

Introduction

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This book is part of a larger project in the Great Christian Jurists series, and it should be understood within that broader context. Led by Professor John Witte, Jr., director of the Center for the Study of Law and Religion at Emory University, the project aims to illustrate the rich and enduring interactions between Christianity and law by examining the contributions that outstanding thinkers and practitioners have made over the centuries to legal ideals, institutions, and practice.

History does not evolve in a straight line according to a predetermined logical plan. It is influenced not by necessity but also by the free choices of people. Political communities and legal systems, as living structures, are sensitive to the inputs, additions, and improvements made by great leaders or prominent jurists. If we accept that law is a partial expression of the culture of a particular society, and that legal traditions reflect prevailing communal notions about ethical values that should be converted into law, it is difficult to overrate the significance of Christianity for the development of Western legal culture.¹ Behind many legal achievements, both in civil law and in common law, one finds Christian values and ideals as they were interpreted at a given time. And behind those ideals, one often finds a particular Christian legal thinker or practitioner who, perhaps unintentionally, left an indelible mark on our legal culture. These are the Christian jurists of this project's title.

Each volume of this series on Great Christian Jurists focuses on a specific country or group of countries and contains a sample of about twenty Christian jurists – understood broadly to include not only civil and canon lawyers but also theologians, philosophers, and political leaders – who contributed decisively to legal ideas and institutions. This volume examines the life and

¹ See Harold J. Berman, *Law and Revolution: The Formation of the Western Legal Tradition* (Cambridge, MA, and London: Harvard University Press, 1983).

work of some of the most important Spanish Christian jurists from the perspective that constitutes the *raison d'être* of this collection: how the Christian faith of outstanding people was a key factor in molding the evolution of law in Spain. All chapters have been written by distinguished legal scholars. Approximately half of the contributors to this volume are Spaniards, while the others come from other European countries, the United States, and Canada. This diversity of authors gives the project an international character and allows it to exhibit a range of methodologies.

Understandably, the first difficulty that the editors had to face when designing this book was the selection of the jurists who should be included in it. In a nation with such an old and rich history clearly marked by Christianity, one can find many more than twenty notable jurists with a remarkable influence in Spain and abroad. At the same time, it was advisable to cover a broad time span in a legal culture whose origins can be traced to more than two thousand years ago. Not an easy task, certainly.

Although we tried to select figures that represent different epochs of Spanish history, it was inevitable that about half of the Christian jurists we chose for this volume lived in the so-called Spanish Golden Age. This was a period of cultural, artistic, and literary efflorescence in the sixteenth and seventeenth centuries, when Spain was ruled by the Hapsburg dynasty – chiefly by Charles V (r. 1516–56) and his son Philip II (r. 1556–98).² The intellectual riches of that era allowed legal theory and other disciplines to flourish. Indeed, one could dedicate an entire volume to the Golden Age alone, or even to Spanish scholasticism, which emerged within it. The period produced more notable legal figures than the rest of Spanish history, and it was followed by a decline in Spanish legal culture, which increasingly yielded to the rising legal cultures of Italy, France, Britain, Germany, and the United States (which are being treated in separate volumes in this same series). That only two of the authors who wrote on jurists of the Golden Age are Spanish helps avoid the sense of favoritism or bias in the analysis of what is deemed, with all good reason, the most brilliant period of Spanish jurisprudence.

² For an overview of this period, see, inter alia, John H. Elliot, *Imperial Spain (1469–1716)* (London, New York: Penguin Books, 2002); Henry Kamen, *Empire: How Spain Became a World Power (1492–1763)* (New York: HarperCollins Publishers, 2003); Henry Kamen, *Golden Age Spain* (2nd ed., New York: Palgrave MacMillan, 2005); and Hugh Thomas, *The Golden Age: The Spanish Empire of Charles V* (London, New York: Penguin Books, 2010). See also John H. Elliot, *Spain and Its World, 1500–1700* (Selected Essays) (rev. edn., New Haven, CT: Yale University Press, 1990). As this volume is addressed to the English-speaking world, we omit the abundant and excellent bibliography written in Spanish. We refer to it only when it affects a question not treated in the English bibliography.

Some of the jurists included in this book will be quite familiar to readers from the Anglo-American legal culture, while others will be less familiar or even rather unknown outside the world of civil law. We hope that the book will contribute to clarifying the role played by the former and to making the latter better known. This introduction seeks to situate the various contributions of these twenty Spanish jurists in their historical context.

ROMANIZATION AND CHRISTIANIZATION OF HISPANIA

Spanish legal culture is mainly a product of the intertwined processes of the Romanization and Christianization of the Iberian Peninsula.³ Romanization started with the Second Punic War (218–201 BCE), when in 218 BCE Gnaeus Cornelius Scipio landed with an army at the Greek city of Emporion (modern Ampurias, in Catalonia).⁴ In 197 BCE, four years after the end of the Second Punic War, Hispania (as the Romans called the Iberian Peninsula) was divided into two provinces: Hispania Citerior (roughly modern Catalonia and Valencia) and Hispania Ulterior (roughly modern Andalusia). Both provinces were gradually extended inland. Owing to fierce and sustained Iberian resistance, it was not until 19 BCE, after the Cantabrian wars, that the Roman Emperor Augustus (r. 27 BCE–14 CE) was able to complete the Roman conquest of the Iberian Peninsula. In 13 BCE, as part of his reforms in the administration of the Roman Empire, the province of Hispania Ulterior was divided into the Province of Baetica (now Andalusia) and the Province of Lusitania (part of which covered modern-day Portugal), while Hispania Citerior was renamed Tarraconensis (now the Mediterranean coast and central plain of modern Spain). The western part of Tarraconensis was later split

³ For an overview of Spanish history, see, e.g., Stanley G. Payne, *History of Spain and Portugal*, 2 vols. (Madison: University of Wisconsin Press, 1976); Raymond Carr, ed., *Spain: A History* (Oxford, New York: Oxford University Press, 2000); Stanley G. Payne, *Spain: A Unique History* (Madison: University of Wisconsin Press, 2011); and William D. Phillips, Jr. and Carla Rahn Phillips, *A Concise History of Spain*, 2nd edn. (Cambridge, New York: Cambridge University Press, 2015). This last offers a rich bibliography. Always useful is the classic work of Rafael Altamira, *A History of Spain*, trans. Muna Lee (Toronto, New York, London: D. Van Nostrand Company, 1949). For a legal approach to Spanish history, see Aniceto Masferrer, *Spanish Legal Traditions: A Comparative Legal History Outline*, 2nd edn. (Madrid: Dykinson, 2012).

⁴ For an overview of the process of Spain's Romanization, see Leonard A. Curchin, *Roman Spain: Conquest and Assimilation* (New York: Routledge, 1991); John S. Richardson, *The Romans in Spain* (Cambridge, MA: Blackwell, 1996); Michael Kulikowski, *Late Roman Spain and Its Cities* (Baltimore, MD: Johns Hopkins University Press, 2004); Kim Bowes and Michael Kulikowski, eds., *Hispania in Late Antiquity: Current Perspectives* (Boston, Leiden: Brill, 2005).

off as Hispania Nova and still later was renamed Gallaecia (modern-day Galicia). With the conquest complete, the Romanization of Spain proceeded quickly. Thus, for instance, two Roman emperors, Trajan (r. 98–117 CE) and Theodosius the Great (r. 379–95 CE), were born in Hispania; two others, Hadrian (r. 117–38 CE) and Marcus Aurelius (r. 161–80 CE), had Spanish ancestry.

The Christianization of Spain started in the first century, just years after the death of Jesus of Nazareth. In fact, the apostle Paul (c. 5–c. 67 CE), in his letter to the Romans (15:24), refers to a potential trip to Spain.⁵ There is also a long medieval tradition (still unconfirmed) that the apostle James the Greater (died 44 CE) evangelized Spain and was buried in what we now call Santiago de Compostela.⁶ The early presence of a mature Christian community is evident from the Christian Council of Elvira (now Granada), which was held in Hispania Baetica in 305–06 under the inspiration of Bishop Hosius of Córdoba (c. 256–359), one of the closest Christian advisers of Emperor Constantine (r. 306–37). The number of Christians increased significantly, and their situation improved following the Edict of Tolerance by Emperor Galerius (in 311) and, two years later, Constantine I's proclamation of the Edict of Milan and Licinius's commitment to religious toleration for Christians in the Roman Empire. Figures like Aurelius Clemens Prudentius (348–c. 405), one of the greatest Latin Christian poets, and Hosius of Córdoba are good examples of the vitality and maturity of Christianity in fourth-century Spain.

The barbarian invasions of 409 by the Suevi, Vandals, and Alans, and shortly thereafter by the Visigoths, soon deprived the Roman Empire of control of the Spanish provinces and brought about their general disintegration. From 409 to the end of the sixth century, there was no central power on

⁵ In his letter to the Romans, Saint Paul indicated an intention to visit Rome on his way to Hispania. See Romans 15:28: "So after I have completed this task and have made sure that they have received this contribution, I will go to Spain and visit you on the way." On this likely visit, see Armand Puig i Tàrrach, John M. G. Barclay, Jörg Frey, and Orrey McFarland, eds., *The Last Years of Paul* (Tübingen: Mohr Siebeck, 2015).

⁶ See Thomas Arthur Layton, *The Way of Saint James, or the Pilgrims' Road to Santiago* (London: Allen & Unwin, 1976); Richard A. Fletcher, *Saint James's Cataapult: The Life and Times of Diego Gelmírez of Santiago de Compostela* (Oxford: Clarendon Press, 1984), esp. chap. III; Luis Martínez García, ed., *Camino de Santiago. Historia y Patrimonio* (Burgos: Universidad de Burgos, 2011); and Denise Péricard-Méa, *Compostelle et cultes de saint Jacques au Moyen âge* (Paris: Presses Universitaires de France, 2015). Interesting discoveries and novel interpretations are provided by Enrique Alarcón, "Sepulcrum Iacobi" [original version in Spanish], in P. Roszak, ed., *Camino de Santiago – nie tylko droga. Historia i współczesność Szlaku św. Jakuba* (Toruń: Wydawnictwo Naukowe Uniwersytetu Mikołaja Kopernika, 2011), 343–57.

the Iberian Peninsula. Spain remained basically Hispano-Roman, as only 5 percent of the population were Goths. Toward the end of the sixth century, the ruler Leovigild (r. 568–86) defeated and incorporated the Suevi into the Visigothic Kingdom and established a permanent capital at Toledo on the model of Constantinople.

The Vandals and the Visigoths had embraced Arian Christianity.⁷ In 587, one year after succeeding his father Leovigild on the throne, Reccared (r. 586–601) resolved the kingdom's religious divisions by converting to Catholic Nicene Christianity, thus assuring an alliance between the Visigothic monarchy and the Hispano-Romans. Reccared extended his conversion to his whole kingdom at the Third Council of Toledo in 589 CE.

In an effort to restore the old provinces of the Roman Empire, Justinian I (r. 527–65) occupied the South of Baetica and a wedge of land in the province of Carthagenensis,⁸ and he created the province of Spania. This new province served as a defensive bulwark against a Gothic invasion of Africa. It was in this province, specifically in its capital Cartago Nova, where our first featured legal scholar, Isidore of Seville (c. 560–636), was born. As Professor Philip Reynolds points out in Chapter 1, Isidore was one of the most learned men of his era, and several of his works were major resources for scholars throughout the Middle Ages. As a key Visigothic ecclesiastical and literary figure (much like his brother Leander of Seville), Isidore created an encyclopedia, *The Etymologies*, which was probably the most important work of seventh-century Europe. Isidore is considered the last scholar of the ancient world and the main transmitter of Roman legal ideas to the Middle Ages – ideas that he would permeate with his own Christian views. For instance, he adapted the Roman notions of natural law, from which he inferred important consequences with regard to the criteria that “good laws” should satisfy, to the development of the judicial process and to the requirements that just princes should meet in the exercise of their power. In addition to being very influential in the Visigothic legal culture of his time in Spain, he inspired a number of significant thinkers of later centuries throughout Western Europe.

The most relevant legal source from the Goths in Spain is the Visigothic Code (in Latin, *Forum iudicum* or *Liber iudiciorum*). This compilation of laws promulgated by King Chindasuinth in 642/643 was later expanded to include

⁷ Arianism, originating with the Alexandrian priest Arius (c. 250–c. 336), affirmed the divinity of Christ as the Son of God but regarded the divinity as secondary and inferior to that of the Father, the one supreme God. Arianism maintained that the Son of God was created by the Father and was therefore neither coeternal nor consubstantial with the Father.

⁸ On the Spanish Byzantine Province, see Edward Arthur Thompson, *The Goths in Spain* (Appendix: The Byzantine Province) (Oxford: Clarendon Press, 1969, reprint 2000), 320–34.

legislation by Kings Recceswinth (who promulgated a revised version in 654), Wamba, Erwig (revised version in 680/81), Egica, and perhaps Wittiza. A slightly modified Castilian translation of the code, the *Fuero Juzgo*,⁹ was promulgated by King Fernando III of Castile (r. 1217–52) in 1241. The *Fuero Juzgo* was first applied legally as municipal law in the territories of the Iberian Peninsula that Castile slowly reconquered from Muslim rulers. In 1348, the Ordenamiento de Alcalá granted legal preeminence of *Fuero Juzgo* over the *Siete Partidas* of Alfonso of Castile. The *Fuero Juzgo* remained in force in Spain until the promulgation of the Spanish Civil Code in 1889. Even now, it retains some minimal legal force in Navarre, Aragón, and the Basque Country.

MEDIEVAL SPAIN

From the beginning of the eighth century to the middle of the thirteenth, most of Spain was occupied by Arab forces and administered by the Umayyad caliphate. On 30 April 711, the Muslim commander Tariq ibn-Ziyad (died c. 720) landed at Gibraltar, and by 716 Muslims had achieved some control over the entire peninsula, with the exception of the mountainous areas of the Asturias and the southern valleys of the Pyrenees. From then until 732, when they were defeated by Charles Martel in the Battle of Tours, Muslims also made several incursions into France. The conquest resulted in the extinction of the Visigothic Kingdom and the establishment of the independent Emirate of Córdoba under Abd ar-Rahman I (731–88), who completed the unification of al-Andalus (756–88), as Muslim or Islamic Iberia was called.¹⁰

Spain then became, for centuries, a mix of adherents of the three great monotheistic religions: Judaism, Christianity, and Islam. The intensity and modalities of coexistence are still controversial,¹¹ but contrary to what some contemporary idealization of the past may suggest, Spanish social life and structure of that time, either in Muslim or Christian territories, cannot be compared to contemporary multicultural societies. In any event, the presence of Islam in Spain brought a degree of development and civilization to Europe that matched the heights of the Italian Renaissance, the Japanese Edo Period,

⁹ See *Fuero Juzgo, en Latín y Castellano, con los más antiguos y preciosos códices* (Madrid: Real Academia Española, 1815).

¹⁰ For an overview of this period, see William Montgomery, *A History of Islamic Spain* (Edinburgh: Edinburgh University Press, 1965); Leonard Patrick Harvey, *Islamic Spain (1250–1500)* (Chicago: University of Chicago Press, 1990); Thomas F. Glick, *Islamic and Christian Spain the Early Middle Ages*, 2nd edn. (Leiden, Boston: Brill, 2005).

¹¹ Recently, Darío Fernández-Morera, *The Myth of the Andalusian Paradise: Muslims, Christians, and Jews under Islamic Rule in Medieval Spain* (Wilmington, DE: ISIS, 2016).

and European Romanticism. The golden age of Jewish culture in Spain coincided with this period of Muslim rule.¹²

Reconquista is the Spanish name given to the long series of battles and wars, from 711 to 1492 but with long intervals of stasis, in which emerging Christian kingdoms in the north drove Muslims out of the Iberian Peninsula.¹³ By 900, the Christians of the Kingdom of Asturias had come to occupy the virtually deserted lands of the Duero Valley as well as the plains to the north, establishing a new capital at León. In 1085, Toledo fell to Alfonso VI of Castile. Saragossa was taken by Alfonso I of Aragón in 1118 at the Battle of Aragón, while Lisbon fell to Alfonso I of Portugal in 1147. James I of Aragón conquered Majorca in 1228 and Valencia in 1238. The fall of Seville in 1248 to Ferdinand III of Castile convinced Muslims and Christians that the end of Al-Andalus had come.

In this period the next two legal figures in our volume lived and worked: Raymond of Penyafort (c. 1175–1275) and King Alfonso X of Castile (r. 1252–84). Raymond of Penyafort (Chapter 2) was a Spanish Dominican and canonist; today he is celebrated by Roman Catholics as the patron saint of lawyers. Educated in Barcelona and at the University of Bologna, he was elected master general of his order. After resigning in 1240, he founded schools of Hebrew and Arabic with the purpose of converting Jews and Muslims. But his fame comes primarily from his having compiled the *Decretals* of Gregory IX, also called *Liber Extra*. Together with Gratian's *Decretum*, the *Liber Extra* would replace all former collections and constitute the central pieces of the *Corpus Iuris Canonici*, which remained a major part of the law of the Roman Catholic Church until the enactment of the 1917 Code of Canon Law. José Miguel Viejo-Ximénez introduces us to this medieval canonist, whose work was essential to the formation of the classical canon law, and therefore the *ius commune*, which is at the very root of the civil law tradition¹⁴ and also contributed significantly to shaping some aspects of medieval English

¹² For an overview of Spanish society in this time, see Mark D. Meyerson and Edward D. English, eds., *Christians, Muslims, and Jews in Medieval and Early Modern Spain: Interaction and Cultural Change* (Notre Dame, IN: University of Notre Dame Press, 2000).

¹³ For an overview, see the work of a contributor to this volume, Joseph F. O'Callaghan, *Reconquest and Crusade in Medieval Spain* (Philadelphia: University of Pennsylvania Press, 2004).

¹⁴ See generally Emilio Bussi, *La formazione dei dogmi di diritto privato nel diritto comune* (Padova: CEDAM, 1937–1939); Francesco Calasso, *Medio Evo del Diritto* (Milano: Giuffrè, 1954), 345ff.; Gabriel Le Bras, "Canon Law," in Charles G. Crump and Ernest F. Jacob, eds., *The Legacy of the Middle Ages* (Oxford: Clarendon, 1969; repr. of 1932 edition), 321ff. In Spain, José Maldonado, *La significación histórica del Derecho canónico* (Madrid: Real Academia de Jurisprudencia y Legislación, 1969).

law.¹⁵ Raymond of Penyafort is also the author of a famous *Summa de casibus poenitentiae*, which had a profound impact on the development of canon law's penitential system and was influential in the elaboration of Alfonso X's *Partidas*.

The second featured jurist of this period is Alfonso X of Castile (Chapter 3), introduced by his biographer Joseph O'Callaghan.¹⁶ Though not formally trained as a jurist, Alfonso X of Castile directed a commission of jurists who produced one of the greatest legal monuments of medieval Europe: the code of the *Siete Partidas* (so called for its division into seven books).¹⁷ Although Alfonso X was named as author, the body of laws was written by anonymous jurists drawing on Roman and canon law, the Bible, theological and philosophical books, municipal laws, the *Fuero Juzgo*, and customary law. O'Callaghan regards the *Partidas* as an improved version of Alfonso X's body of law called *Espéculo* [The Mirror]. The *Partidas* represents the highpoint of the acceptance of the *ius commune* in Castile. It was studied deeply in the then-emerging universities and was widely consulted by courts and, eventually, by Latin American jurists and political officials. The *Partidas* was one of the pillars of Spanish law until the nineteenth century. Even today, its influence can be felt in the legal systems of Central and South American countries, as well as in the systems of those south and southwestern states in the United States that were once part of Mexico. Andrés Bello's influential Chilean Code, which marked the development of law in several South and Central American countries, was based on ideas in both the Napoleonic Code of 1804 and the *Partidas*.¹⁸ The influence of the *Partidas* on the United States is memorialized by the inclusion of Alfonso X of Castile among the twenty-three lawmakers depicted in the House of Representatives chamber within the United States Capitol.

Another important Castilian source of law was the *Ordenamiento de Alcalá* [Ordinances of Alcalá, 1348]. A collection of laws enacted by the Courts of Alfonso XI (r. 1313–50) in Alcalá de Henares, it established the supremacy of

¹⁵ See Javier Martínez-Torrón, *Anglo-American Law and Canon Law: Canonical Roots of the Common Law Tradition* (Berlin: Duncker & Humblot, 1998).

¹⁶ See Joseph F. O'Callaghan, *The Learned King: The Reign of Alfonso X of Castile* (Philadelphia: University of Pennsylvania Press, 1993).

¹⁷ See *Las Siete Partidas del sabio rey don Alonso el nono, nuevamente Glosadas por el licenciado Gregorio López del Consejo Real de Indias de su Magestad*, I (Salamanca: Andrea de Portonaris, 1555; reprint, Madrid: Boletín Oficial del Estado, 1985). See also, Alfonso X, *Las Siete Partidas*, ed. José Sánchez-Arcilla Bernal (Madrid: Editorial Reus, 2004).

¹⁸ See Mathew C. Mirow, "Borrowing Private Law in Latin America: Andrés Bello's Use of the Code Napoléon in Drafting the Chilean Civil Code," *Louisiana Law Review* 61.2 (2001): 291–329.

royal law, the validity of local laws then in force, as well as the general use of the *Partidas*. From the same period we also find the famous *Llibre del Consolat de Mar* [Book of the Consulate of the Sea, 1345]. Of Catalan origin, it is a compilation of commercial and maritime laws that governed trade in the Mediterranean for centuries. It served as the basis for today's international maritime law.

IMPERIAL SPAIN

In the early fifteenth century, Spain consisted of four independent political communities: the Kingdom of Castile, the Crown of Aragón, the Kingdom of Navarre, and the Islamic sultanate of Granada. Of these, the largest political community was Castile. The political situation changed rapidly, however, after the wedding in Valladolid of Isabella of Castile (1451–1504) and Ferdinand, King of Sicily (1452–1516), on 19 October 1469. In 1476, Princess Isabella assumed the throne of Castile following the defeat of Henry IV's daughter Juana la Beltraneja (1462–1530) at the Battle of Toro. Three years later, in 1479, Ferdinand – king consort of Castile from 1469 – succeeded his father on the throne of Aragón. This union by marriage of Castile and Aragón in 1479 was a union of two crowns – a united monarchy, rather than a unitary state – in which each kingdom maintained its own treasury, army, diplomatic corps, and supreme councils. But the marriage of Ferdinand and Isabella, later known as the Catholic Monarchs, would have enormous political consequences.¹⁹

Isabella and Ferdinand embarked on a process of territorial and religious unification of Spain, trying to bring the country under one faith: Roman Catholicism. As part of this process, the Inquisition was established in Castile in 1478 with the approval of Pope Sixtus IV (r. 1471–84).²⁰ In 1480 the Inquisition was extended to Aragón, and it soon became highly centralized. The Spanish Inquisition was declaredly aimed at preserving the purity of Catholic faith through the identification and repentance – and punishment – of heretics. Its role became especially important after the policies of religious unification implemented since 1492. Coercion of Jewish and Muslim converts

¹⁹ For an overview of this period, see Jocelyn Nigel Hillgarth, *The Spanish Kingdoms, vol. II, 1400–1516: Castilian Hegemony* (Oxford: Clarendon Press, 1978), esp. 351–628; and John Edwards, *The Spain of the Catholic Monarchs* (Oxford and Malden, MA: Wiley-Blackwell, 2001). See also the biography written in Spanish by our contributor Salvador Rus Rufino, *Una biografía política de Fernando el Católico* (Madrid: Tecnos, 2015).

²⁰ See the classic book by Henry Kamen, *The Spanish Inquisition, An Historical Revision*, 4th edn. (London, UK, and New Haven, CT: Yale University Press, 2013).

to Catholicism was the primary concern of the Spanish Inquisition, owing to the widespread fear that many converts still secretly practiced their old faiths. Later, the Inquisition would also harshly persecute Protestantism and prevent the dissemination of the Reformation's ideas in Spain. Though staffed by clergy and members of religious orders, the Spanish Inquisition operated completely under royal Christian authority and independently of the Holy See. It was maintained in Spain and in its colonies and territories, with varying degrees of intensity, for more than three centuries until its complete abolition in 1834.

In 1484 Ferdinand and Isabella issued a compilation of all laws promulgated since the *Siete Partidas*: the *Ordenanzas reales de Castilla* [Royal Ordinances of Castile] or Montalvo's Ordinances, named after its compiler, Alfonso Díaz de Montalvo (1405–99). Conflicts of law between the two compilations (*Siete Partidas* and the *Ordenanzas*) were resolved in the Laws of Toro in 1505.

The year of 1492 is crucial in the history of Spain. It was in 1492 that the last Moorish kingdom, Granada, fell, bringing the Reconquista to its completion. In the same year, a massive number of Jews who had not converted to Christianity were expelled.²¹ Again in 1492, Antonio de Nebrija (1441–1522) published the first grammar of a modern European language: the *Grammar of the Castilian Language*. Finally, in the very same year, a Spanish expedition headed by Christopher Columbus sailed west to find a new trade route to the Far East, landing instead on what came to be known as the New World. Spain was the first European power to settle and colonize this world, from North America and the Caribbean all the way to the southern tip of South America.

In the sixteenth century, Spain became the most powerful country in Europe. One pivotal political figure in that rise was Emperor Charles V (r. 1516–56), son of Philip the Handsome (1478–1506) and Joanna of Castile (1479–1555) and grandson of Ferdinand and Isabella. Charles V was the heir and ruler of Hapsburg Netherlands from 1506; of the Spanish Empire from 1516; and of the Holy Roman Empire from 1519. The Comuneros Revolt (1519–21) by Castilians against the rule of Charles V and his administration, defeated by the imperial army in the battle of Villalar (1521), was too severe to

²¹ The number is still controversial. For an overview, see John H. Elliot, *Imperial Spain (1469–1716)* (London, New York: Penguin Books, 2002); Henry Kamen, *Empire, How Spain Became a World Power (1492–1763)* (New York: HarperCollins Publishers, 2003); and Hugh Thomas, *The Golden Age: The Spanish Empire of Charles V* (London, New York: Penguin Books, 2010). See also John C. Lynch, *Spain under the Habsburgs, vol. I, Empire and Absolutism, 1516–1598* (Oxford: Oxford University Press, 1964); vol. II, *Spain and America, 1598–1700*, 2nd edn. (New York: New York University Press, 1984).