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The Judicial Backdrop: Saragossa and the Three Justice Systems

A number of citizens were recently appointed to see and ordain the statute which it appeared was necessary in order to deal with witches.¹

The city of Caesar Augusta was founded in around 14 BC by the emperor Augustus on the ruins of the ancient Iberian city of Salduie. Later dubbed ‘the most noble, most loyal, most heroic, ever heroic, most beneficent and immortal city of Saragossa’², it is today the very embodiment of uninterrupted historical continuity, having survived sieges, warfare and many another misadventure over the centuries. From its very foundation it was designed to be a special enclave, with an unmistakably colonizing mission. Its geographical position at the heart of the Ebro basin, where the Ebro itself meets the Gállego and the Huerva, with a fourth river (the Jalón) not far distant, made it the obvious local ‘capital’ of an extensive territory: the place to which all roads led. As a centre of, initially, Romanization, and then Christianization, it also became an innovative and pioneering cultural hub.³

Yet if one thing characterizes Saragossa’s cultural evolution, it is the city’s apparent capacity to absorb all incomers. The process of Romanization was still under way when the Christianizing of the capital and its outlying areas began; similarly, the Moors started to arrive there before the latter was complete. In neither case did the introduction of new beliefs result in the eradication of earlier ones: instead, new and old settled into a coexistence that may at first sight seem surprising, bearing in mind that Islam had been officially adopted throughout the greater part of Spain towards the end of the eighth century. Although Islamic control over the population of the Ebro basin did not become

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fully effective until the second half of the eleventh century – in other words, only shortly before the Christian reconquest of the area – four centuries of Muslim rule were to leave an indelible trace not only on the urban structure of Saragossa itself but also on its citizens’ mentality.4

After Saragossa had been reconquered in 1118 by Alfonso I (‘the Battler’), its Christian, Jewish and Muslim populations were obliged to share the space available. The city was therefore divided into three clearly differentiated areas: the Christian nucleus, which was essentially concentrated within the city walls; the Jewish quarter, which continued to occupy the same land it probably always had – the south-east quadrant of the original Roman settlement; and the Moorish quarter, which, in line with the conditions imposed by Alfonso, had to be located on the outskirts, beyond the city walls. This residential layout did not, however, mean an end to contact between the different religious groups: in fact Jews, Muslims and Christians were all free to move around the city at will, and their lives remained closely intertwined.5

It was the expulsion in 1492 of the Jews from the entire Iberian Peninsula by the Catholic monarchs Fernando of Aragon and Isabel of Castile that brought this situation to an end. Thereafter, however, not only were the Jews no longer tolerated (being obliged either to go into exile or to rapidly convert to Christianity, a course of events that soon led to the persecution of the judaizantes, those who continued to practise their former religion), but neither were the mudéjares – those Muslims who had carried on living peacefully in Saragossa, without converting, since the city’s Christian reconquest. Unlike the Jews, they were not officially expelled from Spain until 1610, but the pressure on the mudéjar population to abandon its beliefs and customs increased day by day once Granada had been reconquered in 1492. In November 1525, Charles V ordered the mudéjars of Aragon to embrace Christianity within the space of a month. From that date onwards, the new converts, known as moriscos, began to be watched and persecuted in Saragossa since, just as the Valencian moriscos were suspected of maintaining close relationships with Algeria and Constantinople, there was growing concern that the Aragonese moriscos might be in league with the Protestants of the French region of the Béarn, just the other side of the Pyrenees.6

The fifteenth century marked a turning point in Saragossa’s history as the ancient medieval city moved into the early modern age. Confrontations between the different socio-religious communities were on the rise and the sense of mutual suspicion was intensifying (fomented by the activities of the Inquisition, which will be discussed later in this chapter), at a time when the city was also experiencing major economic