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Medieval Castilian Acculturation

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Summary
Acculturation has been the empirical foundation of the anthropological history of humanity, and has integrated the history of language, society, and culture. Acculturation refers to all cultural events resulting from the acquisition, modification, or reinterpretation of a culture, particularly the reception and assimilation of cultural elements specific to one social group by another. The term acculturation became widely accepted among American anthropologists in the late 19th century to refer to the changes that occur when social groups with different cultural traditions merge. The creation of a new system of sources to replace the traditional one of the kingdom was the work of Alfonso X, whose extensive legacy included three texts of particular importance attributed to him (those usually referred to as Fuero Real, Espéculo and Partidas). Their prologues coincided in making clear Alfonso X's firm conviction, both in the need for reform and in his authority to carry it out, through the application of a legal framework (each one of them), drawn up with the advice of the Court and legal experts. The conditions of the kingdom required action with urgency, but also with extreme caution, and this was reflected in the documentation of the time, which revealed how the king already had a legal framework of some scope which, in anticipation of possible resistance to its acceptance by the kingdom, he granted municipal jurisdiction to several towns in León, Castile and Extremadura between 1255 and 1265, considering that they did not have a jurisdiction by which they should be judged.

Keywords: *Acculturation, Anthropological history, Fuero de León, Fuero Juzgo, Fuero Real, Espéculo, Partidas, Ordenamiento de Alcalá.*

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I. Introduction

The entry of anthropology into medieval history was one of the most significant historiographical developments in the last third of the last century. Indeed (since 1970), there was an enrichment of perspectives and a deepening of knowledge about the configuration of society, and especially its behavior in relation to the occupied territory. J. A. García de Cortázar (1985) proposed starting from the conception of society and space as elements of a system, whose evolution occurred through the complexity of its social organization. He established the close connection between the formulas of economic reproduction and the structures of domination and social cohesion, as well as the system of values.

1.1. The introduction of anthropology (and medieval history) into the history of language came later, and could be dated to the end of the last century. F. Gimeno (1988, 1990: 138-44) showed that sociolinguistics was born from an anthropological commitment that ultimately considered linguistics as a chapter of social and cultural anthropology (and the psychology of knowledge). General sociolinguistics, as an extension and revision of institutional disciplines (linguistics, sociology, and anthropology), integrated a *sociology of language* and a *strict sociolinguistics*, as well as the *ethnography of communication* (see C. A. Ferguson, 1959; J. A. Fishman, 1971; D. Hymes, 1971, 1974; F. Gimeno, 2019: 182-96).

Studies on language contact and culture contact in Europe did not enjoy widespread coordination, although the precursors were European (W. Leopold, E. Haugen and U. Weinreich). U. Weinreich (1953: 37-40) commented that for some anthropologist language contact was nothing more than an aspect of culture contact, and language transfer was a facet of social diffusion and acculturation. However, despite the increase in anthropological interest in problems of contact, particularly in the United States of America after the First World War, studies on language contact and culture contact did not enjoy widespread coordination, nor was the relationship between the two fields of study properly defined.

The most interesting problem in language transfer was the interaction of social and cultural factors that promoted or impeded such transfer. Anthropologists investigating acculturation were forced to include linguistic evidence as indications of the overall process of acculturation, while linguists needed the help of anthropology to describe and analyze those factors that governed language transfer and were truly within the domain of culture.

II. Acculturation

Within the broad sociocultural framework of languages in contact, U. Weinreich (1953: 236-43) described language substitution as the displacement of the habitual use of one language by that of another. Language substitution, which involved changes in the social and cultural functions of a language, had to be distinguished from language change, which considered the process of transformation in the structure of the language over time, space, society and situation (see F. Gimeno and M. V. Gimeno, 2003: 24-64, 101-35).

Regarding its main purpose, the *History of Humanity. Cultural and Scientific Development* (I,7-9), sponsored by UNESCO (1963), he alluded in the "Preface" to the need to overcome traditional approaches to the study of history that attributed decisive importance to political, economic and military factors. A history was needed that sought to appreciate the significance of events, taking as its starting point and reference system the positions adopted by various cultures. The perspective opened by each culture on the universal in the human being was a projection of the humanity of that culture in its own particular circumstances.

Acculturation has been the empirical foundation of the anthropological history of humanity, and has been integrated into the history of languages, societies, and cultures. The hypothesis of the history of humanity as a succession of acculturations was more appropriate to linguistic, social, and cultural facts and to the continuity of history itself. There was no linguistic change without languages in contact, and both the history of linguistic change and linguistic substitution were part of acculturation, based on social and cultural diffusion. It was not, therefore, merely a linguistic issue, but also a social and cultural one. The primary principle of the history of linguistic change and linguistic substitution was the acculturation of social groups, with social and cultural interbreeding.

2.1. Our working hypothesis has been that within the anthropological history of the Spanish language there was a linguistic and cultural continuity, based on the successive and diverse historical acculturations (Indo-European, Basque-Iberian, Pheno-Punic-Greek, Roman, Christian, Germanic, Visigoth, Byzantine, Islamic, Catalan-Aragones, medieval Castilian, Castilian and Anglo-Saxon), with the linguistic and cultural transfers that implied the social and cultural mixing of these groups, and the adaptation to a new sociocultural context (see F. Gimeno, 2025a, 2025b, 2025c, 2025d).

During the second half of the last century, major contributions to historical linguistics accumulated, which were far from being recognized by historians of languages. These contributions have represented significant achievements and technical applications in the face of decontextualized purposes and previously inexplicable events. The only viable solution was the intrinsic relationship between language, society, and culture. Acculturation has been the empirical foundation of the anthropological history of humanity and has been integrated into the history of languages, societies, and cultures (see F. Gimeno, 2024a, 2024b, 2024d).

The association between structure and homogeneity was a false assumption, since linguistic structure included the orderly differentiation of social groups and registers, through rules governing variation within the speech community. Moreover, a "structured heterogeneity" of language was proposed, and maternal dominance implied the control of such heterogeneous structures (see U. Weinreich, W. Labov and M. I. Herzog, 1968: 187-8; F. Gimeno, 1990: 79-87).

Variation and change were distinct dimensions of linguistic evolution, and ongoing variation and linguistic change should never be confused. If all change implied ongoing variation, not all variation implied change. Indeed, linguistic change based on the discontinuous interaction of parents and children simplified the issue to a generational variation, but the parents' grammar was the primary component of the child's primary grammar, ensuring acculturation and continuity of family transmission.

2.2. Acculturation referred to all cultural events resulting from the acquisition, modification, or reinterpretation of a culture, particularly the reception and assimilation of cultural elements specific to one social group by another, with adaptation to a new sociocultural context. The term *acculturation* became widely accepted among American anthropologists in the late 19th century to refer to the changes that occurred when social groups with different cultural traditions came together, and there was no distinction between whether it should be applied to the results or the processes of cultural change.

Acculturation, then, encompassed those events resulting from direct and continuous contact between social groups with different cultures, with the corresponding changes and reinterpretations in the original culture of one or both groups. The terms "acceptance," "adaptation," and "reaction" referred to the assimilation of cultural elements and their reinterpretation within new groups, as well as the rejection of these elements. Gradually, the term *transculturation* has become less common compared to the more common acculturation. While the latter had been used to refer to the change of only one or both poles of contact, in the case of transculturation, it has generally been used in relation to a single society or group.

Anthropological research into the history of language proposed the deduction of linguistic variables and the social and cultural factors of the past, and empirically verified them in the present. Historical sociolinguistics

faced the need to materialize the most plausible working hypotheses on the historical, sociological, and cultural reconstruction of the processes of oral formation and written standardization of Romance languages, based on empirical principles for a grammatical theory of linguistic change. In accordance with these foundations, it has gone beyond the descriptive contributions of historical pragmatics, based on the functionalist analysis of stable discursive traditions of written texts (see B. Frank and J. Hartmann, 1997; D. Jacob and J. Kabatek, 2001; F. Gimeno, 1988, 1995).

The autonomous version of linguistic change advocated by the Neogrammarians was unacceptable in our time, and the phonological rules of historical-comparative linguistics were simplifications of linguistic change. This was especially true when we considered the geographical and social differentiation of language, within its own "structured heterogeneity," and variability as part of the communicative competence of the various generational and social groups that coexisted within the speech community. Only in this way was it possible for the social history of language to become a true reality, with the necessary complementarity between homogeneity and heterogeneity. Moreover, both linguistic change and the ongoing change were neither mechanical nor merely phonologically determined.

2.3. Innovations were ongoing linguistic variations and changes that could only be fully and completely understood and explained in relation to social and cultural factors, and not in linguistic characteristics for their social and cultural justification. Languages were excellent instruments of expression and communication of the cognitive development of social groups within a speech community. Linguistic change was never a problem, nor even a complex matter of oral or written traditions, but a process in which the successive generational replacement of different social groups and diverse cultures was directly involved. The analysis and delimitation of the complex relationships between linguistic variables and social and cultural factors, as well as the historical, sociological, cultural, and legal determinants of the various Romance-speaking communities, was fundamental (see B. Malmberg, 1966: 207-22; H. López Morales, 1989, 2006; F. Gimeno, 1995: 27-53, 2019: 343-51).

Faced with a partial diachrony of the various linguistic levels (and even, descriptively, of all of them) of the Romance languages, we should nowadays assume an anthropological history of the communicative competences of successive generations and social groups, within the various Romance-speaking communities. Visigoth Spain was one of the last and most valuable manifestations of ancient culture. Isidore of Seville laid the foundations of medieval culture and was the bridge that united Antiquity with the Middle Ages, although we should always bear in mind Jerome's masterful legacy of cultural transmission of the millennia-long history of monasteries, codices, and copyists. The qualitative and autonomous descriptions of linguistic change in the Latin compilation of the early medieval Riojan glossaries prevented us from seeing and understanding the social multilingualism of hybrid manuscripts (as well as the implicit normalization of the Romance languages), through regulating the multiple linguistic variables and factors (social and cultural), as well as the superficial variants of the texts (see M. Alvar, 1996; C. García Turza, 2003, 2011, 2023; C. García Turza and J. García Turza, 1997, 2000, 2004; J. García Turza, 1990, 2000, 2013; F. García Andreva, 2010a; 2010b; J. A. García de Cortázar, 2016).

In this sense, synchronic monolingual description techniques were insufficient and inadequate in themselves for the analysis of linguistic variation in these manuscripts, and the study of sociological, cultural and legal changes that determined the written standardization of romances. Only in this way have we revised the hypotheses of historical dialectology and diachronic functionalism that prevailed throughout the last century, and we offer new research on the anthropological history of the formation of Hispanic Romance languages (see F. Gimeno, 2013, 2019, 2024c).

III. Medieval Castilian acculturation

The rupture caused by military action and the subsequent settlement of the Muslim community constituted a milestone that marked the beginning of a new period in the history of Castile (the Middle Ages), which extended, depending on the political events and the institutional framework that characterized it, until the end of the 15th century. If during the 9th century the written register that predominated in the Iberian Peninsula was classical Arabic, in the 12th century it was medieval Latin, and in the 13th century Castilian romance was gradually gaining ground, until it became established as the register in which official documents of the Chancellery, notaries, courts, Cortes, etc. were written.

As far as the legal field is concerned, if this period coincided with the coexistence in Spain of two different political organizations and two different legal systems, its term "ad quem" was not significant for the development of Castilian law, since the entry of the Hispanic kingdoms into modernity as a result of their reception of European common law occurred earlier and gradually throughout the 13th century, such that if it entailed important changes, it did not cause a radical break with the previous legal system, whose survival (at least in law) was guaranteed by the legal texts themselves for just over a millennium.

3.1. However, according to AM Barrero (1993: 243-55), several well-defined stages could be distinguished, depending on the different source systems predominant in them:

1) Until the middle of the 13th century (which coincided with the High Middle Ages) it was characterized by a situation that has been described by authors as "dispersion" or "pluralism", and the conjunction of different source systems that led to the creation of a very similar law in all kingdoms.

2) Until the beginning of the 18th century, the formation of a specific law in each kingdom of general scope, based on the confluence of the specific legal tradition when it existed, and the principles of common law.

3) The one that covered the 18th century, in which an almost total unification of the system of sources in the Iberian Peninsula was achieved, as a consequence of the imposition of the law of Castile on the remaining kingdoms (except Navarre).

3.2. In the creation of law in the early medieval Christian kingdoms, if the Visigothic legal tradition was maintained in Al-Andalus thanks to the Mozarabs, in the territories free from Islamic domination a similar situation only occurred for some time in the region of the eastern Pyrenees and north of Catalonia integrated into the *Marca Hispanica*, whose indigenous population continued to be governed, except for the consequences in the legal order of its political dependence on the Frankish kingdom, by its own law, that is, the one contained in the *Liber Iudiciorum* and the *Hispana* .

However, this was not the case, although there was also the presence of Visigothic refugees in them, in the other centres of resistance initially formed by small contingents of the population grouped around military leaders, limited in their activity to small territories where life unfolded in a rural environment in accordance with tradition and custom.

The subsequent advance of the Reconquista, very uneven in each kingdom, and the repopulation of the recovered lands did not essentially alter this legal situation, reflecting the weakness of these incipient political organizations, characterized (compared to that of the Visigothic period) by the lack of a single and general law in the respective kingdoms, and the recognition by their supreme authorities of local autonomy in the process of creation and evolution of the law now entrusted to society.

The consequence of all this was the emergence of a new legal order in accordance with the demands of this emerging society, very similar in all kingdoms as were the political, economic, social and cultural conditions in which it had to develop (see A. M. Barrero and M. L. Alonso, 1989).

3.3. The first innovation was the territorial planning and control mechanisms established from the very moment of occupation. The repopulation enterprise led by the monarch or his direct delegates marked the active presence of the first elements of social hierarchy, and first and foremost were the charters and the municipal organization, although neither the former nor the latter were new creations. What was novel was their almost universal systematic use, and many historians saw in it the reason for the emergence in the territory (between the Duero and Tajo Rivers) of a distinct social space, in which the improved legal conditions (greater freedom) of its inhabitants contrasted with the more burdensome lordly dependencies of those settled in the northern areas of the kingdom. At the outset, the differences were not illusory, and on the one hand were explained by the need to attract settlers by offering advantageous settlement conditions, and on the other because the direct relationship between repopulation and reconquest made monarchical direction necessary and made possible (if not the disappearance) at least the reduction of recourse to the manorial instrument.

By the end of the 11th century, the revival of urban life was already a reality, particularly along the Jacobean route in the Castilian-Leonese kingdom, thanks to the new spatial structure it brought. At the same time, the institution of the council had already established a sufficient tradition. The fusion of these two elements resulted in the communities of town and land that imprinted their character on the new territories, and their presence to the south and north of the central mountains was dominant. The relationship established between the towns and their (sometimes) very extensive districts could be considered a lordly relationship, but the collective nature of this type of lordship, the property and freedom requirements demanded of its residents, and their degree of participation in decisions that affected them, established a noticeable difference between them and those headed by a cathedral, a monastery, or a nobleman. The regional charters already established the differences, and neighborhood, profession, function, and religion soon made it possible to distinguish different social groups.

The sole reason for the widespread use of the system of municipal charters and customs justifies the fact that the greatest number and variety of surviving texts of this nature come from the kingdom of Castile and León. The oldest texts, dated to the 10th century, recorded the granting of charters to various locations in the county of Castile (Lara, Canales de la Sierra, Salas de los Infantes, Melgar de Suso, and Castrojeriz) by the counts Fernán González and García Fernández, or their lords, with the express consent of the latter. However, no charter (if any) attributed to Count Sancho Garcés has been preserved, despite his being recognized by tradition as "the one with the best charters." All of them contained rules of the traditional law of the region, especially reflected in those relating to the status of infanzonía of the knights of the villages, but only those of Melgar and Castrojeriz came to

enjoy a certain standing in the nearby environment at dates considerably later than those for which they were said to have been granted.

Some of the charters of the following century gained greater importance and dissemination: firstly, that of the city of León, formed from the Decrees of Alfonso V of 1017, and other privileges granted to the city by his successors, which gave rise to the preparation of several drafts that were disseminated in a relatively nearby area after being expressly granted as the "Fuero de León", or taken as a model for the drafting of their own charters in other places as these were reconquered. The subject of further reworkings in these charters, the text prepared in the town of Benavente achieved extraordinary expansion when it was adopted by Fernando III, Alfonso IX and Alfonso X for the founding of new towns in León, Galicia and Asturias. Other documentary references to the Fuero de León from the late 13th and 14th centuries were to be understood in relation to the *Fuero Juzgo* and not to the old charter of the city.

The impact of several of the relatively numerous charters (26) granted and confirmed by Alfonso VI or his delegates on the border was no less important, and an analysis of these charters as a whole made it possible to clearly detect lines of action by the king in line with the achievement of specific objectives, in addition to the general objective of defending the kingdom through the repopulation of its territory. On the one hand, he sought to obtain the acceptance of his new subjects (whether those of the former kingdom of Nájera, the Castilians or the Mozarabs of Toledo), through the recognition of their own rights and the granting of new privileges, as the charters of Nájera, Sepúlveda and Toledo provided good proof of this. On the other hand, to alleviate the power of the nobility not through confrontation, but through the balance that would be provided by the creation of urban centers that, due to their high degree of autonomy, would ensure the settlement of a large, diverse and free population in their capacity as nobles on the frontier or as bourgeois in the rearguard, especially attractive at this time due to their coincidence with the Jacobean route.

The incorporation of Islamic cities, especially Toledo, and the creation of the towns that guided the repopulation process led to the existence (from the moment of the occupation) of craft and commercial activities, concentrated in urban centers. The role of Toledo, whose conquest by Christians did not represent a sudden break with the Muslim past, was important throughout the entire Castilian kingdom during the 12th and 13th centuries. The circulation of money, the money business (mainly in the hands of the Jewish community), the existence of a small urban aristocracy with significant monetary incomes and references to regular exchanges with the Islamic area denoted a commercial attitude above the average level in the rest of the cities and towns (see R. Menéndez Pidal, 1926/1950; R. Lapesa, 1942/1981; J. A. García de Cortázar, 1973, 1985: 106-15; M. Torreblanca, 1976, in press; J. M. del Estal, 1982; B. Imhoff, 1990; J. F. Domene, 2023; F. Gimeno, 1985, 1988, 1995, 2004).

3. 4. The first fact to be highlighted regarding the formation of the law of the early medieval Christian kingdoms was the different value that the various modes of normative production acquired in it with respect to the previous legal system. In this environment of political weakness, and in the absence of an authority capable of enforcing it, the law lost the role of fundamental source that it had had among the Visigoths, and was initially replaced in the regulation of most institutions by *custom*, and also by *judicial decisions* of special importance, notwithstanding their casuistry, both for the establishment of customary norms, which generally inspired the actions of judges, and in the formulation of new ones based on equity and therefore of common acceptance.

By its very nature, this customary and judicial law did not go beyond the local or regional scope of application, which was not an obstacle to the fact that, due to the development of the repopulation process, the same customs came to govern in different places because of the common origin of their inhabitants, nor to certain sentences or "fazañas", either due to the prestige and authority of those who issued them, or due to the fairness and adequacy of their solutions, came to create a judicial practice known and applied by other courts.

This initial legal basis was later expanded by a new law, generally of a privileged nature, born from the need to secure and encourage population settlement in the reconquered territories in order to ensure their defense. Aside from the common denominator of their purpose, the variety of documentation (contemporary or subsequent) that reflected this right in terms of its nature and content was extraordinary, with the inclusion in the generic category of "population," "privilege," or "franchise" charters, ranging from private or contractual texts to public ones granted by the corresponding political authority. These charters (along with establishing the status of the settlers and the boundaries of the area) established certain rules for the organization of community life.

All of them were aimed at the creation of new population centers or at stimulating the development of existing ones in a specific way, and their scope was strictly local. In those cases, they served as a starting point for the subsequent development of community law, through the conjunction of the various sources mentioned above and the statutory capacity that local authorities acquired (with municipal development). In these cases, they were used to complete, update, and even replace the system by which they had been governed until then, whether that of the old Visigothic texts (as in Catalonia) or of customary and judicial origin.

Beyond this local law, some kings and counts occasionally issued general provisions for their entire territory, such as the Decrees issued by Alfonso V for the Kingdom of León, the "constitutions" granted by Alfonso II of Aragon in 1188, or those established in the peace and truce assemblies by the Catalan bishops and counts.

3. 5. The evolution of early medieval law in the Christian kingdoms to more developed forms was favored, especially from the beginning of the 11th century, by several factors of different kinds. These included the expansion of the kingdoms' borders, the overcoming of patrimonial conceptions of them, the consolidation of royal power within them, and the establishment of new urban population centers in the rearguard, whose development was fostered by a general climate of economic activity and with defensive purposes on the borders under conditions of privilege and autonomy necessary to mitigate the risks arising from their advanced position. Thus, it wasn't long before, in the face of the growing and profuse production of regulations to which these circumstances gave rise, the need to compile this law in writing was felt in the various instances of power and spheres of action (kings, lords, municipal authorities, local practitioners themselves), in order to ensure its knowledge and facilitate its application. This process of drafting rules in specific texts, commonly known as *costums* and *fueros municipales* (and in others of territorial scope), until then not expressly formulated and generally known through oral tradition, contributed decisively to their establishment and consolidation in each community when they were compiled, to a greater or lesser extent.

The abundance and variety of texts of this nature that have survived to this day, often in late and defective copies, and especially their appearance as texts produced at a specific time as a result of the discretionary and imposed action of the authority to which they are attributed, has hampered their study from the perspective of their progressive formation. This has justified the uncertainty of researchers when attempting to trace the general features of the formation and writing of these medieval texts. However, despite their frequent presentation of clear evidence of being the result of a compilation of documents and regulations from diverse origins and different periods,

3.6. Based on studies carried out on a large number of them from different dates and regions, it appears that this process of drafting at the local level may have begun in the first third of the 12th century, in those areas where repopulation and the founding of new towns had occurred most intensively. In keeping with a situation of incipient development of municipal life, the texts produced during this century responded to certain formal and content characteristics, such as the regulation of only certain aspects of community life, their formal adaptation to the chancellery norms of the time, the widespread use of Latin (and occasionally Romance), and the use of a deficient legal technique typical of practitioners knowledgeable in the law of the place or region, but ignorant of legal science.

The political evolution of the kingdoms and the rise of municipal life within them, already evident in the first decades of the following century, combined with the development of legal science as a result of the gradual adoption of European common law in the Iberian Peninsula, led to the formation of new local editorial boards, increasingly broader and more technically sophisticated in the formulation of their rules and organization. This activity continued for some time, mostly on private initiative, and with the aim of preserving and formally perfecting the texts rather than developing their rules, which, by now fully consolidated, were soon overtaken by the demands of a society in constant evaluation.

Whatever the method of proceeding in the creation of these legal texts by the local authorities, it was evident that they generally did not act independently of the higher authorities on whom they directly reported, since the express acceptance and recognition by these authorities of their charter not only constituted a guarantee of compliance for the towns, but also endowed it with an authority all the greater the antiquity and reiteration of this recognition. Hence, most of the charters, as they have been preserved, sometimes appear to be attributed entirely to the authority and moment in which the town's charter or first privileges were granted, and others are presented as the joint work of the lord and the council, or are said to have been carried out with the consent of the former.

Furthermore, the prestige of royal authority was elevated above this, so it is not surprising that in some charters of councils subject to ecclesiastical lordship or of the military Orders the approval of the king was recorded, which the towns repeatedly requested from them the confirmation of their charters, and that the favorable disposition of some kings to this type of recognition (as seems to have been that of the Castilian Alfonso VI and his homonyms), represented for Alfonso X the Wise a stimulus for the councils when it came to undertaking the task of setting their law in writing.

Thus, as early as the middle of the 12th century, a certain tendency towards legal uniformity could be detected, through the expansion to other places of certain charters considered "good" that were granted as a privilege by kings or lords, sometimes on their own initiative, other times at the request of their inhabitants, without at any time appearing to have taken into account either geographical proximity or belonging to one or another of the different kingdoms.

3.7. If one of the most striking connotations of the law of the High Medieval kingdoms was the variety of its sources, no less striking was the variety of the systems that were formed within them as a result of the plurality of combinations born from the simultaneous or successive validity, but at times coinciding, of all or some of them, of their different valuation according to time and place, and of the conditions imposed by the geographical, social and economic characteristics of the environment in which they had to develop independently of their political affiliation to one or other kingdoms.

Within this variety, some systems were notable, which, due to their common features across the different territories in which they were found, could be considered the most representative of the period. The survival of the Visigothic system among the Mozarabs in the Christian territories, the validity of the *Liber Iudiciorum*, it was due to their presence, sometimes fleeing from Al-Andalus, other times because they constituted a significant contingent of the population of the cities recovered by the Christians. To what extent this situation could be considered general in the Christian kingdoms (as some authors believe), or on the contrary, it only occurred in certain areas, specifically in León and Toledo, was not easy to resolve, since (except for these cases mentioned) the elements of judgment available are scarce and not always sufficiently significant.

However, the attempts by Alfonso II to recover the Visigothic tradition for the Astur-Leonese kingdom and with it the validity of *Liber*, did not begin to become a reality until the beginning of the 10th century because of the settlement there of Andalusian Mozarabs harassed by the persecutions of the Cordoban caliphs. But by that time there already existed in the kingdom a fully established law of customary origin that continued to develop outside the *Liber*, which was only used in cases of doubt. To these were added in the 11th century some general laws dictated by the kings and the municipal charters, which in this and in the 12th centuries were formed in the towns and cities that were being recovered. Nevertheless, and in contrast to what happened in Catalonia, the application of the *Liber*, first in the city and then throughout the kingdom, became increasingly rooted, even becoming, in late times, identified as *the Fuero de León*.

The fall of Toledo to the Christian troops did not represent a noticeable legal change for the Mozarabs who had lived there with the invader, since Alfonso VI, equally respectful of the principle of personality (in addition to granting other privileges), confirmed the application of the *Liber* among them, in the same way that he allowed the Castilians and Franks who accompanied him in the conquest to govern themselves by their own law. However, since they constituted the majority population and there was no other more deeply rooted law here (as in León), this initial situation was soon overcome by the widespread validity of the *Liber* throughout the kingdom, without prejudice to the fact that other population groups continued to maintain some of their legal specialties.

3.8. Already in the 13th century, when Ferdinand III undertook the reconquest of Andalusia, the parallel between the situation in Toledo and some of the recovered cities (although not precisely in terms of the persistence of the Mozarab population there, which in any case must have been minimal), in addition to other political factors, must have inclined this king to address the repopulation of the Guadalquivir valley on the basis of granting the *Liber* (which was already circulating in its updated version and translated into Romance, the *Fuero Juzgo*) as a municipal charter (along with other privileges), sometimes as such (as in the case of Córdoba or Carmona), other times, as in Seville, as a charter of the city of Toledo. The charters of Toledo were granted to various localities, more or less close, initially according to the personal status of their inhabitants. However, from the middle of the 12th century, due to the generalisation of the *Liber* and the existence of a consolidation of the Toledo charters and privileges, references to personal status in concessions to other places were exceptional.

Likewise, in old Castile, the original nucleus of a law of its own and peculiar to that of the kingdom of León, with customary and judicial roots, which already in the 10th century seemed to have achieved a certain entity, since in later texts of various kinds they coincided in the reference to "the good charters in the time of Count Don Sancho", without prejudice to the formation of some brief collections of judicial sentences or *fazañas* of local scope, such as those collected together with its charter in Castrojeriz or independently of its own in Palenzuela. The drafting of this law began from a certain moment that tradition placed in a Cortes of Nájera convened by a King Alfonso (who, according to the most recent studies, would be the eighth of that name), and would have taken place in 1184, or as a result of the promise made by him after the victory of Las Navas to confirm his charters to the cities and nobles of the kingdom.

Whatever the occasion, this drafting process must have already been quite intense in the first half of the 13th century, since the texts of this nature that have come down to us, which could be dated to the second half of the century and the first decades of the next (the one known by its title as Devysas , the *Pseudordenamientos de Nájera* , the *Fuero de León*, the *Libro de los fueros de Castilla* and the *Fuero Viejo de Castilla*) revealed the use as models of several other earlier drafts, which are unknown today. Their rules came from some royal privileges and fundamentally from the “fazañas” of both the royal Court and local judges and customs that frequently dealt

with matters relating to the relations between the lords and their vassals, which has led some researchers to emphasize the noble nature, rather than the territorial nature of this right.

In addition, the *Libro de los Fueros de Castilla* also contained a significant number of customary norms originating from various places in the regions of Burgos and La Rioja. These norms (as also evidenced by other documentary evidence) revealed the simultaneous validity in several of them, even in later times, of both a jurisdiction of free will and a municipal jurisdiction. None of these drafts ever received official sanction. However, their authority and interest in their knowledge at the time were clearly demonstrated by the repeated reworkings and revisions to which they gave rise, and by the fact that some of their norms were included in a text as important as the *Ordenamiento de Alcalá*.

IV. The system of sources of Castilian law in the Late Middle Ages

At the beginning of the year 1250, according to AM Barrero (1993: 259-68), a new era began to dawn on the horizon of the Christian kingdoms as the moment of their maximum territorial expansion coincided with a climate of internal peace conducive to the consolidation of their political organization, their economic development and their cultural rebirth under the protection of the recently created universities. Their work in the field of law was to be of capital importance as vehicles for the dissemination of a new legal system that, born in Italy following the discovery of the legislative works of the Emperor Justinian, soon took root throughout Western Europe, becoming integrated to a greater or lesser extent into the legal systems of the future states of this part of the continent.

4.1. The concepts advocated by this *Common European Law* concerning the political constitution of kingdoms and the identification within the corresponding territorial scope of the imperial figure with that of the "prince" determined a change in attitude among sovereigns in relation to the exercise of power, manifest in the legal order in the fact that, based on the duty to maintain justice among the people, they took upon themselves the task of creating law, counting for this purpose on the effective assistance of new generations of university-trained jurists, imbued with these doctrines and provided with a high level of scientific and technical preparation.

The consequences of this on the source systems in force in the Hispanic kingdoms were immediate and noticeable. Regarding the methods of producing norms, law regained the predominant role it had held in the Visigothic period, with the displacement of custom and judicial decision, while legal science gained special importance, coming to fill, to some extent, the numerous gaps in the legal systems through the work of jurists.

These, in order to try to be complete and cover all branches of law (only due to its peculiar nature would commercial law be subject to independent regulation), necessarily had to refer, as subsidiaries, to other sources, whether traditional ones of the kingdoms, or other foreign ones such as the "Rights" (civil and canon), or the norms born from the faculty of interpretation of the Law that in some kingdoms was reserved to the king and in others was also entrusted to the good knowledge and understanding of the judges.

On the other hand, the scope of validity of the laws being general and the legislative activity of the kings intense both in courts and by themselves by virtue of their own authority, a clear tendency could be seen in all the kingdoms to achieve their legal unification to the detriment of local and territorial rights, which (by not being renewed) were falling into disuse until they were reduced to the condition of "singular" law for the regulation of some institutions and specific aspects that managed to endure.

The configuration of the new system in each kingdom presented its own peculiarities, as well as the pace and methods of its implementation, but, in any case, once this was achieved, its consolidation and development occurred without essential alterations until the end of the Ancien Régime.

4.2. The spatial breadth, the diversity of urban planning, and the deep-rooted tradition explained the difficulties encountered in implementing the new fountain system in Castile. This was finally achieved, after a long period of conflict between the interests of the Crown and the Kingdom, in the Cortes convened by Alfonso XI in Alcalá in 1348.

The creation of a new system of sources that replaced the traditional one of the Kingdom was the work of Alfonso X, whose extensive legacy included three texts of special importance that were attributed to him (those usually designated as *Fuero Real*, *Espéculo* and *Partidas*), as well as a treatise with legal content and a didactic character, the *Setenario*.

The increasingly deeper knowledge, although not yet to the point that would be necessary, of these legal texts and of the abundant documentation preserved on the king has allowed scholars to follow his legislative policy in its fundamental aspects, without prejudice to the fact that different hypotheses are considered when establishing certain data referring to his work (dates, immediate authors, sources used, etc.), of trying to find an explanation for certain facts such as the elaboration of three texts of this magnitude in a relatively short space of time (about 12 years if the dates most commonly accepted by critics are accepted, since none provides sufficient elements of judgment to establish them with absolute certainty) or of specifying the reason for being and specific function of

each of them, within the generic purpose of putting an end to the evils derived from the diversity and inadequacy of the existing ordinances in the kingdom to be able to maintain it in peace and law, expressly declared by the king in the respective prologues with which they began.

These prologues also coincided in making clear the firmness of Alfonso X's conviction, both of the need for reform and of his authority to carry it out, through the application of a legal body (each of them), made with the advice of the Court and legal experts. The conditions of the kingdom demanded action with urgency, but also with extreme caution, and this was reflected in the documentation of the time when it showed how (not even three years into his mandate) the king already had a legal framework of some length (the "*fuero del libro sellado con mio sello de plomo*") which, in anticipation of possible resistance to its acceptance by the kingdom, given the deep-rooted traditional law among the municipal and noble estates, he granted municipal jurisdiction to several towns in León, Castile and Extremadura between 1255 and 1265, because it was considered that they did not have a jurisdiction by which they should be judged, and also as a general privilege to the hidalgos of the latter region in 1264.

In view of these documentary data and the granting to numerous towns of a charter contained in books authenticated with the royal seal, it seemed that it would be necessary to identify (as some authors have done in recent times) said charter with the *Espéculo*, in whose prologue (when dealing with its application) it was noted that sealed copies were sent to the towns, as well as their use in the Court for appeal cases.

In contrast, the intense manuscript tradition of local origin of the *Fuero Real*, the deserved reputation of originality of one of the preserved codes of the same that collected it, and other arguments such as the greater affinity of its content with traditional local rights (which would facilitate its implementation by this means), came to confirm the most commonly accepted hypothesis that King Alfonso X granted the *Fuero Real* to the towns of the kingdom, while the *Espéculo* would be intended for its application by the royal judges.

4.3. However, several scholars claimed that the application of the *Espéculo* never became effective, since an event such as the imperial succession, foreign to the kingdom, but not to its sovereign (aspirant to such a precious title), came to interfere with the course of his legislative work. When the "*fecho del Imperio*" was raised in 1256, when the *Espéculo*, in the opinion of some, it wouldn't have been long since it was approved in the Court, or according to others, was still unfinished (it should not be forgotten that it has been preserved incomplete), the king decided to carry out, in support of his hereditary rights to the Empire, the creation of a universal code of laws, unprecedented (as it would turn out) in the Europe of his time, which would summarize all the legal knowledge of the time: the *Siete Partidas*. This encyclopedic and non-practical conception of the work was in keeping with the eminently scientific nature of its content, and justified why at the time it was not promulgated (since that was not its purpose), although other opinions found the explanation for this not in a prior intentional reason on the part of the king, but in the kingdom's resistance to its acceptance.

Radically different from these theses that related to different extents the formation of the *Partidas* with the imperial aspirations of King Alfonso, and could correspond to a previous plan drawn up by the monarch to fulfill a pressing wish: the unification of the Law in two domains of action, one municipal that corresponded to the *Fuero Real*, and another more ambitious that would cover his desires to be consecrated emperor of the Holy Roman Empire. However, in no way did they question its more or less direct authorship, nor its preparation between the years 1256 and 1263 (or 1265), which was the one that since 1951 had been defended by another illustrious scholar of Alfonso's work who, based on a detailed analysis of the texts, came to the conclusion that the *Partidas* were the product of several successive reworkings of the *Espéculo*, carried out by jurists of the Court in the last years of the reign of Alfonso X and in those of his successors Sancho IV, Fernando IV and Alfonso XI himself.

This theory, which was not limited to the study of the drafting process of the famous code, but rather considered the entire legislative work attributed to King Alfonso X, has been widely contested, especially in recent years, and has given rise to an intense controversy of high scientific rigor, in the face of which for the moment we can opt for an attitude of reserve while awaiting the new elements of judgment that, without a doubt, could be provided by a critical edition that would cover in its entirety the very considerable manuscript tradition of the *Partidas*.

The deep-rooted legal tradition and the diversity of existing rights in the different territories comprising the Crown of Castile must have been taken into account when Alfonso X renounced the general promulgation of the new legal order contained in the codes drawn up at the Court. However, the arbitrated solution—the granting of the *Fuero Real* as a local jurisdiction and the application of the "king's book" (the *Espéculo* or the *Fuero Real* itself?*)* by the mayors of the Court, but not by the local judges—was not going to be viable either.

Judging by the decreasing rate of granting of the *Fuero Real* reflected in the documentation, it seems that the measure must not have been well received by the councils, and in some places, such as Miranda de Ebro, it had to be rectified even before the king, under pressure from the need for their military aid to confront a new African invasion, definitively renounced its implementation by this means in 1265. Furthermore, the climate of

legal uncertainty arising from the possibility of applying different laws depending on the status of judges or the level of jurisdiction over the lawsuits, fostered widespread discontent with royal policy, which became openly evident in 1270. In response to which the sovereign was forced to yield, confirming the nobility and cities' ancient charters and privileges and reducing the application of royal law to "cases of the Court," as these were established by the Cortes of Zamora in 1274.

However, the failure of Alfonso X was not as resounding as one might expect from these facts, because if he certainly had to renounce the desired achievement of the legal unification of his kingdom, this would not mean that royal law would cease to be applied beyond the "Court cases", nor would his works fall into oblivion.

4.4. Indeed, the *Ordenamiento de Zamora* itself left open a broader possibility for the application of royal law by entrusting the resolution of cases not regulated by municipal laws to the king (in León), and in Castile also to his appellate court, for which, obviously, both resorted to the new law. Due to their value as precedents, both the provisions issued by the king to resolve each specific case, as well as the rulings of the royal mayors applying the *Fuero Real* (or based on the practice and style of the court of the Court) were compiled. The former in a collection known as *Leyes Nuevas*, compiled in Burgos around 1278, and later expanded with new provisions of this nature by Sancho IV. The latter around 1300 in another collection called, by allusion to the nature of its content, *Leyes de Estilo*.

Likewise, the *Fuero Real* continued to find application at the local level. Whether, after the events of 1270, its character as a municipal charter prevailed over its origin and content, and as such was affected by royal confirmation of these, its continued validity in those royal domains that did not have another text is unknown. However, in this sense, the fact that around this time it was adopted with some restrictions in some manorial towns could be significant. In later times, its application was expressly stated, as both Sancho IV and Alfonso XI granted it to various localities, sometimes "ex novo ", since there was no evidence that such places were governed by this or any other previously written law. Others, such as Madrid, to which it had already been granted by Alfonso X, also had extensive drafting of their own charters.

On the other hand, in the process of compiling traditional rights that led to their confirmation in 1272, in the effort to produce complete and perfect texts, their authors were forced, as was the case in Soria and Toledo, to turn as models or sources of inspiration to those that, like the *Fuero Real*, collected the common law. Finally, also in this final phase of the mandate of King Alfonso X and that of his successors, when the reception of common law had already been achieved in fact, his work aroused extraordinary interest among those cultivators of legal science close to the Court, and it was to them (according to some opinion referred to above) that the formation of the *Partidas* should be attributed. However, even if they had already been formed, there was no doubt (judging by their extraordinary manuscript tradition) that at this stage they were the subject of intense work of study, commentary, dissemination and translation into other peninsular languages, to the point that (when the time came) it was deemed necessary to establish a definitive version that was given official status.

However, due to the growing and intense diffusion among broad sectors of the kingdom of the doctrines of common law favourable to the exercise of the legislative powers inherent to royal power, the successors of Alfonso X, during a period of almost 64 years, did not take any initiative to modify the order established in 1272, limiting themselves to promulgating in general terms the laws or *Ordenamientos* approved by the Kingdom assembled in Cortes.

It was Alfonso X who, when addressing the judicial organization of the kingdom, in response to a widespread and manifest feeling in several meetings of the Cortes (in Burgos in 1338, Villarreal in 1346 and in Segovia in 1347), came to resolve this situation by presenting a broad bill approved in the Cortes of Alcalá in 1348 (the *Ordenamiento de Alcalá*), which, in addition to regulating different aspects of the administration of justice and various institutions of civil and criminal law and including an ordinance of the fijodalgo, established an order of precedence in the application of sources, which highlighted and gave legal support to the indisputable supremacy of royal law, without ceasing to recognize the validity of traditional rights, with a clear sense of reality.

According to this, disputes would have to be settled first by the laws of the *Ordenamiento* itself, failing that by the municipal charters, although conditioned by their use and the possibility of contradiction with divine laws, reason and the norms contained in said Ordenamiento. Likewise, with the provision for their amendment or improvement by the sovereign, and thirdly by the *Partidas*, according to the official version that the king had ordered to be made of them, in that which was not contrary to the laws of Alcalá and the charters. Finally, the king, by virtue of his own authority, reserved the power to dictate new provisions and to modify, interpret and clarify those contained in the aforementioned sources. Except for the express recognition of the customary jurisdiction and the free will of the fixed landowners, this ordinance did not contain any reference to custom and judicial discretion, while with respect to Common Law, no other legal source was recognized than the *Partidas*, although their study was recommended in all Universities.

4.5. If during the 9th century the written register that predominated in the Iberian Peninsula was classical Arabic, in the 12th century it was medieval Latin, and in the 13th century Castilian romance was gradually gaining ground, until it became established as the register in which official documents of the Chancellery, notaries, courts, Cortes, etc. were written. Within a definitive commitment by Alfonso X to the explicit normalization of Castilian, I. Fernández-Ordóñez (2004) raised the fundamental role of the royal initiative of Alfonso VIII, Fernando III, Alfonso X and Sancho IV. Until Castile and León united their destinies under King Ferdinand III in 1230, the Leonese chancellery (dependent on the Archbishop of Santiago de Compostela) had issued its documents only in medieval Latin, while the Castilian chancellery (linked to the archiepiscopal curia of Toledo) had sporadically drafted documents in Castilian romance.

After the union of the kingdoms, Juan de Soria (as chancellor for all the territories dependent on Ferdinand III) extended his functions to the kingdom of León and maintained the use of Castilian as the preferred Romance form of writing for the chancellery, although Leonese romance began to be used in private and local diplomas until the end of the 13th century. Between 1231 and 1240, the percentage of Castilian texts in the Castilian-Leonese chancellery doubled, and from 1241 until the end of his reign (1252), Romance diplomas outnumbered Latin ones. When Alfonso X ascended the Castilian-Leonese throne, the chancellery of Ferdinand III had issued around 60% of its documents in Castilian during the last decade. From then on, Alfonso X's chancellery maintained this linguistic planning, and the use of Castilian romance was general, without being conditioned by documentary typology or legal register, although documents destined for other kingdoms were written in medieval Latin. With the decisive selection of Castilian romance and exclusion of medieval Latin, the Castilian chancellery was ahead of the other kingdoms of the Iberian Peninsula, and of the English and French chancelleries (see F. González Ollé, 1978; L. Rubio, 1981; M. de Epalza *et al.*, 1983; M. Pérez, 1985; A. Palacios, 1991; M. C. Díaz, 1995; F. Gimeno and C. García Turza, 2010; F. Gimeno, 2016, 2019: 255-71).

V. Conclusions

1. Acculturation has been the empirical foundation of the anthropological history of humanity, and has been integrated into the history of languages, societies, and cultures. Acculturation has been used to describe all cultural events resulting from the acquisition, modification, or reinterpretation of a culture, particularly the reception and assimilation of cultural elements specific to one social group by another, with adaptation to a new sociocultural context. The term acculturation became widely accepted among American anthropologists in the late 19th century, referring to the changes that occurred when social groups with different cultural traditions merged. The entry of anthropology into history was one of the most significant historiographical developments, and there was a deepening of knowledge about the configuration of society, and especially about its behavior in relation to the territory occupied.

2. Regarding its main purpose, the *History of Humanity. Cultural and Scientific Development* (I,7-9), sponsored by UNESCO (1963), he alluded in the "Preface" to the need to overcome traditional approaches to the study of history that attributed decisive importance to political, economic and military factors. A history was needed that sought to appreciate the significance of events, taking as its starting point and reference system the positions adopted by various cultures. The perspective opened by each culture on the universal in the human being was a projection of the humanity of that culture in its own particular circumstances.

3. The hypothesis of the history of humanity as a succession of acculturations was more appropriate to the linguistic, social, and cultural facts, and to the continuity of history itself. Our main working hypothesis was that within the anthropological history of the Spanish language there was a linguistic and cultural continuity, based on the successive and diverse historical acculturations (Indo-European, Basque-Iberian, Pheno-Punic-Greek, Roman, Christian, Germanic, Visigothic, Byzantine, Islamic, Catalan-Aragonese, medieval Castilian, Castilian, and Anglo-Saxon), with the linguistic and cultural transfers that implied the social and cultural interbreeding of these groups, and the adaptation to a new sociocultural context. Our specific working hypothesis is confirmed once again.

4. The rupture caused by military action and the subsequent settlement of the Muslim community constituted a milestone that marked the beginning of a new period in the history of Castile. The Middle Ages extended, depending on the political events and the institutional framework that characterized them, until the end of the 15th century. However, in terms of law, although this period coincided with the coexistence in Spain of two different political organizations and two different legal systems, its term "ad quem" was not significant for the development of Castilian law, since the entry of the Hispanic kingdoms into modernity because of their adoption of European common law occurred earlier and gradually throughout the 13th century. Although this brought about important changes, it did not cause a radical break with the previous legal system, whose survival (at least legally) was guaranteed by the legal texts themselves for just over a millennium.

5. By the end of the 11th century, the revival of urban life was already a reality, particularly along the Jacobean route in the Castilian-Leonese kingdom, thanks to the new spatial structure it brought. At the same time, the institution of the council had already established a sufficient tradition. The fusion of these two elements

resulted in the communities of town and land that imprinted their character on the new territories, and their presence to the south and north of the central mountains was dominant. The relationship established between the towns and their (sometimes) very extensive districts could be considered a lordly relationship, but the collective nature of this type of lordship, the property and freedom requirements demanded of its residents, and their degree of participation in decisions that affected them, established a noticeable difference between them and those headed by a cathedral, a monastery, or a nobleman. The regional charters already established the differences, and neighborhood, profession, function, and religion soon made it possible to distinguish different social groups.

6. The first fact to highlight regarding the formation of the law of the early medieval Christian kingdoms was the different value that the different modes of normative production acquired in it compared to the previous legal system. In this environment of political weakness, and in the absence of an authority capable of enforcing it, the law lost the role of fundamental source that it had held among the Visigoths and was initially replaced in the regulation of most institutions by *custom*, as well as by *judicial decisions* of special importance. By its very nature, this customary and judicial law did not exceed the local or regional scope of application. This did not prevent the same customs from coming to govern in different places due to the development of the repopulation process. Nor did it prevent certain sentences or "fazañas", either due to the prestige and authority of those who issued them or the fairness and appropriateness of their solutions, from creating a judicial practice known and applied by other courts.

7. This initial legal basis was subsequently expanded by a new law, generally of a privileged nature, born from the need to secure and encourage population settlement in the reconquered territories to ensure their defense. Aside from the common denominator of their purpose, the variety of documentation reflecting this law in terms of its nature and content was extraordinary, with the inclusion in the generic category of "population," "privilege," or "franchise" charters, ranging from private or contractual texts to public ones granted by the corresponding political authority, which established certain rules on the organization of community life. All of them were aimed at the creation of new population centers or at stimulating the development of existing ones in a specific manner, and their scope was strictly local. In those cases, they served as a starting point for the subsequent development of community law, through the conjunction of the various sources mentioned above and the statutory capacity that local authorities gradually acquired. In these, to complete, update, and even replace the system that had been in place until then, whether it was that of the old Visigothic texts or of customary and judicial origin.

8. Based on studies carried out on many of them from different dates and regions, it appears that this process of drafting at the local level may have begun in the first third of the 12th century, in those areas where repopulation and the founding of new towns occurred most intensively. In keeping with a situation of incipient development of municipal life, the texts produced during this century responded to certain formal and content characteristics, such as the regulation of only certain aspects of community life, their formal adaptation to the chancellery norms of the time, the widespread use of Latin (and occasionally Romance), and the use of a deficient legal technique typical of practitioners knowledgeable in the law of the place or region, but ignorant of legal science. The political evolution of the kingdoms and the rise of municipal life within them, already evident in the first decades of the following century, combined with the development of legal science as a result of the gradual adoption of European common law in the Iberian Peninsula, led to the formation of new local editorial boards, increasingly broader and more technically sophisticated in the formulation of their rules and organization.

9. In the 13th century, when Ferdinand III undertook the reconquest of Andalusia, the parallels between the situation in Toledo and some of the recovered cities, in addition to other political factors, must have led the king to address the repopulation of the Guadalquivir Valley on the basis of granting the *Liber* (which was already circulating in its updated and translated into Romance version, the *Fuero Juzgo*) as a municipal charter (along with other privileges), sometimes as such (such as to Córdoba or Carmona), other times, as in Seville, as a charter of the city of Toledo. The charters of Toledo were granted to various localities, more or less nearby, initially according to the personal status of their inhabitants. However, from the middle of the 12th century, because the *Liber* had become widespread and a consolidation of Toledo's charters and privileges already existed, references to personal status in concessions to other places were exceptional. This drafting process must have already been quite intense in the first half of the 13th century, since the texts of this nature that have come down to us, which could be dated to the second half of the century and the first decades of the next revealed the use as models of several other earlier drafts, which are unknown today.

10. The creation of a new system of sources to replace the traditional one of the Kingdom was the work of Alfonso X, whose extensive legacy included three texts of special importance attributed to him (those usually designated as *Fuero Real*, *Espéculo* and *Partidas*), as well as a treatise of legal content and didactic character, the *Setenario*. Their prologues coincided in making clear the firmness of Alfonso X's conviction, both of the need for reform and of his authority to carry it out, through the application of a legal body (each one of them), made with the advice of the Court and of legal experts. The conditions of the kingdom required action with urgency, but also with extreme caution, and this was reflected in the documentation of the time, which showed how the king already had a legal framework of some extent which, in anticipation of possible resistance to its acceptance by the

kingdom, he granted municipal jurisdiction to several towns in León, Castile and Extremadura between 1255 and 1265, as he considered that they did not have a jurisdiction by which they should be judged, and also as a general privilege to the hidalgos of the latter region in 1264.

11. There were several scholars who claimed that the application of the *Espéculo* never became effective, since an event such as the imperial succession, foreign to the kingdom, but not to its sovereign (aspirant to such a precious title), came to interfere with the course of his legislative work. The "*fecho del Imperio*" was raised in 1256, when the *Espéculo*, in the opinion of some, would not have been approved by the Court long ago, or according to others, was still unfinished (it should not be forgotten that it has been preserved incomplete), the king decided to carry out, in support of his hereditary rights to the Empire, the creation of a universal code of laws, unprecedented (as it would turn out) in the Europe of his time, which would summarize all the legal knowledge of the time: the *Siete Partidas*. This encyclopedic and impractical conception of the work was in keeping with the eminently scientific nature of its content and justified why it was not promulgated at the time, although other opinions found the explanation for this not in a prior intentional reason on the part of the king, but in the kingdom's resistance to its acceptance. Other hypotheses linked the formation of the *Partidas* to the imperial aspirations of King Alfonso to the Holy Roman Empire.

12. Within Alfonso X's definitive commitment to the explicit normalization of Castilian, it is worth highlighting the fundamental role of the royal initiative of Alfonso VIII, Ferdinand III, Alfonso X, and Sancho IV. Until Castile and León united their destinies under King Ferdinand III in 1230, the Leonese chancellery had issued its documents only in medieval Latin, while the Castilian chancellery had sporadically drafted documents in Castilian romance. After the union of the kingdoms, Juan de Soria extended his functions to the kingdom of León and maintained the use of Castilian as the Romance modality preferred by the chancellery, although Leonese romance began to be used in private and local diplomas until the end of the 13th century. Between 1231 and 1240, the percentage of Castilian texts in the Castilian-Leonese chancellery doubled, and from 1241 until the end of his reign (1252), Romance diplomas outnumbered Latin ones. When Alfonso X ascended the Castilian-Leonese throne, the chancellery of Ferdinand III had issued around 60% of its documents in Castilian during the last decade. From then on, Alfonso X's chancellery maintained this linguistic planning, and the use of Castilian romance was general, unconditioned by documentary typology or legal register, although documents intended for other kingdoms were written in medieval Latin. With its decisive selection of Castilian romance and exclusion of medieval Latin, the Castilian chancellery was ahead of the other kingdoms of the Iberian Peninsula, and of the English and French chancelleries.

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