

# MEMORY OF THE WORLD REGISTER

## NOMINATION FORM

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### PART A – ESSENTIAL INFORMATION

#### **1 SUMMARY**

*The register of the series Diversorum Sigilli Secreti 9. [Cathalonie et Insularum], which contains The Santa Fe Capitulations (folios 135v-136v), is a document from the Royal Chancery of the King of Aragon, comprising documents stamped with the secret seal and issued by the secretary Juan de Coloma. It begins in November 1490 and ends in December 1493 (with two documents from 1498 and 1503 added at the end). It is a unique document that represents all the Chancery Registers in the Archive of the Crown of Aragon regarding the culture, society, institutions and proceedings of 15th-century Europe. This register corresponds to the current catalogue number of the Archive of the Crown of Aragon: Royal Chancery, Registers, No. 3,569.*

*The Santa Fe Capitulations is a Royal Chancery document containing the Capitulations Christopher Columbus signed with the monarchs Ferdinand II of Aragon and Isabella I of Castile in Santa Fe de la Vega on 17 April 1492, a few months after the capture of Granada. The Capitulations lay down the conditions under which Columbus was to set off on his first voyage, which involved the discovery of America in the same year.*

#### **2 DETAILS OF THE NOMINATOR**

##### **2.1 Name (person or organisation)**

Ministry of Culture. General Directorate of Books, Archives and Libraries.

##### **2.2 Relationship to the documentary heritage nominated**

The General Department of Books, Archives and Libraries is responsible for promoting the conservation of documentary heritage and its national and international dissemination and promotion (Royal Decree 1601/2004, dated 2 July, which develops the basic organic structure of the Ministry of Culture).

##### **2.3 Contact person (s)**

Rogelio Blanco Martínez. General Director of Books, Archives and Libraries.

##### **2.4 Contact details (include address, phone, fax, email)**

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#### **3 IDENTITY AND DESCRIPTION OF THE DOCUMENTARY HERITAGE**

##### **3.1 Name and identification details of the items being nominated**

**- SANTA FE CAPITULATIONS (1492, April, 17)**

**- ARCHIVE OF THE CROWN OF ARAGON**

Calle Almagóvares, 77

08018 Barcelona, Spain.  
Tel. 934 854 318 - 934 854 285  
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[aca@mcu.es](mailto:aca@mcu.es)

3.2 Description (see page 11 of the attached explanations; as complete a description as possible is requested, including visual documents, (preferably on CD-ROM).

The practice of annotating the most important letters and orders stamped and issued by the Royal Chancery in books, firstly in a summarised version and then more extensively, began in the latter years of the reign of King James I the Conqueror (1213-1276), favoured by the extended use of paper. It continued under his two immediate successors, but James II himself ordered the complete copy of the documents in thematic series of registers, turning the preliminary registration of the royal document that was to be issued into a procedure as mandatory as the stamp itself.

Obviously, the Royal Chancery registers bore witness to the monarch's rights and prerogatives. In turn, they affected the interests of the monarch's subjects who had paid to obtain the writ of execution of a sentence, the exclusive rights to operate mines, the legitimation of natural children, etc. that were consigned there. The Royal Archive went beyond the private interests of its owner; it was public.

The register *Diversorum Sigilli Secreti 9. [Cathalonie et Insularum]* from the reign of Ferdinand II of Aragon is included in the so-called "registers of the secretaries" of the Royal Chancery of the Crown of Aragon. It comprised volumes in which the guardians of his Majesty's secret stamp entered all the documents issued by the royal power via this route and not through the clerks (a route which gave rise to the payment of the stamp duty, with which the Chancery itself was financed). In this particular case, the secretary Juan de Coloma copies ordinances, decrees, agreements and licences, as well as pardons, in the tradition of the *Diversorum* series (various matters) from at least the reign of Alfonso V the Magnanimous (first half of the 15th century) addressed to towns, villages and places, religious institutions, public officials, noble gentleman and people in general on matters that range from executions of wills to the provision of ecclesiastic dignities, including letters of recommendation for various individuals and the requests made by Christopher Columbus and the agreements reached with him for the development of the Atlantic adventure. No area of life was free from royal influence, no part of reality was left out of the registers of the Royal Chancery. From the smallest enterprise to the most lasting consequences for humanity, everything is registered in the volumes of the Royal Archive. Today, we focus on the seed of what was an unprecedented extension of the world horizon: the discovery, conquest and colonisation of the West Indies.

**1492, April, 17. Santa Fe de la Vega de Granada**

*Capitulations reached between the Crown and Christopher Columbus for his planned voyage to the Indies. Register copy of the secretary Juan de Coloma in volume 9 of the series Diversorum Sigilli Secreti (Cathalonie et Insularum), which contains the texts of royal decrees, agreements and licences issued during the reign of Ferdinand II the Catholic.*

**2 folios; 29 x 21.5 cm. Paper.**

**Barcelona. Archive of the Crown of Aragon, Royal Chancery, Registers, No. 3,569, Folios 135v-136v**

Among the papers routinely registered by an institution, now kept in the archives, one of those so-called unique documents appeared. It is the first written record of the history of America; however, it is not materially different from the texts that were usually collected by the registers of the Catalan-Aragonian Chancery. In other words, the overseas exploration is bound to the exercise of mediaeval Chancery practice. It had to be. The historical event appeared in the documentation but set its roots in the memory of a particular form of Chancery order. The *Santa Fe Capitulations* are on paper, folio-size, bound and located in the corresponding volume of the Registers of the Royal Chancery under number 3,569. The Capitulations, subject to an institutional reality governed by royalties and directives, are announced in the alphabetical index of the register itself under the name of the party to the agreement: "*Christofori Colon*", together with which there is an indication of the folios to which it

originally referred: "CXXXVIII". There, we find the Capitulations issued by the monarchs Ferdinand II of Aragon and Isabella I of Castile in favour of Christopher Columbus, the discoverer of America.

Although the discovery of the size of America came later, this document shows the reason why the sea was explored by the West: "pearls, precious stones, gold, silver, spices", terms which, in the language of that period, were used to identify the products that would be found in abundance in the yearned-for East Indies. Despite this, nothing seems to indicate the scale of Columbus's enterprise. Only a preamble written in simple rhetoric presents the Columbine voyage with these words:

*"The things requested and which your Highnesses grant and award to Christopher Columbus, as satisfaction for what he has discovered at sea and on the voyage which, with God's help, he will now make at sea at your Highnesses' service, are as follows"*

The title (which has no legal value, but is only indicative) announces the commencement of an expedition. It explains that the monarchs "grant and award" Christopher Columbus for what "he has discovered at sea"; in other words, for the hypothetical route which, nautically and cosmographically, had been considered by Columbus on the basis of new calculations and unpublished routes to the East via the West and for the "voyage which, with God's help, he will now make at sea".

The *Santa Fe Capitulations* presume the existence of lands in the Atlantic; the mention of the purpose of the expedition which, as has already been stated, was to reach "ad partes Indie", was to appear for the first time on the safe-conduct.

On few occasions does a document state and regulate what is to happen, representing the thread between the old world and a new continent yet to be explored. The tradition of peninsular mediaeval conquest can be seen in the Capitulations from the first chapter, when it points out that "Your Highnesses, as Lords of the said oceans" name Columbus as the Admiral of the lands he may occupy. The history of delegation of government as in territories like Sicily or Sardinia during the Crown of Aragon's Mediterranean expansion were added to the Castilian experience, whereby Columbus was appointed Viceroy and General Governor of the foreign lands. The regime of the Capitulations was also to be conditioned by the Castilian organisation of the exploration and colonisation of the Canary Islands and also by the Portuguese tradition regarding the relations established between the Crown and its explorers.

The Catholic Monarchs' final sponsorship of the enterprise directed by Christopher Columbus was to be represented in a simple agreement, since the Capitulations recognize the services that are to be provided. They are not the result of a gracious concession, but rather of a more or less bilateral relationship (but not contractual) since the Crown accedes ("grant and award") to the generosity and favours (which were "the things requested" by Columbus). They are licences awarded to the discoverer and the explorer if the enterprise is successful. They are similar to feudal pacts, in which an obligation is assumed between two unequal parts, because the Crown, "as Lords" is superior in Law to the other party to the agreement. The jurisdictional concession that appears in agreement one "they hereby name the aforementioned Christopher Columbus as their lifelong Admiral on all the islands and land discovered or taken by his hand or work at sea" award Christopher Columbus a lifelong, hereditary admiralty, similar to the post held by Alfonso Enríquez, Admiral of Castile, as stated in clause four: "May it please your Highnesses, if he belongs to the said office of Admiral as did the late Admiral Alonso Enriquez and his predecessors in their corresponding districts".

The post of Admiral of the Ocean is joined by the office of "Viceroy and General Governor of all the islands and land which he may discover or take on the said oceans". The two posts, Admiral and Viceroy and General Governor have full effect in the period in both the Crown of Castile and that of Aragon. Consequently, they again refer to records that can be recognized in the institutional framework of the Crown.

The entries of each of the five clauses present Columbus's request and the Royal acceptance, expressed with the words: "May it please your Highnesses". A letter of favour or donation could be revoked. In the case of the *Santa Fe Capitulations*, the aim is to establish and set down the legal instrument that will authorise the Chancery to issue the titles resulting from the expedition. In other words, the authorisation for Columbus to demand the concession of the titles or rights is conditioned by the success or the outcome of the expedition.

Whether it is an agreement, pact, order, favour or contract, what is evident is that the *Santa Fe Capitulations* were to determine the relations between the explorer and the Crown. Accordingly, the title is established for what was to be obtained from the discovery ("let there be and let him take the tenth part for himself and do with it what he wishes") and the right to one eighth of the corresponding

profits from the trade transactions ("*and let there also be and let him take the eighth part of the results of such an enterprise*").

The so-called "Magna Carta of the discovery" appears in the registers of the Crown of Aragon. The authors of the Capitulations are the Monarchs. They both authorised Columbus's enterprise with their own signature on 17 April 1492. The addressee would be given a copy that would act as his title of rights and which is known only by copies.

The Capitulations, the letters of recommendation and the credentials or safe-conduct were prepared, drawn up, issued and registered by Juan de Coloma, secretary of the Chancery, who intervened in the dispatch of the documents presented in the Capitulations of La Vega de Granada and would receive the stamp duty for their issue. The register in the Catalan-Aragonian Chancery was located in the corresponding volume of the series *Diversorum Sigilli secreti*, regarding *Cathalonie et Insularum*, more specifically on folios 135v to 136v. This was in keeping with the everyday procedures of the Catalan-Aragonian Chancery, which was based on the practice of copying all the ordinances, decrees, agreements and licences issued and sealed in the corresponding Register Book, controlled by the Prothonotary, chief of the royal clerks and the person who enforced the *Ordinacions* of 1344.

From the beginning, the Crown had to establish the political organisation, circulation and dispatch of the merchant fleets with the new territories. Trade with the Indies included the establishment of a trade circuit on specific sailing routes, supported by armed shipping transport and a network of ports. The *Santa Fe Capitulations* enabled a discovery.

### **Editions of the document**

The document registered by the Catalan-Aragonian Chancery remained almost unnoticed until 1862, when G.A. BERGENROTH published an extract of the Capitulations in *Calendar of letters, despatches and State papers relating to the Negotiations between England and Spain*. London, 1862, volume L, pp. CXXXIV-CXXXVI. Other editions include the original edition of the work by Bartolomé de las CASAS, *Historia de las Indias* by the Marquis of La Fuensanta del Valle and José Sancho Rayón, Madrid, M. Ginesta, 1875-1876, in: *Colección de documentos inéditos para la historia de España*, volume LXII, chapter XXXIII, pp. 251-253; Martín FERNÁNDEZ DE NAVARRETE, *Colección de viajes y descubrimientos que hicieron por mar los españoles desde fines del siglo XV*, edition and preliminary study by Carlos Seco Serrano, Madrid, BAE, 1954 (although the first edition was made in Madrid in 1825); Eduardo IBARRA RODRÍGUEZ, *Don Fernando el Católico y el descubrimiento de América*, Madrid, 1892, pp. 137-152; it is also published by Alejandro de la TORRE Y VÉLEZ, *Estudios críticos acerca de un período de la vida de Colón*, Madrid, 1892. Last century, by Luis ULLOA CISNEROS, *Historia universal. Novísimo estudio de la humanidad. Volume VI: América*, Barcelona, Instituto Gallach, 1932; R. ALEJO-DÍAZ and Joaquín GIL, *América y el Viejo Mundo*, Buenos Aires, 1942. As well as the other two editions of the copy published by Bartolomé de las CASAS, *Historia de las Indias*, edition by Agustín MILLARES CARLO and preliminary study by Lewis HANKE, Mexico, 1951, pp. 172-173 and in *Obras escogidas de fray Bartolomé de las Casas*. Preliminary critical study and edition by Juan PÉREZ DE TUDELA, Madrid, 1957, pp. 122-123. Transcription and translation by Rafael CONDE Y DELGADO DE MOLINA of the copy kept in the Archive of the Crown of Aragon, published in the monograph on *Capitulaciones del Almirante don Cristóbal Colón y salvoconductos para el descubrimiento del Nuevo Mundo*, Ministry of Education and Science, General Department of Archives and Libraries, Madrid, 1970. Agustín MILLARES CARLO, *Tratado de paleografía española*, Espasa-Calpe, Madrid, 1983, vol. III, print 345. And, finally, *Capitulaciones de Santa Fe*, Provincial Council of Granada, 1989, transcription and translation by Rafael Conde and Delgado Molina. Introductory study by Miguel Molina Martínez with translations into English, French, Italian and German.

### **References**

Ángel de ALTOAGUIRRE Y DUVALE, "Estudio Jurídico de las Capitulaciones y privilegios de Cristóbal Colón", *Boletín de la Real Academia de la Historia [Gazette of the Royal Academy of History]*, XXXVIII (1901), pp. 279-294.

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Francisco MORALES PADRÓN, "Las capitulaciones", *Historiografía y bibliografía americanista*, XVII-3 (1973), pp. 197-218.

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Federico UDINA MARTORELL, "Colón, la Corona de Aragón y su Archivo Real", *Zaragoza*, XXXIII (1971), pp. 99-102, see also: "Las capitulaciones de Colón y problemas que plantea", *Saggi e documenti*, VI (1985), pp. 429-433; "La autenticidad de las capitulares de Colón, conservadas en el Archivo de la Corona de Aragón", *Spanish Colonisation Documentation and Archives*, Ministerio de Cultura, Madrid, 1980, pp. 311-324 and "Les Capitulations de Colom i la Mediterrània", *Congrés Internacional d'Estudis Hstórics Les Illes Balears i Amèrica [International Congress of Historical Studies of the Balearic Islands and America]*, pp. 129-142.

Milagros del VAS MINGO, *Las Capitulaciones de Indias en el siglo XVI*, Madrid, Instituto de Cooperación Iberoamericana, 1986.

James VICENS VIVES, "Precedentes mediterráneos del virreinato colombino", *Anuario de Estudios Americanos*, volume V (1948), pp. 571-614.

Silvio A. ZAVALA, *Las Instituciones jurídicas en la conquista de América*, Mexico, Editorial Porrúa, 1971, 2nd ed.

#### **4 JUSTIFICATION FOR INCLUSION/ASSESSMENT AGAINST CRITERIA**

##### **4.1 Is authenticity established? (see 4.2.3)**

Yes. The Registers of the Royal Chancery systematically transcribed all the documents issued by the king. Each register is characterised by the fact that it is a full copy (abbreviated only by the lack of title on certain forms) made before the document was sealed. The register represented the control of all the sealed documents in the Chancery. The Prothonotary examined the legal content of the register copy because the stamp duty was issued and required on the basis of the copy. The Chancery of the Crown of Aragon bore witness to the rights laid down in the registers, where the documents that were consigned there, i.e. the documents copied by the clerks, were considered as proof of their issue and gave them the diplomatic character of an original copy.

##### **4.2 Is world significance, uniqueness and irreplaceability established? (see 4.2.4)**

The register of *Diversorum Sigilli Secreti 9. [Cathalonie et Insularum]* of the reign of Ferdinand II of Aragon and, of course, the document known as the *Santa Fe Capitulations* are unique and irreplaceable and, in the case of the latter, represent the records and preparation of Spanish presence in America.

The original document of the *Santa Fe Capitulations* represents the documentary version of Christopher Columbus's idea of reaching the Indies by the south-westerly route. Christopher Columbus's idea was processed as yet another exploration of a few islands, this time further west anyone had ever ventured. The different historiographical interpretations brought about by the

*Capitulations* for many years are due to the Monarchs' uncertainty regarding historical events whose effect at the end of the 15th century could hardly have been foreseen, "... *for ever since the world began, the size of the Earth and what it contains has never been discovered*".<sup>1</sup>

4.3 Is one *or more* of the criteria of (a) time (b) place (c) people (d) subject and theme (e) form and style satisfied? (see 4.2.5)

**Time:** The register of the Royal Chancery of the monarchs of Aragon is a unique document thanks to its form and the dating of the legislative and executive activity of the European monarchs of the day. The *Capitulations* represent the document that projects the Mediterranean into the Atlantic Ocean. Thanks to its diplomatic and historical characteristics, it is the culmination of the entire Latin-tradition Middle Ages and announces not only a new world, but also a new era.

**Place:** The Chancery Registers provide details and, at the same time, an overall view of all the territories that made up the Crown of Aragon at the time (kingdoms, principalities and dukedoms of Aragon, Catalonia, Valencia, Majorca, Rousillon, Cerdagne, Sardinia, Sicily, Naples, as well as a long list of feudal estates along the Mediterranean coast), together with the other territories with which the Aragonian monarchy maintained relations (in Spain: the kingdoms of Castile, Navarre and Granada. In Italy: the kingdoms that were part of the Crown of Aragon (Sardinia, Sicily and Naples) and the former counties that were closely related to the Aragonian monarchs (Genoa, Pisa, Siena, Florence, Milan, Venice, etc.); with the monarchies, principalities and territories of Europe: Portugal, France, England, Germany, the countries of Central Europe (Czech Republic, Slovakia, Hungary) and the Balkans (Croatia, Serbia, Albania), Greece (the former dukedoms of Athens and Neopatria) and Turkey; with the Moslem emirates and kingdoms of North Africa and the Middle East: Morocco, Algeria, Tunisia, Libya, Egypt, Syria). Beyond these two areas, the *Capitulations* contain specific fundamental information for understanding the projection and influence of the ideas and structures of Europe in a continent that was still unknown: America.

**People:** The documents contained in the Chancery Registers affect a great number of people and institutions of the Crown of Aragon and beyond and, when the government's action is transcribed point by point, they are related to the society of the day in general. In particular, the *Capitulations* show the most important event of Christopher Columbus's life, which was the signing of the letter of request that would later enable him to join the service of the Spanish Crown, definitively promoting the voyage that would allow the discovery of America. It was also a life-changing event for the monarchs who granted him his requests and for Spanish society in general thanks to the subsequent territorial expansion, change in the economy and a new religious and social context that took the Iberian Peninsula and Europe as a whole into a new age.

**Subject:** It is the starting point of the history of the Discovery and Spanish presence in America. They are the basic treaty on which the subsequent exploration and conquest of the American territories discovered in the 16th century were based.

**Form and style:** This register summarises the diplomatic characteristics of European mediaeval documentation. It also records the only documentary record of Christopher Columbus in the Catalan-Aragonian Chancery and the first authorised copy of the original *Santa Fe Capitulations* in a Royal Chancery Register.

4.4 Are there issues of rarity, integrity, threat and management that relate to this nomination?

It is a unique copy. It is preserved complete and entire.

## 5 **LEGAL INFORMATION**

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<sup>1</sup> Americo VESPUCCIO in reference to the New World, in the edition of the *Viajes y documentos completos*, Akal, Madrid, 1985, p. 69.

- 5.1. Owner of the documentary heritage (name and contact details)  
Spanish State (Ministry of Culture)
- 5.2. Custodian of the documentary heritage (name and contact details, if different to owner)  
Archive of the Crown of Aragon. Ministry of Culture.
- 5.3. Legal status:
- (a) Category of ownership  
State.
  - (b) Accessibility  
Free.
  - (c) Copyright status  
Public domain, notwithstanding dissemination powers and ownership of media that corresponds to the Spanish State.
  - (d) Responsible administration  
Ministry of Culture.
  - (e) Other factors

## **6      *MANAGEMENT PLAN***

- 6.1    Is there a management plan in existence for this documentary heritage? YES/NO

It is included in the digitalisation and telematic consultation projects of document collections through the Spanish Archives Portal (PARES) of the Ministry of Culture.

If yes, attach a summary of the plan. If no, please attach further details about current storage and custody of the materials.

## **7      *CONSULTATION***

- 7.1    Provide details of consultation about this nomination with (a) the owner of the heritage (b) the custodian (c) your national or regional *Memory of the World* committee

The preparation and completion of this form has involved the consultation and collaboration of the Archive in which the document is kept and the Permanent Representation of Spain in the UNESCO, where it has received full and highly positive support.

## **PART B – SUBSIDIARY INFORMATION**

### **8      *ASSESSMENT OF RISK***

- 8.1    Detail the nature and scope of threats to this documentary heritage (see 5.5)

The documentary collection of the Royal Chancery Registers of the monarchs of Aragon is located in the offices of the Archive of the Crown of Aragon, opened in 1993 and equipped with all the modern-day advances in archive security and installation. Environmental conditions are controlled by thermo-hygrographs that maintain the relative humidity, temperature and lighting at the correct

levels. In addition, the building is permanently monitored and has fire detection and extinction systems.

The Archive of the Crown of Aragon is one of the oldest archive institutions in the world. It was founded in 1318, when the number of old deeds corresponding to the Royal Family, the archives confiscated from the Templars (1307) and the complexity of the documents produced by the Chancery itself made King James II of Spain (1231-1327) decide to use two chambers in the Palace that had been left free by the construction of the new chapel as an archive. James II was a meticulous monarch who knew how to wield documentation as a legal and diplomatic weapon to incorporate territories and jurisdictions. The appointment of the first archivist in the Archive with this specific name dates from 1346 and the first ordinances for the government of the Archive date from 1384. Since then, the Archive of the Crown of Aragon has existed uninterruptedly up to modern times.

For further information about the history, organisation of the documentary collections and services offered by the Archive of the Crown of Aragon: <http://www.mcu.es/archivos/MC/ACA/index.html>

## **9 ASSESSMENT OF PRESERVATION**

### **9.1 Detail the preservation context of the documentary heritage (see 3.3)**

It is preserved in a bound volume of 266 folios, whose medium is paper, measuring 29 x 21.5 cm. It is a part of the collection of registers of the Royal Chancery, which began in the mid-13th century.

Its state of preservation is excellent and it is monitored by the Department of Preservation and Restoration of the Archive of the Crown of Aragon.

The original document is not available for direct consultation in the Researchers' Room since it was microfilmed and scanned as a preventive measure. Researchers can see the document through the PARES portal of the Ministry of Culture of Spain, as a scanned copy available on the computer network in the Centre's Reading Room, as well as its reproduction through the microfilm viewers which, in the same location, provide an immediate copy on paper.

## **PART C - LODGEMENT**

This nomination is lodged by:

(Please print name). Rogelio Blanco Martínez.

General Director of Books, Archives and Libraries.

(Signature)..... (Date) Madrid, 27 November 2007