Vidal Mayor: A Visualisation of the Juridical Miniature

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Encompassing one of the richest programmes of illumination in a customary law code, the manuscript Vidal Mayor is a thirteenth-century compilation of Aragonese law. Its illumination programme, which includes numerous court scenes, is a perfect laboratory for a serial analysis. This essay explains the structure of the image space and its function. It also analyses the representation of the miniatures' main characters: the providers of justice.

Juridical Miniatures

From the middle of the twelfth century, as a consequence of renewed interest in jurisprudence, the production of law texts and manuscripts multiplied. By the middle of the thirteenth century, a basic model of illumination for juridical manuscripts had emerged; it grew out of the iconographic tradition involving the illuminations of the Decretum Gratiani and the Justinian Codes.¹ Following this model, miniatures


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would accompany each *causa* or law and their contents would allude to the particular law. However, texts of canon and civil law were not the only manuscripts to have been richly decorated. Beginning in the twelfth century, the appearance of compilations of customary law led to the production of illuminated customary manuscripts that, by the thirteenth century, came to include rich iconographic programmes as well. Beginning with the twelfth century and up to the fifteenth, ‘juridical images’ were produced throughout Europe.

A ‘juridical image’ can be defined as an image that includes the representation of at least one juridical authority. By preference, this authority sits in a court of justice, or else the representation integrates some attribute from a juridical setting. The authority forms the centre of juridical action, and the image represents his relations with kings, popes, judges, jurists, lawyers, procurators, arbiters, witnesses, criminals and victims.

Juridical images need to be situated within the context of the culture that produced them. At the same time, they must be treated as objects of historical analysis in themselves, because they contributed to the meaning of the juridical culture from which they emerged. They not only serve to illustrate the text, but also offer a commentary on the text; the images interact with the text to produce meanings and vice versa. Indeed, these miniatures perform very specific functions when inserted within manuscripts. They reveal the complexity of the juridical world, as it has been defined by Harold J. Berman: that is, law understood not only as a body of rules but also as an entity in action. ‘Law in action’, Berman states, ‘consists of people legislating, adjudicating, administering, negotiating, and carrying on other legal activities’. Berman calls this legal process the ‘realizing’ of law.²

The legal actions represented by the images which visualise them—which, to some interpreters, might at first glance seem repetitive and simple—are numerous and complex, and are not simply gratuitous

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gestures or scenes. Compositionally, perhaps the most striking and functional tool within these images are gestures, primarily hand gestures, to which Jean-Claude Schmitt had first drawn our attention. These images are, in a sense, organic, apropos of Berman’s ‘realizing’ of the law; their relationship to the text is a symbiotic one.

Interpreted semantically, juridical illuminations can be placed at the centre of the modes and functions of artistic and juridical representation. This essay seeks to elucidate the functions of the images in one particular customary juridical manuscript, the Vidal Mayor, a thirteenth-century compilation of Aragonese fueros, or laws. Drawing upon selected miniatures, I shall attempt to explain how these images are juridically informed and the ways in which their structural patterns contribute to the manuscript’s functions.

With 157 miniatures, the Vidal Mayor is arguably one of the richest existing illuminated manuscripts of customary law. Its illumination is thoroughly developed, and thus lends itself to a comprehensive study of the functions of juridical representations in a juridical manuscript. The repetitiveness of juridical scenes is perhaps the perfect laboratory for serial analysis.

A serial analysis of these images is necessary insofar as it allows us to decipher the various visual modes of representation incorporated in a particular series of images. By analysing an image within the context of the series to which it belongs, we are able to uncover the relationship

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4 The Vidal Mayor manuscript, was discovered in 1936 by Gunnar Tylander in the private library of Dyson Perrins. Tylander published the text and a glossary in 1956. The manuscript was subsequently sold to the Getty Museum in Los Angeles, where it remains. In 1989, a facsimile edition accompanied by a useful volume of essays was published by the government of the province of Aragon: Vidal Mayor & Vidal Mayor, *Estudios*, Huesca, 1989.
6 As Jérome Baschet puts it, ‘If it is true that images think, it must be added that they think between themselves. The serial study is consequently a necessity .... The confrontation of images from a same series is indispensable to the analysis of each one’s meaning, because there is sense only in difference, or rather in the dialectic between regularities and divergences.’ Jérome Baschet, ‘Inventivité et sérialité des images médiévales: Pour une approche iconographique élargie’, *Annales: Histoire, Sciences Sociales*, vol. 51(1), January–February, 1996: 111.
this image shares with the other images in the series, and, hence, clarify its function and meaning with respect to the manuscript. Such a procedure enables us to determine patterns of representation and to isolate the exceptions and their own circumstances. Furthermore, serialisation helps decipher the themes which recur in a corpus of images. In the case of the gestural language, this methodology affords us an insight into the meanings of different gestures. This essay focuses on just a few examples incorporating a serial analysis to show how this method helps in elucidating the functions of the image. I shall concentrate on the issues brought up through a serial analysis within two areas: the miniature's structural field; and the representation of the source of authority.

The Vidal Mayor

In 1247, King Jaime I of Aragon summoned a Cortes assembly at Huesca, at which the first major compilation of Aragonese law was to be discussed and adopted for the kingdom. The elaboration of this compilation was entrusted to a jurist close to the king, the Bishop of Huesca, Vidal de Caneyas.7 Between this date and his death in 1252, Vidal wrote a long version of this compilation of Aragonese fueros. The work is known by its incept as In excelsis Dei Thesauris or maior compilatio.8 The Vidal Mayor is the only existing manuscript of the maior compilatio, a translation in Navarro-Aragonese dated to the third quarter of the thirteenth century.

Like Gratian, Vidal de Caneyas wanted his enterprise to be both didactic and rhetorical, and to include both the ordinatio and the concordia dissonentia.9 The compilation has been organised essentially following the structure of the Corpus Iuris Civilis: the division of nine books in the Justinian Code and Digest. In each book, Vidal inserted the Aragonese fueros (or customary laws),10 texts from canon and civil sources, and his own, at times elaborate, juridical explanations. The In excelsis is a combination of codes: a juridical summa comparable to other

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7 The bishop had already participated in the formulation of Valence's customary code in 1238.
8 As opposed to a shorter version of the fueros approved by the Cortes of Huesca, that prevailed in Aragon.
10 See fn. 25:
contemporary works, for example Bracton's.\textsuperscript{\textit{11}} The \textit{maior compilatio} does not seem to have been widely diffused, although medieval jurists throughout the fifteenth century did comment on it.\textsuperscript{\textit{12}} One jurist, Jaime de Hospital, noted that the compilation was praised '\textit{ut notatoriem non ut textualem}'.\textsuperscript{\textit{13}}

The \textit{Vidal Mayor} is composed of two prologues and nine books divided into \textit{fueros}. The first prologue—nine books and each \textit{fuero}—begins with a miniature. This essay focuses on the 90 images representing a court of justice.\textsuperscript{\textit{14}}

\textbf{The Structure of the Images}

The first consideration on the nature of the \textit{Vidal Mayor}'s miniatures is that they are illuminated initials.\textsuperscript{\textit{15}} Each particular law begins with what is in effect an image-text entity: the image is the first letter of the first word in the \textit{fuero}. Being an integral part of the text, these images-texts impose themselves on the reader from the beginning: not only does one see the image, but one has also to read it. In a sense—'these images are the "text founders"'.\textsuperscript{\textit{16}}

In the \textit{Vidal Mayor} the source of juridical authority never appears by itself, but is on every occasion immersed in a scene.\textsuperscript{\textit{17}} Each scene consti-

\begin{itemize}
\item \textsuperscript{\textit{11}} J. Delgado Echeverría, 'Vidal Mayor, un libro de fueros del siglo XIII', in \textit{Vidal Mayor, Estudios}: 66.
\item \textsuperscript{\textit{12}} A. Perez Martin, \textit{Fori Aragonum vom Codex von Huesca (1247) bis zur Reform Philipp II (1547) nach der Ausgabe Zaragoza 1476-77} 13, note 43.
\item \textsuperscript{\textit{13}} Jaime del Hospital, \textit{Observantiae}, (proemium, 11), cited in Martinez Diez, 'En torno a los fueros de Aragon y las cortes de Huesca de 1247', \textit{AHDE}, vol. 50, 1980: 81.
\item \textsuperscript{\textit{14}} 60 per cent of the total number of images.
\item \textsuperscript{\textit{15}} This is so for 92 per cent of the miniatures. The remaining 8 per cent are vignettes which were placed outside the scriptural box when the scribe did not leave enough space for a historical initial; these are concentrated in the first book (fol. 9v, 22r, 24r, 27r, 28v, 29v, 31v, 32r, 36r, 41v and 170r). On fol. 21r, 41v and 44v, the illuminator could place the image in the small space left for the capital letters, which accounts for the smaller size of the miniatures. On fol. 21v he even doubled the image by adding another larger vignette on the bottom of the column, with a scene very similar to the smaller one inside the letter F that starts the \textit{fuero}. The other case is on fol. 126r, where the scribe left a blank space in the middle of a \textit{fuero}, which will be discussed below.
\item \textsuperscript{\textit{16}} 'The image is the true founder of the text because it is the text initial: one cannot read the text without not only looking at the image first, but reading it too since it is the text also,' Schmitt, 'Le miroir du canoniste': 1476.
\item \textsuperscript{\textit{17}} As is also the case for the other known illuminated manuscript of Aragonese \textit{fueros} in which a king or a judge is depicted at the beginning of each chapter. \textit{Fori Aragonum}, London, British Library, MS. Add 36618.
\end{itemize}
of the juridical miniature. And each miniature has a narrative quality with either a ‘simple’ or a ‘double’ structure: 83 of the images are ‘simple images’, that is, they are formed by a single scene that refers to the subject of the *fueiro* in question. Seventy-four images are ‘multiple images’, in other words, they have been pictorially divided either vertically or horizontally into two or more scenes. These divisions are depicted in various ways—demarcated by the architecture in the scene, by an item of the landscape such as a tree, by the letter itself mingling with the image, or by two back-to-back figures. By combining two or three scenes in a miniature the artist conveys a sense of temporality and thus of narration. But the scenes are not juxtaposed solely for storytelling purposes, as will be demonstrated.

The *fueiro*, *De usu I habitatione es assaber de usage I de abitamiento* (Figure 1), pertains to regulating the use of a property for residential or commercial purposes—it deals with rent, lending or inheritance. The line marked by the conjunctions of the outside wall of the house in dispute and the back of the blue personage in the court divides the miniature into two clear-cut spaces. On the right, a man depicted in profile works with a hammer in front of another figure. This latter person is seated, in a position of apparent privilege, under the middle of an arch and on a large seat; his position suggests that he is the owner of the house. On the left side a judge confers with two individuals. The judge sits at the far left within the picture space. His gestures are familiar: his right hand extends upwards, his left hand points. His first interlocutor holds a script in his right hand and points towards the scene on the right with his left hand; he might be a jurist or the owner. The second figure places his hand on top of the latter man’s arm; he could be the plaintiff.

The dynamic of the gestures is worth emphasising—the action of pointing is specially marked. The judge points towards the rest of the miniature, but also, more significantly, he points towards the beginning of the text. Additionally, the blue figure—which is prolonged and underlined by the folding of arm and hand of his companion—points towards the scene behind him.

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18 Or 53 per cent of the miniatures of which 39 (47 per cent) represent a court of justice presided over by a judge or a king.

19 Or 47 per cent of the miniatures of which 52 (70 per cent) include a court of justice.

20 'De usu I habitatione es assaber de usage I de abitamiento', *Vidal Mayor*, Book IV, folios 164v to 165r. The initial should be an *S/eruitud puede ganar*.
The action of pointing towards the right scene is a clear visual referral: the action is taking place on the court’s side of the image. The judge’s gestures and the position of the cleric in blue indicate the fact that the juridical court is in session, and that the owner’s case is being stated. In other words, the time frame of the narration is set by the gestures: the issue and/or contract between the conflicting parties is being referred to in front of the court. The scene on the right conveys the subject matter of what is occurring, but, more important, it is a pictorial representation of the case that is being deliberated in court. Such double-scene structures are common narrative devices in medieval imagery. But in the Vidal Mayor this narrative device seems to have a further meaning: it is in fact a visual reference within the miniature, a case that is being stated in the court of justice.

A further example introduces yet another level of abstraction. In the miniature illuminating the fuero, De usufructo es assaber auer usofoucto (Figure 2), the middle bar of the letter E separates the two scenes. The fuero defines usufruct, cites its etymology, and states that usufruct can be inherited. In the lower scene, a parent makes his will. In the upper scene there is a discussion in front of the judge regarding the inheritance of the usufruct. The scene works within the same framework as the first example: the action takes place in the upper scene in which the court deliberates the case depicted in the lower section of the representation. Furthermore, in each scene the contested object, a field with trees, appears to inhabit a large portion of the space in the image, but with no greater separating device than the back of the notary, as in the scene below, and that of the owner in the scene above. In both the juridical situations, that depicting the drafting of a will and that of the law court, the field appears as a pictorial reference denoting a particular juridical category, in this case, the usufruct. This image deploys two levels of referral: it is not only the representation of the contested object in the image which is used as an allusion to the matter discussed in court, but also the court in the upper scene is shown discussing the issue portrayed in the lower part of the miniature.

The juridical relationship between the different components in these images is even clearer in an image in which the device of separation is virtually absent. In the image depicting the fuero regulating wages and lending, Depositi es assaber de la cosa que es dada ad alcar (Figure 3), the partition is effected through the posture of the accused body’s

21 'De usufructo es assaber auer usofoucto’, Vidal Mayor, Book IV, folios 165r to 165v.
Figure 2
unfolding: an effective pictorial method that superimposes the two scenes. The plaintiff points towards the latter’s double body, identifying at the same time with his gesture the accused and the cause for the trial. Again the accent of the image is on the court.

A further example of this pictorial device can be found in Figure 4, in which the fuero, *Nec uir pro uxor pro uiro aliquatenus puniatur, Que ni el marido por la muiller nila muiller por el marido non deue ser puynnido*, illustrates the separate responsibilities for crimes committed by married partners. The family appears with the accused in the king’s court, surrounded by two soldiers. The victim’s body is shown lying at the lowest level of the picture frame, as evidence of murder. A straight line illustrates the victim’s cut waist, a stylistic feature not commensurate with the artist’s skills, but one which constitutes an additional reference to the violent death in question. However the victim’s head and arms are actually outside the miniature’s space, lying on the initial, outside of the image’s field, which indicates that this body is simply being referred to in the trial. The figure originates at the feet of the king as an inflated balloon, perhaps making a statement about the king’s duties with regard to the enforcement of justice.

Miniatures in this manuscript marked by a dual structure point to action taking place on the side of the court where the different cases are being heard in the presence of the judge. What is being stated in the court is an example for the fuero, a particular image-case chosen among others and displayed ingeniously in the other section of the image. The functioning of this representative mode can be grasped when perceived in the context of the larger meaning attributed to the category of the *imago* in the Middle Ages: not only as a symbolic material product—miniatures or metaphors—but equally as a mental image, an imaginary mental operation, in this case the juridical enunciation of a case. Through this structure, the *Vidal Mayor*’s images adopt the formula of juridical casuistry. Not only do they reproduce the casuistic methodology by

22 ‘Depositi es assaber de la cosa que es dada ad alcar’, *Vidal Mayor*, Book V, folios 174v to 175v.

23 ‘Nec uir pro uxor pro uiro aliquatenus puniatur. Que ni el marido por la muiller nila muiller por el marido non deue ser puynnido’, *Vidal Mayor*, Book II, folios 91v and 92r.


giving yet another juridical example for each *fuero*, but also the image itself reproduces the casuistic procedure undertaken by the judge as he is shown stating a particular case in his court. Through reproducing the methods of jurisprudence, the images of this manuscript on customary law, make up, in this manner, the core of juridical complexities. Their visual movement originates in the court, moves through the particular case stated, and then takes us back to the court where the *fuero* is being applied—thus to the text. The images represent the relationship between the practice of the law (illustrated by a story, a particular juridical case) and the *fuero*, in its double meaning of court of justice where the law is stated and administered, but also of the text itself.\(^{26}\) As Robert Jacob reminds us, citing an old English judicial saying, ‘Justice has not only to be done, but shown to be done.’\(^{27}\) And that is precisely what these images are meant to illustrate. Throughout the aforementioned movement, the images actively legitimise the court’s authority, and by association, the compilation’s validity.\(^{28}\)

### The Source of Authority

In view of the definition of a ‘juridical image’ given above, an analysis of the representation of the source of juridical authority becomes necessary. The source of juridical authority in the *Vidal Mayor* is represented 67 times through the figure of a judge, and 28 times by the personage of a king. In five instances, the court contains both figures.

The image of the king is similar throughout the manuscript (see Figure 4). He is young and bearded, crowned, and dressed in a tunic and cape. He sits on a massive throne, situated, in 19 instances, within the right frame of the image, and in six cases, in the middle. Twice, he is depicted in majesty\(^{29}\), and is presented standing only once (as in Figure 5). In the remaining images he faces the other figures, but with frontal

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\(^{26}\) On the different uses of the term ‘*fuero*’: as jurisdiction, law, right and privilege (and as opposed to ‘derecho’, as in common law), A. García Gallo, ‘Aportación al estudio de los *fueros*’, *AHDE*, vol. 26, 1956: 387-446.

\(^{27}\) Jacob, *Images de la justice*: 9.

\(^{28}\) The questions of legitimisation, representation and sight are part of a larger body of work in progress. The importance of ‘sight’ in Alfonso de Castilla’s juridical works has been studied by Marta Madero, ‘Languages et images du procès dans l’Espagne médiévale’, printed separately.

\(^{29}\) In majesty: in the prologue miniature where the manuscript has been presented to the king (fol. lr) and in the miniature illuminating Book VII containing feudal law, the ranks of nobility and their relation to the king (fol. 223v).
parallel legs (23 times). Occasionally his legs are crossed in a gesture of royal self-sufficiency common in medieval art (five times). He points with his right hand towards the remaining figures and the text. When he is not carrying a sceptre or a sword, his left hand lies on his lap, his elbow bent in an authoritative gesture. The limited catalogue of his gestures—comparable only to those of the judge—stresses the king's imposing presence and power, it forms a contrast to the multiplicity of gestures which characterises the representation of other figures.\textsuperscript{30}

The \textit{Vidal Mayor}'s king performs three different functions. He is the feudal overlord, regulating the peace and truce in his kingdom, or receiving homage. It may be recalled that Aragonese law was heavily influenced by feudal practices. In the manuscript, the king is visualised, on several occasions, performing his duties as feudal lord. In Figure 5, the miniature illuminating the beginning of Book VIII, dealing with peace and truce rights, and other royal prerogatives such as the minting of coins, the king is depicted standing between the two parties whom he is reconciling.\textsuperscript{31} This composition presents an effective rendering of peace making. The movement is concentrated upon the centre of the image, where the king stands. The arms of the two parties are positioned to create a chain locked by the king. The pictorial space forms an arch beneath the king's head that is further underlined by the arms of the two figures flanking him on either side.

The king is also seen as judge, and in this capacity, he is the final authority in the enforcement of law and punishments in his kingdom, as well as the ultimate court of appeal.\textsuperscript{32} The image stresses this function by insisting on his sword and the frequent appearance of soldiers around him.\textsuperscript{33} In the miniatures he is shown as guarantor of the social order in cases such as the protection of roads, but also, as in Figure 4 as the judge of blood-related crimes.\textsuperscript{34}

\textsuperscript{30} On the delimitation of gestures as a demonstration of power, Schmitt, \textit{La raison des gestes dans l'occident médiéval}.

\textsuperscript{31} 'De tregua et pace es assaber de tregua et de', \textit{Vidal Mayor}, Book VIII, fols 237r–237v. The initial is an E/I seynnor rey don Pedro. . . .

\textsuperscript{32} See Figure 7.

\textsuperscript{33} The iconographic symbol chosen by Jaime 1st of Aragon is the sword. And the \textit{Vidal Mayor} text notes that lawyers are knights: 'cauiaeros de su propia cauialeria' (cit. \textit{Vidal Mayor}, fol. 38v). The armour of laws, and the jurists as knights is a theme already noticed by Ernst Kantorowicz 'Kingship under the Impact of Scientific Jurisprudence,' in \textit{Selected Studies}, New York, 1965: 153.

\textsuperscript{34} For Figure 4, see note 25. Vidal de Caneyas stresses in his prologue the fact that he, as a churchman, did not write the cases requiring a bloody punishment. He explains that the king's notaries added this \textit{fueros}. \textit{Vidal Mayor}, fol.2r
Finally, the king is portrayed as legislator. He appears as the origin of the *fueros*, receiving the compilation he has ordered, but he is also shown in the image each time the text mentions a particular king as the authority at the source of proclamation of that *fuero*. As feudal lord, provider of justice and legislator, the *Vidal Mayor*'s king seems the perfect pictorial image of that moment in juridical history described by Ernst Kantorowicz where the *rex legislator* has not quite yet replaced the *rex instus*. A moment at which the notion of *lex animata* ‘appears as a partial rationalisation of the political realm insofar as it reconciles the irrationality of the living customary world with the rationality of the new written law.’ The concept of *lex animata* offers a point of reconciliation between a political reality based on personal relations, and the king’s ideal of a systematic law resting on order and procedure. And indeed, Vidal de Caney’s work is inscribed as part of the king of Aragon’s efforts to impose with difficulty an ideal systematised and more efficient juridical order as a tool for the exercise of power in his territories, both old and recently conquered. In this new order, his *alcaldes*, or judges would play an essential role.

The judge of the *Vidal Mayor* wears a two-piece red and blue robe, a white cap and a hat. The robe serves to identify the judge in his office and to confirm his professional status. He is represented as being taller than the other figures or, if seated, the same size, reinforcing his hierarchical prominence. But the principal attribute of this judge seems to be the place where he is situated. In 63 out of 67 images, the judge is seated: 51 times on a yellow chair, 12 times on a more elaborate *siège*, such as the one on which the king is seated. But in the four images of the *Vidal Mayor* in which the judge is not seated and appears without his chair, the juridical activity is suspended in the *fuero*, as in Figure 2. In this miniature, the judge must establish the sickness of a man whom he cannot try before he has recovered. The initial ‘S’ marks the partition. In the upper scene two figures present the case to the judge sitting in his chair. Below, the judge stands by the sick man he cannot try.37

35 Kantorowicz, 'Kingship under the Impact of Scientific Jurisprudence,’: 161.
37 A sick man is not obliged to attend the court if he cannot attend church. ‘Forus per se. Fuero por si’, *Vidal Mayor*, Book II, fols 83r–83v. Initial S/I el baille o . . . The other three images are in fol. 31v. ‘De ferijs. De las fiestas; the text states that trials cannot occur on the days of religious feasts. If the bailiff fixes such a date for a trial by mistake, the trial
Figure 6
The judge’s siège in the Vidal Mayor is the symbol of the court as the place for juridical action; it vanishes when the court is not functioning. It marks the authority and pre-eminence of the judge; it allows him to adopt the seated position, otherwise reserved in this manuscript for the king. Recalling Galienne Francastel’s demonstration in her analysis of thrones in Medieval Occident—that a throne’s sacred prominence is automatically transferable to the person who occupies it—the Vidal Mayor’s chairs and sièges, sitting judges and the king, seem to express not only the concept of jurisdiction but also that of juridical representation of legal authority.

As in the case of the figure of the king’s, the gestures of the judge display a limited range. His body is shown either frontally or in profile, his head is turned a quarter towards the other figures, his legs are always either parallel or folded. His right hand serves to point; his left hand is depicted open and straight, in different directions. On eight occasions this hand holds a book; on each occasion except one, he uses it to sanction an oath. The act of pointing by both the king and the judge is an authoritative gesture. In medieval iconography, this gesture came to be considered a mark of eloquence and, coming from a man invested with auctoritas, pointed to a pedagogical function. The judge, the source of juridical authority, raises his finger to enunciate and/or demonstrate the law, which is the purpose of Vidal de Caneyes’ text. By this gesture, the source of authority, further, imposes itself as the enforcing power of the law, he is the figure that links the fueros and its practice.

We have seen that the king and judge are treated similarly in the images of the Vidal Mayor. But even as the king shares the function of
authority with the judge, these representations do establish a hierarchical tension between them. A closer comparison between both figures reveals differences in status. The king is clearly the source of jurisprudence. The text of our manuscript suggests that

as the crown on Aaron’s head shines in the middle of the sky giving light to the whole world, the law shines in the royal majesty in which it is established. As a river flowing from a source, it is convenient that the law and the use of law descend upon all others (from the king).39

A serial study shows that placement in the image is carefully assigned, as for example, in Books I to III, which include the procedural sections of the text. In these books, the figure of the king sits invariably to the right or in the centre of the picture space. Meanwhile, the judge is placed to the right of the image frame in only two types of images: when he witnesses another figure’s oath (i.e., when his function is closer to the sacred), and in double-structured images where, as seen, the focus is on the court. In those fueros that deal with the customary and feudal sources of the law, Books IV to IX, the king appears only when named in the text. On every other occasion the judge is pictured in a position similar to that of the king. He is his representative. There are only four images in which king and judge appear at the same time. Three have a similar context, as in Figure 7.40

The fuero, De re iudicada, es assaber: De cosa iugada,41 discusses the time a person was required to wait before he could appeal, if new ‘instruments’ are found. The king, wielding his sceptre, agreed to see the new proof, which is represented as written material. This miniature shows the court of the king as the court of appeals, establishing a clear hierarchy of juridical authority. The issue is a significant one because the system of court of appeals was one of the political modalities established

39 Assi como la corona en la cabeza de Aaron et la resplandor en meyos del firmament, alumpnando todo el firmament del mundo, assi resplandece el dreito en la real majestad, en la qual es establecida en tal guisa que assi como la fuent en los rios, conuiene d’eill que descienda el dreito et el uso del dreito en todos los otros. Vidal Mayor, Book I, fol 66r.

40 The other two cases are in Fol. 49, De iurisdictione omnium, co es: Del dreito de todos los alcaldes’, and Fol. 183r, ‘De innominatis contractibus, es assaber: De los contratos que non son nompnados.’

41 ‘De re iudicada, es assaber: De cosa iugada,’ Vidal Mayor, Book III, fol. 133r. Initial P/ or razon de los instrumentos...
by Jaime I of Aragon in his kingdom during the thirteenth century as an instrument of political power.\textsuperscript{42}

The image opening the second book covering procedural law (Figure 8) is perhaps the most interesting miniature of the series.\textsuperscript{43} The miniature is inscribed at the beginning of the series of fueros regulating trials.\textsuperscript{44} The text emphasises the necessity for the judges to be fair and the importance of proof and of good reasoning in the rendering of a judgment. The initial ‘N’ is divided vertically and presents the courts of the king and of the judge. Each scene is separate and distinct but for the apparent interlocution, or perhaps even discussion, between judge and king placed at the same level in the image, and the contact of one of the figure’s robes with the soldier’s shield. The king occupies the largest expanse of the picture space. His throne is massive, even more so than that of the judge. This is the only occasion in the manuscript where he is presented in profile. The judge’s size is almost, but not quite, as imposing as that of the king. He is seated on a similar siège. On the king’s side lies the power supporting the law, highlighted by the presence of the soldier and of the king’s massive sword, poised arguably in a powerful phallic position. The judge’s side is filled with the elements of juridical procedure: attorneys, evidence pieces, and complaining parties are shown in an organised structure.

The image is replete with contrasting effects; the colours of the background (red/blue) contrast with those of the costumes of the king and the judge. The chromatic contrast seems to originate in the middle column where both colours mix. The image is a game of mirrors. The king’s discussion with the judge is reflected in the court’s activity; meanwhile, the judge is shown actively presiding. He touches a written document with his left hand, thus basing both his judgement as well as his simultaneous dialogue with court and king on the written word. The dramatisation is underlined by the marginia: a dog chases a rabbit. The movement of the chase takes place from the judge to the king.

\textsuperscript{42} As a response to the strong opposition to the new jurisprudence in his kingdom, the king sought to concentrate in his hands the control of the following procedures: non-legal ways of creating norms; the expedition of written instruments; juridical decisions through the system of appeals; the order of juridical professionals; and the integration of juridical themes not contemplated in the texts. Jesús Morales Arrizabalaga, ‘Formulación y hermenéutica de la foralidad aragonesa (1247–1437)’, in E. Gastón Sanz et al., Estudios de derecho aragonés, Cuadernos de cultura aragonesa, 16, Zaragoza: 47–100.

\textsuperscript{43} ‘De iudicis, co es de los iuditios’, Vidal Mayor, Book II, fol. 72v. Initial N/ingun iuyz...

\textsuperscript{44} ‘Iuditios’ means trial or judgement.
Figure 8
The above image repeats the hierarchy of authorities presented in the manuscript. But it also introduces a subversive position with respect to the judge sitting before this wickedly profiled king. The representation seems to convey the strong tension in Aragonese history over the origin of the prevailing law: a kingdom ruled by the Aragonese 'customs' or by their romanticised version provided by Jaime I's compilation? In fact, during the decade of 1280's King Pedro III was forced to sign a 'general privilege' imposed by the nobility where he agreed to respect the customs of the land. And, during this same decade, the figure of the Justicia General de Aragón acquired greater pre-eminence in the juridical system through the acquisition of powers of jurisdiction independent of the king.45

Conclusion: Law and the Image

Because of its artificial nature and relationship to power, law is a representative system: it represents the power it embodies, and acts to legitimise that power. Therefore, it is important that the law and justice be seen. The images examined here reinforce the function of the codes they illuminate, both pedagogically and dogmatically. This analysis has highlighted the ways in which the miniatures of the Vidal Mayor convey the historical development of Aragonese law and relationships within the juridical structure. In addition, they relate to procedures and practices of the law, hierarchical organisation, and the representation of the sources of juridical authority. As visual documents, miniatures emerge as an integral part of the juridical mentality of the society they sought to represent through their particular language.

45 Arrizabalaga, 'Formulación y hermenéutica de la foralidad aragonesa (1247–1437)': 85–86.