numerous leads to unusual items.


C88 ———. ‘Índice y balance del decretismo español’, SG, 2 (1954), 541-63. B.P. notes the relatively minor influence of Gratian’s Decretum on Alfonsoine legislation (p. 546); that first great canonical concordance was eclipsed to a large extent, insofar as Alfonso’s collaborators were concerned, by the later Decretales and the works of St Raymond of Peñafort (pp. 547-48).

C89 ———. Instituciones de derecho histórico español. 3 vols. Barcelona: Bosch, 1930-31. Vol. III bears the subtitle Ensayos. The substance of Spanish legislation receives here an historical treatment based on theme and topic, rather than on the external history of the various codes. The first two vols consider the law of persons (I, competence, family, royal prerogatives; II, obligations and contracts, inheritance, professional law), and vol. III, public law (state, corporate, penal and procedural law.) Each vol. is separately indexed with numerous references to SP and FR as well to the minor Alfonsoine legal texts. Very useful for placing a given piece of Alfonsoine legislation in its historical context.

C90 ———. Manual de historia del derecho español. Biblioteca de Iniciación Jurídica. *Zaragoza: Librería General, [1940]. 373pp. 2d ed. 1948. 339pp. Routine account of Alfonso’s works on pp. 99-102. Like most commentators of the period, B.P. believed that the date 1265 referred to a second version of SP, rather than to the first, as is now well established.

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The Manual lacks footnotes, but has an intelligently organized bibliography (pp. 285-332).

C91 ———. Los orígenes de la ciencia política en España. Madrid: Instituto de Estudios Políticos, 1949. 414pp. 2d ed. Madrid: Donell, 1976. 365pp. Amid frequent allusions to Alfonso’s legal works, one finds a brief section devoted to SP II (pp. 331-34, 1st ed.) where B.P. notes the chivalric spirit that dominates the book and suggests that Fernando Martínez, Archdeacon of Zamora, may have been the principal compiler.

C92 ———. ‘Para la clasificación de las fuentes del derecho medieval español’, AHDE, 31 (1961), 259-68. SP is here (pp. 265ff.) classified as ‘Juristenrecht’ (‘learned law’) as opposed to ‘Volksrecht’ (‘popular law’), though Alfonso’s masterwork carries also elements of the latter. B.P. adds observations concerning SP’s influence in Catalonia and Portugal, as well as its later history in Castile.


C97 ———. ‘Kaiserrecht und Kaisertheorie der Siete Partidas’, in Festschrift Percy Ernst Schramm zu seinem siebzigsten
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Learned commentary on Alfonso’s concept of empire (SP II.i) in terms of the European political literature of the time.

C98 Bermejo Cabrero, José Luis. ‘En torno a la aplicación de las Partidas: fragmentos del Espéculo en una sentencia real de 1261’, HIs, 30 (1970), 169-77.
B.C. compares various passages from a royal sentence handed down in 1261 to the town council of Santiago de Compostela with the corresponding laws on judicial investigation (pesquisa) from Esp. (IV.xi.1, 5-12, 14). The textual correspondences are indeed literal and would seem to constitute conclusive proof that Esp. was composed before SP. One should keep in mind that in the sentence, the text of Esp. was carefully edited to remove any tell-tale cross references or internal allusions that would identify it as the source. See also Procter, C556, pp. 32-33.

C99 ————. ‘Fazañas e historiografía’, HIs, 32 (1972), 61-76.
B. establishes that the word fazaña meant not so much ‘judicial sentence with the authority of precedent’ but rather ‘exemplary narration illustrative of a norm of conduct that may be taken as judicial precedent’, with references to SP II.x.27, 30, and LE §198 (p. 74). See also García González, C478.

C100 ————. ‘La gobernación del reino en las comunidades de Castilla’, HIs, 33 (1973), 249-64.
The comuneros, in their revolt against the governors appointed by Charles V, based their legal claims on SP II.xv.3, according to which the municipalities were to participate in the regency during the minority of the monarch. Their claim that the king’s absence from his realm had the same legal effect as his minority, was, needless to say, rejected by the governors.

In the Middle Ages, the phrase contra fuero referred specifically to royal lettres patent and privileges containing dispositions that went against local or territorial law. In order to avoid the appearance of defying higher authority, the lower authorities were allowed to take refuge in the marvellously sophistical formula that the royal document would be obeyed but not fulfilled (‘se obedece pero no se cumple’). B.C. studies the provisions regarding the contra fuero in SP III.xviii. 28-31, LN §29 and LE §30, as well as in the Cortes that took place after Alfonso’s time.

Extremely useful survey of literary allusions to SP, from López de Ayala’s Libro rimado del palacio to major figures of the 18th c. (Feijoo, Forner, Jovellanos), with particular attention to Saavedra Fajardo (pp. 357-60).

B. begins his discussion (pp. 85-114) of Alfonso’s legal works in the 8th c. B.C. His notions on external history of the Alfonso’s corpus are either trivial or erroneous (p. 100: FR was ‘jamais appliqué’; p. 113: to say only that ‘fragments’ of SP were inserted into the Ordenamiento de Alcalá of 1348 is to miss the point entirely). B.’s analysis of SP’s contents is at times interesting, though derived from secondary sources.

A philosophical commentary on SP VII, with some few indications of possible sources, occupies the major portion of this article.

Brief and inconsequential description of Alfonso’s legal legislation, pp. 114-18.

C106 *Berní y Catalá, José. Carta... al erudito Señor Don Gregorio Mayans... sobre que las leyes de Partida fueron hechas en Sevilla por el mismo señor don Alfonso el Sabio y doce jueces españoles. Valencia: F. Buruguete, 1773. 15pp.

C107 *———. Demostración del trabajo jurídico que tiene hecho el Dr. ... en la obra de las ‘Partidas’ de Greg. López, que tiene publicadas en este año de 1768... Madrid: F.X. García, 1768. 13pp.

Section 5 (pp. 536-39) provides some summary indications of the influence of the Decretum on SP, in particular I.v, which concerns the duties and obligations of bishops.

C109 ————. ‘El derecho de las Decretales y las Partidas de Alfonso el Sabio de España’, in Acta Congressum, III, pp. 297-313. B. surveys the influence of the Decretals on SP I and IV, particularly the latter, but also makes the important observation that the Summa poenitentie of St Raymond of Peñafort is one of the chief Alfonssine sources in canonical matters. See also Fernández Regatillo, C233, Maldonado, C434, and Martínez Marcos, C459.

In vol. II, pp. 266-73, the compiler includes some curious extracts from González de Salcedo, C319, a manual for the education of princes based in large part on SP II.

Not worth reading. It is claimed here, for instance, that Alfonso X provided his astronomers with telescopes (p. 41) and that in his will he wished to place his son Sancho on the throne (pp. 301-02). SP II is the Alfonssine source chiefly used.

The chief interest of this rather poorly executed academic exercise lies in the detailed list of Alfonssine sources (mainly SP and FR) that Cartagena drew upon (pp. 132-56).

Published separately with the title: *Lorenzo Padilla, historiador del derecho castellano. Estudio de historiografía española.* Madrid, 1932.

Brief description of Alfonso’s legal works that scholars need little note nor long remember.

C115 ———— (trans.). Historia de la literatura española desde los orígenes hasta el año 1900 por Jaime Fitzmaurice-Kelly... con un estudio preliminar por Marcelino Menéndez y Pelayo. 7th ed. Madrid: La Española Moderna, n.d.
On p. 103, n.1, B. attributes to Menéndez y Pelayo the opinion that Exp. was a forgery concocted by a partisan of Sancho IV since its law of succession (II.xvi.3) favored him over his nephew, Alfonso de la Cerda, son of Sancho’s deceased elder brother, who, according to SP II.xv.2, should have reigned after the death of Alfonso X. See Craddock, C195, pp. 400-11.

Since nothing is known about Master Roland except that he compiled OT, this sketch limits itself to a brief and insignificant description of that text.

B. claims that the Alfonssine legislation on challenges and duels (FR IV.xxi; SP VII.iv) derives from the Libellus de battalia facienda (early 12th c.) which he attributes to a jurist named Pere Albert. The remainder of this erudite essay is given over to a consideration of the notable influence exercised in Catalonia by the title on knighthood in SP (II.xxi) during the later Middle Ages.
C118 Boswell, John. Christianity, Social Tolerance and Homosexuality: Gay People in Western Europe from the Beginning of the Christian Era to the Fourteenth Century. Chicago: University Press, 1980. xviii + 424pp. FR IV.ix.2 and SP VII.xxx.2 prescribe, particularly the former, ferocious punishments for homosexuals (B. prefers the vapid euphemism ‘gay people’); ‘eloquent testimony’, as B. would have it, ‘to the shift in attitude on the part of the rising power structure of western Europe’ (pp. 288-89).

C119 Brauchitsch, Heinrich von. Geschichte des spanischen Rechts. Berlin: Allgemeine deutsche Verlags-Anstalt, 1852. viii + 203pp. This is little more than a German rendering of Sempre, C628. On Alfonso’s works, see pp. 82-102.


A more mature work of scholarship than the usual dissertation, B.’s work contains a biography of the Wise King and history of his reign (pp. 1-52), an analysis of SP (esp. II; pp. 53-101), of Alfonso’s other legal works (pp. 102-40), and of the most interesting documents of the period (pp. 141-86).

C121 Bricca, John Francis. ‘Alfonso el Sabio and Niccolò Machiavelli or the Return to the Pagan Idea of the State, Being a Contrast in the Ethics of Princely Conduct, with Regard to State Policy, as Seen in the Segunda of Las Siete Partidas of Alfonso X of Castile and Il Principe of Niccolò Machiavelli.’ Unpubl. Ph. D. Diss., Harvard University, 1942. x + 170pp. Curious comparison of Medieval and Renaissance notions of statecraft, with a decided preference for the former. The external history of Alfonso’s legislation (pp. 6-24) relies very heavily on Gómez de la Serna, C313.

C122 *Brocá y Montagut, Guillermo María de. Historia del derecho en Cataluña, especialmente del civil y exposición de las instituciones del derecho civil del mismo territorio en relación con el código civil de España y la jurisprudencia. 2 vols. Barcelona: Herederos de J. Gili, 1918-23.

C123 Bujanda, Fernando and Francisco Cantera. ‘¿Cómo han de jurar los judíos?’ Sefarad, 7 (1947), 145-47. A 1324 formulary spelling out the proper form for judicial oaths demanded of Jews shows basic agreement with SP III.xi.20, but with variants which the editors declare interesting while failing to specify them.

C124 Burriel, Andrés Marcos. ‘Carta ... a don Juan de Amaya’, Semanario erudito ... (ed. Antonio Valladares), 16 (Madrid: B. Román, 1789), 3-222 (including ‘Nota del editor’, pp. 3-4, and ‘Sumario’, pp. 218-22).

A fragmentary version appeared earlier in the same series, 2 (Madrid: A. López, 1787), 65-128. B.’s letter (30 Sep. 1751) constitutes an extremely interesting effort to answer some of the salient questions of Castilian legislative history. On FR, see pp. 37-38, 87-102 (including a critique of Díaz de Montalvo’s gloss), and SP, pp. 92-96, 102-03 (where B. claims to have seen the ‘original enmandado de mano y puño del mismo autor Don Alonso’ without, unfortunately, mentioning which precise manuscript he had in mind). On p. 95 there is a hint that B. saw a MS with the original completion date of SP (1265), but he dismissed it out of hand, the first in a long series of misunderstandings that has yet to come to an end.

C125 [———. ] Informe de la imperial ciudad de Toledo al Real y Supremo Consejo de Castilla, sobre igualación de pesos y medidas en todos los reynos y señoríos de su magestad, según las leyes. Madrid: M. Martín, 1780. 394pp. Pp. 7-11, 316ff., provide information concerning laws dealing with weights and measures in Alfonsoine legislation. The text of a document (7 Mar. 1262) printed on pp. 391-94 represents Alfonso’s first effort to introduce some degree of uniformity in the weights and measures of his realm.

Alfonso X, el Sabio

This tome appeared under the name of Esteban Terceros y Pandó. Among the pieces anthologized in reverse chronological order, one finds on pp. 76-84 a passage from Set., transcribed from Ag5. See Vanderford, Bгl, pp. xviii-xix.

C127 Caamaño, Carmen. 'El fuero romaneado de Palencia', AHDE, 11 (1934), 503-22.
In an attempt to calm the strife between the town council and cathedral chapter of Palencia, Alfonso X translated and amended (18 July 1256) the original charter granted by Alfonso VIII in 1186. The Wise King also awarded the contending parties 'el nuestro libro que les damos escrito et sellado con nuestro sello de plomo' as a supplementary code. This was the same solution as that adopted for Sahagún at an earlier date (25 Apr. 1255), see Barrero, García, C73, so perhaps the same law book is involved, i.e., Esp. In the same month of July 1256, Alfonso began to grant FR with great frequency; however, the corresponding documents make it clear that FR supplanted, rather than supplemented, prior municipal charters.

C128 Caballero, Fernán. Elogio del doctor Alonso Díaz de Montalvo, leído en la junta pública de la Academia de la Historia, celebrada el 26 de junio de 1870. Madrid: José Rodríguez, 1870. 46pp.
This oration contains a brief account of Montalvo's work on FR and SP (pp. 19 and 23, respectively) with succinct bibliographical data.

Díaz de Montalvo (1405-99) composed extensive commentaries for both FR and SP (see Bb1, Bh1). C. provides abundant bibliographical data (FR: pp. 90-103; SP: pp. 185-202) as well as important background information. See also Ureña y Smenjaud, C656.

On pp. 182-84, C. describes the impact of Alfonssine legislation, esp. FR and SP, on the history of Portuguese law, noting that SP constituted one of the most effective instruments for the introduction of Roman law into Portugal.

For SP's place in the 13th-c. history of Roman law in Spain, see pp. 614-16.

C132 Calvo Serer, Rafael. 'Libro de los juysios [sic] de la corte del rey', AHDE, 13 (1936-41), 284-308.
The text here published is a slightly interpolated and considerably reorganized adaptation of LE, dating from the late 14th or early 15th c., of interest to the history of the application and interpretation of the laws of FR.

C133 Camacho Evangelista, Fernán. 'A propósito del VII centenario de la muerte de Accursio', Anales de la Cátedra Francisco Suárez, 3 (1963), 131-47.
In this brief survey of the life and works of Accursius (1184-1263), the greatest of the medieval civil glossators, C.E. mentions two laws of the first Partida (i.1-2) that betray the influence of the Glossa ordinaria (completed ca. 1228).

A few laws of the first Partida (i.1-2, 5, 15; ii.6) are traced to Accursius' Glossa ordinaria. This paper is very rich in bibliographical data as well as, unfortunately, misprints.

This article is more interesting for its bibliography and history of scholarship concerning SP's sources than for C.E.'s own analysis of the non-canonical sources of SP I. While an exact knowledge of the sources is often crucial in determining a critical text (p. 40), it is of very little use to compare the alleged source, as C.E. has done, with an utterly unreliable edition (p. 43; Códigos españoles). The textual tradition of SP I is quite complex, and the study of sources can be illuminating only if it is carried out vis-à-vis the actual manuscripts. Furthermore, the alleged sources must be printed out in full alongside the MS readings so that the literal relationship will be evident. The textual critic can utilize only correspondences of absolutely literal character, not mere parallel passages of broadly similar content.
Alfonso X, el Sabio


This is the most up-to-date bibliographical survey of work on SP that I have come across so far, organized so as to constitute an extremely useful catalogue of previous opinions on all the major problems in the external history of the great code.

C137 Cambronero, Manuel María. ‘Ensayos sobre los orígenes, progresos y estado de las leyes españolas’, Revista de Legislación y Jurisprudencia, 13 (1858), 5-25.

C. provides a critical assessment (composed in 1803) of works available to orient the neophyte jurist in the study of Spanish legislation. His synopses and critiques are very handy guides to the contents of certain items inaccessible to me, since he frequently indicates what place Alfonsoine legislation occupies in each volume described.

The authors’ purpose is to analyze FR and SP according to their relevance to modern Spanish law; accordingly, the two codes are discussed under such headings as ‘civil law’, ‘penal law’, ‘procedural law’, ‘mercantile law’, and the like. The historical portions of the Ensayo have nothing new or original to offer.

The microfilm copy I have used lacks the title page; publication data are taken from Simón Díaz, Bibliografía, III:1, p. 134 (91231). The prologue is dated July 1913, and in it the editor mentions a previous edition in the newspaper El Eco de Lorca (1878). Typical fuero of the type granted to Andalusian towns, establishing the Fuero de Córdoba (Fuero juzgo) as the basic law, with numerous special privileges added. Granted from Murcia, 20 Aug. 1271.


C. compares the laws of SP II.xxxi on the Studium generale, ‘university’, as printed in Bh17, with the charter the Wise King granted to the University of Salamanca on 8 May 1254. While the SP text is more general and abstract, C. shows clearly how many particular provisions corresponded to the concrete reality of contemporary university life.


First published in *Derecho Moderno*, 7 (1849). C. y E. studies the shift from a Germanic type of dowry (arras), given by the husband, to the Roman type (dote), provided by the family of the bride, with particular reference to the innovations brought about in SP (pp. 43ff.).


C. y E. takes up the dispositions of FR, LE and SP concerning community property in marriage on pp. 92ff., where the omissions and contradictions of the last-named code are highlighted. First published in *Derecho Moderno*, 9 (1850).


Careful analysis of the relative and absolute value of the coinage, with convenient charts illustrating the prices brought by numerous commercial and agricultural items in the period; important for understanding the economic legislation promulgated in Alfonso’s various Cortes.


Intelligent and well-organized survey of SP laws dealing with slavery. C. expertly covers the social and economic, as well as juridical, aspects of the phenomenon. See also Doerig, C212.


Vol. V, The Political Theory of the Thirteenth Century, draws
extensively upon SP to illustrate Alfonso's position with regard to 
crucial matters of governance and sovereignty, a position in funda-
mental agreement with that maintained in the other contemporary 
European states. The index leads the reader conveniently to specific 
citations.

C147 Carney, Edmund J. ‘The Role of Alfonso el Sabio in the 
Unification of Spain’. Unpubl. M.A. Thesis, University of 
Chap. III (pp. 31-65) describes Alfonso's legislation with a brief 
anthology of SP and comments on its influence in later times both in Spain 
and the Americas.

C148 Carpenter, Dwayne E. ‘An Edition and Commentary of 
Alphonse the Wise's Siets Partidas', Book VII, Title XXVI, 
‘De los judíos’. Unpubl. Ph. D. Diss., Graduate Theological 
C. has elaborated the first critical edition of an extensive portion of 
SP (see Bb40). In addition to the critical text, the prologue and each of 
the 11 laws of the title are the subject of an erudite commentary 
(pp. 107-276) which describes the historical and socio-religious context 
of each provision and identifies many immediate and remote sources 
for Alfonso's Jewish legislation. A fine piece of work that sets a new 
standard for Alfonsoine scholarship.

C149 ———. ‘Jewish-Christian Social Relations in Alphonse 
Spain: A Commentary on Book VII, Title xxiv, Law 8 of the 
Siets Partidas’, in Florilegium Hispanicum: Medieval and 
Golden Age Studies Presented to Dorothy Clotelle Clarke. 

C150 Carramolino, Juan Martín. Historia de Ávila, su provincia y 
Alfonso granted FR to Ávila on 30 Oct. 1256; for discussion, see 
vol. II, pp. 354-64, and for second-hand extracts from the relevant 
documents, pp. 491-93.

C151 Carreras y Artau, Tomás and Joaquín. Historia de la filosofía 
Madrid: Real Academia de Ciencias Exactas, Físicas y Natural-
es, 1939-43. 
In vol. I, pp. 19-28, the authors describe Alfonso’s chief juridical works 
(FR, Esp. and SP) with particular attention to the philosophical import 
of laws that establish definitions, reflect on the nature of law and fix 
the obligations of monarch and subject in the social structure.

C152 Cartagena, Alonso de (†1456). Doctrinal de los cavalleros. 
Burgos: Fabrique Álemán, 20 Apr. 1487. 170ff. 
García Rico, Catálogo, p. 216 (844). Cartagena, Bishop of Burgos, 
prepared for Diego Gómez de Sandoval, count of Castro and Denia, 
a compilation of laws taken from SP, FR and the Ordenamiento de 
Alcázar of 1348 that deal with the rights, duties and obligations of 
knighthood. He took care to copy the legal texts literally, so his book 
must be used in critical editions of those codes. For descriptions of 
extent MSS of the Doctrinal and tables of correspondences to the 
resources, see Boarino, C112. In his prologue Cartagena makes a re-
ference to a publication of SP by Enrique II (king of Castile and León, 
1369-79), about which nothing else seems to be known.

C153 Casariego, Jesús Evaristo. Historia del derecho y de las institu-
ciones marítimas del mundo hispánico. Biblioteca Moderna 
de Ciencias Históricas. Sección 2: Estudios Marítimos. Madrid: 
Rev: I. Sánchez Béllo, AHDE, 18 (1947), 885-87. Basically limited to 
the medieval period, this work makes considerable use of SP, a code 
believed by C. to contain ‘el más bello y completo tratado del derecho 
público de la Europa medieval’ (p. 25). For what Alfonso had to say 
about the jurisdictional and military aspects of maritime law see Chap. 
II, pp. 37-88, and about mercantile aspects, Chap. IV, pp. 143-67 
(including references to FR). Chap. V, pp. 123-41, explores the possible 
influence of the Règles d’Oléron on SP Vix (in particular, pp. 139ff.); 
compare Arias Bonet, C41.

C154 Cascales, Francisco. Al buen genio encomienda sus discursos 
historicos de la muy noble y muy leal ciudad de Murcia. 
1775. 556pp. 3d ed. Murcia: M. Tornel y Olmos, 1874. xxiv + 
566pp. 
NUC56, XCVIII, pp. 570-71. The 2d ‘discurso’ (pp. 27-66 of the 3d ed.) 
treats of Alfonso's reign. C. includes (pp. 54-66) some documents 
extended by the Wise King, mostly of a legislative character (for which 
see now Torres Fontes, C651). There also exists in the Murcian archives 
a curious letter of Phillip II (10 July 1578), pp. 301-02, requesting 
information on any documents that might have to do with SP.

C155 Caskey, Alexander F. ‘An Edition, Study and Glossary of the
Alfonso X, el Sabio


Excellent computer-aided edition and glossary, a major contribution to Alfonsine studies and to medieval Portuguese linguistics. The introduction seems needlessly broad (including a history of Spanish law ab ovo) and consequently rather superficial in places, but when C. gets to textual matters, he stands on firm ground.

No. of edition varies from 7th to 10th, according to the volume, and I lack the patience to record the earlier editions. Vol. I contains a swift summary of Alfonsine legislation (pp. 137-38 of the 10th ed.). More interesting is the section devoted to the history of the modern Spanish civil code (pp. 173-212) where the rôle of SP as a living legal source even into the 20th c. is made apparent.

Very useful, though digressive, account of the literary production of Berní, who brought out two editions of SP (Bh14, 15) and supervised a third (Bh13). These and other relevant bibliographic items are described and analyzed, often at some length. There is a digression on the editions of SP (pp. 97-106).

C158 ———. ‘Notas bibliográficas referentes a algunos jurisconsultos españoles’, RCJS, 4 (1921), 5-19.
P. 11 contains useful information on Fernando Martínez, archdeacon of Zamora, possible collaborator in the compilation of SP. See Cerdá, C169.

One unnumbered plate with portrait of Martínez Marina. G.S. reproduces an address of M.M. to the Academy of History (23 Nov. 1804) that provides some curious details concerning the preparation of that corporation's edition of SP (Bh17); see pp. 427 and 432.

Studies

C160 Castelar y Ripoll, Emilio, and Francisco de Paula Canalejas. Don Alfonso el Sabio. No place, printer or date [ca 1867]. 167pp.
There is a running head Folletín de novedades. Absurd fictional account of the early years of Alfonso’s reign. In the epilogue we have Alfonso sitting down, quill in hand, to start the first Partida one lovely July evening. He no sooner sets down the first couple of phrases (‘Dios es comienzo...’) than he is interrupted with the news of the death of his beautiful Jewish mistress Dalanda (p. 165). The reader is left to assume that this personal tragedy did not long deter the Wise King from his purpose. Rather amusing reading if one has nothing better to do. For other eds, see NUC-36, XVIII, p. 273.

Brief external history of Alfonsine legislation, vol. I, pp. 43-45. More interesting is C.’s explanation of the practical difficulties involved in deciding just which laws were in force on any given point (I, pp. 89-102 with particular reference to FR and SP).

On Alfonso’s legislative works, see vol. I, pp. 195-201, with some bibliographical indications.

Barrero, C74, p. 326; Gil Ayuso, Noticia, pp. 18019 (876), 22 (890), 32 (8126), 51 (8197). SP is one of the principal sources for this alphabetical subject index of Spanish legislation.

C164 Cerdá Ruiz-Funes, Joaquín. ‘Adelantados mayores y concejo de Murcia (notas para un estudio histórico-jurídico)’, in Academia Alfonso X el Sabio, Murcia. Primera semana de
The adelantado mayor was a provincial viceroy of particular importance in territories recently taken from the Muslims. C. analyzes the relevant Alfonsinic legislation (from Exp. and SP) as a preface to his study of the functions and attributes of the adelantado mayor in Murcia.

NUC-64/67, XX, p. 476, records only this item, apparently an off-print, from the Primera semana. I have been unable to discover any other record of that convention.

Informative lecture on the rights and responsibilities of the individual according to the provisions of SP, which are cited in abundance.

C166 ———. ‘En torno a la pesquisa y procedimiento inquisitivo en el derecho castellano-leonés de la Edad Media’, AHDE, 32 (1962), 483-517.
The theory and practice of judicial investigation (pesquisa) received considerable attention in Alfonsinic legislation, as C. demonstrates with reference to FR, Exp. and SP (esp. pp. 512f.). See also Procter, C556.

C. has rendered an important service to scholarship by bringing out this edition of the earliest known commentary on FR (late 14th c.), preserved in Ab16 (base for the ed.) and Ab3 (apparently unknown to the editor). The glossator undertook to provide internal cross-references and concordances with other medieval Castilian legal codes, including Exp. and SP, as well as relevant allusions to civil and canon law. The result is a very illuminating view of the state of juridical science at the time. The editor has facilitated the reader’s task by reproducing all textual references in modern form.

The author provides basic data concerning the external history, contents and importance of LE, with bibliographical footnotes.


Studies

Excellent edition and study of a 13th-c. procedural manual by a contemporary of Alfonso and possible collaborator in the compilation of SP. C.‘s introduction, beside a study of the author, his sources, and the MSS utilized, offers (pp. 658-69) a close comparison of the Margarita and passages from SP and the Flores of Jacopo de las Leyes.

The author makes constant reference to Exp., SP and LAM in this delineation of the institution of the adelantado ‘vicery’. He seems to have ignored Pérez Pendas, C537, with regard to LAM.

On pp. 8-18 C. speaks of Alfonso’s generosity toward the University of Salamanca, with occasional references to SP II.xxxi.

The author surveyed a goodly number of texts, including FR, Exp. and SP, but seems to have missed the essential point that natural simply means ‘by birth’ as opposed to elective or appointive overlordship.

Typical 19th-c. treatment of Alfonso’s legal works on pp. 438-562. A succinct external history of each work precedes a lengthy content analysis.

On pp. 55-57 there is a succinct account of Portuguese translations of Alfonsinic legal works, with critiques of available editions.

C175 Clarete Martí, Pompeyo (ed.). Obras del alcayt y dels juges per el Maestro Jacopo (versión catalana del s. XIII, hasta ahora inédita, de las ‘Flores de las leyes’). Barcelona: S. Vives, 1928. 84pp.
The introduction refers briefly to SP as a factor in the Romanization
of Catalan law (p. 10), to Master Jacobo's collaboration in the compilation of SP (pp. 18-19), and to his use of SP in his Doctrinal (p. 20). The detailed indications of Roman sources for the Flores (pp. 22-27) are also useful to students of SP III.


In this important study of the institution called betetria 'lands or territory owned by freeholders who elected their lord', C. analyzes closely (pp. 246-57) what SP has to say on the subject (in particular IV.xx.xiii), concluding that Alfonso's jurists failed to understand that form of overlordship properly. C. is thereby led to the suspicion that SP, or parts of it, are of a very late date, at least as it exists in the currently available editions.

C177 Clemencín, Diego. 'Elogio de la Reina Católica Doña Isabel, leído en la junta pública que celebró la Real Academia de la Historia el día 31 de julio de 1807', and 'Ilustraciones sobre varios asuntos del reinado de Doña Isabel la Católica, que pueden servir de pruebas a su elogio', MRAH, 6 (1821), 1-54, 55-622, respectively.

'Ilustración IX', pp. 208-20, throws light on the legal activities of Díaz de Montalvo, including his editions with commentaries of SP and FR. 'Ilustración XVII', pp. 431-81, contains two inventories of Isabel's books, the first of which lists 6 MSS of SP III, IV, V and VI (pp. 449-500, 888-93), while the second (p. 476, §23) alludes unequivocally to the splendid Ah57 (SP I-VII). Clemencín makes no comment on the entry concerned, which leads me to suspect that he was unaware of the MS's whereabouts.


In this marvellously useful research tool, one can get one's bearings on the legal history of all nations of Europe. For Spain, see esp. pp. 294-300 and 669-94 (with abundant bibliographies).


Studies

Designed to accompany C3, these two volumes provide a brief introduction and a running commentary on the Cortes held in each reign For Alfonso's period, see vol. I, pp. 154-71. C.'s observations are so superficial as to leave both historians and jurists unsatisfied. Anent Alfonso's Cortes, see now Procter, C555.


A work of this sort inevitably makes much use of Alfonsoine legislation, esp. SP. C.'s Curso is likewise useful for placing Alfonso's laws in a broader context.


Traditional account of Alfonsoine legislation on pp. 325-31.


On 22 May 1293 Sancho IV gave to the city of Segovia 'el fuera de las leyes que auien'; presumably, this is a confirmation of FR (1, p. 437, of the reprint). For other eds., see NUC-56, CXVI, p. 146.


In vol. IV, p. 261, the author notes a curious symbolic application of the penalty for parricide as prescribed in SP VII.xii.12 (from Roman law): the culprit was to be sewn up in a sack together with a dog, rooster, snake and monkey, then cast into a river to drown. According to C., 'se arrastra al reo y encuba, pintando en el cuello un perro, un gallo, una víbora y una mona, haciendo la ceremonia de echarlo en el vecino río'... These provisions were no longer in force, but it would be most interesting to discover records of such a ceremony.


Apéndice al Diccionario... Madrid: J. Ibarra, 1784. xii + 492 pp.

According to Barrero García, C74, 'los textos legales citados con más

On p. 57, the compiler reproduces a document in which King Peter IV of Aragon (1336-87) demands the return of the 3 vols of the Castilian work he calls 'Leyes del Emperador', in order to have them translated into Catalan. No doubt SP is the book in question.


This first comprehensive presentation of Hispanic law (including that of Aragon, Catalonia and Portugal) was plagiarized by Francenau from an unpublished MS purchased from the estate of Cortés. The 2d ed. includes a 'Dissertatio' and 'Epistola', numbered separately by Gregorio Mayans y Sicari. In the former, he demonstrates the plagiarism, and in the latter, translated from Spanish, he provides a succinct history of Spanish law (on Alfonso X, see pp. 24-25). In the body of the work, the author's chief purpose is to provide basic information on editions and commentators of the major codes (for FR and SP, see pp. 20-39). BNP, *Imprimés*, LIV, cols 914-15.

*Cortines y Andrade, Ramón. *Década legal, en que contrahidas a diez las leyes de estos reynos, se van poniendo por resumen, y bajo un contexto las de cada parte de la década*. 2 vols in 1. Madrid: Impr. Real, 1786.

*NUC*-56, CXXIII, p. 696. See Cambroner, 'Plan' (1858 [1803]), pp. 22-25: 'Al principio hay... con el nombre de introducción una idea histórica y razonada de los códigos nacionales...' According to García de la Madrid, C268, p. 90, SP is discussed in vol. 1, p. 86.


*Costa, Mário Júlio de Almeida. 'Para a história da cultura jurídica em Portugal', *BFUDC*, 35 (1959), 253-76.

In a will dated 1285, C. notes a reference to a 'librum de VII partibus glossatum per linguaggium' but demurs at identifying it with the Portuguese translation of SP, as claimed by A.J. da Costa, C190.


Extensive paraphrase of SP laws dealing with women.

Alfonso X, el Sabio

Defends the dates 5 May 1255 for Esp., 25 Aug. 1255 for FR and 23 June 1256-28 Aug. 1265 for the first redaction of SP (with later redactions after 1272), on the basis of internal textual evidence and external historical data. Offers detailed critiques of García-Gallo, C274 and 276.

C196 ‘Must the King Obey his Laws?’, in Florilegium Hispanicum: Medieval and Golden Age Studies Presented to Dorothy Cloete Clarke. Madison: HSMS, 1983. Pp. 71-79. Critical edition of SP III.8-9 (first redaction), and their counterparts in the two later redactions, with brief commentaries on the position of the king with regard to the laws he creates.

C197 ‘La nota cronológica inserta en el prólogo de las Siete Partidas: edición crítica y comentario’, Al-Andalus, 39 (1974), 363-90. The series of eras, all calculated according to the beginning of Alfonso’s reign (1 June 1252), that makes up the ‘nota’ in the prologue of SP (definitive redaction), is shown to be adapted from the Tablas alfonsíes and must, therefore, be later than 1272. This provenience makes it virtually certain that the prologue in which the ‘nota’ appears is the work of Alfonso and his jurists, and not that of a 14th-c. compiler, as claimed by García-Gallo, C274.


Studies

‘Address delivered at Atlantic City as part of the Comparative Law Bureau’s session devoted to celebrating publication of the Scott translation of Las Siete Partidas.’ Lively and informative account of how colonial Spanish law (in particular SP V) was preserved in the Louisiana civil code. D also provides background data on Moreau and Carleton’s translations from SP, C488-89.

C201 Daumet, Georges. ‘Les Testaments d’Alphonse X le Savant, Roi de Castille’, Bulletin de l’École des Chartes, 67 (1906), 70-99. The Latin translations, or, more accurately, calques, of Alfonso’s two testaments (8 Nov. 1282 and 10 Jan. 1284), copied in the French court on 20 Apr. 1284, just sixteen days after Alfonso’s demise, are the oldest extant evidence for the Wise King’s last will. In the second, he apparently alluded to SP with the title Septenarius (p. 91), a work which, along with the Cantigas de Santa Maria, he wished his rightful heir, Alfonso de la Cerda, to inherit.


C203 Davis, Gifford. ‘Evidence of an Incipient Sentiment of Nationality in Medieval Castilian Literature’. Unpubl. Ph. D. Diss., Harvard University, 1933. 256pp. Harvard University, Graduate School of Arts and Sciences, Summaries of Ph. D. Theses, 1933, pp. 308-10. Billick, ‘Graduate Research’, p. 68. According to the abstract, ‘the Siete Partidas, because of their literary flavor and philosophical intent, are included ...’

C204 Delgado y Orellana, José Antonio. ‘La sabiduría, fuente de nobleza’, Hidalguia, 16 (1968), 709-20. The author observes how Alfonso arranged for titles of nobility to be conferred on university professors (maestros) in SP II.xxxi.

C205 Desantes, José María. ‘Evolución de la prescripción adquisitiva en las servidumbres prediales’, BFDUC, 30 (1954), 32-100.
The author explains (pp. 73-81) the position taken by SP III.xxxi.15 with regard to servidumbres prediales, the rights that one proprietor has over the property of another, such as right-of-way. While Alfonso's formulation is inspired in the Roman tradition, numerous improvements over the sources are noted. The SP law remained in force until the Spanish Civil Code was promulgated in 1889.

Succinct survey of Alfonso's legal works on pp. 91-92, with bibliographical footnotes (p. 103).

C207 Díaz de Montalvo, Alfonso. 1405-99. Glossator of FR and SP.
See the eds. of FR beginning in 1483 (Bb1) and those of SP beginning in 1501 (Bk3). The intent of Montalvo's glosses was not so much to explain the meaning of the text as to accumulate references to Roman and canon law in order to show concordances, disagreements, finer distinctions, and the like. At times, esp. with regard to FR, Montalvo includes veritable treatises on certain subjects, such as his discussion of various contingencies that might arise in the royal succession (anent FR t.iii). One of these efforts is actually labeled 'tractatus de consilio regis' (gloss to FR's prologue). The posthumous SP gloss is considerably less interesting.

This is the prototype of the recopilación, or attempt to gather together in one corpus all legislation in force, that dominated Spanish legal history for several centuries (*Nueva recopilación*: 1567; *Novísima recopilación*: 1807). One of the *Ordenanzas*' main purposes was to determine which laws of FR remained in force and which had been abrogated. Since the *Ordenanzas* are the chief source for the *Recopilaciones*, much of the material on FR passed into the later codes. One of the most frequently printed Spanish incunabula; see *Gesamtkatalog*, VII, cols 391-94.


Studies
Perhaps one of the least known legislative acts of the Wise King, this brief document (granted on 26 May 1270) outlines the structure of the cobblers' guild of Burgos, fixes the duties of its governing council (cabildo) and assigns penalties for various infractions.

According to Klein, C382, p. 414, D.N. published Alfonso's 1273 charter for the sheep-raising guild in part I, p. 4.

C211 Dihigo, Juan M. 'Las Siete Partidas: estudio lingüístico', *Revista de la Facultad de Letras y Ciencias* (Universidad de la Habana), 33 (1923), 1-71.
Old-fashioned and trivial historical phonology based on forms extracted from SP.

C212 Doerig, J.A. 'La situación de los esclavos a partir de las Siete Partidas de Alfonso el Sabio', *Folia Humanistica*, 4 (1966), 337-61.
Useful discussion of the various SP regulations on slavery. The author notes the relatively benign character of this legislation, in particular when compared to its North American counterpart. It would be interesting to know how much of this benignity was due to Alfonso and his jurisats and how much to his canonical and Roman sources. See also Carlé, C145.

For Alfonso's legal works, see pp. 139-84 (2d ed.).

C214 Domínguez Guílarce, Luis. 'Notas sobre la adquisición de tierras y de frutos en nuestro derecho medieval', *AHDE*, 10 (1933), 287-324.
Trees and vines together with their fruit, if planted by design or accident in another person's property, become the possession of that person.
D.G. studies this legal tradition throughout medieval Spanish law, including (pp. 318-23) FR (III.vi.1), SP (III.xxviii.39, 43-44) and Esp. (V.viii.13, 15).


One of the most extensive 19th-c. commentaries on Alfonso’s legal works occupies a considerable portion of this volume; for FR together with LE, see pp. 116-56, and for SP, pp. 157-311. The author’s purpose is primarily descriptive, though he includes basic notions of external history and occasional comparisons to medieval French law. He denies the authenticity of Esp.: see pp. 111-15 and 312-13.

C216 Dunham, Samuel A. The History of Spain and Portugal. 5 vols. London: Longman, etc., 1832-[42].

In vol. IV, D. inserts a lengthy paraphrase of SP, based on Bb55, with numerous bibliographical references and allusions to Roman law.


Billick, ‘Graduate Research’, p. 69.


The MSS of FR and SP mentioned on pp. 86-87 are merely those described in Bbl3 and Bbl7.

C219 Eizaga y Gondra, Martín. Un proceso en el ‘Libro de buen amor’: Conferencia pronunciada por... el día 27 de mayo de 1942, en la Academia de Derecho de la Asociación de Cultura Española, con ocasión del acto de clausura del curso 1941-42. Bilbao: Junta de Cultura de la Excma. Diputación de Vizcaya, 1942. 56pp.

Delightful, but seriously flawed, commentary on the episode ‘el pleito qu’el lobo e la raposa ouieron’ (LBA, st. 321-71), in which E. makes detailed comparisons between the procedural and doctrinal points made by the Archpriest’s characters and Alfonso’s legislation, in particular FR, with numerous allusions to LN, LE and the Cortes [Ordenamiento] de Zamora de 1274. E.’s mistake, to judge by later research (see Kirby, C378-81) was to exclude SP from consideration because it was officially promulgated only in 1348. See also Polaino, C548.


Pp. 71-72 offer a brief description of SP as a factor in the penetration of Roman law into Spain.


Appendix #250, pp. 601-05, consists of a charter granted on 25 Apr. 1225 by Alfonso X to the Monastery and Town Council of Sahagún that may contain an early reference to Esp. For a modern ed., see Barrero, C73.


Brief and trivial comments on the Alphonsine codes can be found in vols II, pp. 862-63 (Exp.), 1112-13 (FR); III, p. 900 (LE); and IV, pp. 462-63 (SP).


See NUC-56, CLXII, p. 298, and Floranes, C246, p. 297. The latter quotes an interesting passage from this work about SP, whose ‘originale’ Espina claims to have seen at the royal court.


This, the earliest history of Spanish law (16th c.), survives only in an 18th-c. summary; it possesses chiefly an antiquarian interest. On FR, see pp. 41-48, on SP, pp. 48-56, and on LE, pp. 56-59. For further details, consult José Antonio Escudero, ‘Francisco de Espinosa: Observaciones sobre las leyes de España’, AHDE, 41 (1971), 33-35; and Camacho, C135, pp. 19-20, Guilarte, C330, and Maldonado, C429.


On SP see pp. 52-55, where a claim is made for the possible influence of St Thomas Aquinas’ Summa theologiae (1a2ae, 890-97).


C235  *Ferrari Nuñez, Angel. ‘El poder en las Partidas’. Unpubl. Ph. D. Diss., University of Madrid, 1936. Sr Fernando Huarte, director of the Biblioteca de la Universidad de Madrid, has kindly informed me of the following: ‘El autor nos ha comunicado que la tesis fue leída el 7.1.1936 y que dadas las circunstancias del momento no han quedado copias de la misma.’

C236  ————. ‘La secularización de la teoría del estado en las
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Partidas*, AHDE, 11 (1934), 449-56.
The author regards SP as an apposite example of the secularization of theological and religious concepts as they are assimilated into the socio-political apparatus of government.

C237 Figueiredo, José Anastásio. 'Memória sobre qual foi a época certa da introdução do direito de Justiniano em Portugal, o modo da sua introdução, e os grãos de authoridade, que entre nos adquiriu', in Academia Real das Scienças, Lisbon, Memórias de Litteratura Portuguesa, 1 (1792), 258-338. F. sketches an inaccurate external history of SP on pp. 266-67; of more interest are his remarks (pp. 283-86) concerning the relevance of SP in medieval Portuguese law. He describes in some detail Ah39, a Portuguese translation of SP III, allegedly ordered by King Dinis (1261-1325), grandson of the Wise King.

C238 Fita, Fidel. 'Biografias de San Fernando y de Alfonso el Sabio por Gil de Zamora', BRAH, 5 (1884), 308-28. The famous passage on Alfonso's 'perpulchar... cantilenas' devoted to the Virgin Mary also contains the statement that the Wise King 'omnes fere scripturas... canonicas et civiles... transerit facit in linguam maternam'. This description hardly fits Exp., which contains no canon law per se, but matches SP perfectly. If Fita's dating of 1278 (p. 328) is valid, then this would constitute one of the earliest references to Alfonso's major legal code.

C239 ———. 'Madrid desde el año 1235 hasta el de 1275: ilustraciones y texto de la Vida de San Isidro por Juan Diácono', BRAH, 9 (1886), 11-157. F. includes various documents relevant to Alfonso's legislation: 881 (pp. 52-57), concession of FR to Madrid (22 Mar. 1262); 884 (pp. 59-65), grant of the Libro del fuero (Exp. or confirmation of FR?) to Madrid (27 Aug. 1264); 896 (pp. 83-86), derogation of FR in favor of Madrid's own earlier municipal charter (27 Oct. 1272). See also Palacio, C523.

C240 *Floranes, Rafael de. 'Apuntamientos curiosos para la historia de las leyes de las VII Partidas, Fuero Juzgo y otros'. MS 11275, BNM. 18th c. 82ff. Personal communication from the curator of manuscripts, M. Sánchez Mariana (4 Oct. 1979). See also 'J. de H.', AHDE, 12 (1935), 525-57.

C241 *————. 'Disertaciones sobre la autoridad legislativa de todos nuestros códigos de legislación anteriores al recopilado último de 1537 [sic?] que hoy gobierna, con sus aumentos...'. MS 11230, BNM. 18th c. 20ff. For refs., see C240.

C242 ———. 'Flores de las leyes: Suma legal del Maestre Jacobo Ruiz, llamado de las Leyes, jurisconsulto castellano de la época del santo rey don Fernando y de su hijo don Alfonso el Sabio', MHE, 2 (1851), 137-248. This posthumous ed. (F. died 1801) has been superseded by that of Ureña and Bonilla, C659, but the running commentary still retains some utility. On Jacobo's participation in the compilation of SP, see pp. 150-51. See Redonet, C565, pp. 3-9.

C243 ———. 'Origen de los estudios de Castilla, especialmente los de Valladolid, Palencia y Salamanca, en que se vindica su mayor antigüedad', CDIHE, 20 (1952), 51-278. This is only the 'Primera parte, que comprende los de Valladolid y Palencia'; the anonymous editor doubts the existence of a second part (p. 51 n). F. uses SP II.xxxi on the founding of 'estudios generales', i.e., universities, to support his claim that the University of Valladolid must have been in existence at the time SP was compiled (pp. 69-73).

C244 *————. 'Tentativa sobre los autores de las Partidas'. MS (call no. ?), BNM. 18th c. 77ff. Roca, Catálogo, p. 207 ($504.7).

C245 ———. 'Vida literaria del cancellor mayor de Castilla D. Pedro López de Ayala, restaurador de las letras en Castilla', CDIHE, 19 (1851), 5-574, 20 (1852), 5-49. Pp. 292-374 contain a history of Spanish jurisprudence in the 14th and 15th c. that embraces discussions (pp. 295-300) of González de Bustamante's Peregrina (C318) and Arias de Balboa's commentary on FR (C50), as well as a rather full account (pp. 316-46) of Díaz de Montalvo's life and works. Of particular interest are F.'s observations (pp. 324-30) on the latter's ed. of SP (Bh1) where two pseudo-laws appear interpolated after IV.xxviii.7, taken from the 14th-c. Vergel de consolación.

C246 ———. 'Vida y obras del Dr. D. Lorenzo Galindo de Carvajal, del Consejo y Cámera de los señores Reyes Católicos D. Fernando y Doña Isabel, y de Doña Juana y D. Carlos su hijo y nieto', CDIHE, 20 (1852), 279-406.
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In this remarkably digressive biography, F. includes: (1) a brief history of Castilian legislation (pp. 294-306) with numerous observations on SP, in particular its alleged publication by Enrique II in 1369 (p. 296); (2) a reconstruction of the work carried out by Galindez on SP (pp. 307-12), where F. describes a MS of SP III (perhaps Ah)7 supposedly containing marginal notes by Gregorio Lopez (p. 311); and (3) a lengthy account of the life and juridical activity of the last-named glossator of SP (pp. 312-44).


F. refers to the prologue of SP in order to establish that in the era de la encarnación ('year count based on Christ's Incarnation') and the era española ('year count beginning in 38 B.C.'), the new year fell on 1 Jan., and that Alfonso's reign began on Saturday, 1 June 1252 (pp. 15, 96-100, of the repr.).


Useful introduction to Alfonsine diplomatic in vol. I, pp. 509-26, with specific comparisons between actual chancery practice and the prescriptions of SP III.xviii.2.


Informative and interesting essay, with abundant bibliographical data. The chief defects I noted were the author's adherence to the belief that the year 1265 represents the completion of a second version of SP (p. 314) and his attribution to Menéndez y Pelayo of an idea (that Sancho IV forged Esp. for political reasons) that was in fact put forth by Bonilla y San Martín, C115.

C250 ————. ‘La recepción del derecho romano en la Península Ibérica durante la Edad Media', Recueil de Mémoires et Travaux Publiés pour la Société d'Histoire du Droit, Université de Montpellier, no. 6 (1967), 85-104.

Comprehensive and erudite survey of the Romanist reception in all the medieval Peninsular kingdoms, with particular reference to León and Castile. On Alfonso's legal works, see passim and esp. pp. 100-02.


The body of the thesis is an alphabetical list of definitions taken from the Primera crónica general (Estoria de España), General estoria and Set. The last-named text provides mainly ecclesiastical entries. Whenever Alfonso ventured an etymology, that is also included.

C252 *Fuente, José Julio de la. Paralelo histórico entre el 'Fuero Real' y el libro de los fueros de Aragón de d. Jaime I: discurso. Madrid: n. pr., 1858. 15pp.

Palau, Manual, V, p. 514 (895277); Vance, C673, p. 89.


The author makes a brief comparison (II, pp. 433-36) of the Fuero de Aragón with FR, in which the alleged superiority of the former is emphasized.


Pp. 107-22 of vol. I contain a succinct survey of SP II.xxxi, 'De los estudios generales'.


SP, despite the fact that the first Partida deals with canon law, had little influence on the medieval church (II, pp. 316-19). F. believed that SP Iiv as printed in Bh17 contained several heretical propositions.


G.F. includes FR in this systematic survey of legal provisions governing the legal status of widows and widowers.
C257


G.F. studies the various sorts of improper sexual unions proscribed by medieval legislation, and the legal consequences for the offspring of such unions, with numerous references to FR and SP.

C258


This erudite and well-planned dissertation takes up two main topics, concubinage and illegitimacy, with many allusions to Alfonseine legislation. See also C257.

C259


On pp. 25-26, G.F. discusses the special judicial procedures enjoined by SP IV.xxi.14 and FR IV.xxi.1 for merchant mariners; other references to Alfonseine legislation may be found in the introductory chapter (pp. 11-28).

C260


On pp. 72-74 the author claims that Montalvo’s gloss to SP was plagiarized from that prepared by a certain Diego Fernández in the year 1420. No one, to my knowledge, has ever taken this claim seriously.

C261


C262

Galindo y de Vera, León. *Progreso y vicisitudes del idioma castellano en nuestros cuerpos legales desde que se rompeó el 'Fuero Juzgo', hasta la sanción del código penal que rige en España: memoria escrita por... premiada por la Real Academia Española en el concurso público de 1863*. Madrid: Impr. Nacional, 1863. 274 pp.

Multitudinous linguistic traits of the Alfonseine codes are listed on pp. 95-143; curious demonstration of pre-scientific philology.

C263


The proof required by SP III.xiv.12 in criminal cases, ‘pruebas claras como la luz, en que no venga ninguna duda’ (‘proofs clear as light, in which there is no doubt’), turned out to be too rigorous in later times, as G.M. makes evident.

C264


On pp. 72-74 the author claims that Montalvo’s gloss to SP was plagiarized from that prepared by a certain Diego Fernández in the year 1420. No one, to my knowledge, has ever taken this claim seriously.

C265


C266


Pp. 263-330 contain a rambling and impressionistic commentary on the SP titles (II.xviii, xxii-xxx) devoted to military matters, with some side glances at penal legislation in SP VII.

C267


The significance of Alfonseine legislation is discussed in Chap. 6.

In this curious bilingual text with fold-out charts, one will find a discussion of the Alfonseine legal corpus on pp. 86-91. The author follows basically the views of Martínez Marina, C462 and Sempere, C626, with some useful allusions to other authorities.

C269 García-Gallo, Alfonso. 'Aportación al estudio de los fueros', AHDE, 26 (1956), 387-446.

G-G. analyses the definitions of the term fuero 'municipal charter, law code, law' given in the various texts of Esp. and SP (pp. 405-07), attributing the more elaborate version of SP Li.8 (Bh17; = Li.7 in Bh7) to an unknown jurist writing around the year 1325.


The initial part of G-G.'s speech is an extremely eloquent description of the importance of SP. The remainder provides a clear and handy summary of the findings he reached in C274.

C272 ————. 'Los fueros de Toledo', AHDE, 45 (1975), 341-488.

The conclusion of this important piece (pp. 457-58) contains some pertinent remarks on the relationship of FR with the Fuero de Soria and the Fuero de Gójar.


More scholarly, better organized and with a broader vision than all previous histories of Spanish law, G-G.'s Historia marked a definitive advance in the discipline. His treatment of Alfonseine legislation (pp. 644-45, 650-53), however, was not at this time innovative or original. The Historia has been superseded by C275, with the unfortunate sacrifice of the learned footnotes. I am unable to verify earlier eds.

C274 ————. 'El Libro de las leyes de Alfonso el Sabio: del Espéculo a las Partidas', AHDE, 21-22 (1951-52), 345-528.

Easily the most influential publication on Alfonso's legal works since Martínez Marina, C462, this monograph is nevertheless seriously flawed by the author's failure to investigate the manuscript tradition of SP and by his reliance on secondary historical sources. His chronology for the various redactions of SP, though widely accepted, cannot stand up to genuinely scientific philological and historical scrutiny. See Craddock, C195 and 197; other critics include Pérez Prendes, C536, p. 575, and Camacho, C136, p. 508. The extensive tables of textual concordances between Esp. and SP remain a most useful research tool.


Rev.: José Martínez Gijón, AHDE, 32 (1962), 581-94. G-G. provides a succinct résumé (1, pp. 386-94 [3d ed., i]) of his chronology of the Alfonseine legal works, as elaborated in C274. Numerous passages from the Alfonseine legal corpus are anthologized in vol. II with minimal commentary; they are easily identified in the thorough index.

C276 ————. 'Nuevas observaciones sobre la obra legislativa de Alfonso X', AHDE, 46 (1976), 609-70.

In the course of an extended critique of Bh38, G-G. makes the unlikely claim that both FR and SP were compiled after Alfonso's death. For a detailed refutation, see Craddock, C195.

C277 ————. 'Textos de derecho territorial castellano (Devysas – Pseudo Ordenamiento II de Nájera – Pseudo Ordenamiento de
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León — Fuero antiguo', *AHDE*, 13 (1936-41), 308-96.
Important edition of the territorial laws of the nobility largely customary in origin, and first set down on paper or parchment in the course of the 14th c. These texts contain the sort of law to which the Castilian nobility clung so tenaciously during Alfonso's attempts to introduce legislative uniformity in his realm.

In his discussion of the background of this early (ca 1472) legal glossary, G.G. makes apposite comments on legal definitions in *SP* and the *Peregrina*, C318 (pp. 29-29, 55-56). See also Barrero, C74.

In *SP IV*1.3, 6, the ages of matrimonial consent are set, in accordance with Roman law, at 14 years for males, 12 years for females, with certain allowances for even earlier unions. The provisions of *SP* in this regard were taken up by the Spanish civil code of 1889 (883).

C280 García González, Juan. *‘El fuero viejo sistemático’*, *AHDE*, 41 (1971), 767-84.
In the course of demonstrating that the hypothetical text alluded to in his title probably never existed, G.G. notes the presence of laws from *SP* in some of the redactions of Castilian territorial law (esp. in the *Pseudo-Ordenamiento de Nájera*, I).

C281 ————. *‘El incumplimiento de las promesas de matrimonio en la historia del derecho español’*, *AHDE*, 23 (1953), 611-42.
Breach of promise in *SP* is studied on pp. 631-37, with numerous allusions to sources.

Alfonso's definition and explanation of this particular oath ( *SP III*1.23; *LN* 825: G.G. seems unaware that the latter is copied from *Esp. V*1.18) are here rejected, pp. 218-19. See also Meréa, C473.

G.G. seeks to prove that fazaña 'exemplary judicial anecdote' was not the same thing as a judgement (*juicio* or *sentence*), with interesting observations on Alfonso's treatment of the subject ( *FR*, *Exp.*, *SP* and *LE*). See also Bermejo, C99.

Studies

C284 García Goyena, Joaquín. *‘La promulgación de las Partidas’, RGLJ*, 68 (1886), 141-66.
The author defends the point of view, attributed to Floranes, that *SP* was not effectively promulgated until the reign of Enrique II of Castile (1369-79).

C285 García López, Juan Catalina. *[‘La Alcarria en los dos primeros siglos de su reconquista’]. In *Discursos leídos ante la Real Academia de la Historia en la recepción pública de... en 27 de mayo de 1894*. [‘Contestación’ by Juan de Dios de la Rada y Delgado]. Madrid: El Progreso, 1894. 154pp.
G.L. mentions two grants of *FR*, one to Guadalajara on 25 Aug. 1262, and one to Almoguera in August 1263 (pp. 74-75). He copied the original documents from the respective municipal archives, but unfortunately failed to include them in the appendix of documents (pp. 107-33).

C286 García Matamoros, Alfonso. *De Adseranda Hispanorum Eruditione sive de Viris Hispaniae Doctis Narratio Apologetica.*

One of the less significant pieces on the Cortes. Alfonso's views concerning that institution (*SP* II.xiii.3, 19, 21, 25) are discussed on pp. 93 and 98.

C288 ————. *‘Ordenamientos de posturas y otros capítulos generales otorgados a la ciudad de Burgos por el rey Alfonso X’*, *His*, 5 (1945), 179-235, 385-439, 605-50.
G.R. publishes here the original copies, prepared for the city of Burgos, of the *Cortes* convened by Alfonso in Seville and Valladolid; the two documents are dated 12 Oct. 1252 and 12 Jan. 1258, respectively.
Their antiquity gives them a significant advantage over the previously known texts of the two *Cortes* as published by Ballesteros, C65 and AHM, *Cortes*, C3, I, pp. 54-63, respectively. The editor adds an extensive, indeed prolix, commentary (pp. 385-439, 605-36) as well as a useful glossary (pp. 640-50). I cannot, however, let pass his creation of the pseudo-verb *llagar* 'hacer demostraciones públicas y exageradas de dolor' (p. 644). The form in the text (p. 230) is *llaga*: *ningun*
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cavallero non llarga nin se rasque, that is, present subjunctive of llaner or llanir, medieval variant of planir 'to weep, wail'.


Alfonso's grant of FR to Burgos is discussed in vol. II, pp. 208-26, followed by a detailed discussion of the collection known as the *Fuero de Burgos* (MS 431, BNM). Amateurish transcriptions of some Alfonsoine documents are printed in an appendix, II, pp. 421-39.

García Soriano, 'Martínez Marina', see Castañeda and Alcover, C159.


The author includes SP I (p. 405) among the relevant entries, with a bibliographical footnote on canonistic work dealing with SP.


This lecture contains several apposite remarks concerning SP (pp. 895, 898 and 901), among them the observation that the method of its compilers was more modern than that of medieval canonists, insofar as the jurists working under Alfonso's supervision rewrote and reworked previous laws rather than merely copying them.

C292 ————. 'Un nuevo códice de la primera Partida de Alfonso X el Sabio: el MS HC 397/573 de la Hispanic Society of America', *AHDE*, 33 (1963), 267-343.

Important analysis of a MS (Ah60) that contains portions of the earliest recension of SP. G. y G. did not, however, really perceive the hybrid nature of the codex in question. It is an amalgam of both the earliest and the latest recensions, with large portions of *Set.* thrown in, so that its value in reconstructing the sequence of SP versions is limited. Large portions of the text are transcribed (numerous improvements could be made here) and a series of charts has been elaborated to show the correspondences between the laws copied in this MS and those of other MSS and editions. Not all the information is perfectly accurate; for instance, HC 397/573 Liv.55-63 correspond to Bh17's I.xxii.7-13. See also Arias Bonet, C45, and Craddock, C197.

C293 ————. 'Obras de derecho común en castellano', *AHDE*, 41 (1971), 665-86.

The author provides fresh data on MSS of the works attributed to one possible and another certain collaborator in the compilation of SP, Fernando Martínez de Zamora (pp. 671-73) and Jacobo de las Leyes (pp. 674-75), as well as a bibliography of canonistic studies on SP (pp. 667-68).


Brief mention of SP I as symptomatic of the penetration of Roman and canon law into the Iberian Peninsula (p. 585, with bibl.).


Brief critique of Bh17 on p. 264, with bibliographical footnotes.


Several legends concerning Alfonsoine legislation can be found here, i.e., that SP replaced a *Libro de los jueces*, formed by the judge of primeval Castile (bk. X, Ch. 6; I, p. 517); that SP was begun by a council of twelve wise men under Fernando III (bk. XIII, Ch. 4; II, p. 787); and that SP was promulgated in 1260 (bk. XIII, Ch. 9; pp. 801-02).


See Camacho, C136, p. 514. Unable to verify this item.


Concise and well-informed introduction to SP.

C299 ————. *El consejo de Madrid. I: Su organización en los siglos XII a XV*. Madrid: Publ. del Instituto de Estudios de
Alfonso X, el Sabio

Administración Local, 1949. xvi + 268pp. No more published. Chap. 2, pp. 15-27, describes Alfonso's concession of FR to Madrid (22 Mar. 1262) and the vicissitudes of that code's subsequent history as the city's municipal charter.

C300 ———. 'El consentimiento familiar en el matrimonio según el derecho medieval español', AHDE, 18 (1947), 706-61. Alfonsine legislation (FR III.i.; SP IV.iii.5) attempted to restrict somewhat the family's veto power over prospective marriages by making widows, former mistresses and women of age whose parents were deceased free from the penalty of disinheritance if they married against their family's wishes. R. observes, however, that in the Cortes de Ocaña (1412), Juan II gives the impression that the Alfonsine laws on the subject had up to that time been a dead letter, and that it was the king's desire to bring them into observance (see esp. pp. 739-44).

C301 ———. 'Los contratos agrarios en el derecho medieval español', BUG, 22 (1950), 305-30. Brief and informal study of agricultural contracts; FR and SP are brought up on pp. 325-30.

C302 ———. 'El derecho municipal de León y Castilla', AHDE, 31 (1961), 695-753. G. places FR in the context of medieval Hispanic municipal legislation (pp. 745-53) with a discussion of its sources, its effect on the municipal tradition, the towns' resistance to its imposition, and its eventual acceptance both locally and nationally.


C304 ———. 'La paz del camino en el derecho medieval español', AHDE, 27-28 (1957-58), 831-52. G. analyzes what FR (esp. IV.v.7) has to say about highway robbery (p. 850), in comparison with other medieval codes.

C305 ———. 'La sucesión al trono en la monarquía española', Recueils de la Société Jean Bodin pour l'histoire Comparative des Institutions, 22, no. 2 (1969: La monocratie), 448-546. The author analyzes at some length (pp. 479-82) SP II.xv.2 which introduced the right of representation (i.e., a direct descendant 'represents' his deceased parent in matters of inheritance) in the royal succession. He identifies some of the Biblical allusions contained in the law, but what one needs is an indication of the immediate juridical sources or inspiration for such a notable, and, in the event, disastrous, constitutional change.

C306 Giesey, Ralph E. Review of Van Kellefens, C670, Speculum, 45 (1970), 184-86. Exceedingly harsh criticism by a professional historian unhappy, inter alia, with the scant and inaccurate account of non-Castilian Peninsular law. G. concedes, however, that V.K.'s discussion of the Alfonsine corpus is the 'part of the book most worth the professional scholar's attention' (p. 185).

C307 Gímenez y Martínez de Carvajal, José. 'El Decreto y las Decre- tales, fuentes de la primera Partida de Alfonso el Sabio', Anthro- logica Annuia, 2 (1954), 239-348. The basic purpose of this important piece is to provide law-by-law corre- spondences between the canonical portions of SP I and the two major canonical collections mentioned in the title. The author in general does no more than indicate the existence of the corresponding canonical text in abbreviated form, without confronting the two versions. He does, however, include a set of such detailed comparisons at the beginning of his essay (SP I.v.18, v.34, xvii.7, xxii.17, iii.0, vii.14-16; see pp. 245-60). He used, as is sadly the case in almost all canonical studies of SP that have come to my attention, whatever published version of SP he had at hand. Just how corrupt the available editions often are can be neatly illustrated from his first example (SP I.v.18, on solemn penitence). His SP text says at one point (p. 246, line 3) 'estando los presentes e el obispo llorando'; beside being meaningless in context, this passage fails utterly to match the Latin source: 'in terram prostratus cum lacrimis' (the bishop is the understood subject). In the Arias Bonet ed. (Bl38; p. 28, 9 lines from end) one finds a perfectly adequate translation: 'yazendo de priezes el obispo, e llorando'. The archaic phrase de priezes 'prostrate', lit. 'prayerfully, as a suppliant', was confounded somewhere along the line by a scribe or printer, who patched the text in a most monstrous fashion.

C309 ———. ‘San Raimundo de Peñafort y las Partidas de Alfonso X el Sabio’, *Anthologica Annuia*, 3 (1955), 201-338. This remains today the single most significant study on the sources of *SP* I. G. establishes beyond any reasonable doubt that the *Summa poenitentiae* of St Raymond (?1275) was the chief immediate source of *SP* I, and that the version of *SP* I contained in the lost MS Ah58 (publ. in Bh17 with the sigilum B.R.39°) follows the source much more closely than the definitive text as found in Bh7 and 17. Toward the end of his presentation, G. breaks a lance in favor of the Saint’s direct participation in the compilation of *SP* I; a reasonable, but unsubstantiated, conjecture.

G.C. leads off his discussion of 14th-c. Castilian monarchs with an analysis of the reign of Alfonso X and his views on kingship, as expressed in *SP* II (pp. 24-45).

Suggestive, but unsuccessful, attempt to show that the 13th-c. Old Norse Classic, *Konungs Stuggei* (King’s Mirror), was influenced by *SP* II. The parallel passages adduced are far less convincing than the author imagines.

Concerning Montalvo’s eds. of *FR* and *SP* (Bb1, Bb1) as well as the criticism they evoked, see pp. 28-29.

This essay, accompanying as it did the most prestigious and extensive collection of Spanish legislation in the 19th c., became standard doctrine on the subject for many years. It was also instrumental in causing the López text (Bh7) to be preferred for practically all judicial and scholarly purposes until the 20th c. Entirely uninspiring, reflecting no original research whatsoever, G.’s introduction was symptomatic of how far historical investigation had declined in Spain since Martínez Marina’s time (see C462).

The bilingual text, Latin and Spanish in parallel columns, precedes the Teutonic commentary (also translated into Spanish); G. then appends his comparisons to Spanish law, which frequently involve *FR* and *SP*. For other eds., see *NUC*-56, CXXIII, p. 405.

This lecture focuses on Alfonso’s legal works (esp. pp. 626ff.), with lavish praise for their author. G. defends Alfonso against those who charge him with subservience to clerical interests. Despite Alfonso’s failure to impose his legislation on his subjects during his lifetime, G. feels that its influence in succeeding ages was profound and beneficial.

C316 González, Jr, Juan. ‘La sociedad medieval española reflejada en la obra de Alfonso el Sabio’. Unpubl. Ph. D. Diss., University of Texas, 1969. 316pp. *DAI*, 30A (1969-70), 3008. *SP*, and, to a lesser extent, *FR* and Set., are drawn upon as the basis for impressionistic descriptions of medieval life and times, under such headings as Alfonso X and the Church, the Nobility, the People, the Ethnic Minorities, etc.

Alfonsoine documents appear chiefly in V, pp. 170-91, and VI, pp. 95-125, with some others scattered about. Various are legislative in character, esp. the *fueros* of Alicante (VI, pp. 111), the first of which bears the date 25 Oct. 1252 and grants the *Fuero juzgo* to that municipality.
C318 *González de Bustamente, Gonzalo, bishop of Segovia. †1392. Peregrina.
This unpublished work is the first example of a legal thesaurus in Castile. Extant in both Latin and Castilian versions, its chief source is SP. See Barrero, C74, pp. 321-22, García-Gallo/Villalpalos, C278, pp. 28-29, 55-56, García y García, C293, and Riaza, C577.

C319 *González de Salcedo, Pedro. Nutrición real: reglas o preceptos de cómo se ha de educar a los reyes mozos, desde los siete a los catorce años, sacados de la vida y hechos del Santo Rey D. Fernando tercero de Castilla, y formados de las leyes que ordenó en su vida y promulgó su hijo el Rey don Alonso.
See Bianco, C110, II, pp. 266-73.

See Gárate, C266, p. 319, who provides the following information: ‘esquema de su conferencia “La guerra y el ejército en la ley de Partidas” en la Escuela Superior del Ejército, el 13 de mayo de 1963’.

C321 González Llanos, Rafael. ‘Examen paleográfico-histórico del código y códigos del Espéculo o Espejo de todos los derechos’, Revista de Madrid, 2ª época, 6 (1845), 318-42; 7 (1845), 43-83, 143-44, 244-77, 313-64; 8 (1845), 189-225.
Amazingly prolix and abstruse demonstration that the principal extant MS of Exp. (Aa3) belongs to the 14th c., rather than to the 13th, as claimed in Opisculos, I, p. iii. G.LI. was certainly right, but failed to comprehend that the age of a MS has no necessary bearing on the age of the work it contains.

Useful biography of the first commentator of FR, with detailed discussion of the relationship of Arias’ commentary to that of Montalvo.

C323 González Serrano, José. ‘Los oficios del concejo en los fueros municipales de León y Castilla’, RCJS, 4 (1921), 538-65; 5 (1922), 82-104, 227-56.
This survey of the functions of the medieval Castilian town council includes FR among the fueros used as sources.

FR, Exp. and SP are among the sources utilized (see p. 11) in this monumental contribution to our understanding of medieval Hispanic institutions.

Learned and lucid disquisition on the wrath of monarchs as a sort of formal penal institution from Visigothic times to the late Middle Ages, with careful consideration of the laws of FR and SP that bear on the subject. Note in particular her detailed analysis of SP IV.xxiv.10 (pp. 75-77).

Pp. 80ff. contain important information on fiscal policy during Alfonso’s reign, with references to the Wise King’s attempts to control prices in his various Cortes.

This study of royal donations and grants with full proprietary rights for the recipient, rather than life-time tenure, contains various allusions to Exp. and SP, esp. on pp. 46-47, where the innovative character of Alfonsine legislation is discussed.

G. expresses the outlandish opinion that around the year 1300, SP did not yet exist ‘comme recueil assemblé et rédigé’ (p. 251). Only a thoroughgoing ignorance of the circumstances surrounding the succession of Sancho IV allowed him to adopt such a position.

Excellent monograph whose first part is crucial for our understanding of the royal household, council and chancery in Alfonso’s time. The author draws heavily on SP II and LE to describe the functions of each royal official. The second part takes up the Cortes or curia plena which representatives of the three estates attended. G. focuses on their purpose,
their membership and their legislation, with numerous references to the Cortes of Alfonso's reign.

C330 Guillarte Zapatero, Alfonso M. ‘Algunas observaciones acerca del Dr. Espinosa y sus obras’, AHDE, 16 (1945), 712-19. G. provides biographical data concerning Spain's first historian of law (†1551) and publishes a fragment of his work that alludes to the differences existing between the MSS of SP and the printed text of Montalvo (Bh1), specifically with regard to the first titles of SP I. These differences were not, however, destined to become common knowledge until Bh17 appeared in 1807.

C331 ————. ‘Capítulos de concierto para la primera edición de las Partidas con la glosa de Gregorio López’, AHDE, 45 (1945), 670-75.

The document published here contains extremely interesting details about book manufacture and the economics of printing in mid-16th-c. Spain. López was required to advance 2,000 ducats for the first printing (Bh7).


Commentary on SP VI.xvi concerning the duties and obligations of legal guardians. For other eds, see NUC-56, CCIV, p. 3.


Concerning Alfonso's legislative activity with regard to this town, see pp. 20-27: FR granted in 1261, revoked in 1272. See also Martín Lázaro, C444.


G. provides a superficial running commentary on the penal legislation of FR and SP (pp. 146-205).


Lengthy, highly technical, jargon-ridden and ultimately unilluminating analysis of derivational morphology in Set., carried out in almost total isolation from the abundant literature available on word-formation in Spanish.

C337 ————. ‘Estudio de ciertas estructuras semánticas y actanciales que figuran en el Setenario de Alfonso el Sabio’, CLHM, 1 (1976), 127-60.

H. elaborates a semantic taxonomy for the frequent verb + object constructions in Set.


For other eds, see NUC-56, CCXXVIII, p. 658. Part II, §ix, p. 54: ‘Hispanis eodem tempore innotuise videntur leges Romanae, quippe saeculo inequente XIII, us tam familiares, ut Alphonsus X Castiliae Rex, conficiens legum corpus, quod Partitas Hispanic vocant, permulta ex jure Romano desumerit.’


For this and other eds, see Palau, Manual, VI, p. 554 (1611 3441-42), and NUC-56, CCXLII, p. 357.

C339 Herrán, Fermin. ‘Las Siete Partidas, inconveniencia e inoportunidad de su aparición’, Revista de España, 45 (1875), 237-49.

H. criticizes Alfonso for being so far ahead of his time, and emphasizes the many defects he perceives in SP; yet he does concede that it is a great work.

C340 Herriott, J. Homer. ‘Grant No. 780 (1944), $600: Studies on the
Alfonso X, el Sabio

After describing briefly the genesis of SP and its continuing relevance to the legal traditions of Spain and the Americas, H. points out a series of laws in Abh41 (SP I), in which the king possesses greater prerogatives in the matter of ecclesiastical fines and abuses than he does in the corresponding laws of the printed editions.

H. provides excellent, and, I believe, conclusive, reasons for considering the redaction of SP I contained in Abh41, earlier than that contained in the printed editions. In particular, the former follows the immediate source, the Summa poenitentiae of St Raymond of Pefafort, much more closely than do the latter. This point was made independently and in greater detail (on the basis of the variant text, Ah50, printed in Bh17) by Giménez y Martínez de Carvajal, C307.

The prologue of SP I.xxi on tithes contains, in the earliest known MS, Abh41, a curious passage on the ten senses (5 external, 5 internal) which H. publishes here with an erudite analysis of sources and parallel passages in other authors. Since this passage was eliminated in later redactions, perhaps to avoid redundancy with similar material contained in SP II.xxii (pp. 278-79), H. speculates that these later redactions were undertaken after Alfonso's death. He thus reached independently a hypothesis advanced by García-Gallo, C274. Both scholars' arguments are mistaken, as I have tried to show in C197.

C343 ———. 'A Thirteenth-Century Manuscript of the Primera Partida', Speculum, 13 (1938), 278-94.
First significant study of Abh41. Pp. 278-86 constitute a useful historical introduction to the legislative background and the bibliographical vicissitudes of the Partidas. The remainder describes the MS, collates it selectively with Bh7 and 17, and offers succinct and erudite commentaries on the differences observed. Herriott's transcription of the MS had gone to press three years previously (p. 287) but that edition was interrupted by the Spanish civil war. Herriott intended to publish the text in the USA, but never did so.

C344 ———. 'The Validity of the Printed Editions of the Siete Partidas', RPh, 5 (1951-52), 165-74.

Studies

After a useful description of the circumstances surrounding the printing of the three basic editions of SP (Bh1, 7 and 17), H. demonstrates that the oldest surviving MS, Abh41, represents an older redaction that that contained in the editions. His conclusion that the definitive text (Bh17) belongs to the 14th c. is unjustified. He never seems to have entertained the possibility that Alfonso himself might have revised his great law code. Unfortunately, H. seems to have lost interest in SP about this time.

In his chapter on Alfonso's legislation (esp. SP and LE, pp. 35-51), H. makes the claim that SP left judges considerable latitude in interpretation of the law, though it did not foster a tradition of binding precedent, as in English common law.

The section entitled 'Castile and Granada, 1252-1325: The Crown and the Nobility', vol. I, pp. 287-333, contains a comprehensive assessment of Alfonso's reign that makes extensive use of his legal works, esp. SP.
The author can be faulted for having followed uncritically (pp. 297-98) García-Gallo's chronological theories, C274.

C347 Hinojosa y Naveros, Eduardo de. ['Cuál ha sido, cuál es y cuál debiera ser la condición de la mujer casada en la esfera del derecho civil'] In Discursos leídos ante la Real Academia de Ciencias Morales y Políticas en la recepción pública de... el día 26 de mayo de 1907. Madrid: Tip de la RABM, 1907. 77pp. Repr. in his Obras, II, pp. 343-85.
Concerning the community property of married couples, as determined in SP, FR and LE, see Obras, II, p. 362. BE, VII (1907), p. 72 (81042); Palau, Manual, VI, p. 599 (8114811).

Alfonso granted a charter to the town of Requena (4 Aug. 1257), specifying that the settlers should be judged by the Fuero de Cuenca...
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(pp. 116-17). The Wise King, finding that the inhabitants of Madrid 'non hauien fuero complido', conceded to them (22 Mar. 1262) 'aquel fuero que nos fizimos con consejo de nuestra corte, escripto en libro e sellado con nuestro seello de plomo', i.e., FR.

Succinct discussion of SP in the context of the medieval reception of Roman law, II, pp. 251-56.

Substantial pages (Obras, I, pp. 52-60) are devoted to SP, in particular with regard to the king's legislative power and to secular punishments for ecclesiastical offenses.

FR and SP prohibited creditors from preventing the burial of their deceased debtors until the debts were satisfied (pp. 167-69). However, Alfonso himself made exactly such an arrangement in his second will: see Daumet, C201, p. 88.

This survey of the literature concerning the penetration of Roman law into Spanish legal traditions (including Aragon, Catalonia and Navarre) makes appropriate remarks on Alfonso's legal works and their early glossators.


Studies

Brief external history of Alfonso legislation on pp. 141-42, with allusions to the extent that it continued to be in force in Louisiana and other Spanish colonies (pp. 146-48).

C354 *Humada Mudarra, Bartolomé de. Scholiwm, seu brevies interpretatio ad glossam in Primam et Secundam Partitam... conditarum per... Gregorium Lopez*. Madrid: Q. Gerardus, 1588. 179ff.

For her edition of SP VII.xxxi-xxvi (Bh36), H. has elaborated an extensive juridical, historical and literary commentary plus a short vocabulary. In her edition, there is no effort to establish a critical text nor a filiation of MSS, and her commentary is designed more as a broad illustration of the topics treated in SP VII.xxxi-xxvi in terms of general medieval culture than as an elucidation of Alfonso's specific sources.

In a contribution stripped of all conventional bibliographical aids, I.F. establishes conclusively that the redaction of SP represented by Ah41 is a source for the version published in Bh17 from Ah53, by an extremely intelligent observation of internal allusions and cross-references in the former that remained unaltered in the latter, even though they had been rendered incorrect by the extensive reordering of titles and laws that had been carried out in the later redaction. His further claim that the version of SP I represented by Ah31 is later than that contained in Bh17 (= Ah53) requires further examination of textual variants.
The final note identifying the libro del fuero granted to Campomayor with FR may be premature. See my annotation to C4.

I.F. attempts to sort out the absolute and relative chronology of FR, Esp. and SP by studying the types of law cases reserved for the king's bench (murder, rape, treason, etc.) according to provisions in those works and in the various Cortes that took place in Alfonso's reign, esp. those of Valladolid (1258) and Zamora (1274). His conclusions are that FR was completed by early 1255, that Esp. was interrupted
by Alfonso's determination to seek the crown of the Holy Roman Empire, that Jacobo de las Leyes' Flores de derecho must have been composed before Alfonso became king (1252) while Jacobo's Doctrinal clearly borrows from an already existing SP III, and, finally, that SP III ili, concerning cases reserved to the king's bench, reflects the legislation of the Cortes de Valladolid de 1258 rather than that of the Cortes [Ordenamiento] de Zamora de 1274. Consequently, the latter constitute a terminus ante quem for SP. See also Craddock, C19S, and García-Gallo, C274.

I.F. studies the procedures of challenge and duel in the late-15th-c. romances of Diego de San Pedro with detailed analysis of the provision regarding such matters in FR and SP, as well as in other medieval legal texts.

I.F. traces the legal history of treason from Visigothic times to the Ordenamiento de Alcalá (1348). There is a large section devoted to Alfonsoine legislation (pp. 147-248), with detailed consideration of the laws in FR, Esp. and SP bearing on the subject.

Too little knowledge of the text tradition of SP (I.C. is unaware of the existence of Ale{11} in league with too much love for the patria chica has here produced the fatuous theory that SP was originally composed in Galician. I.C.'s belief that Bernardus Compostellanus (+1267) collaborated in the preparation of SP may be worth pursuing.

After transcribing Esp. II (Ba5), I. discusses the text's language, under three main headings: 'Phonology and Morphology', 'Forms in their Grammatical Setting - Syntax' and 'Vocabulary'. The linguistic work betrays a good deal of inexperience but can still be consulted with profit.

I. studies the words in Esp. that constitute first attestations (not necessarily neologisms, strictly speaking) in the history of the Spanish lexicon, with selected observations on word-formation and etymology.

In vol. I, pp. 142-43, I. makes the point that SP II.xxxi constitutes the first secular legislation governing universities and marks the moment when secular authorities begin to intervene actively in the promotion and regulation of university welfare.

C364 Iturrioz Morales, José. "En torno a la idea de imperio en Alfonso X el Sabio", REP, no. 182 (1972), 83-155.
Though the author suffers from serious misconceptions concerning the external history of Alfonsoine legislation (pp. 93-98), his discussions of Alfonso's independence, as king of León and Castile, from the Holy Roman Emperor, of his power to legislate, of the nature of high treason, and of the political implications of the Wise King's candidacy for the Empire, allow the reader to place important portions of SP II in the context of 13th-c. political literature.

I. hopes to draw sociological lessons for present-day society from his leisurely contemplation of SP, under the headings of law, mankind, king and people.

When St Ignatius confessed his sins to a layman in a desperate wartime situation where no priest was available, he did so with perfect canonical justification. Among the authorities adduced by the author is SP I.iv.29, which makes provision for such emergency confessions.
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C367 Jacobo de las Leyes 1289. Collaborator in the compilation of SP. His own works, Flores de las leyes and Doctrinal (C659), are closely related to SP III. See Floranes, C242, García-Gallo, C274, and Iglesia, C357.

C368 Janini, José. ‘Los pecados graves y leves según san Cesáreo de Arles’, REDC, 13 (1958), 117-23. J. identifies as the source of SP I.v.33-34, on capital and venial sins, a sermon of St Ceasarius of Arles (470-543), which was taken up in Gratian’s Decretum. The author makes the unwise assumption that he can judge the SP text on the basis of Bh25.


C371 Jovellanos, Gaspar Melchor de. ‘[Carta] al doctor San Miguel del gremio y claustro de la Universidad de Oviedo, sobre el origen y autoridad legal de nuestros códigos’ (19.vi.1747). In his Obras, II, pp. 148-52. J. defends the position that SP was in force during Alfonso’s lifetime and that FR was intended as a general, rather than strictly municipal, code.

C372 ————. ‘Discurso leído en su entrada a la Real Academia Española, sobre la necesidad del estudio de la lengua para comprender el espíritu de la legislación’ (25.ix.1781). In his Obras, I, pp. 299-301. J. urges the necessity of language study for lawyers and magistrates so that they might gain full understanding of the text of the Spanish codes, esp. SP. Along the way, he makes the claim that Alfonso was in a narrow and literal sense the author of that great code, however much he may have enjoyed the assistance of jurists and philosophers.

C373 ————. ‘Discurso leído por el autor en su recepción a la Real Academia de la Historia, sobre la necesidad de unir al estudio de la legislación el de nuestra historia y antigüedades’, in his Obras, I, pp. 288-98. J.’s discussion of SP (pp. 295-97) betrays a remarkable ambivalence: on the one hand, he denounces the code for introducing Roman and canon law into secular Spanish jurisprudence, and, on the other, extols it for having mollified the fierce and barbarous customs of the ancient Castilians.

C374 *Juárez, Rodrigo. Allegationes et consilia quaedam... eiusdem exactissima in alicus fori leges lectura... Lyons: S. de Honoratis, 1559. 23ff. + 708pp. For this and other eds, see NUC-56, CCLXXXVI, p. 65, Palau, Manual, XXII, p. 238 (B323780-81), and Urefa, C657, p. 17. The lectura appears to concern itself with FR.

C375 Kasten, Lloyd A. (ed.). Seudo Aristóteles. Poridat de las poridades. Madrid: S. Aguirre Torre, 1957. 93pp. Transcription, with variants, of an important didactic text belonging to the Alfonso period, whose thematic resemblances to SP II have long been noted. K., for his part, questions whether Poridat can be considered an immediate source for SP II, since the Latin version (Secretum secretorum) was readily available at the time.

C376 ———— and John Nitti (eds). Concordances and Texts of the Royal Scriptorium of Alfonso X, el Sabio. Madison: HSMS, 1978. 14p. ‘Guide’ + 112 microfiches (192 frames on each). Important research tool for all philological problems (esp. language and text tradition) involving SP, since Ah41 (SP I), is included. We have therefore a concordance of SP I, a transcription that follows exactly the original format (with regard to line length, columns and folios), as well as cumulative alphabetical and reverse alphabetical indices that embrace all the texts included. The only criticism I have involves features inherent in the method. The computer can recognize only what is actually present in the transcription, so that separate lists can be generated for abbreviated and unabbreviated forms, since the former are expanded with recognizable symbols, e.g., q<ueq> vs qual. However, homographs cannot be distinguished, so that the lists for el combine the definite article and the subject pronoun, those for la the definite article and the fem. sing. object pronoun, those for a the preposition and the 3sg present of the verb ater, etc. Clitic forms do not receive
separate listing, so that antel, nol, etc., appear only once in alphabetical order, with no provision for the clitics el or l respectively. The concordance is consequently much less useful for linguistic analysis than it might otherwise have been, if a few inoffensive diacritics and abbreviation symbols had been introduced, e.g. elfél, la/lá, antél/no'l, with corresponding lists for the items thus set apart. Another solution would have been to print out the immediate context of each form, as is done in most computer-aided concordances. In any case, the Hispanic Seminary has provided linguists with an indispensable aid to further work on the Wise King's vast literary and scientific production.

K.'s account of Alfonsoine legislation (pp. 116-33) is out of date, but his comments on individual SP laws still retain interest.

Admirable, perhaps definitive, study of the passage from LBA mentioned in the title. K. establishes that SP was Juan Ruiz' exclusive source and that the poet was extremely accurate in his use of the material (see esp. Chap. IV, pp. 86-107). In reaching these conclusions, K. painstakingly compares all the legal sources theoretically available to Juan Ruiz, including FR, Exp., LN and LE. In passing, he has found notarial and judicial documents which show clearly the application of SP norms long before that code's official promulgation in 1348 (see appendices III-IV, pp. 235-51).

In the 'pleito qu'el lobo e la raposa ouieron' (LBA, stanzas 321-71), Juan Ruiz utilized SP (see p. 286 for specific correspondences).

K. summarizes his arguments in favor of Juan Ruiz' utilization of SP in LBA 321-71.

C381 ———. 'Legal Doctrine and Procedure as Approaches to Medieval Hispanic Literature', C, 8 (1979-80), 164-71.
K. returns to the subject of Juan Ruiz' use of SP (pp. 166-67), placing it in a broad literary perspective.

Alfonso X granted the earliest extant charter of the great Spanish sheep-raising guild in 1273. For an analysis of its provisions concerning local taxes assessed against sheep herders (portazgos), see pp. 176f.

C383 ———. 'Los privilegios de la Mesta de 1273 y 1276', BRAH, 64 (1914), 202-19.
Though Alfonso X did not found the Honrado Concejo de la Mesta, its earliest extant privileges were issued from his chancery. K. publishes them here in a competent transcription.

Parallel passages in SP, Flores de filosofia (13th c.) and Castigos y doctrinas (14th c.) are indicated in the index, p. 407.

The index of parallel passages (p. 665) notes similarities between SP and Bocados de oro (late 13th c.).

Reasonably well informed, but unoriginal, account of Alfonsoine legislation on pp. 85-135.

In vol. IV (1888), pp. 252-59, L. devotes some florid rhetoric to Alfonso's legal works; on the Wise King's reign, see pp. 116-62.

C388 Lalinde Abadía, Jesús. 'La consideración jurídica de las

L.A. includes SP in his survey of medieval law practices governing water rights (pp. 62-65, anent SP III.xxviii.6).

C389 ————. ‘La creación del derecho entre los españoles’, *AHDE*, 36 (1966), 301-77.

L.A. views Alfonsoine legislation as an episode in the long struggle between customary and learned law (pp. 316-17).


On pp. 98-99 one finds a brief and vague external history of Alfonsoine legislation. This work is more useful for its thematic treatment of Spanish law (allusions to Alfonso's codes can be gleaned from the indices) and its bibliographies, but has been entirely superceded by C392, 2d ed.


Court costs should be assessed only against the party who litigates in bad faith or maliciously, not necessarily against the party who loses the suit, according to FR and SP (see esp. pp. 383ff.).


This treatment of Spanish legal history offers both an external account ('Los sistemas normativos', pp. 23-289) and a thematic analysis (public, penal, private and procedural law, in that order). Each principal subdivision is followed by an 'orientación historiográfica' and the most abundant and up-to-date bibliographies that I have come across in the field. The discussion of Alfonso's legal works (pp. 125-35) suffers from too close adherence to García-Gallo's chronology for SP and Esp. (C274).


L.A. studies the evolution of this senatorial decree, which forbade women to be guarantors of debts, in the various Peninsula legal traditions, with particular reference to SP V.xii.2-3 (pp. 356-65).


Handy survey of SP laws dealing with women, with brief English synopses. L. concludes that SP III, in particular, 'shows a tendency to class [women] with the physically defective and the morally irresponsible' (p. 507).


On Alfonsoine legislation, see pp. 156-60. The authors consider SP 'sin disputa el monumento legislativo más grande del medio evo, como el triunfo del romanismo en la legislación castellana' (p. 158). They also provide useful bibliographical indications.


Alfonso X's laws on heresy are surveyed in vol. II, pp. 183-84 (esp. SP VII.xxv.2-7), where the point is made that the Wise King took no cognizance whatsoever of the Inquisition as it existed in southern France and elsewhere. For other eds, see NUC.56, CCCVIII, pp. 184-85.

C398 León y Olarieta, Fernando de. *Observaciones acerca del método que debe emplearse en el estudio de la ciencia del derecho...* Valencia: J. Domenech, 1871. 320pp. 2d ed.

Metodología de la ciencia del derecho seguida del programa de ampliación de derecho civil y códigos españoles y de unos apuntes bibliográficos sobre esta asignatura. Valencia: J. Domenech, 1877. viii + 364pp.
The `apuntes bibliográficos' of the 2d ed. (pp. 213ff.) are still useful, particularly with regard to the older juridical literature. On Alfonso’s works see pp. 219-24 and 300-01. In the ‘programa’, lessons 21-24 are devoted to Alfonsine legislation (pp. 123-24).


C400 Limón Miguel, Carmen. ‘Ideas pedagógicas del libro de Las Siete Partidas’, Revista Española de Pedagogía, 4 (1946), 271-88. Anthology of SP II.vii, xxi and xxxi with commentary, which may be safely ignored.


C403 -----.. Disertación histórico-critica sobre la edición de la ‘Partidas’ del rey don Alonso el Sabio, que publicó la Real Academia de la Historia en el año de 1807... Madrid: Impr. de Repullés, 1820. x + 148pp. Monstrously tedious and repetitive pamphlet in which the author seeks to prove that the ‘shorter’ version of SP 1, as published by Gregorio López in 1555 (Bh7), corresponds to an expurgation carried out by Alfonso XI before 1348 on the ‘longer’ version, i.e., that printed as Bh17. In this torrent of verbiage two useful points are made (pp. 17-32 and 95-114, respectively): (1) certain marginal notes in various MSS of SP I will not, indeed, bear the interpretation Martínez Marina put on them (C462, pp. 378-80); (2) the MS ‘Tol.1” (Ah75) is not, in fact, contemporary with the Wise King.

C404 Llampayas, José. Alfonso X: el hombre, el rey y el sabio. Madrid: Biblioteca Nueva, 1947. 256pp. This novelistic treatment of Alfonso’s biography contains a chapter devoted to his legal works (pp. 197-210).

C405 Lluis y Navas, Jaime. ‘El castigo de la falsificación de moneda en el Fuero Real de Alfonso X el Sabio’, Numisma, 3 (1953), 79-88. Not very illuminating study of the punishment (death) for counterfeiting, with special reference to FR IV.xi.7.

C406 -----.. ‘Los principios sobre la falsificación de moneda, en el código de las Partidas’, and ‘El sistema de penas sobre falsificación de moneda en el código de las Partidas’, Numisma, 4 (1954), 87-95, 109-23, respectively. Running commentary on the laws of SP VII.vii that deal with minting, counterfeiting and adulteration of the coinage, accompanied by illustrations of 13th and 14th-c. coins.

C407 Lobingier, Charles, S. ‘Introduction’, in Bh54, pp. xliix-lxxvii. Here L. stitches together the material from his earlier contributions on SP.

C408 Entry deleted.

C409 -----.. ‘Las Siete Partidas and its Predecessors’, CLR, 1 (1913), 487-98. The chief interest of this rehash of Gómez de la Serna, C313, lies in the author’s references to the continuing use of SP in Philippine courts, where he served as a Judge of the Court of First Instance (see p. 492).

C410 -----.. ‘Las Siete Partidas in Full English Dress’, HAHR, 9 (1929), 529-44. Another introductory piece; L.’s own contribution is limited to the reference to actual courtroom allegation of SP in various states of the Union and Hispanic-American republics (pp. 537-39). A slightly revised version of this article forms part of C407.

C411 -----.. ‘Las Siete Partidas, the Great Spanish Law Book of the Middle Ages Analyzed’, Annual Bulletin of the
Comparative Law Bureau of the American Bar Association, 6 (1913), 33-50.
Swift survey of SP’s provisions regarding the law of persons, of property and of crime; useful chiefly for the references to Roman law and to the modern civil code of Spain. A revised version of this article was included in C407.

C412 London, Gardiner H. ‘Bibliografía de estudios sobre la vida y obra de Alfonso X el Sabio’, BFE, no. 6 (1960), 18-31. Unannotated alphabetical list that contains perhaps a score of items on Alfonso’s legal works.

C413 Loperráez Corvalán, Juan. Descripción histórica del Obispado de Osma. 3 vols. Madrid: Imprenta Real, 1788. Vol. III, pp. 86-112, contains an edition of the Fuero de Soria (concerning which see Sánchez, C606, pp. xi-xii), dated by L.C., I know not on what authority, 12 July 1256. There follows (pp. 182-85) a document extended by Alfonso, granting the inhabitants of Soria ‘aquel fuero que yo fiz con consejo de la mia corte’ and bearing the date 19 July 1256. It is identical to many documents of the same period that contain grants of FR to other towns. It seems most unlikely that the Fuero de Soria could have been authorized a mere week before it was abrogated by a grant of FR, by means of a document according to which the Sorians ‘non aule[n] fuero complido’. On the relative chronology of FR and the Fuero de Soria, see Martínez Díez, C452.

C414 López, Atanasio. ‘Fr. Pedro Gallego, primer obispo de Cartagena (1250-67)’, Archivo Iberoamericano, 24 (1925), 65-91. The bishop’s opusculum De regitiva domus shows strong resemblances to SP II, with regard to the education of children, but L. oversrates the case when he affirms (p. 84) that its five chapters were ‘glosados y extendidos’ in SP. The verbal correspondences strike me as less than conclusive (pp. 85ff.). As to whether the bishop took part in the compilation of SP, there is simply no evidence. See Torres Fontes, C652.

C415 López, Gregorio. Glossator of SP.
See the eds beginning with Bh7. López’s work, like that of his predecessor Díaz de Montalvo, involves chiefly the accumulation of references to civil and canon law apropos of Alfonso’s text. However, López carried out his work in a much more detailed and systematic fashion.

C416 López de Tovar, Gregorio.
Grandson of the glossator, who prepared indices for the eds and commentary of SP beginning with Bh9.

This posthumous note is rather sketchy. There are frequent allusions to penal law in FR, and occasional references to SP.

The town council and the cathedral chapter of Santiago de Compostela engaged in inextricable litigation. Many of their disputes came before Alfonso X, whose decisions, extant in documents pertaining to the archives of both bodies, L.F. publishes at length with abundant commentaries (I, pp. 234-91). The most significant is the extensive arbitration Alfonso delivered on 21 Feb. 1261 (pp. 246-61) with the intention of composing all the outstanding difficulties. At one point the Wise King inserted (pp. 252-55) a long passage from Exp. IV.xi concerning judicial investigation (pesquisa). The textual correspondences are literal, but the adaptation was evidently done so carefully that the passage betrays no overt sign of its source. See Bermejo Cabrero, C98. L.F. likewise included in toto (pp. 347-72) the fuero Alfonso granted to Santiago (15 Feb. 1253) which reproduces a major portion of the Cortes he held in Seville in 1252.

Chaps. 6-7 (pp. 207-54) of vol. V recount a portion of the endless embroilings of the cathedral chapter and town council and Alfonso’s involvement in them. On p. 222, L.F. reproduces an exquisite equestrian miniature of the Wise King in an admirably bellicose posture.

C420 López Ortiz, José. ‘La colección conocida con el título Leyes Nuevas y atribuida a Alfonso X el Sabio’, AHDE, 16 (1945), 5-70.
Detailed study of LN based on direct consultation of MSS. L.O. identifies three basic documentary nuclei in the collection, and assigns its final formation to the year 1278. The constituent parts are, of course, earlier (the section on oaths, §§25-29, Bd1, pp. 192-97, belongs to 1260), and many MSS contain later accretions. There are numerous confusing typographical errors in the citations of MSS call numbers.

Circumstances forced Alfonso to violate his own law code (SP II.xv.2)
by naming his second-born son Sancho the Choleriac his heir after the death of his first-born Fernando de la Cerda (1275), rather than the latter's eldest offspring, Alfonso de la Cerda. The Wise King's decision is here defended with due consideration of the legal aspects of the case.

C422 ————. ‘Alfonso X on the Authority and Aims of Kingship’, *Kentucky Foreign Language Quarterly*, 4 (1957), 83-90. M. draws chiefly on SP, while also making use of Ser. and Alfonso’s historical works, to form a coherent outline of the Wise King’s views on royal prerogatives and obligations.


C424 ————. ‘Kingship in Medieval Spain: Alfonso X of Spain.’ Unpubl. Ph. D. Diss., University of Wisconsin, 1957. 612pp. *DA*, 18 (1958), 1038. Extremely ambitious project, which, beside analyzing the theory and practice of medieval kingship (Chaps. 1-2, pp. 1-119) and the principal judicial, administrative and military offices of Alfonsoine Castile (Chap. 7, pp. 299-340), presents the most careful and detailed external history of Alfonso’s legislation (Chap. 5, pp. 266-98) that has come to my attention, with abundant bibliography and numerous indications of the relevant MSS. One should also note the useful appendices, in particular the list of FR concessions (pp. 429-32), Alfonso’s itinerary (pp. 411-28); it supplements Ballesteros, C68), and the glossary of judicial, administrative and military terminology (pp. 452-555). How unfortunate that with so much trivial baggage burdening the memory of the bibliographer, this genuinely important contribution should never have appeared in print.

C425 ————. ‘Progress and Problems in Editing Alfonsoine Juridical Texts’, C, 6 (1977-78), 74-81. This state-of-the-art paper rehearses briefly the external history of Alfonsoine legislation, lists the available editions, and outlines the possible directions future editorial projects might follow. The author’s own ed. of Esp. appears to be in an advanced state of preparation.

C426 Madden, Marie R. *Political Theory and Law in Medieval Spain*. New York: Fordham University Press, 1930. xv + 198pp. Chap. 4 (pp. 65-96) deals at length with SP, presented, as is customary, as a major episode in the reception of Roman law in Spain. M.’s dependence on secondary sources is excessive (see p. 70, vis-à-vis Martínez Marina, C462); while she deliberately, and unwisely, excludes any consideration of Bb17. Her study of various institutions in the remainder of the book, where laws from SP are frequently taken into account, is vitiated by her often gross misunderstandings of Spanish language and history. Rev.: J. G., *AHDE*, 10 (1933), 497-99.


C428 ————. ‘En torno a un texto modificado de una ley de Partidas’, *Revista de la Universidad de Madrid*, 2 (1942), 79-106. Important study of textual variants found in a MS of SP II (Ah52), in particular with regard to II.xv.2, the law of succession. Ah52 contains an interpolation according to which the king’s second-born and other sons are preferred over the son of the firstborn when the latter has died before succeeding to the crown. The original version preferred the son of the firstborn, by a principle known as ‘representation’, i.e., the son ‘represents’ his father in the succession. Unfortunately, the author was unaware of the existence of another MS containing the same interpolation (Ah19), so failed to place it in the proper historical perspective. See Craddock, C195, pp. 408-09.

C429 ————. ‘Un fragmento de la más antigua historia del derecho español’, *AHDE*, 14 (1943), 487-500. Before M. published these fragments, the work of Francisco de Espinosa († 1551) was known only in a corrupt extract of the 18th c. published by Galo Sánchez (C224). The original portions here rescued from oblivion give Espinosa’s views on the external history of SP (pp. 491-98) and LE (pp. 498-500). In the former case, the jurist was chiefly concerned with the disparities he observed between Bb1 and the MSS he had at hand. See also Guillarte, C330.

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The author shows that Alfonseque legislation was not particularly receptive to the custom of pro anima donations in wills, since it makes little specific reference to them (pp. 132-35).

C431 ————. 'Líneas de influencia canónica en la historia del derecho español', AHDE, 23 (1953), 467-93.

The central portion of this important piece (pp. 481-91) is devoted to a discussion of the relationship between SP III and the Margarita de los pleitos, attributed to the 13th-c. canonist, Fernando Martínez de Zamora, a possible co-worker in Alfonso's great legal project. There are indisputable instances where SP III takes up procedural points not mentioned in Esp. or the works of Jacobo de las Leyes but treated in the Margarita. However, the purely textual resemblances apparent in such passages are anything but close; it would be more prudent to assume a common source. See also Cerdá, C169.

C432 ————. 'Un manuscrito del Fuero Viejo', AHDE, 32 (1962), 471-81.

The 14th-c. MS 2205 of the Biblioteca Universitaria de Salamanca contains a text of the Fuero viejo superior to that published by Asso & Manuel, C53. The author includes a plate (facing p. 472) illustrating the prologue with its well known allusion to FR.


The author finds (pp. 288-90) no support in SP (esp. VII.x.3-6) for the recurso de fuerza, or appeal to a civil tribunal from the sentence of an ecclesiastical court.

C434 ————. 'Sobre la relación entre el derecho de las Decre-tales y de las Partidas en materia matrimonial', AHDE, 15 (1944), 589-643.

Conscientious effort to supplement the work of Fernández Regatillo, C233, with paragraph-by-paragraph comparisons of the canonical and Alfonseque (Blh17) texts, vis-à-vis SP IV.i-xv. See also Martínez Marcos, C459.


Virtually all SP is here paraphrased, under the headings 'Church', 'Social

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Organization', 'Warfare', 'The Family', 'Crimes and their Punishments', 'The Administration of Justice' and 'Business Matters'. Non-specialists whose Spanish is shaky might find this a useful guide.


Vague and inconsequential treatment of FR (I, pp. 113-82), where it is placed alongside the Fuero viejo as representative of ancient Castilian law; and SP (II, pp. 5-92), with all the overblown veracity of the age.

C437 Manzano Manzano, Juan. 'La adquisición de las Indias por los Reyes Católicos y su incorporación a los reinos castellanos (en torno a una polémica)', AHDE, 21-22 (1951-52), 5-170. Pp. 29-34 contain a discussion of the SP laws regarding limitations on the king's right to dispose of his patrimony.


Concerning Alfonso's concept of empire see pp. 459-62 (2d ed.), where occasional allusions to SP II are made.


Excellent analysis of the innovative character of Alfonso X's views on the nature of his realm, the scope of his authority, and the scheme of social relationships among the subjects, apropos in particular of SP I.i, II and IV, with due consideration of relevant passages from FR and Esp.


Old-fashioned, but not uninteresting, commentary, which brings broad philosophical considerations to bear on the laws of SP I concerned with general definitions, and on those of SP III that establish judicial procedure.

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Spain's great classical historian has little of interest to say about Alfonso's legal works, except to attribute to Ferdinand III, Alfonso's father, the initiation of the project that led to SP I, p. 650 [Bk. 13, Chap. 8] of the 15th Spanish ed.). For other eds., see NUC-56, CCCLXI, pp. 563-65.


To this day the *Historia* of Marichalar and Manrique offers the most ambitious account of Alfonsine legislation, in which not only the major and minor codes, but also the numerous grants of municipal charters and the frequent meetings of the Cortes are considered together (III, pp. 3-103). Though it is by now completely out of date, one can still regret that no imitator has since come forward to provide, with better historical and philological underpinnings, a similarly thorough treatment of the legal aspects of Alfonso's reign.


Brief and trivial descriptions of Alfonso's reign (pp. 423-32), his literary contributions (pp. 575-76) and his legislation (pp. 592-97), with bibliographical indications.

**C444** Martín Lázaro, Antonio. 'Coleción diplomática municipal de la ciudad de Béjar', RCJS, 4 (1921), 287-304, 449-64.

M.L. provides an uncommonly interesting set of Alfonsine documents: on 22 Apr. 1260 (pp. 292-95) Alfonso limited interest rates on loans contracted with Jews or Muslims (same text as LN §1, see Bd1, pp. 181-83); on 18 June 1261 (pp. 295-99) he conceded FR to Béjar; he revoked that grant on 30 Oct. 1272 (pp. 300-02) and reestablished 'los buenos usos e las buenas costumbres' that the citizens of Béjar enjoyed under Alfonso VIII and Ferdinand III. Finally, on 16 Feb. 1282 the rebellious crown prince Sancho the Choleric promised to defend Béjar's privileges even against his own father (pp. 303-04). See also Gutiérrez Cuadrado, C333.

**C445** Martín-Retortillo y Báquer, Sebastián. 'Notas para un estudio de la prueba en la tercera Partida', Argensola, no. 22 (1955), 101-22.

M.-R. analyzes the various forms of judicial proof admitted in SP III, including testimony of witnesses, documents, oaths and single combat.

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M.C. includes an analysis and critique (pp. xxxix-1) of M.M.'s major works, esp. C462, with ample bibliography. Concerning M.M.'s participation in Bh7, see xiii-xvi.

**C447** ———. 'Gregorio López, consejero de Indias, glosador de las Partidas (1496-1560)', Revista de Indias, 20 (1960), 65-76.

For López' ed. of SP (Bh7), see pp. 113-22, where M.C. defends that text against its 18th-c. critics.

**C448** Martínez de Olano, Juan. *Concordia et nova reductio anti-nominarum iuris communis ac regii... et superadditus... epilogus legum VII Partitarum quae per alias leges posteriores et per desuetudinem aut contrarium usum in totem vel in partem correctae atque abrogatae inventuntur*. Burgos: F. Junta, 1575. 274 + [24] pp.

NUC-56, CCCLXV, p. 287; Vance, C673, p. 105.

**C449** Martínez Díez, Gonzalo, 'Álava: desarrollo de las villas y fueros municipales (siglos XIII-XIV)', AHDE, 41 (1971), 1063-141.

Alfonso X granted (pp. 1093-1100) municipal charters to Treviño (12 Dec. 1254), Salvatierra (2 Jan. 1256) and Santa Cruz de Campezo (10 Feb. 1256). M.D. publishes the latter two from the original documents (pp. 1131-41). In these cases there is no reference to any of Alfonso's codes, but Vitoria, the capital of Álava, may have received FR before 1272 (pp. 1101-02). See C450 and Landázuri, C394.


M.D. analyzes (I, pp. 168-81) and publishes (I, pp. 244-70, with two facsimiles) the municipal charters Alfonso granted to Treviño (1254), Salvatierra (1256), Corres (1256), Santa Cruz de Campezo (1256), Arceniega (1272) and Valderejo (1273). In the second volume, M.D. reproduces (pp. 6-7) a historical text (*Crónica de Alfonso XI*) according to which the brotherhood of Arriaga, upon requesting dissolution (1332), is granted the *fuero de las leyes* (FR; see pp. 71-79).

**C451** ———. 'La edición crítica ante las varias recensiones y formas de un texto', in *La crítica del testo*, I, pp. 401-13.

M.D. offers practical suggestions for critical editions of texts extant in more than one recension; one of his examples is SP (p. 405).
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Elegant and convincing demonstration that FR is a source of the Fuero de Soria, rather than the other way around, as assumed by Sanchez, C606.

Brief discussion of the concept of public official in SP, pp. 128-29.

C454 ———. 'La tortura judicial en la legislación histórica', AHDE, 32 (1962), 223-300.
To Alfonso the Wise falls the honor of reintroducing formally into the Castilian legal tradition a set of laws regarding judicial torture, inspired chiefly, as M.D. makes clear, in Roman law (see esp. pp. 249-62, concerning Exp., SP and LAM).

C455 Martínez Gijón, José. 'La comenda en el derecho español. I: La comenda-depósito', AHDE, 34 (1964), 31-140.
Pp. 51ff. contain numerous allusions to, and discussions of, the provisions of FR and SP relating to property entrusted to a second party for safe keeping.

C456 ———. 'La comunidad hereditaria y la participación de la herencia en el derecho medieval español', AHDE, 27-28 (1957-58), 221-303.
Two crucial aspects of medieval inheritance law in Spain are developed here, with numerous references to FR and SP.

The author studies the establishment of separate judicial authorities for mariners in sea ports, with particular reference to SP II.ix:24 (p. 315) and V.ix.14 (pp. 317-19).

The author pays close attention (pp. 475-82) to the laws of SP concerning the legal responsibility of minors in various categories of criminal action.

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One of the finest analytical works on SP (the core of its text deals with SP IV ix-x), also important for questions of sources (pp. 27-46) and external history (pp. 3-25). The author unfortunately eschews any consideration of the textual tradition of SP, contenting himself, as is so often the case, with a readily available, and of course unreliable, edition. I should point out that in this case the defect just mentioned is twofold, since critical editions of the sources (e.g., St Raymond of Penyafort, Summa poenitientiae) are likewise unavailable.
Rev.: J. Gonzalo Martínez Díez, AHDE, 35 (1965), 604-06.

C460 ———. 'Fuentes de la doctrina canónica de la IV Partida del código del rey Alfonso el Sabio', REDC, 18 (1963), 897-926.
M.M. identifies the most immediate sources of the canonistic portions of SP IV in this preview of C459.

Some pertinent observations on OT (p. 50) precede a succinct account of Alfonso's impact on the history of the Spanish language (pp. 50-53) that includes some high praise of SP.

Still essential reading for anyone interested in SP, though many details are inaccurate and some polemical stances are outdated. As a source study (Bks VIII-IX), the Ensayo is disappointing, but nonetheless contains many useful allusions. The books (X-XI) on the subsequent history of SP remain the most valuable for the modern researcher. Chaps. 30-56 of the final book (XI) present some curious details on the preparation of Bh17 that are lacking in the prologue of the ed. itself.
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This collection has fortunately been replaced by that of Torres Fontes, C651. A comparison of the transcriptions of a short passage from the grant of the Fuero de Córdoba (Fuero juzgo) by Alfonso to Alicante (5 Oct. 1252; pp. 9-10 in M.M., p. 16 in C651) involving no more than 15 lines of text revealed 43 differences, some of them quite significant (M.M.: a la villa Delicant / T.F.: el concejo de Alicante). Since I have not seen the original I can only hope that T.F. always gives us the more exact rendering.


One may apply to this collection my remarks on C464.

C466 Martínez Ruiz, Bernabé. 'La investidura de armas en Castilla', CHE, 1-2 (1944), 190-221.

Important study which elucidates the background of SP II.xxi, De los cavalleros (on knighthood). See also Porro, C549.


Impressionistic commentary on SP III.xviii-xix, which regulate the profession of notary. There are also some remarks on notarial legislation in FR, LE and LN. See also Rodríguez Adrados, C581.


Vol. I was translated by Claudio Sánchez Albornoz and vol. II by Ramón Carande. M. made frequent use of Alfonsoine legislation (esp. FR and SP) in this comprehensive, but seriously flawed, analysis of medieval Hispanic institutions.

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M.P. uses SP and occasionally Set. for definitions of various species of juglares and indications of their social status. SP officially approves only of epíc juglares (II.xxi.20; see pp. 292-93); the severe condemnations of other types were not carried out in practice even in Alfonso's own court (pp. 77-78).


Almost entirely devoted to Alfonso X; brief comments on FR and SP with some bibliographical indications.


Among the 'Ilustradores del derecho patrio' M.Y.P. includes a brief list of those who wrote on FR and SP in the 16th-17th c. (III, pp. 108-109, of the Edición Nacional).


Exhaustive account of medieval guardianship in Castile, with full cognizance of the dispositions contained in FR and SP. With reference to the post-medieval period, M.A. notes that the system of guardianship elaborated in SP remained in force (p. 22).


In this inconclusive piece M. observes that the explanation of the term manquandra "preliminary oath sworn by the plaintiff" given in SP III.xi.23
(and Esp. V.xi.18) is entirely artificial and reveals nothing about the origin of the word in question.

C474 ‘Notas sobre o poder paternal no direito hispánico ocidental durante os séculos XII e XIII (em volta do cap. ccvi do Foro de Cuenca), AHDE, 18 (1947), 15-33.
By way of contrast with the legal code that constitutes M.’s principal subject, the author describes (pp. 31-33) the dispositions of FR (Ill. iv. 7) that allow a son or daughter to earn and own rights independently of their parents.

M. seeks to show that the third Cantar involves not so much a trial for treachery (rieyto de alevosia) as defined in FR and SP, but rather an institutionalized species of private vengeance. The appendices (pp. 103ff.) are noteworthy for M.’s careful semantic delineation of the terms rieyto ‘challenge’ and desaio ‘public’ declaration of enmity’ as used in medieval law, including FR and SP, as well as for his remarks on the judicial development of private vengeance and trial by combat.

The text occupies the second installment. It is transcribed from ff. 18-40 of the same codex (Ab11) that contains the Portuguese translation of FR (see Pimenta, C545). M. accepts (p. 454) Herculanus’ dating of the MS between 1273-82, which, if tenable, would provide a secure terminus ante quem for both the Flores and FR.

C477 See Ah4.

In vol. I, pp. 238-46, there is a succinct and, for its time, competent survey of Alfonso’s legislation.

Swift survey of current research on Alfonso’s legal works on pp. 276-79, with emphasis on Ser., Esp. and SP. M. analyzes García-Gallo, C274, in some detail.

Surprisingly trivial piece, not at all up to the generally high standards of this encyclopedia, with no references to recent work on Esp.

M.A. was evidently a poor choice for collaboration in this otherwise excellent encyclopedia. He does little more than review FR’s contents; there is no proper bibliography, no references to recent literature, and no cogent explanation of FR’s external history.

The editorial details of this collection are rather complex and it would be too wearisome to go into them here. For Alfonso’s legal works, see cuaderno 2, pp. 124-40. The remaining cuadernos provide the typical thematic and institutional arrangement of the genre with many allusions to Alfonsine legislation.

The external history of Alfonso’s legal works (pp. 88-92, 3d ed.) precedes a lengthy analysis by theme and topic of medieval Castilian and Leonese legislation that includes many references to FR and SP as well as to Alfonso’s minor works (pp. 94-231). A voluminous bibliography (pp. 445-82) and index bring up the rear.

In the second installment, M. compares Alfonso’s and late medieval Portuguese legislation with regard to challenges and judicial combat. In Portugal there was a strict limitation on challenges for treachery (aleive)
in that the alleged offense must have been directed against the king or the state. Private parties were obliged to settle their differences in court rather than on the field of honor. At one point (pp. 80-81) the author observes that SP VII.iii passed almost literally into the Ordenações affonsinas (1446-47) as Bk. I, title 64.


There is, unfortunately, almost no useful information on the chronology of Alfonsoine legislation in the section devoted to it (pp. 440-45, FR and SP only).

C486 Montes, Eugenio. Federico II de Sicilia y Alfonso X. Anejo to REP, 10 (1943), 31pp.

M. claims (pp. 19-20), without substantiation, that ‘extrañas concordancias’ exist between Alfonso’s SP and Frederick II’s Constitutions of Melfi (1231). In view of Alfonso’s aspirations to the Holy Roman Empire, this would appear to be an attractive subject that no one, to my knowledge, has pursued.

C487 Montiel y Duarte, Isidro. Jurisprudencia fundamental o sea exposición de las reglas de derecho contenidas en el título 34, Partida 7 ... Mexico City: Antigua Impr. de Murguía, 1889. 277pp.

The author gathers together historical, philosophical and jurisprudential observations concerning each of the rules contained in SP VII.xxxiv and indicates their relevance to the Mexican legal system. See now Arias Bonet, C48.


The two counsellors at law translated here all the laws of SP they considered left in force by the state charter of 1808. A brief historical sketch of Spanish legislation and its relevance to Louisiana occupies the introduction (I, pp. iii-xxv); the English versions of the laws are accompanied by references to the Nueva recopilación and to Roman Law; there is a voluminous subject index at the end of vol. II. See Dart, C200.

C489 ------. A Translation of the Titles on Promises and

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In order to complement and explicate the relevant provisions of the 1808 Louisiana code, the translators have done into literate English SP V.xi (promises), V.v (sales) and V.vi (exchanges), with the Spanish text on facing pages; they also provide references to Roman and Spanish civil law. Either ignorant of, or indifferent to, the hostile 18th-c. criticism of SP, the Louisiana advocates wax hyperbolic in their praise of Alfonso’s masterpiece: ‘the sense of the legislature [legislation?] is there declared in a simplicity of style and with a clearness of expression that distinguishes the [sic] Las Siete Partidas above every other body of law the world has ever seen’ (p. vi).


The author not only describes maestre Jacobo’s collaboration in SP but also attributes to him, without foundation, the compilation of FR (p. 5).


Lesson 46, vol. VI, pp. 217-300, discourses on Castilian law in the period 1252-1369. Its chief topic is Alfonsoine legislation, for which M. provides some details of external history as well as extended commentaries on FR and SP.


Convenient summary of Alfonsoine legislation (FR, Exp., SP and LE) on pp. 959-65, with synopses followed by critical remarks.


See pp. 98-103 for a discussion of Jacobo de las Leyes’ rôle at Alfonso’s court, with particular reference to the Wise King’s legal works.
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Extensive narrative synopsis of SP, done rather in the style of *Ladies' Home Journal*; there is a two-page introduction by Max Radin. It is not easy to understand why this piece was published here nor why there is no reference to Lobinger's earlier contribution (C409) to the same law review.

C500 Nicolás, Antonio de. 'El testamento de Isabel la Católica', *Boletín de la Sociedad Castellana de Excursiones*, 2 (1904), 446-56.

Extended commentary on Queen Isabel's last will and testament as well as of a codicil added to it shortly before her death. The section of the will dealing with the succession to the throne of Castile hews strictly to the law of SP (II.xv.2; see p. 450). The editors of the journal appended, by way of illustration, four SP laws dealing with the proper form of testaments and codicils (VI.i.1-2, xii.1.3).

C501 *Nido, M.* 'Ensayo sobre la obra jurídica de Alfonso el Sabio', *Boletín del Ilustre Colegio de Abogados*, Madrid, 9-10 (1956), 875-84.


Competent rendering of SP IV.xxvii, 'Del debo de la amistad', 'On the bond of friendship', into English, with the briefest of introductions.


N. analyzes selected phonological, morphological and syntactic traits of a Galician fragment of SP I, observing that for all practical purposes, Galician and Portuguese were identical in the 13th c.


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The external form of contractual obligations is N.L.'s subject. After a full discussion of Roman antecedents, he observes that SP V presents a theoretical view of such obligations that often conflicts with the practical view represented by SP III.xviii, the title dealing with notarial documents. He concludes that the two portions of Alfonso's great law code must have been compiled by different jurists.

C506 Nys, Ernest. Le Droit des gens et les anciens jurisconsultes espagnols. Brussels: M. Weissenbruch, 1914. 142pp. N. summarizes the history of Spanish law up to the classical period (16th-17th c.), including some general observations on SP (pp. 36-37). The importance of López' commentary on SP in the literature on international law is mentioned at several points (e.g., pp. 67, 100, 112).


After describing briefly the history of Alfonso's legislation, N. devotes a few descriptive pages to SP II.xxi-xxx, where the Wise King develops rules of warfare on land and sea.


Alfonso's ability to organize grandiose literary and scientific projects was matched by his ability to spend his subjects' money. The numerous Cortes convened during the Wise King's reign never refused his requests outright, but often attempted to reduce the amount demanded. The author makes the interesting point (pp. 385-86) that in 1272 the Cortes may have conceded an extraordinary assessment in exchange for receiving again their traditional fueros, in place of FR and SP.

C509 Oliver y Esteller, Benvingut. Estudios históricos sobre el derecho civil en Cataluña. Barcelona: L. Tasso, 1867. 208pp. Brief mention of SP as a step in the progressive Romanization of Spanish law, pp. 34-35. The author notes that SP had been translated into Catalan by the 14th c.

C510 Orlandis y Rovira, José. 'El pseudo-ordenamiento de Alcalá', AHDE, 17 (1946), 683-711.

This spurious code is here published according to MS 13099, BNM. In his introduction, O.R. compares other MSS of the same work (esp. MS Z.I.5, El Escorial), and spells out the sources utilized by the anonymous compiler: LN, SP (laws on disinheritance; VI.v.6, vii.1-4) and the Suma de los nove tiempos de los pleitos by Jacobo de las Leyes.


SP Lxxiii allowed considerable freedom in the choice of burial ground. O. expertly places the Alfonsoic legislation in the context of the historical development of burial customs in medieval Spain, with generous utilization of documentary material.

C512 Orti Belmonte, Miguel Ángel. 'Glosas a la legislación sobre los juzgados en las Partidas', Boletín de la Real Academia de Córdoba de Ciencias, Bellas Letras y Nobles Artes, 26 (1955), 41-66.

O.B. compares the legislation of SP VII.xxiv, law by law, with the dispositions concerning Jews in previous and later medieval Peninsular law codes and documents. Neither scholarly nor profound, this is the work of an interested amateur. See now Carpenter, C148.


Arras was the deposit or down-payment in a sale. O.V.'s study regulates its use in the Fuero juzgo, municipal charters, Castilian territorial law, FR (III.x.2) and SP (V.v.7); for the Alfonsoic works, see pp. 206-09. Concerning the last-named code, he notes that the compilers took into consideration the Visigothic precedents rather than translating literally, as is often the case, Justinian regulations.


In Spanish law, the surviving spouse had no right of inheritance in the property of the deceased mate, except for certain specific provisions studied here in a broad historical perspective, with brief allusions to FR and SP (pp. 514-16).

C515 ———. Dos estudios histórico-jurídicos. 1. El riepto en el derecho castellano-leonés. 2. La adopción en la historia del derecho español. Cuadernos del Instituto Jurídico Español, 4. Rome: CSIC, Delegación de Roma, 1955. 148pp. A. Alfonso's legal works contain the earliest written legislation in Castilian law on challenges (riepto) involving an accusation of treachery (aleve) or treason. O.V. compares the corresponding regulations of FR and SP to those of the Ordenamiento de Alcalá of 1348 (title 32)
and studies the origin, development and nature of the judicial processes involved. With regard to adoption, O.V. surveys the dispositions of FR and SP (pp. 120-27, 130-38, respectively), noting the Roman inspiration of the latter.

O.V. studies the limitations and prohibitions of gifts and legacies between spouses, with reference to FR III.xii.3 and SP IV.xi.4, as well as to many other medieval codes.

FR, along with the Fuero de Soria, was instrumental in reviving the Visigothic legal principle that allowed a given heir to be shown certain preferences in testaments beyond the portion that was his due (see esp. pp. 73ff.).

FR, like the Fuero juzgo and the Fuero de Soria, forbade bequests to a grandchild whose father was alive as a ploy to circumvent the requirement that immediate heirs should have equal shares in the estate (pp. 397ff.).

The restoration of the Roman patria potestas in Spanish law carried out in SP IV.xvii-xviii is studied here in detail (pp. 232-38) and contrasted with earlier and later legal traditions.

The principle that the king is as absolute in his realm as the emperor in his empire found its first formal expression in Spanish law in Esp. I.i.13 (= SP I.i.13 in Ah41; I.I.15 in Ah58) and SP II.l.S. O.V. quotes the laws mentioned and seeks to demonstrate that the principle in question has been prevalent in the Iberian Peninsula since Visigothic times. It is unfortunate that he failed to speculate as to why Esp./SP I.i.13 was eliminated from later recensions of the first Partida, particularly since he believes that from the beginning the purpose of SP was doctrinal rather than genuinely legislative.

In medieval Spain, adoption was understood to apply to the legitimization of bastards rather than to the introduction of unrelated persons into a parent-child relationship, as O.V. demonstrates with reference to medieval codes, including FR. SP represents a complete return to the Roman concept of adoption.

Two essays, dated 1839 and 1840, make up this chapter (6): ‘Sobre la fuerza legal de este código’, in which P. argues that the laws of SP should on no account be held to prevail against ‘la legislación propiamente español’; ‘El derecho público’, a survey of SP II in which P. takes Alfonso to task for his views on absolutism, the succession to the throne, and his failure to mention the Cortes.

Vol. I contains various documents that permit one to reconstruct a rather full legislative history of Madrid with regard to Alfonsoine codes: pp. 85-92, Alfonso grants FR to the municipality (22 Mar. 1262); pp. 95-102, Alfonso concludes some ordinances on tax collecting with the phrase ‘otorgamos uso el nuestro libro del fuero’ (27 Aug. 1264; a confirmation of FR?); pp. 113-27, Alfonso restores the ‘fuero... usos e las buenas costumbres’ that Madrid enjoyed in former times (27 Oct. 1272; i.e., a revocation of FR); pp. 253-55, Alfonso XI reiterates FR ‘porque fallo que era grant mengua en la justicia... por el fuero uieio’ (2 May 1339). See also Fita, C239.

Elegantly printed and comprehensive, but weak on the historical side. Concerning Alfonso’s legal habits, see pp. 30-32.

C525 Palomeque Torres, Antonio. ‘Contribución al estudio del ejército en los estados de la Reconquista’, AHDE, 15 (1944), 205-351.
This exceptionally interesting monograph makes occasional use of Alfonsoine legislation (mostly Esp. and SP) in defining military organization and practice in medieval Spain. See, for example, pp. 217 and 223, where SP’s and Esp.’s definitions of apellido ‘hue and cry’ and algaria ‘cavalry raid’ are analyzed.
C526 Pascual Quintana, J. 'La desheredación en el derecho español: su desenvolvimiento histórico', Revista de la Facultad de Derecho de la Universidad de Oviedo, 16 (1955), 227-343. P.Q. surveys the chief relevant law codes of antiquity, the Visigothic period, the Spanish Middle Ages, and the modern period with regard to their dispositions on disinheretance. For FR III.ix.1-4, see pp. 309, 311-31; for SP VI.vii, pp. 316-31.


C530 Pérez de Guzmán, Juan. 'La biblioteca de consulta de D. Alfonso el Sabio', La Ilustración Española y Americana, 49, no. 9 (8 Mar. 1905), 131-34. Lively piece of journalism, but not as interesting as the quaint advertisements and tinotypes that surround it. P. believed (p. 131) that the Catholic Monarchs' copy of SP (Ah57) is the 'original primitive'. He comes closer to the mark when he says that it is 'uno de los libros más preciosos y ricos de que se puede formar idea'.

C531 ————. 'El libro y la biblioteca en España durante los siglos medios', España Moderna, 17, no. 202 (Oct. 1905), 111-52. Pp. 113-17 contain some observations on Alfonso's use of monastic libraries in compiling his works and on his establishment of lending libraries in universities. (SP II.xxxi.11). Of more interest is P.'s study.

C532 Pérez de la Canal, Miguel Ángel. 'Alfonso Garcia-Gallo de Diego', Anuario de Estudios Medievales, 5 (1968), 673-685. Handy bio-bibliography of the dean of Spain's legal historians and one of the most influential contemporary analysts of Alfonso's legislative works.

C533 Pérez Mozún, Diego. Diccionario alfabético y otorgráfico de las voces, que en sus siete célebres 'Partidas' usó el Rey Don Alonso el Sabio, y al presente (año de 1789) ignoran los que se gradúan doctos en este siglo ilustrado. Madrid: A. Espinosa, 1790. 44pp. Strange compilation whose only use at present is to identify passages in which unusual words occur, since none of P.M.'s definitions can be accepted without verification. This residual utility was lost when the Diccionario alfabético was included in Código espiolés, IV, pp. 491-506, since the references to the text of SP were suppressed.

C534 Pérez-Prendes y Muñoz de Arraco, José Manuel. Apuntes de historia del derecho español. Madrid: Gráficas Menor, 1964. 896pp. These lecture notes are arranged into 68 lessons; footnotes, indices and bibliography are wanting. On Alfonso's legal works see pp. 526 (FR) and 537 (SP and other works). In this and P.-P.'s other works described below, one occasionally finds terrific howlers, such as his claim here that SP 'no está fechada'.

C535 ————. Las Cortes de Castilla. Barcelona: Ariel, 1974. 168pp. The author makes use of FR, Exp. and SP with regard to the obligations of subjects to attend the king's Cortes (pp. 28-30), the minority of the king (pp. 124-28) and the role of the Cortes in advising the king at the moment of formulating new laws (pp. 149-50).

C536 ————. Historia del derecho español: parte general. Madrid: Darro, 1973. xiv + 726pp. 2d ed. with the title Curso de historia del derecho español, 1978. 851pp. This attractive book has some features to recommend it, such as a general bibliography (pp. 191-220, 2d ed.) and a history of Spanish judicial literature (pp. 731-55), but the author entertains some very
odd notions with regard to the external history of Alfonsoine legislation (pp. 569-82). His savage attacks on García-Gallo show a complete lack of scholarly decorum.

This is the only monographic effort on *LAM* that has come to my attention. P.-P. establishes that *LAM* is a rehash of certain portions of *Esp.* and that its purpose is to transfer to the *adelantado* the duties and functions of the *merino* (king’s bailiff), while requiring the former to observe local law. Both provisions are so much at odds with the Wise King’s regalist and unitary conception of law that P.-P. excludes *LAM* from the Alfonsoine canon, judging it a deliberate and clever forgery. It could, however, belong to the period after 1272 when Alfonso was forced to abandon his dream of imposing SP as the law of the land. Without further evidence, the origin and immediate political purpose of the work will remain a mystery. I am disappointed that a scholar so ready to explore manuscript collections in search of secondary evidence used the available editions of *LAM* and *Esp.* rather than the extant codices.

C538 Pérez Pujol, Eduardo. ‘Apuntes sobre la fuerza obligatoria del *Fuero Real*’, *RGLJ*, 60 (1882), 488-504.
The author claims that at the time of his writing, FR remained in force to the extent that its laws had not been specifically repealed by later legislation. Along the way, he provides a juridical history of FR.

C539 Pérez Ruiz, Pedro. ‘La segunda de las *Siete Partidas* de Alfonso X el Sabio, primer código y reglamento militar español; contribución a conmemorar su VII centenario’, *Ejército*, 25 (1964), 23-30.
The author considers SP II.xvii, xxi-xxx, to be Spain’s first military code. He includes a brief anthology of laws dealing with military matters.

P.V. discusses SP’s law of succession (II.xv.2) as well as its law concerning the minority of kings (II.xv.3) in vol. II, pp. 331-34 and 349-62, respectively.

*SP* VII.i.9 introduced a more generous stipulation concerning the age of legal responsibility (ten and one half years for non-sexual crimes, fourteen for sexual offenses) than had earlier existed in Castilian law (see pp. 26-27).

Alphabetical lists of words defined by Alfonso in *Set.*, including the Wise King’s sometimes verbose definitions.

Enormously detailed study of the popular, i.e., non-noble, cavalry recruited from towns, based principally on a close reading of municipal charters. There are many allusions to Alfonso’s municipal legislation (see esp. 33-34, pp. 188-94) and to his other legal codes.

Originally a ‘Discurso de recepción’ in the Real Academia Española, 22 Feb. 1844. P. has high praise for the language of SP (pp. 25ff), claiming that Alfonso’s measured style had a beneficial effect on Spanish legal prose even into the 19th century.

This is the only modern edition of FR at the present time; see also Bb18. Beside his introduction (pp. 1-23), P. prepared a voluminous commentary (pp. 167-437), primarily philological in character (note the word index, pp. 447-49), but also with numerous juridical explanations. An appendix (pp. 439-46) describes the peculiarities of the Portuguese text vis-à-vis the Castilian original, but in the absence of a critical edition of the latter, P. was unable to demonstrate the precise filiation of the MS he published. See also Caskey, C155, p. x1ii, and Lindley Cintra, C174, p. 56, who gives an extremely negative appraisal.

The authors attempt to demonstrate that the compilers of the 4th *Partida* (in particular iii.0-4) made use of the *Summa turris* (ca 1254-74) of
the Franciscan canonist Monaldo (died 1288 or 1289). The comparisons reveal at times literal correspondences, but there are many departures from the alleged source. It would appear that Alfonso's jurists were anything but slavish in adapting their models.


C549 Porro, Nelly R. 'La investidura de armas en el Amadís de Gaula', CHE, 57-58 (1973), 331-407. Point-by-point comparison of knightly ceremonies in the greatest romance of chivalry and those prescribed in SP II.xxi. P. concludes: 'Salvando la distancia que media entre una obra de imaginación y un texto legal son muchos los puntos de contacto que tiene con las Partidas y sus prescripciones...' (p. 406). See also Martínez Ruiz, C466.Posada, Adolfo, 'Martínez Marina'. See Castañeda y Alcover, C159.


C551 ————. 'Caridad y justicia en las Leyes del estilí', in Homenaje a D. Nicolás Pérez Serrano ..., I. Madrid: Reus, 1959. Pp. 161-91. In this digressive analysis, the author notes that FR is regarded as the fundamental Castilian code in the majority of dispositions contained in LE, and that the latter often lays down rules at once more charitable and more in consonance with Castilian legal traditions than the laws of the other major codes such as SP.


C553 Procter, Evelyn S. Alfonso X of Castile, Patron of Literature and Learning... Being the Norman MacColls Lectures Delivered in the University of Cambridge in Lent Term 1949. Oxford: Clarendon, 1951. vi + 149pp. Chap. 4, 'Legal Treatises', pp. 47-77, still makes useful reading, though the views P. expresses here on the external history of Alfonseine legislation are obsolete. That Esp. preceded SP can hardly be doubted, and there is excellent evidence that all the main redactions of the latter were carried out in Alfonso's reign. Certain suggestions, in particular, that Set. may be the last, rather than the first, of Alfonso's law books, are worth pursuing (pp. 65-69), though P. in general adheres to received opinion. For more up-to-date and original conclusions, see now C555. Rev.: J. J. Homer Herriott, *Speculum*, 27 (1952), 578-80.


C556 ———. The Judicial Use of 'Pesquisa' (Inquisition) in León and Castile 1157-1369, The English Historical Review, Supplement 2. London: Longman's, 1966. vi + 41 pp. P. traces the development of judicial inquiry (pesquisa) with careful consideration of Alfonso's legislation (pp. 27-35), noting how the latter marks an important step toward the development of public prosecution as opposed to the older custom of private accusation.

C557 ———. 'Materials for the Reign of Alfonso X of Castile, 1252-84', Transactions of the Royal Historical Society, 4th ser., 14 (1931), 39-63. Though P. says little about Alfonso's legal works (see p. 47), she does provide a handy guide (pp. 59-63) to unpublished and published documents and narrative sources pertaining to his reign.


C559 Puyol Alonso, Julio. 'Una puebla en el siglo XIII (Cartas de población de El Espinar)', RH, 11 (1904), 244-98. Unnumbered fold-out facsimile between pp. 244-45. P.A. makes considerable use of SP in defining the term carta puebla (privilege of settlement) and in analyzing the various provisions of the document here published and described.

C560 Ramos, Guadalupe. 'La ornamentación del códice y el problema de su datación', in Bh38, pp. xvi-xxxiii. The miniatures of Ah41 appear to the author to stem from the Alfonso's scriptorium; nevertheless she hedges her conclusions with various speculations that the MS could have been copied after the Wise King's death.

C561 Ramos Pérez, Demetrio. Historia de las Cortes tradicionales de España. Madrid: Aldecoa, 1944. 325 pp. Trivial and unscholarly. For the Cortes that took place during Alfonso's reign, see pp. 75-83, where some comments are made on FR. It is not clear to me how the Cortes (Ordenamiento) de Zamora de 1274 are supposed to have been an attempt to 'dar nueva salida al Fuero Real como ensayo de legislación general y única' (p. 81).


C563 Rauchhaupt, Friedrich Wilhelm von. Geschichte der spanischen Rechtsquellen von den Anfängen bis zur Gegenwart. Heidelberg: Winter, 1923. x + 319 pp. Not terribly well-informed, and entirely derivative, R.'s Geschichte goes into the external history of Alfonso's legislation at some length (pp. 96-131). On p. 126, R. appears to express the belief that there are many SP MSS contemporaneous with Alfonso; in fact, even the oldest known MS (Ah41) was copied after the Wise King's death. Rev.: J. G[alo] S[ánchez], AHDE, 1 (1924), 460-62.


C565 ———. Rafael de Floranes. Antología de Escritores Montañeses, 43. Santander: Librería Moderna, 1955. xcix + 128 pp. Besides the useful bio-bibliographical introduction, this brief anthology contains two items of interest to the theme of Alfonso's legislation: selections from Floranes' commentary on Jacobo de las Leyes' Flores del derecho (pp. 3-9) and some pages on the external history of FR.
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and SP taken from a discourse (1776) on the liberties of the Basque provinces (pp. 106-12).

C566

The extracts are translated into modern Spanish, with the correspondences to FR indicated after each FJ law.

C567

———. Resumen de la historia cronológica del derecho y leyes de España formado en dos tablas o planes. Madrid: n. pr., 1798. 2 unnumbered leaves + 2 folding tables.
R.V. felt, no doubt rather optimistically, that his two charts, once pinned to the wall, ‘incitan para su lectura al menos aplicado, al paso que le sirven de adecuado adorno’. Capsule résumés of FR, SP and LE occupy the 7th and 8th columns of the first fold-out. The text reflects the general state of ignorance prevalent before the appearance of Martínez Marina’s epochal C462.

C568

R. continues the work of Simón, C635, by studying the words Alfonso defined (not always, or even predominantly, neologisms) in SP IV-V. The forms are presented in alphabetical order, with etymological information and a brief account of their history in literary Spanish.

C569

Revista General de Legislación y Jurisprudencia. ‘Recurso de casación (27 de marzo de 1860)’, Jurisprudencia civil, 5 (1861), 335-39, §147.
This is the frequently-mentioned law-suit that determined for good the precedence of Bh7 over Bh17 in the Spanish court system, whenever a difference exists between the texts of the two editions. The disposition of a handsome fortune hinged on whether SP V:iv:9 should be understood at a certain crucial point to say o ‘or’ (Bh17) or e ‘and’ (Bh7).
The justices found for the latter, since López' edition had been sanctioned by long tradition, so the widow doña María was allowed to revoke an ill-considered settlement on her greedy family.

C570

According to the editor, the most extensively utilized Alfonsoine source for this work was SP (p. 19). The Castigos are dated in 1293; the text also states that they were finished the year that Sancho IV took Tarifa (Sept. 1292). However, by medieval reckoning, the year in question ran from Sept. 1292 to Sept. 1293, so there is no contradiction.

C571

Textual comparisons with selected laws from SP conclusively prove the author’s contention that ‘medieval Spanish laws are still very much a part of the Louisiana civil code’.

C572

Useful effort to make SP VII comprehensible to students of modern penal law. R. passes from the general (definitions, categories or penalties, and the like) to the specific (laws on adultery, ethnic minorities, military and ecclesiastical penal legislation, etc.). No attempt is made to go into philological and historical concerns such as the state of the text and its sources.

C573

This convenient survey of 18th-c. Spanish jurisprudence pinpoints scattered allusions to SP in various works of the period.

C574

Remarkably, these mimeographed class notes are still, so far as I know, the most recent and detailed work on the subject, outside of what one finds in the more general manuals of the history of Spanish law. Medieval commentaries on FR and SP (pp. 106-67), the possible collaborators in Alfonso's legal projects (pp. 110-12), and Daz de Montalvo's juridical activities (pp. 114-16) are among the topics relevant to the present bibliography that receive succinct and expert attention.

C575

———. ‘Las Partidas y los Libri Feudorum’, AHDE, 10 (1933), 5-18.
R. provides a rapid bibliographical survey of juridical literature on the Libri feudorum, the fundamental text of feudal law, and detailed indications of its use in SP (esp. VI.xxxvi).

C576 ————. 'El primer impugnador de Vitoria: Gregorio López', Anuario de la Asociación Francisco de Vitoria, 5 (1932-33), 105-23.
R. analyzes López' gloss to SP II.xxviii.2 where the latter takes issue with the great theologian's views on just wars.

C577 ————. ‘Sobre la Peregrina y sus redacciones’, AHDE, 7 (1930), 168-82.
R. sorts out the relationship between the Castilian original of the Peregrina, compiled by Gonzalo González de Bustamante (C318), and the Latin version extant in several MSS and an incunabulum. See also Barrero, C74, pp. 321-22.

One of the better manuals of the period; for Alfonso's legislation see pp. 348-55, with bibliography.

C579 Rico-Avello and Rico, Carlos. 'Notas sobre la higiene en las Partidas de Alfonso X el Sabio', Revista de Sanidad e Higiene Pública, 22 (1948), 830-36, with three unnumbered plates.
The author has collected allusions to personal and public hygiene in SP II, adding brief commentaries of a non-technical nature.

C580 Ríos Sarmiento, Juan. 'La vida y los libros de Alfonso el Sabio'. Barcelona: Ed. Juventud, 1943. 187 pp.
Popular biography, with no scholarly pretensions; agreeable, sympathetic and reasonably accurate account of SP on pp. 167-87.

C581 Rodríguez Adrados, Antonio. 'El derecho notarial en el Fuero de Soria y en la legislación de Alfonso X el Sabio', Revista de Derecho Notarial, 12, no. 44 (Apr-Jun. 1964), 29-161.
Excellent guide to the laws governing the selection, qualifications and responsibilities of notaries in FR, Esp. and SP, with numerous allusions to later legislation.

C582 Rodríguez-Arangó Díaz, Crisanto. 'El matrimonio clandestino en la novela cervantina', AHDE, 25 (1955), 731-74.
R.-A. includes a section on 'Las Siete Partidas y los matrimonios secretos', pp. 737-42, with special reference to SP IV.iii.1.

C583 *Rodríguez Campomanes, Pedro. 'Alegación fiscal sobre reversión a la corona de la Villa de Aguilar de Campos, año de 1783.'
This apparently unpublished appellate court brief is extensively quoted in Sempere, C562, pp. 61-67, with regard to the external history of Alfonsine legislation.

With regard to Alfonso's legal works, R. de C. lists (pp. 678-86) various Escorial MSS of SP, FR and OT, and transcribes various passages from Set.

Literal reprint without notes or commentary of extracts from C562. On Alfonso's legislation, see pp. 77-135.

One of the main themes of this collection of essays, originally published in a provincial newspaper (1896), is Alfonso's legislation, here defended with all the rhetorical stops pulled out.

C587 Rodríguez Mourullo, Gonzalo. 'La distinción hurtro-roba en el derecho histórico español', AHDE, 32 (1962), 25-111.
R.M. notes that FR (in conjunction with the Fuero de Soria) and SP contributed to the revival of a distinction between (fictive) theft and (forcible) robbery that the municipal charters had tended to blur. On SP see esp. pp. 92-98, and on FR, pp. 72-92.

The custom whereby a vassal or subject could formally withdraw his allegiance to his lord is here studied through chronicles and legal texts, including SP (esp. IV.xxv.5).

Brief and trivial discussion of Alfonsine penal legislation, I, pp. 301-03; some useful items can be gleaned from the bibliography that concludes lesson 14 (pp. 305-08).


C592 Rubio, Fernando. ‘De Regimine Principum, de Egidio Romano, en la literatura castellana de la Edad Media’, *La Ciudad de Dios*, 173 (1960), 32-71. R. notes (pp. 39-40) the general resemblance Egidius' treatise bears to the initial portions of SP II, but doubts that either work influenced the other.

C593 Rubio, Julián María, Luis Ulloa Cisneros, Emilio Camps Cazorla and Jaime Vicens Vives. *La Baja Edad Media y la unidad nacional*. Vol. III of *Historia de España: gran historia general de los pueblos hispanos*. Barcelona: Instituto Gallach, 1959. 528pp. Well written and magnificently illustrated, this vol. contains a useful history of Alfonso X's reign (pp. 27-37) and a succinct account of his legislation (pp. 232-36).

C594 Ruiz Asencio, José Manuel. 'El manuscrito del British Museum Add. 20.787: estudio paleográfico', in Bh38, pp. xxxx-xliv. R.A. places the copying of Ah41 at the turn of the 13th-14th centuries, on the basis of purely verbal comparisons with MSS of the period.

C595 Ruiz Funes, Mariano. ‘Progresión histórica de la pena de muerte en España’, *Revista de Derecho Público*, 3 (1934), 193-225. The author does little more than list the various offenses punished by death in Alfonsoine legislation (FR, LE, Esp. and SP; see pp. 198-204); the list for SP is impressively long.

C596 Ruiz-Moreno, Jr, Isidoro. ‘Principios internacionales de las Siete Partidas’, *CHE*, 5 (1946), 201-03. R.M. notes how SP I:15 and II:xx:1 prefigure modern international law concerning territorial jurisdiction of nations (i.e., that foreigners must obey the law of the land) and naturalization, respectively.

C597 *Sabau y Larroya, Pedro. ‘Observaciones acerca de la relación que pudo tener el Espéculo con las Partidas’. Madrid, 1845. See Camacho, C134, p. 1070. Unable to verify; apparently the item involves an address to the Real Academia de la Historia.

C598 Sáenz Hermúa y Espinosa, Pedro. *Diccionario recopilador de los puntos de derecho resueltos en sentencias del Tribunal Supremo de Justicia desde 1838 hasta fin de diciembre de 1881*. 4 vols, with 3 yearly supplements that bring the collection up to Dec. 1887. Madrid: G. Hernández, 1884-87; [supplements] Tip. de los Huérfanos, 1888-90. The index of vol. IV (pp. 413-574) reveals the extensive rôle that Alfonsoine legislation, esp. SP, played in 19th-c. Spanish law courts, while allowing the reader to identify which laws were bones of contention.

C599 Sala, Juan. *Digestum romano-hispamum ad usum tironorum hispanorum ordinatum*. 2 vols. Valencia: de Orqa, 1794. Digesto romano-español, compuesto en latín para uso de los juristas... vertiéronlo al castellano con las últimas variantes del derecho nacional los licenciados D. Pedro López Clarós y D. Francisco Fábregas del Pilar. 2 vols. Madrid: Colegio Nacional de Sordo-mudos, 1844. Footnotes draw the reader's attention throughout to parallels between Roman and Spanish law, the latter very frequently represented by SP.

C600 Salvá, Anselmo. *Cosas de la vieja Burgos*. Burgos: Sucesor de Arnaiz, 1892. 208pp. This discursive commentary on numerous medieval documents housed in the municipal archives of Burgos contains not a few references to
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Alfonso X, Repertorio Americano, 3 (1827), 67-77.
The author cites with great approval SP II.1.3, 10 and v.16, on the
love a monarch should bear his subjects, on tyrants, and on the thirst
for knowledge that should characterize a ruler, respectively; S. also
provides numerous bibliographical data on MSS and eds of FR, OT
and SP.

*Samaniego, Dulanto. 'La legislación eclesiástica en las Partidas',
Martínez Marcos, C459, p. 17. Unable to verify; my source includes a
subtitle to the journal: 'ad usum priv[atum] C[ongregationis] S[acrorum]
R[itum]'.

San Román y Maldonado, Teodoro de. 'Examen crítico del
reinado de Alfonso X el Sabio', Boletín de la Real Academia
Bellas Artes y Ciencias Históricas de Toledo, 3 (año 4)
(1922), 16-34.
This impassioned defense of Alfonso contains a few remarks on his legal
works (pp. 26-27).

Sánchez, Galo. Curso de historia del derecho. *Madrid: V.
Brief and schematic treatment, lacking footnotes; the bibliography (pp.
196-200, 9th ed.) is inadequate. Alfonso's legislation takes up pp. 86-
92. There is an appendix on the Fuero de Soria (pp. 201-03), which
reiterates S.'s claim (C606) that it is a source of FR.

Sánchez Albornoz, Claudio. 'Dudas dobre el Ordenamiento de
In this argument in favor of the authenticity and antiquity of the
Ordenamiento de Nájera (12th c.), S.A. includes an important discussion
of the textual relationships between that text as it appears in the Orden-
amiento de Alcalá of 1348 and SP (pp. 316-21). He attributes the presence
of laws taken from the latter to the compilers of the Ordenamiento de
Alcalá rather than accepting them as evidence that the Ordena-
mento de Nájera was concocted later than SP (which is the position of Galo
Sánchez, C608 and 610).

C612 ———. 'El Juicio del libro en León durante el siglo X
y un feudo castellano del XIII', AHDE, 1 (1924), 382-90.
In the second portion of this note, S.A. publishes a Castilian document
(1221) establishing an enfeoffment of the type described in SP IV.xxxvi,
thereby proving that Alfonso's feudal laws were not based on an entirely
foreign tradition (the Lombard Libri feudorum).

C613 ———. 'La sucesión al trono en los reinos de León y
Castilla', *Boletín de la Academia Argentina de Letras, 14
Alfonso X, el Sabio


On pp. 1150-52 (1976), S.A. takes up Alfonso's ill-fated attempt to introduce the 'derecho de representación' (SP II.xv.2). He assumes that with the death of Fernando de la Cerda in 1275, this law unleashed a long dynastic battle between the Infantes de la Cerda and Sancho IV the Choleric, as well as the latter's successors, Fernando IV and Alfonso XI.

C614 Sánchez Belda, Luis. 'La cancillería durante el reinado de Sancho IV (1284-1295)', AHDE, 21-22 (1951-52), 171-223. Notarial theory and practice are the theme of S.B., who compares the dispositions of SP (esp. III.xviii) with the products of Sancho IV's chancery.


The 16th and 17th-c. commentators on FR, SP and LE are mentioned on pp. 409-11, 413, with useful bibliographical information.

C616 Sánchez de Castro, Francisco. Apuntes de literatura y bibliografía jurídica de España. Madrid: F. Pé, 1883. 163pp. Brief and inaccurate history of Alfonsoine legislation, pp. 75-83. The bibliographical information is so slickshod as to be practically useless.


Chock-full of extensive, though ill-digested, erudition. S.P. describes Alfonso's legal works, offers a long list of MSS, and provides a brief anthology of SP (pp. 125-64, 2d ed.). The voluminous bibliography (pp. 347-425) suffers from the defect that the compiler failed to specify the relevance of many titles that seem to have little to do with the subject.

C618 ————. 'Una bibliografía alfonxina (materiales para un estudio de Alfonso el Sabio)', Anales de la Universidad de Madrid, Letras, 3 (1933), 186-214, 289-311.

An expanded version of this bibliography appears in C617.

Studies


S.R. devotes Chaps 13-14 (pp. 265-320) of vol. I to Alfonso's legal works. He provides an external history, summary analysis of content and selective indications of editions for each work surveyed. The institutional, or thematic, portions of his Estudios (vols II-VI) include discussions of SP laws still in force during the 19th c.

C620 ————. 'Gregorio López de Tovar', in Jurisconsultos españoles, I, pp. 31-42.

This capsule biography is devoted mainly to a defense and analysis of López's gloss to SP (note that S.R. has given the glossator the name of his grandson, who prepared indices to Bh7: see Bh9). On pp. 38-39 the author offers the curious hypothesis that Alfonso XI, in his Ordenamiento de Alcalá de 1348, may have questioned the promulgation of SP by Alfonso X ('non se falla que sean publicadas nin habidas por leyes', I, 828) as a means of defending the legitimacy of his grandfather's (Sancho IV), and therefore of his own, succession to the throne of Castile and León. The law of succession in SP (II.xv.2) gave preference to Alfonso X's grandchildren by his first-born son, Fernando de la Cerda, over the latter's brother, who became Sancho IV. See Craddock, C195, pp. 400-11.


The Fuego de Verveisca (mod. Briviesca), granted by Alfonso the Wise's granddaughter Blanca, 'señora de las Huelgas', on 16 Jan. 1313, is an adaptation of FR with 124 laws added. It is of great importance for the textual tradition of that code and for the study of subsequent municipal legislation. However, this amateurish edition cannot be used with any confidence. The painfully naive editor, instead of reproducing the Fuego de Verveisca as one might have expected, converted his transcription into a running textual confrontation with FR, the whole peppered with his sometimes foolish comments. A competent paleographic edition is urgently needed. The introduction is somewhat more useful (one chapter, pp. 19-35, is simply copied from Domingo de Morató, C213), in particular, pp. 37-54, where the additions to FR are listed.


On pp. 146-47, 287-96, S. digresses on Alfonsoine legislation, making curious observations about SP. FR, OT and especially Set.
The introduction takes up Alfonsine legislation on pp. 67-74. The body of the work contains allusions to FR and SP.

S. includes a chapter on Alfonsine legislation (pp. 68-83 of the Spanish version) that is neither very accurate nor up to date.

Alfonso's views of kingship are discussed with regard to SP II and the events of Alfonso's reign, with particular emphasis on the question of the succession to the throne.

Highly critical account of SP on pp. 48-78, where S. argues that Alfonso intended his great code to be merely doctrinal rather than legislative, that its status as a supplementary code as set forth in the *Ordenamiento de Alcalá de 1348* was subverted by the constant preference shown to it by jurists over other, more valid, legislation, and that it was part and parcel of the abusive introduction of Roman and canon law into the Spanish legal system. These topics received more detailed treatment in the author's *Historia* (C628).

Vol. I, pp. 58-63, offer some curious observations on SP. When the author claims that SP would have strengthened the clergy and the towns against the nobility, it is well to keep in mind that the town councils seem to have resisted the new legislation as fiercely as the nobles.


Studies

In the 1847 ed., Alfonso's works are discussed on pp. 273-333. Though this work enjoyed official patronage (as noted in the prologue), it is vastly inferior to Martínez Marina, C642. The sections dealing with Alfonso contain, with few exceptions, nothing more than a collection of vacuous, though at times diverting, trivialities. The author's doubts (pp. 300-06) about Alfonso's direct responsibility for the compilation of SP are unsupported by any concrete historical or textual evidence (the mariner's compass was, of course, known in Europe long before 1302, so its mention in SP II:ix.28 is not surprising). See also Camacho, C135, p. 29.

C629-3O Entries deleted.

C631 Serra Ruiz, Rafael. 'Finalidad de la pena en la legislación de las Partidas', *AUMD*, 21 (1962-63), 199-257.
Philosophical discussion, after a long historical preamble, of the penal laws of SP, under the headings 'general principles' and 'purpose'. S.R. observes that Alfonso's penal law constitutes an amalgam of Roman and Germanic strains.

Turgid and labored treatment of a fascinating topic, i.e., physical and verbal offenses (deshonras and denuestos, respectively) that wound the honor of the victim. The author discusses the relevant provisions in Alfonso's legislation on pp. 217-39, noting how far SP departs from Hispanic traditions in its regulation of the subject.

C633 ———. 'El reino de Murcia y el honrado Concejo de la Mesta (a propósito de un documento confirmado por Alfonso X, año 1271)', *AUMD*, 20 (1961-62), 141-61.
S.R. publishes and analyzes an Alfonsoine document proving that the Mesta possessed a corporate structure before its official recognition by Alfonso X in 1273.

Lively and interesting analysis of the relevance of SP to the principles of international law, both on its own merits (pp. 49-55) and through the gloss of Gregorio López (pp. 73-84), with specific commentaries on individual laws and their relationship to Roman jurisprudence.

The words discussed here are all taken from SP IV and have to do with basic terms involving family relationships, parentage, and the like. Each term is etymologized, its historical development summarized and its meaning for Alfonso and his contemporaries described. A most curious mixture of linguistics and cultural history.


Publ. version of his Ph. D. Diss., New York University, 1969: ‘Alfonso X of Castile and the Idea of Empire’. 234pp. Chap. VI, pp. 131-42, takes up Alfonso’s views on empire and kingship (SP II). S. makes the point that the Wise King’s notions about the Holy Roman Empire were rather vague, while the laws concerning kingship reveal a thorough and comprehensive understanding of royal prerogatives and duties.

C637 Real Sociedad Geográfica, Madrid. ‘Alfonso X, el Sabio. Discurso que se leyeron o dijeron en la sesión extraordinaria celebrada por la... el 12 de diciembre de 1921, para solemnizar el VII centenario del nacimiento del rey D. Alfonso X, el Sabio’, Boletín de la Real Sociedad Geográfica, 62 (1921), 159-215.

The only contribution relevant to the present bibliography is that of Mario Méndez Bejarano, ‘Alfonso X, polígrafo’, pp. 190-204. The lecturer proffers some general remarks on the external history, influence and style of Alfonso’s legal works, esp. SP (pp. 196ff.).


A brief survey of Spanish legal history (pp. 1-4) precedes the body of the work. The entries are very detailed and include critical as well as descriptive remarks. The collection embraces standard editions of the major general codes of Spain (among them SP), some early commentators, and a selection of late 18th and early 19th-c. legal treatises.

C639 Solalinde, Antonio García. ‘Una fuente de las Partidas: la Disciplina Clericalis de Pedro Alfonso’, HR, 2 (1934), 241-42. S. reveals that Alfonso and his collaborators drew upon Petrus Alphon-sus (exemplum xxvi) for SP II.vi.5, a law that prescribes table manners, but rearranged and amplified their source.


Although not directly concerned with Alfonso’s legal works, this note is essential for understanding the Wise King’s rôle as editor-in-chief of the projects he sponsored.


C642 Suárez, Diego. ‘D. Alfonso X. Sus ideas políticas y sociales... Discurso leído en la Universidad Central, por el licenciado... en el acto solemne de recibir la investidura de doctor en la Facultad de Filosofía y Letras. Madrid: A. García, 1861. 38pp.

S. denounces SP as inspired in foreign traditions, tending to absolutism and excessively favorable to the Papacy.

Suárez, Rodrigo see Juárez, Rodrigo.


Brief discussions of the law of inheritance as regulated by FR and SP appear in the chapter devoted to the reception of Roman law in the later Middle Ages (pp. 33-62).


T. y C. makes generous use of SP in describing the political structure
of the city. Numerous other Alfonsoine documents are commented upon in the body of the work, and published in an appendix (pp. 188-229). See also Ballesteros, C69.

C646


C647

Tomás y Valiente, Francisco. ‘Expedientes de censura de libros jurídicos por la Inquisición a finales del siglo XVIII y principios del XIX’, AHDE, 34 (1964), 417-62. Among the books censured by the Inquisition at the time indicated are Bh17 and 57. T.y V. studies the circumstances of the condemnations and publishes the relevant documents.

C648

———. ‘La prisión por duedas en los derechos castellano y aragonés’, AHDE, 30 (1960), 249-489. In this book-length article the dispositions of FR and SP with regard to the imprisonment of insolvent debtors receive careful attention (pp. 355-74). T. y V.’s arguments for considering the Fuero de Soria a source for FR (pp. 367-68) have become obsolete since the publication of Martínez Díez, C452.

C649

———. ‘La sucesión de quien muere sin parientes y sin disponer de sus bienes’, AHDE, 36 (1966), 189-254. SP VI:xiii,6 and FR III:v:4 ‘make the heir to intestate estates in the absence of living kin (within the 10th degree in SP) or spouse (pp. 224-27). T.y V. studies the Roman origins of this provision and its gradual acceptance in Spanish law.

C650


C651


Studies

Vol. III is particularly important for the study of Alfonso’s legislative activity in a region where the Fuero Juzgo was introduced as the basic law book, rather than FR (or Esp./SP, for that matter), though other fueros are occasionally granted. At one point Alfonso promises the town council of Alicante ‘é el libro del fuero nuevo que os queremos de dar’ (p. 67; dated 16 July 1258). The reference is vague (both FR and Esp. already existed) and there is no record of any such later concession to Alicante, which received FJ on 5 Oct. 1252 (pp. 16-20). One is strongly tempted to deduce that ‘el libro del fuero nuevo’ refers to SP, which Alfonso’s juridical team had begun on 23 May 1256. T.F.’s collection seems well transcribed, organized and indexed; many more similar efforts are needed.

C652

———. ‘Murcia y las Partidas’, AHDE, 34 (1964), 531-45. T.F. gathers together bio-bibliographical information concerning two collaborators, one speculative and the other well-known, in the compilation of SP: Fray Pedro de Gallego, first bishop of Cartagena (see López, C414), whose De regina domus is supposed to be one of the sources of SP II:vii and ix; Jacobo de las Leyes, author of the Flores de las leyes. Several other Murcian dignitaries are put forth as potential collaborators. In addition, T.F. feels that part of the actual work on SP may have taken place in Murcia. T.F. labors under the misapprehension that SP was begun in 1265 (p. 533).

C653

Torres López, Manuel. ‘Naturaleza jurídico-penal y procesal del desafío y riepto en León y Castilla en la Edad Media’, AHDE, 10 (1933), 161-74. T.L. relies mainly on FR IV:xxi and SP VII:ii-iv, xi-xii, in his analysis of the medieval Castilian traditions of judicial challenge (riepeto) and formal declaration of enmity (desafío). See also Otero, C515.

C654


C655


Among the Alfonsoine documents here edited by U., one finds a typical grant (dated 21 July 1256) of ‘aquel fuero que yo fiz con consejo de mi
Alfonso X, el Sabio


C656 Ureña y Smenjaud, Rafael de. 'Los incunables jurídicos de España', BRAH, 95 (1929), 1-46, with 14 unnumbered plates.

U. includes (pp. 20-22) data on the first printed editions of SP, FR and LE, together with much valuable information on the juridical activity of Díaz de Montalvo (1405-99).


This lecture remains, along with Riaza, C574, one of the few surveys of Spanish juridical literature available for general orientation. Only occasional items directly relevant to the present bibliography come up for discussion, e.g., Bh7 (p. 38), Llamas y Molina’s critique (C403) of Bh17 (p. 132), and the fragments of Galician versions of SP (p. 30).


The first vol. of the 2d ed. constitutes in fact only the prolegomena to the subject announced in the title. Vol. II contains a selection of monographs even less directly related to the ostensible purpose of the book. SP is discussed briefly (I, pp. 266-68) as an example of Roman influence which the Castilian population was not ready to accept in the 13th c. U. y S. also emits the curious, and apparently unfounded, opinion that Exp. was a politically motivated forgery. On the last point see also Bonilla, C115.


On pp. xiv-xv the editors point out that in his Doctrinal Jacobo borrowed heavily from the third Partida, which was, after all, largely his own work.

Studies

The exact correspondences are indicated at appropriate points in the critical apparatus. Concerning García-Gallo’s idle attempts (C274, pp. 428-34) to rearrange the chronology of Jacobo’s works, see Iglesias, C357. Concerning García-Gallo’s idle attempts


In his study of this municipal charter (dated 1373 with a 1469 supplement), U.L. notes (pp. 64-68) the influence of FR (III.vi.13, 16-17) with regard to the rules for drawing up last wills and testaments. The texts of the charter and its supplement are published as appendices, followed by a document of 1487 according to which the inhabitants of Ayala requested, and were granted, the privilege of being governed by Castilian law (FR and SP are specifically mentioned; see pp. 229ff.).


Only on pp. 390-92 does U. get to Alfonso’s legal works, where he limits himself to a few rhetorical commonplaces.


The apellido corresponded to the English hue and cry ‘loud shout by those pursuing a felon; all those who heard were obliged to join in the pursuit’. V. studies its legal status and implications chiefly in the medieval municipal codes, but includes discussions of relevant passages from FR (p. 81) and SP (p. 91).


SP introduced a narrower definition of moveable goods than that which had prevailed in earlier Spanish law (see pp. 112-13; pp. 10-13 of the reprint).


V. makes frequent use of SP in describing medieval Spanish institutions. The index allows easy tracing of specific allusions.
C665  Alfonso X, el Sabio

—. ‘El desarrollo del derecho en la Península Ibérica hasta alrededor del año 1300’; Cahiers d'Histoire Mondiale, 3 (1957), 833-53.
Succinct, well-written and informative summary, with abundant bibliographical indications. On Alfonso's legal works, see pp. 849-51.

Excellent survey of the nascent or stunted feudal institutions of Spain, with frequent allusions to relevant Alfonsoine legislation, esp. FR III.xiii and SP IV.xxv-xxvi.

C667  —. ‘La limitación de la acción reivindicatoria de los bienes inmuebles en el derecho español medieval’, *RDP*, 31 (1947), 691-758. Repr. in his Estudios (see C663). Pp. 21-60. FR III.x.6 mitigated the responsibility of third parties who purchased in good faith stolen or illegally acquired goods (pp. 58-59).

C668  —. ‘Las Partidas y los orígenes medievales del juicio de residencia’, BRAH, 153 (1963), 205-46.
V. traces the juicio de residencia, i.e., the Hispanic res repetundae, to SP III.iv.6, with details on the sources, influences and transformations of that law in subsequent Spanish legal history.

There is a vague and inconsequential discussion of Alfonsoine penal legislation in vol. II, pp. 140-55, which includes extensive passages copied from SP (VII.xxxi, 0-11; III.vi.9-10, 14-15) concerning penalties and the comportment of lawyers, respectively, as well as brief observations on FR (pp. 140-41) and OT (pp. 154-55). For other eds, see Palau, Manual, XXV, pp. 24-25 (§§347753-58).

Sad to say, this is the best introduction to the subject available in English since Altamira, C20. Alfonso's works, in particular SP, come in for detailed treatment (pp. 153-214). My compatriots can find

fascinating material on the use of SP in Southern and Southwestern law codes and court proceedings in the ‘Note’ (pp. 255-82). For reasons difficult to comprehend, a large portion of the book is given over to printing the tables of contents of FR, FR and SP. An index is provided, but no bibliography.

.3. Derek Lomax, BHS, 46 (1969), 272.

C671  Van Scoy, Herbert A. ‘Alfonso X as a Lexicographer’, HR, 8 (1940), 277-84.
The author draws frequently upon SP for illustrations of Alfonso's strong penchant for defining words used in his prose works.

SP is one of the sources for this glossary of terms defined in Alfonso's major works. The brief survey of legal sources (pp. xxxii-xlxi) rather overstates the case for direct influence of medieval Latin legal glossaries on Alfonso's technique of defining words. The textual comparisons presented are quite inconclusive.

Extremely useful, but terribly slipshod and uncritical, compilation of bibliographical data on the history of Spanish law, both Peninsular and Colonial. The lack of an alphabetical bibliography is most inconvenient, and only partially remedied by the author index added to the 2d ed. (pp. 281-96). On Alfonso's legal works, see pp. 86-108 (either ed.).

This article presents the preliminaries to Bgl, where it is repeated literally in V.'s introduction. Besides reviewing the literature on his subject and describing the extant MSS, V. demonstrates the close textual connections between Set. and SP (Set. 889 and SP Liv.30 are specifically compared). The main flaw in his argument has to do with his chronological perspective; it never seems to have crossed V.'s mind that proving a relationship between two texts and establishing which
is prior and which posterior are two quite separate operations. V.
simply assumed that Set. was earlier rather than letting that conclusion
flow from the evidence. Nor will it do to compare Set. only with Bh17,
which represents the latest redaction of SP. One must muster all the
textual evidence available for SP, which, in the case of Liv, involves
at least three redactions. What V. regards as suppressions and condensa-
tions of the text of Set. in being adapted for SP may just as well,
perhaps better, be regarded as amplifications of SP in being transformed
or utilized for Set.

C675 Vargas y Ponce, José de. Elogio de don Alonso el Sabio:
disco, premiado por la Real Academia Española, en junta
que celebró el día 15 de octubre de 1782. Madrid: J. Ibarra,
1782. 76pp. Repr. in *Colección de las obras de eloquencia
y de poesía premiadas por la Real Academia Española...
Also printed in Bh23 and in *MRAE, 2 (1870), 373-432. Bombastic
defense of Alfonso, with some general remarks concerning his legisla-
tion on pp. 19-23.

C676 *Villalopando, Jaime de. Solemnis lectura et repetitio legis
vigentem secunde tituli primi Septime Partitie de pacto seu
transactione super delictis celebranda. León: P. de Celada,
Fernández de Mesa, C230, p. 66; León y Olarieta, C398, 2d ed., p. 223;
Palau, Manual, XXVII, p. 138 (###66980-81); Vance, C673, p. 105.

C677 Villalopos Salas, Gustavo. Los recursos contra los actos de
gobierno en la Baja Edad Media: su evolución histórica en
el reino castellano (1252-1504). Madrid: Instituto de
Eratid, well planned and richly documented dissertation that surveys
the various legal remedies for illegal administrative acts. Constant use
is made of FR, Esp. and SP, as well as of the minor legal works, to
say nothing of numerous Alfonso documents.

C678 Vizcaíno Pérez, Vicente. 'Discurso preliminar', in Bh55, 1,
pp. i-cxiv.
This 'Discurso' is a curious reflection of 18th-c. legal aspirations
and attitudes. While V.P. is woefully ignorant as to the details of
the external history of Alfonso legislation (see pp. cxii-cxiii), his admiration
for SP knows no bounds, with the single exception of its language,
which in his view is (p. cxiii) 'desabrida, embarazosa y muy difícil'.

C679 Wagner, Charles P. 'The Sources of El Cavallero Cifas', RHii,
10 (1903), 5-104.
On pp. 36-37, W. observes that Cifas follows SP II.ii rather closely.

C680 Walsh, John K. (ed.). El libro de los doce sabios o tractado
de la nobleza y lealtad [ca. 1237]: estudio y edición. BRAE,
This model edition provides an excellent basis for placing in its his-
torical and literary context the portion of SP II given over to the com-
portment of the ruler. Abundant references in the critical apparatus
indicate parallels between the Doce sabios and SP.

C681 Wohlhaupter, Eugen. 'Das germanische Element im altsspanischen
Recht und die Rezeption des römischen Rechtes in Spanien',
Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romani-
stische Abteilung, 66 (1948), 135-264.
Pp. 221-24 offer a second-hand summary of Alfonso's X's rôle in the
introduction of Roman law into Spain, esp. by means of SP.

C682 ————. 'Zur Rechtsgeschichte des Spiels in Spanien', in
Spanische Forschungen der Görresgesellschaft, Erste Reihe,
Gesammelte Aufsätze zur Kulturgeschichte Spaniens, 3 (1931),
55-128.
Excellent survey of Spanish gambling law, from Roman times to the
18th c., which takes up SP (pp. 93-97), the Cortes de Jerez de 1268
(p. 97), and OT (pp. 97-107). W.'s study of the last-named text is
the most comprehensive that has come to my attention. He notes the
contradictory nature of the pertinent Alfonso legislation: in
1268 the Cortes de Jerez forbad gambling houses, while only eight
years later (1276), Alfonso employed Master Roland to draw up a
code (OT) governing their operation. In the latter, W. also observes
various dispositions that conflict with those of SP, though the Partidas
never actually prohibit gambling.

C683 Ximénez, Sebastián. Concordantiae utriusque iuris civilis et
canonici cum legibus Partiturarum, glossematibusque Gregorii
Lopez... *Toledo: P. Rodríguez, 1596. 987 + 332pp. 2d ed.
Larraona & Tabera, C396, p. 158; Palau, Manual, XXVIII, p. 210
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(E377073). The principal civil and canon law codes are here indexed vis-à-vis SP, i.e., given a law or provision from civil and canon law, one can find the corresponding law(s) in SP, along with massive amounts of allusions to glossators and other authorities.

C684 *———. Concordiantarum totius iuris canonici et civilis pars secunda in qua praeter plures leges Partituarum que primo deeerant, tum in omnes leges, ut vocant Regni, Stylis, Ordinamenti et Novae Recopilationis ... Toledo: D. Rodriguez, 1619. 412ff.

Xuárez, Rodrigo see Juárez, Rodrigo.

For English, French and Spanish translations, see NUC:56, DCLXXXIV, p. 577. In this attack on the pretensions of the Carlitas, Z. shows that Alfonso's law of succession (SP II.xv.2) has been observed without interruption throughout Spanish history. He curiously (conveniently?) omits all mention of Sancho IV, who succeeded to the throne in defiance of the law in question.

Camacho, C135, p. 9. Unable to verify.

García-Gallo & Villalpando, C278, p. 55. Unable to verify.

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