
THE SCRIPTOR “OF THE MOORS AND THE NEWLY CONVERTED”: THE CASE OF GARCÍA DE VILLOSLADA, NOTARY PUBLIC OF THE ARABIC IN MÁLAGA IN THE TRANSITION TO MODERNITY**Lorena C. Barco Cebrián**Universidad de Málaga
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Resum

El presente estudio tiene por objetivo dar a conocer y esclarecer el oficio de escribano de lo arábigo en la Tierra de Málaga en el lapso que se sitúa entre finales del Medievo y comienzos de la Modernidad. Para ello será necesario clarificar y contrastar una serie de oficios que sirvieron de nexo de unión entre primero, la comunidad mudéjar y, después morisca, y la comunidad castellana que se iba asentando en territorio malagueño. Una serie de oficios que tenían por último objetivo facilitar las comunicaciones en diferentes esferas sociales entre ambas comunidades con claras diferencias lingüísticas. De entre estos oficios como intérprete, trujamán, romanceador o escribano público, a nosotros nos interesa acercarnos y focalizar nuestra atención en uno de ellos de forma especial por todo lo que su labor implica, nos referimos al escribano público. Y, dentro de este, analizaremos la figura de García de Villoslada, escribano público de la ciudad de Málaga, quien, según nuestra hipótesis, ejerció de escribano de lo arábigo de facto.

Palabras clave: escribano público, escribano de lo arábigo, frontera, documentación árabe, Málaga

Abstract

The present study aims to raise awareness and clarify the office of notary of the Arabic in the Malaga in the period between the end of the middle Ages and the beginnings of Modernity. To this purpose, it will be necessary to study and contrast a series of trades that served as a link between first the Mudejar community and, later, the Moorish community, and the Castilian community that settled in the territory of Malaga. A series of trades whose ultimate goal was to facilitate relations in different social spheres between communities with clear linguistic differences. We find trades such as interpreter, *trujamán*, *romanceador* or notary public, but we are interested here in approaching and focusing our attention on the latter, for all that their work implies. In particular, we will analyze the figure of Garcia de Villoslada, notary public of the city of Malaga, who, according to our hypothesis, acted as a notary of the Arabic.

Key Words: notary public, notary of the Arabic, border, Arabic documentation, Malaga

1. Rationale

As the recently deceased Petrucci pointed out, the history of written culture tries to find out and make known all the aspects related to writing throughout history,¹ eliminating any type of barrier, be it chronological, graphic or of any other kind. In Western Europe, this work has focused mainly on the study and analysis of the Latin script and, in most cases, on Latin and the Romance languages derived from it. However, in the Iberian Peninsula there was a totally different script and language that, despite being the subject of study of Islamists and traductologists, has not received so much attention from the point of view of the History of Written Culture. We are talking here about the Arabic language and script that coexisted for more than eight centuries with the Latin and later the Castilian, the language Christians used in their writings. As part of this historiographical trend –where the aim is to find out who, how, when, why, and what is written– we are going to focus on the analysis of the figure of the writer, an office that received the title of *notary public of the Arabic*. Although it may seem that this title is quite straightforward and we could assume that its analysis can be more or less easy within the limits the documentation of the period, we shall try to show in the course of this article that this statement hides a series of complications, which suggests that this figure has not been sufficiently explored and, therefore, there are still many gaps.

The geographical area chosen for our research is Malaga. First because it was a border area between the Christian kingdoms and the Kingdom of Granada until its conquest and, second because the studies that have dealt more or less explicitly with the issues raised here have mainly dealt with the geographical area of Granada –Malaga being somewhat overlooked–. This fact is not trivial and has its origin in the way the region was conquered. Contrary to what happened in neighbouring Granada, Malaga did not capitulate to the Christian kings, and as a result the remaining Muslim population was smaller. This fact will also impact the surviving documentation of this period of transit and conquest by the Catholic Monarchs in the capital of Malaga – where, on the other hand, the state of conservation of much of the local documentation is not particularly good.

This research is based both on national and local archival fonds. Among the former, we have mainly used those from the General Archive of Simancas,² although we have also make use of some fonds from the Historical Archive of the Nobility.³ As for the local archival fonds, we examined materials from the Malaga Provincial Historical Archive,⁴ the Malaga Municipal

¹ Petrucci has been one of the great palaeographers who have served as a regeneration of the disciplines of Historiographic Sciences and Techniques, one of the greatest scholars of the History of Written Culture, and his work has been a milestone in the understanding of these disciplines. C.f. PETRUCCI 2000; PETRUCCI 1991; PETRUCCI 1992; PETRUCCI 1999.

² Hereinafter AGS. Section “Registro General del Sello”, hereinafter RGS.

³ Hereinafter AHN.

⁴ Hereinafter AHPM.

Archives,⁵ the Diocesan Historical Archives of Malaga⁶ and the Historical Municipal Archives of Antequera.⁷ Nevertheless, there are still many fonds left to study and analyse in order to fathom the numerous issues that surround the notary public of the Arabic.

In order to address all the issues raised here, we have divided the article into a short contextualizing introduction, an overview of the documentation in Arabic script preserved in the different archives of the province of Malaga, focusing our work on the documentation that makes up the notarial protocols of the AHPM, an analysis of the figure of the notary public who acted as notary public of the Arabic, concentrating on the examination of the documents of García de Villoslada, and, finally, the conclusions derived from this work.

2. The Context: Borders and Conquest

The aim of this study is to shed light on some aspects concerning the relationship between the Mudejar communities –later Moorish– and the Christians who settled in the land of Malaga once it had been conquered by the Catholic Monarchs, through a series of offices that acted as collaborators of the Castilian Crown, and among them we will discuss in depth the office of the notary public of the Arabic.

The relations that developed between the two communities were established at different levels and through different figures who served as a link between Mudejars and/or Moorish and Christians. This aspect has already been carefully studied and analysed in the last decades by several researchers, being particularly relevant the works of GALÁN SÁNCHEZ (2016, 2008, 1991), GARCÍA PEDRAZA (2004) and LÓPEZ DE COCA (1998), among others. However, we are interested in one figure in particular that, although explored by some researchers, we believe has not been exhaustively studied and, more importantly, has not been given the importance it deserves to understand the relations between the aforementioned communities. The figure of the notary public of the Arabic still needs an exhaustive analysis to gain a better understanding of their exact role in the complex process of conquest and subsequent Castilian-Christian cultural assimilation of the vanquished in Nasrid lands. However, in order to understand this figure of vital relevance for both sides, we must address a number of issues pertinent to its analysis.

So far, the studies based on these figures have been rather brief and, perhaps, vague in terms of analysis. Nevertheless, this is not surprising if we take into account the scarce extant documentation. The first thing to note is that one of the main difficulties encountered by the Castilian Crown when it conquered Malaga was that the Mudejar and later Moorish population

⁵ Hereinafter AMM.

⁶ Hereinafter AHDM.

⁷ Hereinafter AHMA.

that remained there was Arabic-speaking. This is one of the obstacles the Catholic Monarchs will have to overcome in order to integrate the defeated into a culturally different society. This problem was solved, or at least partly addressed, through various figures that served as a link between the different communities, namely *trujamanes* (linguistic intermediaries in commercial transactions), interpreters, *fuqahā*, *romanceadores* (translators into romance languages) and notaries public. One might think that these figures would each have their own distinct functions, but in practice we find they constitute an unclear amalgam, and that historiography has not yet tried to unravel them. Although there are many studies on the figures of the *trujamanes* and interpreters, mainly from a translational point of view (ABAD 2008; 2005), few of them try to clarify the relation between these offices and those of notary public and *romanceadores*, or even if one person could hold several of these offices. It is actually rather complicated to establish which was the official title the monarchs awarded them so they could act as collaborators in the cause of integrating and interacting with the defeated.

Borders are spaces of great interest and concern for historians,⁸ since they are areas of interaction where special and specific circumstances arise between very different societies. (CALDERÓN 2006). Throughout history, there has always been a need for actors able to provide links between the two sides of the border (SALICRÚ 2008: 473). When both sides of the border share the same language it is much easier to find these actors, but when the languages are different, communication becomes more complicated. It is therefore necessary for both sides to have collaborators who know both languages, so that talks and negotiations can take place and reach a successful conclusion for both sides. (ABAD 2005: 1-3). This feature is not specific to the border between the Kingdom of Castile and the Nasrid Kingdom, but may be also identified around the world wherever two or more communities with different languages need to bridge the linguistic gap between them. We have evidence of this in the New World (ALONSO, PAYÁS 2008), among many other examples. However, for the sake of our argument, we are interested in a very similar case to that in Southern Spain that took place at an earlier time. We are talking here about the Crown of Aragon during the transition between the reigns of James I and James II of Aragon –13th to 14th centuries– (ROMANO 1978). During this period, we find a situation similar to that which occurred years later on the Castilian-Granadian frontier. Far from an isolated case in the Iberian Peninsula, the situation at the late medieval borders of the Kingdom of Castile has its antecedents in the border area between the Crown of Aragon and the Kingdom of Navarre in previous centuries. There and then we find the figures of notaries and *trujamanes* that will later emerge in Malaga. It is important to understand these similarities in order to grasp the rationale behind this work.

Finally, it is worth mentioning again that previous research focus mainly on the Kingdom of Granada, that is, the last territory conquered by the Catholic Monarchs in the Iberian Peninsula.

⁸ Among other matters, research has been carried out on the diplomatic relations between the two sides, Castilian and Granadian, which show us what they were like and give us a better understanding of the situation of both societies. C.f. LÓPEZ DE COCA CASTAÑER (1998).

Unlike the Nasrid Kingdom of Granada, which capitulated by treaty, the city of Malaga was taken by force and the greater part of its population annihilated. These two different circumstances correlate with the number of Arabic-script manuscripts available in the archives of both regions.

3. Arabic-script Documents in the Archives of Malaga

Several works have focused on Arabic documentation from Malaga⁹ and Granada,¹⁰ but this is not the ultimate aim of the present study, since the *notaries public of the Arabic* did not write in Arabic, but rather in Castilian, as they were civil servants in the service of the Castilian Crown. Although these works are a good first approach to extant examples of Arabic script in Malaga, we will try to provide a comprehensive corpus that includes all the previous examples plus all the Arabic-script documents that we have found. We will also try to explain why these samples of Arabic script appear in Malaga, who their authors were and how they were created. These examples are indeed scarce in number, with signatures and *romanced* documents (documents translated into a Romance language from a previous source written in Arabic) being the most common sources. (fig. 1)

The oldest examples of Arabic script found in Malaga are those recently found by chance walled up in a house in the village of Cútar. These are a Qur'an dated to around the 13th century and a series of miscellaneous documentation by a *faqīh* (CALERO 2008). Among these newly found documents it is worth of note a poem dated 1450, a *muwashshah*, which is a form of strophic poetry intended to frame the last verse of a Romance *kharja* (GARCÍA 1979: 62-64). This very significant documentation has been examined and studied by CALERO, CRUCES, DÍAZ Y GONZÁLEZ (2016), and leads us to believe that it must not be an oddity. There had to be many other Muslims who felt the need to mimic that strategy and hide their records written in Arabic to avoid being denounced before the Christian institutions. This documentation, kept in the Provincial Historical Archive of Malaga, is not the only one preserved in this institution. Among the records that make up the notarial protocols of the province of Malaga, we find some isolated examples of signatures in Arabic, belonging to Muslims who remained in the capital of Malaga after its conquest in 1487; but we also find some examples of *romanced* Arabic documentation. All these documents are graphic testimonies that bear witness to the existence of the aforementioned border area. Most of these examples of Arabic script in the notarial protocols of Malaga are to be found among the documentation recorded by the notary public of the city of Malaga, García de Villoslada, which is why we will focus on his work in the following section.

Finally, to conclude with the Arabic documentation found in this archive, we can say that examples of Arabic signatures have also been found in some protocols from different villages

⁹ There are not many studies on Malaga's Arabic documentation, which is why we highlight CRUCES 2002, and LABARTA 1989.

¹⁰ C.f. CRESPO, ALMAGRO, TRISTÁN 2012; MOLINA, JIMÉNEZ 2002; ÁLVAREZ DE MORALES 2002; MONFERRER, PINILLA 1998; SECO DE LUCENA 1970; FERIA, ARIAS 2005.

in the province of Malaga. An example is the signature of a certain Diego Guaex, who did not know how to write (“no sabia escribir”) in Castilian and signed the document in Arabic. He was a witness in a letter of dowry and *arras* in a protocol from Casarabonela of the notary public Francisco de Morales dated 1542.¹¹ (**fig. 2**)

As previously mentioned, there is very little evidence of Arabic script left in the different archives of Malaga. After considering the examples conserved in the Provincial Historical Archive, we will now move on to the samples kept in the Diocesan Historical Archive of the Cathedral of Malaga. This Arabic documentation describes transactions that were conducted in different geographical locations belonging to the bishopric of Malaga. The purpose of these transactions was to denounce or record certain events that took place against Mudejars or Moriscos. Thus we find an agreement dated 1496 between the *Bachiller* (gentleman) Serrano, the senior qadi, Ali Dordux, and the bailiff of Almayate. In this document we find the signatures in Arabic of these two Muslim figures, the qadi and the bailiff.¹² Also related to Alí Dordux is the signature of his son, Fernando de Málaga, on a witness statement document against Fernando Rodríguez de Sosa.¹³ Another testimony of a signature in Arabic can be found in a copy of a deed in which the bailiff of Frigiliana, Francisco de Guzmán, who is a convert, pays a debt to Íñigo Manrique. This would be another example of a person who does not know how to sign in Castilian and continues to do so in Arabic.¹⁴ Another example of documents written in Arabic would be a manuscript inserted within a series of petitions filed by Marina de Villalobos against the Moors and the council of Casares. This woman, an inhabitant of Gibraltar, denounces this community for certain robberies that took place in 1488.¹⁵ Perhaps more interesting is the example of a complete paragraph written in Arabic within a document dated 1491 relating to the payment of the *tercio de los alguaciles* from the Serranía de Ronda.¹⁶

On the other hand, we have also found some very interesting examples of Arabic script dating from the 18th century. These graphic testimonies in Arabic are examples of Turkish citizens who also converted to Christianity and resided in Malaga, or were in Malaga for commercial reasons. we have several examples from 1748¹⁷ and 1750.¹⁸ From this period, and from these same Turkish citizens, we also find some examples of documents in Arabic –not just signatures– as in the case of several documents from 1750 on the redemption of captives.¹⁹

¹¹ AHPM, Protocolos, Leg. P-4082, ff. 400v-404r.

¹² AHDM, Leg. 63, 37.

¹³ AHDM, Leg. 65, 33.

¹⁴ AHDM, Leg. 65, 16.

¹⁵ AHDM, Leg. 62, 12.

¹⁶ AHDM, Leg. 65, 44.

¹⁷ AHDM, Leg. 207, 1-3.

¹⁸ AHDM, Leg. 208, 1-2.

¹⁹ AHDM, Leg. 219, 5.

Finally, in relatively recent times, an Arabic manuscript was found in the Municipal Historical Archive of Antequera. It is written on parchment, and was found within the collection of the Marqués de la Vega de Santa María. This document is dated 1493, and is one of the few remaining national samples of Arabic records written in parchment, to which we should also add part of the Arabic documentation in the Provincial Historical Archive of Malaga that was found in Cútar. This particular example is a sale by a Nasrid woman, daughter of a faqīh and scribe, Abu Abd Allah Muhammad al-Hadrami, to a certain Anton Davila, a Christian. This document is known as *El Pergamino de Antequera*.²⁰

4. The *scriptor* of the “Moors and the newly converted”: the figure of García de Villoslada.

We know of several people who acted as notaries public of the Arabic in the land of Malaga since its conquest and integration into the Crown of Castile. These public officials could serve different interests on both sides: on the one hand, and serving Christian interests, they were involved in the efforts to control and influence the defeated community; and on the other hand, the defeated community needed these officials to secure and confirm their properties and rights before their new monarchs. This twofold range of interests is correlated with a twofold set of social backgrounds of these notaries. In other words, the people who held these offices could come from both the Muslim community –or the Jewish community– and the Christian community. We have examples of fuqahā who converted and became notaries public; we have testimonies of Jewish converts who, having knowledge of both languages, also gained access to one of these notarial offices;²¹ and we also find examples of Christians who might have a knowledge of Arabic, or who worked with translators and interpreters, and acted as notaries for these Mudejar and Moorish communities without having a Jewish or Muslim background. Some cases are shown below.

When the Catholic Monarchs incorporated Marbella into the Castilian Crown, it was endowed with four public notary offices²² (SÁNCHEZ MAIRENA 2010: 119-143), which went to more or less important and influential figures within the Castilian court. According to the documentation consulted, Isabel and Fernando had Alonso del Río examined in 1496 to be appointed as a notary public in one of the four offices established in the city of Marbella, since, as the document says “because you say that he is a skilled person for the said office and knows the Arabic language, which you say is very useful in the said city to understand the contracts that the Moors of that land have with the Christians.”²³ As can be noticed, it was of vital importance for the population

²⁰ AHMA, Fondos Familiares, Archivo de los Marqueses de la Vega de Santa María, Leg. 151, 1503.

²¹ Sobre judíos conversos que accedieron a escribanías públicas ver MARCHANT 2002: 15-16, donde se menciona a Hernando de la Reina como escribano converso para la Axarquía.

²² Según documento consultado en el Archivo General de Simancas, RGS, LEG 149607, 35.

²³ «...porque dis que es persona abile para el dicho ofiçio e sabe la lengua araviga que dis que es mucho menester en la dicha çibdad para entender los moros de aquella tierra en las contrataçiones que tienen con los christianos...». AGS, RGS, LEG 149607, 35.

of Marbella to have a notary public who was skilled in the Arabic language. This example of Alonso del Río, who was finally appointed as such a notary in 1500,²⁴ is a good case in point for showcasing Christians holding the office of notary public in border areas. We have no record nor is it explicitly stated at any time that Alonso del Río was a convert or had Jewish or Muslim ancestry, so we assume that he was a Christian, a resident of the city of Marbella, who knew both languages and this allowed him access to one of these notary offices. Unfortunately, we do not have the protocols that this notary might have recorded in order to study his work and his links with the local communities.

A different example can be found in the capital of Malaga. In this case we also find a public notary appointed by the Catholic Monarchs to communicate in Arabic. However, unlike what happened with Alonso del Río, a convert, Alonso Serrano, was appointed for Malaga. In his appointment as notary public it is explicitly stated, “your previous name was Mahomad Algazil.”²⁵ Therefore, his mother tongue was Arabic, and he also knew Castilian, which made him a suitable candidate for the office of notary public of the Arabic in Malaga, thus becoming a key link between the two communities and a collaborator of the Crown. It was in 1501 that his appointment was presented to the Malaga town council so that “he could use the office of notary public of Malaga and grant contracts and deeds in Arabic, as well as exercise as a notary.”²⁶ As was the case with his counterpart in Marbella, we have no extant records that Alonso Serrano could have registered, thus depriving us of many answers about this trade. In addition to this, Alonso Serrano was appointed as notary of the *Repartimiento* and Restoration, so we believe that this post was much more important and robbed him of the time he needed to be able to act as de facto notary public of the Arabic in Malaga. This fact reinforces the hypothesis put forward in this research. The analysis of the extant documentation and the lives of these notaries leads us to believe that García de Villoslada, notary public of Malaga, would have acted as notary public of the Arabic, although he never was appointed as such. For this reason, this figure is different from all those seen so far, and we will focus on him in the following sections.

a. García de Villoslada, notary public of Malaga: a brief biographical sketch

The first example of the resignation of a notary’s office for the city of Malaga comes from Alonso Palmero, the notary public of Malaga appointed as such after the conquest of the city by the Catholic Monarchs. After his resignation in 1493, the post went to Miguel Sánchez Montesinos, who was disliked by the rest of his colleagues, so he did not act as a notary public and the office reverted once again to Alonso Palmero, who resigned again. This second resignation took place a year later, in 1494, in favour of the person we are discussing here, García de Villoslada (ARROYAL, CRUCES, MARTÍN 1991: 41).

²⁴ AGS, RGS, LEG 150008, 78.

²⁵ «... ante vos soliades llamar Mahomad Algazil». AGS, RGS, LEG 150102, 29.

²⁶ AMM, Provisiones, Vol. 62, ff. 73v-74v.

García de Villoslada was an important figure in the public life of Malaga after the Christian conquest. He came from a family from the north of the Iberian peninsula, his father being the lawyer Lope Rodríguez de Logroño, a prominent figure at the time and very close to the monarchs, who eventually became the corregidor of Bilbao (COLECCIÓN DE CÉDULAS 1829: VIII). We assume that after the conquest of Malaga, García de Villoslada settled in the capital, passed the examination to become a notary public, and when the time came, after the resignation of Alonso Palmero, he had the opportunity to take office. The date of Alonso Palmero's resignation is 1494, and the grant of this office to García de Villoslada by the Catholic Monarchs is dated the same year.²⁷ There is also documentary evidence in the Municipal Archives of Malaga of his appointment as the city's notary public on 26 May of the same year, 1494.²⁸ However, in this archive there is also a document dated 1502, regarding a transfer of a Royal Decree issued by the aforementioned monarchs in favour of García de Villoslada for an office of notary in Malaga.²⁹ We believe that this last document refers to a problem that García de Villoslada had in relation to his office. We know that in 1501 this notary was involved in a criminal lawsuit with Francisco de Hinojosa. The notary was denounced for malpractice, in particular for falsification of documents.³⁰ It is therefore not surprising that after the loss of his office, for this and other reasons, the following year the monarchs restored his office, being that the reason why in 1502 he was once again given a notary's office. The other reason why García de Villoslada was deprived of his right to practice as notary public is that he and the rest of his colleagues incurred penalties for the non-payment of a series of taxes that, they claimed to be unaware of. All of them were fined with pecuniary penalties, but in different amounts; and, in addition, García de Villoslada was also deprived of the exercise of his office and his properties were seized. Arroyal, Cruces and Martín already pointed out that they did not know the reason for this disproportionate sentence (ARROYAL, CRUCES, MARTÍN 1991: 50-51). Perhaps the explanation lies in the fact that García de Villoslada had also incurred in a greater crime, such as falsification of documents.

There is not much information about his personal life, but we do know who his father was, and that perhaps it was his father who helped him to become an important figure and who served as liaison between him and the monarchs. We know that he married Beatriz López, because of an extant sentence about her,³¹ but we do not know the date of the marriage or whether it took place in Malaga or not. We also know about one of his sons, Gaspar de Villoslada, who trained with him (witnessing 20% of the documentation registered by his father) and he also became a notary public in the city of Malaga in 1513.³² However, he did not immediately replace his father in the notary's office. We do not know the date on which the monarchs dispensed him with the title of notary, but

²⁷ AGS, RGS, Leg. 149404, 35.

²⁸ AMM, Originales, 1, ff. 282r-282v.

²⁹ AMM, Provisiones, Vol. 3, f. 132.

³⁰ AGS, RGS, Leg. 150103, 328 y 567.

³¹ AMM, AA. CC., 120, f. 415r.

³² AMM, Provisiones, vol. 6, ff. 321v-323r.

perhaps this date is the reason behind the fact that García de Villoslada resigned in favour of Luis Palomares, who in turn, a few months later, resigned in favour of Gaspar de Villoslada, perhaps when he had already been appointed by the monarchs. (ARROYAL, CRUCES, MARTÍN 1991: 54).

According to the extant documentation García de Villoslada was the representative of the notaries public of Malaga, and was the liaison between them and the Crown. In fact, he was quite active and exerted influence and pressure on the Catholic Monarchs so that they would favour them. Thus, it was García de Villoslada who, at different times, complained to the monarchs for different reasons that involved or affected the notaries of Malaga as a whole. For example, he complained to Isabel and Fernando that there were too many notaries for a small business market in the city. He also made a request to the monarchs that the most experienced notaries should be the first to choose the offices where they carried out their work. Finally, he also acted as the representative of the *escribanos del número* (notaries public that could only exercise their office in the locality to which they were assigned) in a conflict between them and the royal notaries. García de Villoslada protested to the monarchs so that they would order the royal notaries not to interfere in the work and duties of the *escribanos del número*. (ARROYAL, CRUCES, MARTÍN: 69, 71). (fig. 3)

On the family sphere, we know that García de Villoslada owned a Moorish slave girl, called Alia, and her children, native of Oran.³³ Finally, we do not know in what year this notary public of Malaga died. His last records and protocols are those of 1513, although the documentation that mentions his slave, Alia, is dated 1514, so perhaps he bought her to take care of him in the last moments of his life.

b. García de Villoslada as a not *de jure* but *de facto* notary public of the Arabic in Malaga

None of the information we know about Garcia de Villoslada led us to assume that he had been appointed as notary public of the Arabic, nor did he have anything to do with the Mudejar and Moorish population. However, when we analyse the records that make up his notarial protocols, we realise that a fairly large proportion of them is intended to record transactions carried out by the “Moors and the newly converted”, especially if we compare it with the protocols of his peers. This leads us to think that there were occasions when the Mudejar and Moorish community chose to have their activities recorded by a particular notary, presumably because the notary in question had some knowledge of Arabic or some explicit connection with the Mudejar and/or Moorish community. We believe this is the case of García de Villoslada, notary public of Malaga chosen by these communities to record their activities and transactions, without the requirement of being designated as a “notary public of the Arabic”.

This hypothesis is reinforced by several facts that can be corroborated in the surviving documentation. The first is that the actual notary public of the Arabic appointed for Malaga and

³³ AHPM, Protocolos, Leg. 75, f. 293r.

its bishopric, the aforementioned *Bachiller* Serrano, may never have acted as such. He was appointed to the *Repartimiento*, a more demanding task, but also one that would grant him a much more prominent role in the society of the time. This would lead us to think that the monarchs should have appointed another notary public of the Arabic. However, if García de Villoslada, as far as we have been able to ascertain, was already a notary public and, furthermore, had set himself up as a representative and liaison between the notaries of Malaga and the monarchs, it would not be unreasonable to think that he could *de facto* act as a notary public of the Arabic. Moreover, we know from the documentation that he had an interpreter of Arabic who was present in the transactions that he recorded where the protagonists were Muslims or new converts.

A major obstacle to an exhaustive analysis of García de Villoslada is the preserved documentation of his work. Although we know that in 1494 he was already practising as a notary public, the earliest extant notarial protocol that can be attributed to him dates from the year 1498, and the next are from 1503, 1504, 1508, 1510, 1511 and 1512. Unfortunately, it has not been possible to consult all of them because access to some of these protocols is not allowed due to their deplorable state of preservation.

We have been able to consult those protocols that were restored in their entirety, but despite this great work to preserve the documentary heritage, on numerous occasions the documents are unintelligible, because only a third of the folio has been recovered. This means a substantial loss of documentation from the first years after the conquest of Malaga. **(fig. 4)**

Following the outline described above we now turn to an analysis of the documentation from García de Villoslada, which seems to support the hypothesis put forward here. The protocol dated 1498 is the one that contains the most examples of transactions carried out by “Moors”, not only from the capital of Malaga, but also from villages under the jurisdiction of Malaga, such as Casarabonela, among others. This fact would further strengthen the hypothesis that *Bachiller* Serrano did not *de facto* act as notary public of the Arabic, as García de Villoslada had already been doing so. In addition to documentation relating to this Muslim community, we find several examples of transactions involving well-known figures in Malaga at the time, such as Ali Dordux³⁴ or Ayaya el Fistelí,³⁵ who was a tax collector. However, the highest proportion of records refers to non-prominent people who turn to García de Villoslada to register in writing different transactions of their daily lives, and not only residents of Malaga, but also people from outside the city. The fact that Muslims came looking for García de Villoslada from other geographical areas would further support the hypothesis that he set himself up as a *de facto* notary public of the Arabic. This is well illustrated in an example dated 9 July 1498, when García de Villoslada recorded around twenty documents relating to different “Moors” from Vélez de la Gomera.³⁶

³⁴ AHPM, Protocolos, Leg. 2, f. 75r.

³⁵ AHPM, Protocolos, Leg. 2, ff. 436r-440v.

³⁶ AHPM, Protocolos, Leg. 2, ff. 293v-300r.

From 1510 onwards, the proportion of transactions registered by “Moors” decreased, and that of the “newly converted” increased, as for example the powers of attorney of Maria de Moros,³⁷ those of Francisco de San Juan, newly converted,³⁸ or those of Diego de Mendoça, also newly converted,³⁹ among others. **(fig. 5)**

One can also conclude that the documents recorded in the examined protocols of the office of notary public of the Arabic are similar to those of other notary offices. The average number of folios per protocol is 700, which corresponds to an average of 500 documents per file. Of these, more than 50% are powers of attorney and more than 20% are letters of obligation. These two types of documents are the most abundant at this time and in these protocols. The following graph shows the percentage of each of the documentary types that appear in the documentation studied. **(fig. 6)**

Of all this documentation, 20% refers to transactions carried out by Muslims or new converts. This percentage may seem too small to claim that García de Villoslada was a scribe of the Arabic; however, in the protocols of his colleagues for around the same period years and immediately after, these activities do not even represent 1% of the evidence.

This fact supports the hypothesis put forward here. We must not forget that García de Villoslada was first and foremost a notary public, and would therefore record all the activities that his clients demanded of him, but that does not mean that he could not act as a notary public of the Arabic when necessary. And this is supported by all of the above, without losing sight of the fact that the Mudejar and/or Moorish population that remained in the lands of Malaga was much smaller than that which remained in other Nasrid territories that capitulated, so the documentary record would be proportionally smaller.

5. Conclusions

As stated above, the presence of different figures who were bilingual was necessary, first in the frontier areas and then in the newly annexed areas. In the case of the Iberian Peninsula, knowledge of Arabic and Castilian was essential. This fact will give rise to trades that in one way or another served as a link between two populations with different customs, languages and religions, thus becoming trades that imply a great responsibility and of great value to both communities. Interpreters, *trujamanes*, *fuqahā*, *romanceadores*, and notaries public, whether of the Arabic or not, were some of the trades that are nowadays difficult to identify in the extant documentation as links between the two populations.

³⁷ AHPM, Protocolos, Leg. 4, ff. 472r-v.

³⁸ AHPM, Protocolos, Leg. 4, ff. 479r-v.

³⁹ AHPM, Protocolos, Leg. 4, ff. 498r-v.

Although Granada has been studied in more detail than Malaga, the fact is that we have examples of these different offices in Malaga and there is documentation that attests to their work in the late Middle Ages and early Modern Age. This is why we wanted to combine in a single investigation the scattered information we had on the Arabic documentation preserved in Malaga and, at the same time, put forward the hypothesis that there were notaries public who exercised as notaries public of the Arabic despite not being appointed as such by the monarchs. This hypothesis has been confirmed in the figure of García de Villoslada, who, according to the analysis of the preserved documentation, acted as such.

The only aim of this study is to put the focus on trades that have been studied from different points of view, laying the foundations for future research work that will clarify and shed light on a group, that of the notaries public of the Arabic, that has not yet been sufficiently explored by historiography. We hope that in future works we will be able to carry out a more comprehensive study in order to understand the great work they carried out as links between two very disparate communities.

BIBLIOGRAPHY

ABAD MERINO, Mercedes, 2008. “El intérprete morisco. Aproximación a la historia de la traducción cotidiana en España en el ocaso de la Edad Media”, *Hermeneus. Revista de Traducción e Interpretación*, 10: 23-53.

—2005. “*Aquí hay necesidad de persona capaz en muchas lenguas*”. El oficio de intérprete en las últimas fronteras de Castilla”, *Revista electrónica de estudios filológicos*, 10: 1-31.

ALONSO, Iciar, PAYÀS, Gertrudis, 2008. “Sobre alfaqueques y nahuatlatos: nuevas aportaciones a la Historia de la Interpretación”, C. Valero-Garcés (ed.), *Investigación y práctica en traducción e interpretación en los servicios públicos. Desafíos y alianzas*, Alcalá de Henares, Universidad de Alcalá: 39-52.

ÁLVAREZ DE MORALES, Camilo, 2002. “La geografía documental arábigo granadina”, N. Martínez (coord.), *Documentos y manuscritos árabes del occidente musulmán medieval*, Madrid, Ed. CSIC: 205-223.

ARROYAL ESPIGARES, Pedro, CRUCES BLANCO, Esther, MARTÍN PALMA, M^a Teresa, 1991. *Las escribanías públicas de Málaga (1487-1516)*, Málaga, Departamento de Prehistoria y Ciencias de la Antigüedad y Edad Media de la Universidad de Málaga.

BARCO CEBRIÁN, Lorena C. 2013-2014. “La institución notarial de la provincia malagueña según el Catastro de Ensenada: estado de la cuestión y primeros resultados”, *Isla de Arriarán: revista cultural y científica*, 40-41: 93-130.

CALDERÓN VÁZQUEZ, Francisco J., 2016. “Repensando la frontera africana de Castilla: ¿Una frontera interétnica?”, *Frontera Norte*, Vol. 28, 55: 5-31.

CALERO SECALL, M^a Isabel, 2008. “Muhammad al-Yayyar, un alfaquí a través de los manuscritos de Cútar”, A. Echevarría Arsuaga, *Biografías mudéjares o la experiencia de ser minoría: biografías islámicas en la España cristiana*, 385-416.

CALERO SECALL, M^a Isabel, CRUCES BLANCO, Esther, DÍAZ SÁNCHEZ, Ana M^a, GONZÁLEZ GARCÍA, Sonsoles (eds.), 2016. *Los manuscritos nazaríes de Cútar (Málaga). Documentos y estudios*, Málaga, Universidad.

CASTILLO FERNÁNDEZ, Javier, 1998. “Los que se fueron y los que se quedaron: destino de los moriscos del norte del Reino de Granada”, *Revista del Centro de Estudios Históricos de Granada y su Reino*, 12: 115-146.

COLECCIÓN DE CÉDULAS, 1829. *Colección de Cédulas, cartas-patentes, provisiones, reales ordenes y otros documentos concernientes á las provincias vascongadas, copiados de orden de S.M., de los registros, minutas y escrituras existentes en el Real Archivo de Simancas, y en los de las secretarías de Estado y del Despacho y otras oficinas de la Corte*, Tomo I. Imprenta Real: Madrid.

CRESPO MUÑOZ, FRANCISCO, 2005. “Acercamiento al estudio de una figura significativa de la sociedad granadina del siglo XVI: «yntérpretes». «trujamanes». «romanceadores»”, *Revista del Centro de Estudios Históricos de Granada y su Reino*, 17: 217-237.

CRESPO MUÑOZ, FRANCISCO, ALMAGRO VIDAL, CLARA, TRISTÁN GARCÍA, FRANCISCO, 2012. “Un significativo tesoro documental para la Historia del Reino de Granada: la documentación en árabe del Archivo Municipal de Baza (Granada)”, R. Marín López (coord.), *Homenaje al profesor Dr. D. José Ignacio Fernández de Viana y Vieites*, Granada: 107-119.

CRUCES BLANCO, ESTHER, 2002. “La pervivencia y el valor de lo escrito: documentos árabes de la provincia de Málaga (ss. XIII-XVI), N. Martínez (coord.), *Documentos y manuscritos árabes del occidente musulmán medieval*, Madrid, Ed. CSIC: 249-314.

FERIA GARCÍA, MANUEL, ARIAS TORRES, JUAN PABLO, 2005. “Un nuevo enfoque en la investigación de la documentación árabe granadina romanceada (ilustrado con dos traducciones inéditas de Bernardino Xarafi, escribano y romanceador del Reino de Granada)”, *Al-Qantara: revista de estudios árabes*, 26-1: 191-248.

GALÁN SÁNCHEZ, ÁNGEL, 2016. “Identidad e intermediarios culturales. La lengua árabe y el fisco castellano tras la conquista del Reino de Granada”, *Edad Media. Revista de Historia*, 17: 109-132.
—2008. “Fuqaha’ y musulmanes vencidos en el reino de Granada (1485-1520)”, A. Echevarría (coord.), *Biografías mudéjares o la experiencia de ser minoría: biografías islámicas en la España cristiana*, Arsuaga CSIC: 329-383.
—1991. *Los mudéjares del Reino de Granada*, Granada.

GARCÍA GÓMEZ, EMILIO, 1979. “De la jarcha a la moaxaja”, Fº Rico (coord.), *Historia y crítica de la literatura española*, Vol. 1, Tomo 1, Crítica: 62-64.

GARCÍA PEDRAZA, AMALIA, 2004. “Los escribanos moriscos, puntos de anclaje en una sociedad conflictiva: el caso de Alonso Fernández Gabano”, M. Barrios Agruilera, A. Galán Sánchez (coords.), *La historia del Reino de Granada a debate: viejos y nuevos temas, perspectivas de estudio*, Málaga, CEDMA: 351-368.

GARCÍA VALVERDE, Mª LUISA, 2014. “Escribanos romanceadores y órdenes religiosas femeninas”, P. Ostos Salcedo (coord.), *Práctica notarial en Andalucía, siglos XIII-XVII*, Sevilla, Universidad de Sevilla: 175-249.

- GONZÁLEZ PALENCIA, Ángel, 1940-1941. “Documentos árabes del Cenete”, *Al-Andalus*, V: 1-380.
- LABARTA, Ana, 1989. “Cartas árabes malagueñas”, *Anuario de estudios medievales*, 19: 611-626.
- LADERO QUESADA, M. Ángel, 1993. *Granada después de la conquista: repobladores y mudéjares*, Granada, Diputación provincial.
- LLEDÓ, Emilio, 1996. *Lenguaje e historia*, Madrid, Ed. Taurus.
- LÓPEZ DE COCA CASTAÑER, José Enrique, 1998. “Acerca de las relaciones diplomáticas castellano-granadinas en la primera mitad del siglo XV”, *Revista del Centro de Estudios históricos de Granada y su Reino*, 12: 11-32.
- MARCHANT RIVERA, Alicia, 2002. *Los escribanos públicos en Málaga bajo el reinado de Carlos I*, Málaga, Spicum.
- MOLINA LÓPEZ, Emilio, JIMÉNEZ MATA, M^a Carmen, 2002. “Documentos árabes y el patrimonio real nazarí”, N. Martínez (coord.), *Documentos y manuscritos árabes del occidente musulmán medieval*, Madrid, Ed. CSIC: 225-247.
- MONFERRER SALA, Juan Pedro, PINILLA MELGUISO, Rafael, 1998. “Tres documentos árabes granadinos sobre las treguas de 1469 y 1472”, *Revista del Centro de Estudios Históricos de Granada y su Reino*, 12: 231-262.
- OSORIO PÉREZ, M^a José, 1984. “Regesta de documentos granadinos romanceados del Archivo del colegio de San Bartolomé y Santiago de Granada”, *Cuadernos de estudios medievales y ciencias y técnicas historiográficas*, 12-13: 127-138.
- OSORIO PÉREZ, M^a José, PEINADO SANTAELLA, Rafael Gerardo, 2002. “Escrituras árabes romanceadas del convento de Santa Cruz la Real (1430-1496): pinceladas documentales para una imagen de la Granada nazarí”, *Miscelánea de estudios Árabes y Hebraicos. Sección árabe-islam*, 51:191-217.
- PETRUCCI, Armando, 2000. “Escrituras marginales y escribientes subalternos”, *Signo: revista de historia de la cultura escrita*, 7: 67-75.
- 1999. *Alfabetismo, escritura, sociedad*, Gedisa.
- 1992. “Scrivere nel Cinquecento: la norma e l’uso fra Italia e Spagna”, P. M. Cátedra García, M^a L. López-Vidriero Abello (coords.), *El libro antiguo español: actas del Segundo Coloquio Internacional*, Madrid: 355-366.
- 1991. “Storia della Scrittura e Storia della Società”, *Anuario de estudios medievales*, 21: 309-322.

ROMANO, David, 1978. “Judíos escribanos y trujamanes de árabe en la Corona de Aragón (reinado de Jaime I a Jaime II)”, *Sefarad: Revista de Estudios Hebraicos y Sefardíes*, 38-1: 71-105.

SALICRÚ I LLUCH, Roser, 2008. “Mudéjares diplomáticos, mediadores y representantes de los poderes cristianos en tierras islámicas”, A. Echevarría (coord.), *Biografías mudéjares o la experiencia de ser minoría: biografías islámicas en la España cristiana*, Arsuaga CSIC: 471-495.

SÁNCHEZ MAIRENA, Alfonso, 2010. “Escribanías públicas y del concejo de Marbella (Málaga) y su jurisdicción entre los siglos XV y XVIII”, E. Villalba Pérez, E. Torné Valle (eds.) *El nervio de la república: el oficio de escribano en el Siglo de Oro*, Madrid, Calambur: 119-143.

SECO DE LUCENA PAREDES, Luis, 1970. “Escrituras árabes de la Universidad de Granada”, *Al-Andalus: revista de las Escuelas de Estudios Árabes de Madrid y Granada*, 35-2: 315-354.

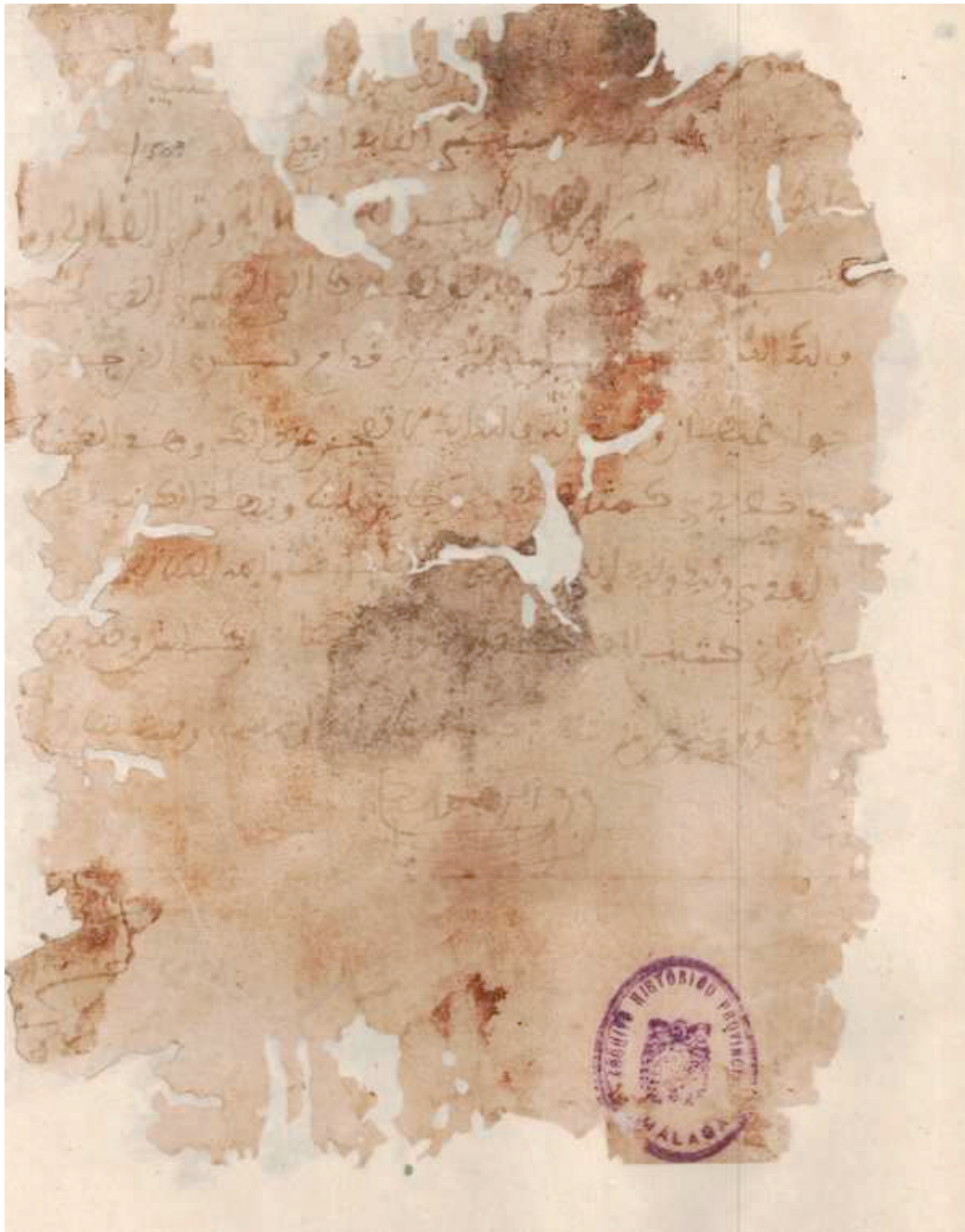


Fig. 1 Original document in romanced Arabic. AHPM, Protocolos, Leg. 9, t. I, f. 509r.

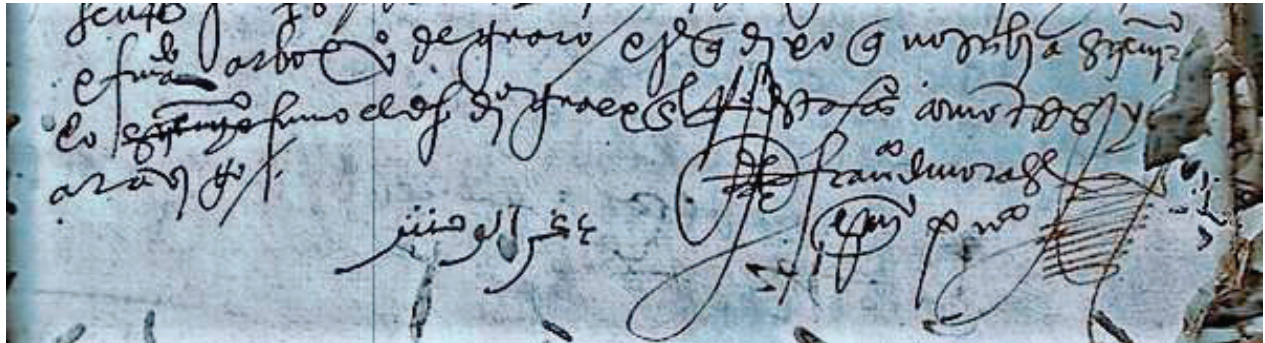


Fig. 2 Detail of a signature in Arabic. AHPM, Protocolos, Leg. P-4082, f. 404r

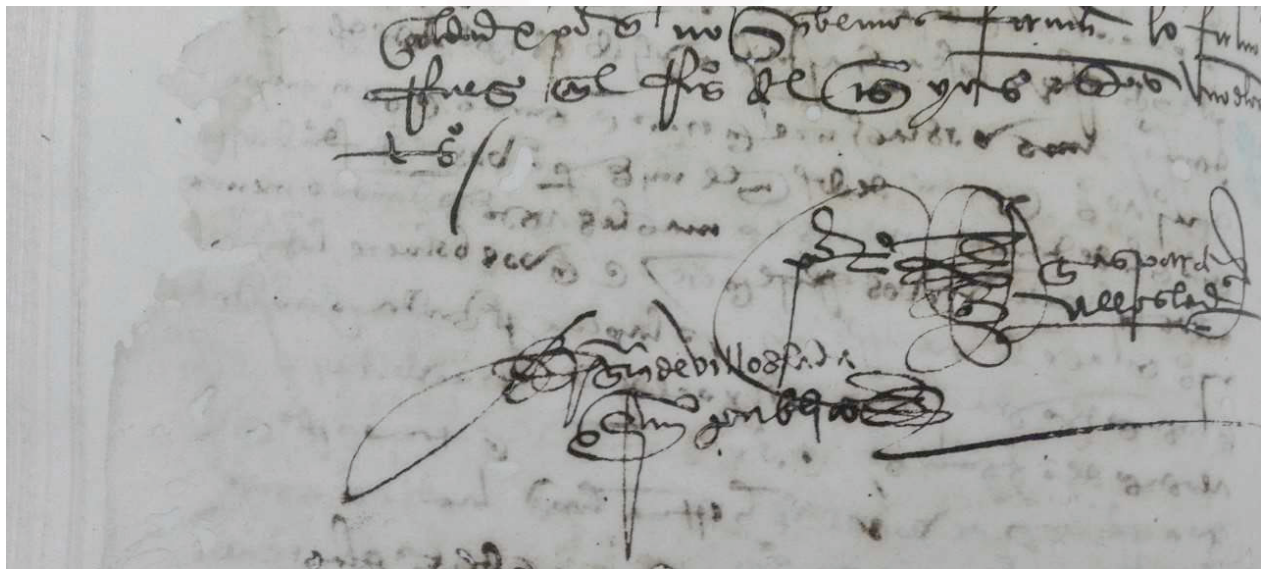


Fig. 3 Signature of García de Villoslada and signature of Gaspar de Villoslada as a witness. AHPM, Protocolos, Leg. 3, s.f.

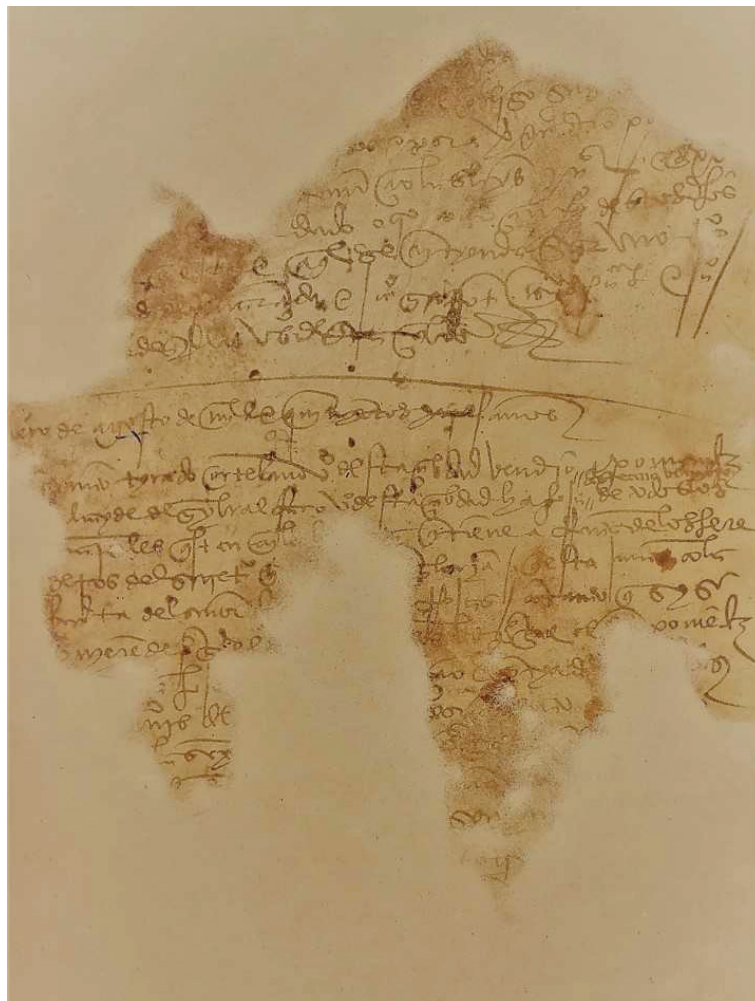


Fig. 4 Example of the poor state of conservation of García de Villoslada’s documentation.
AHPM, Protocolos, Leg. 2, s.f.

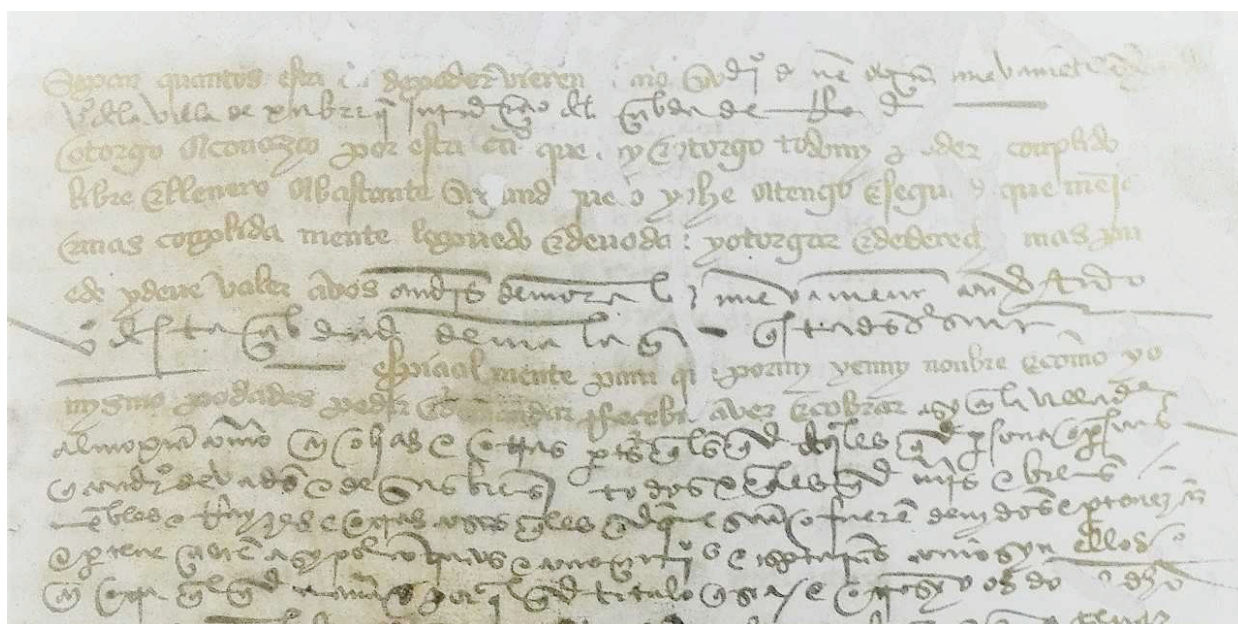


Fig. 5 Detail of a ‘newly converted’. AHPM, Protocolos, Leg. 4, s.f.

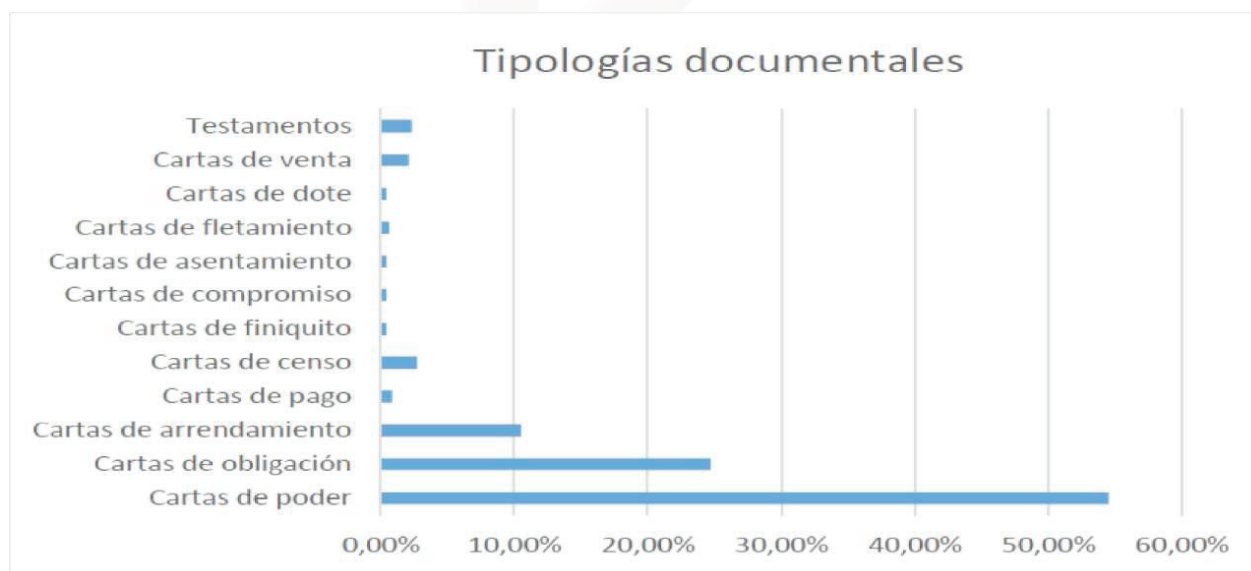


Fig. 6 Documentary Typologies in the García de Villoslada’s notary office. (Author’s archive)