The Last King’s “Naturais”: Nobility and naturalidade in Portugal from the Fifteenth to the Seventeenth Century

Antonio Terrasa Lozano

Abstract

This article considers the evolution of the importance of nativeness, which is just one of the meanings of the Portuguese word naturalidade, according to the different interests of the nobility and merchants from the fifteenth to the seventeenth century. By analyzing early modern Portuguese Codes, as well as some petitions sent to the Cortes, and the strong bonds that existed between the Castilian and Portuguese nobility from the Middle Ages onwards, I propose an interpretation of the evolution of the modern concept of nativeness, not in its absolute sense, but instead according to the nobility or the lack of it of individuals considered to be either natives or foreigners.

Keywords

Nobility, nativeness, foreigner, border, codes, privileges, merchants, court, royal marriages

Resumo

Neste artigo considera-se a evolução da importância jurídica da naturalidade em função dos diferentes interesses da nobreza e dos comerciantes durante os séculos XV, XVI e XVII. Através da análise das ordenações portuguesas da época moderna, de algumas petições em Cortes e de fortes laços que ligaram, desde a Idade Média, as famílias da nobreza castelhana e portuguesa, propôs-se uma interpretação da evolução do conceito moderno de naturalidade, não em sentido absoluto, mas sim em função da nobreza ou da falta dela dos indivíduos considerados naturais ou estrangeiros.

Palavras-chave

Nobreza, naturalidade, estrangeiro, fronteira, códigos, privilégios, mercadores, corte, matrimônios régios

Translated by Mary Solari.

CIDEHUS—University of Évora. Postdoctoral researcher of FCT, SFRH/BPD66015/2009; member of the research team “Circulação, patrimonio y poder de élites en la Monarquía Hispánica (1640-1715)” (GECOFIN 8015: HAR2009-12963-C03-01/HIST). E-Mail: aterrasa@gmail.com

Versão integral disponível em digitalis.uc.pt
1. Introduction. Nobility, the crime of lese majesty and treason: change and continuity.

In the year 1660, Dom Raimundo de Lencastre, the fourth Duke of Aveiro (c. 1620-1666) traveled secretly to Brest and from there to Madrid to meet his Castilian mother, Doña Ana Maria Manrique de Lara, as well as his French wife, Doña Luisa de Ligné, the daughter of the Prince of Ligné. That escapade sealed the process of severance between the House of Aveiro and the new royal dynasty of Portugal. Since 1640, when the Duke of Bragança was proclaimed King of Portugal, the Aveiros, his eternal rivals, had afforded the Restoration regime a tepid reception. Tried in absentia, the Duke of Aveiro was found guilty of the crime of lese majesty in August 1663. He was therefore sentenced to capital punishment—executed in effigy—and both his personal possessions and the estate belonging to his lineage were confiscated and returned to the Crown. Although several of Dom Raimundo’s relatives who had remained in Portugal claimed to be his heirs, the Crown Procurator decided to deny their claims and recognize only Dom Raimundo’s sister, Dona Maria Guadalupe de Lencastre (1630-1715) and his uncle, Dom António as heirs to Dom Raimundo. Since Dom João IV’s accession to the throne, the Crown had implemented an efficient system, fueled by the Portuguese nobility’s flights to Castile, to regain possession of huge and wealthy manorial estates. The anti-Bragança conspiracy of 1641 had allowed the Crown to confiscate the luxurious estates of the Marquis of Vila Real and the Duke of Caminha. In March 1642, the jurisdictions and estates of the Marquis of Castelo Rodrigo were added, and in the following years the Crown recovered the lands of the marquisate of Porto Seguro—belonging to a second-

———

^3Torres (1904: 873).
^4The founder of the House of Aveiro had been Dom João II (1481-1495), O Príncipe Perfeito, who, in his will and testament had established that entailed estate for his bastard son, the maestre de Avis, thus creating a noble house which would only be surpassed in rank and riches by the House of Bragança. It was the same Dom João II who, at the height of the purges implemented against the nobility during his reign, had the Duke of Bragança’s throat slit in Évora in 1483.
^5In 1640, when Dom João IV was proclaimed King of Portugal, Dom Raimundo was not yet of age and still under the tutelage of his Castilian mother, Doña Ana Maria Manrique de Lara. In 1641, obeying his mother, and due to a supposed indisposition, the Duke of Aveiro did not attend the Cortes summoned to swear allegiance to the new monarch. This event led to the confinement of both mother and son in Coimbra. Valladares (1998: 237-239).
^6Allegação: 34.
^7At different moments, these claimants were the Marquis of Porto Seguro, his younger brother Pedro de Lencastre, the future General Inquisitor, the Count of Figueiro, the Countess of Faro, the Marquis of Gouvea, and his mother, the Marchioness.
^8For the lawsuits brought to prevent the House of Aveiro reverting to the Crown of Portugal, see Terrasa Lozano (2009a: 227-243).
^9For the 1641 conspiracy and the repression of the noblemen involved in it, see Costa and Cunha (2006: 105-128).
born branch of the House of Lencastre—and the estates of the earldoms of Tarouca, Assumar, Lumiar, Figueiró, Armamar, Basto and Arcos. Such vast territories were not added to the Crown in one single set; rather, they were divided among several Houses belonging to different members of the Royal Family. Thus, the House of Bragança was reserved for the Crown Prince; the House of the Queen (Casa da Rainha) was re-established in February 1642 in order to provide queen consorts with their own property, and in August 1654 the powerful House of the Infantado was created for the second-born son of each king. The possession of a vast estate administered through the queen and the princes guaranteed the Crown indirect control of large tracts of Portuguese territory in a period of political turmoil and war with neighboring Castile.10

The Crown’s interest in recognizing Dona Maria Guadalupe’s rights at such a point in time and in the context of the policies implemented for the recovery of royal possessions (which actually intensified in the period 1654-1665)11 was perfectly understandable: having betrayed Dom Afonso VI (1656-1683) and departed to the Court of Castile in the middle of the war, she was also guilty of treason and would therefore have to consider her rights to the dukedom, as transmitted by her elders, to have been lost forever. Together with her, all her relatives would also be affected, whether they remained loyal to Dom Afonso VI or not. Such a situation was established by the laws of the kingdom, which stated that, just like the rights of succession to primogeniture, treason was also transmitted by blood lineage, and spread like an infectious disease from parents to children.12

After Dom Raimundo’s death sentence in 1663, Dom Pedro de Lencastre, the uncle of the fugitives and the future Inquisitor General in Portugal, sued both the Portuguese Crown and his nephews and nieces in order to be recognized as Duke of Aveiro. To prevent the Lencastre estate falling into the hands of the Crown, Dom Pedro’s lawyers disputed the doctrine by which the treason of one family member tarnished the whole lineage:

O que cometeu delicto, porque seus bens devem ser confiscados, só perde os bens seus propios & liures, & nam aqueles que ficaram de seus antepasados, & que se ham de restituir a

---

10For the strategies devised to return the lands to the Crown after the accession to the throne of Dom João IV in 1640 and the foundation of the House of the Infantado, see Lourenço (1995b: 25-33). For the House of the Queen, see Lourenço (1995a) and Lourenço (2005).

11It was during these years that the largest number of lands were incorporated into the estate of the House of the Infantado. Lourenço (1995b: 49).

12The Ordenações Manuelinas, and later the Ordenações Filipinas, clearly stated the seriousness of betraying the king and the way in which this stain was transmitted to the traitor’s descendants.