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THE COMPROMISE OF CASPE: AN EPISODE FROM THE HISTORY OF PEACEFUL DISPUTE SETTLEMENT

The Compromise of Caspe (1412) is a famous and non-trivial example of resolving a succession dispute with foreign candidates participating that belongs to the epoch of feudalism in Europe. The most important consequence of this solution was preparation for creating the united nation of Spain. The article gives an analysis of the peculiarities of the legal form of resolving this dispute and of its possible contribution in developing the practice of international disputes' peaceful settlement.

Introduction. The Compromise of Caspe (el Compromiso de Caspe) is an act of solution of a famous historical dispute of a special kind, namely, a succession dispute. The election in 1412 to the vacant throne of the Crown of Aragon of a member of the royal house regnant in Castile put an end to a political crisis and became one of the most important historic actions that prepared the future uniting of Spain. The way of election also had its peculiarities: the winner was determined following the application of a legal procedure agreed upon by the bodies of the estate representation of the three main parts of the Crown of Aragon.

The Compromise is acknowledged presently as an important page in the Spanish history. The modern unity of the Spanish state does probably overshadow the fact, that the election was an event of international importance at the time when it was performed, because Castile and Aragon were separate states at the time, and also because various actors of the international relations of the period participated in the dispute.

The purpose of this research article is to propose an answer whether and to what extent the Compromise of Caspe may be viewed as an event that contributed to the development of the peaceful means of international dispute settlement.

The circumstances of the dispute. The Crown of Aragon, one of the state entities, that had been predecessors to the modern state of Spain, had a following special feature: the authority of the king of Aragon was acknowledged by inhabitants of a number of territories, each of them having its own political system and law and order. The basis of the union was formed by the Kingdom of Aragon itself, the Kingdom of Valencia and the principate (el principado) of Catalonia (Cataluña); the policy of the Crown being expansionist, new lands were being annexed. When accessing to the throne the King swore an oath to preserve the integrity of

the Crown's possessions, yet each of the entities members was striving to preserve its domestic order as it was and inviolable¹. Strong parliaments were another peculiarity. The general parliament was convened in case of necessity, yet debate and voting of the three members of the Crown were held separately².

As the union was inhomogeneous and its members preserved their political and legal isolation, V. K. Piskorskii at the beginning of the XX century called it 'the Aragonese federation'³, the term which probably looks not quite precise in the context of our modern ideas on federal organization. M. del Treppo, describing the Crown of Aragon in the 'New Cambridge History of the Middle Ages' (2008), points out that the union is nowadays defined in historic literature as a confederation, and writes in support of this opinion: 'What we have here ... not originally but certainly from the end of the thirteenth century, is a real union with federal overtones guaranteed not so much by the person of the sovereign ... but rather by the will of his subjects as expressed in the representative assemblies which imposed on the king the inalienable rights of his dominions.(...) The modern definition of a confederation as the sharing of sovereignty between member states and a central governing body does basically fit the crown of Aragon, even though there was no cession of sovereignty by the member states to the central governing body'⁴.

In May of 1410 the King of Aragon Martin I the Humane (El Humano) died with no direct legitimate heir. The possessions of the Crown of Aragon comprised at the moment the Balearic Islands, Sicily and Sardinia. The efforts of Martin I to secure the succession had been unsuccessful; on his deathbed he expressed his wish that a search for the successor with the best rights should be started. There were several pretenders to the Crown of Aragon, each in more or less distant relation to the late king, but none possessing the evident advantage. Fernando (Ferdinand) de Antequera (his nickname coming from the fortress of Antequera that he had won from the Muslims) of the House of Trastámara from Castile and Jaime (James) II, the Count of Urgell (or 'conde de Urgel' in Spanish), were the main contenders. Fernando de Antequera was uncle to the King of Castile Juan (John) II, and because of the latter's minority he was at the time exercising the function of regent in Castile

¹ Пискорский, В. К. (1909). *История Испании и Португалии*. Санкт-Петербург: Акционерное общество "Брокгауз-Ефрон", 70.

² Ibid.

³ Ibid., 69.

⁴ del Treppo M. (2008). Aragon In Ch. Allmand. (Ed.), *The New Cambridge Medieval History*, VII, (p.592). Cambridge, Cambridge University Press.

together with the Queen Mother. Jaime II, the Count of Urgell was the governor-general of the Crown of Aragon after the death of Martin I. As to their relation to the late king, Fernando de Antequera was a son of his sister, and the Count of Urgell was son of his cousin Pedro (Peter) and husband to his another sister.

For 2 years (1410 – 1412) the possessions of the Crown of Aragon were thrown into the period of Interregnum (El Interregno), marked by political instability and bloodshed. The claims to the vacant throne were made in September 1410 before the Parliament of Catalonia. In February 1411 in the town of Calatayud in Aragon an Assembly was gathered under the presidency of the Archbishop of Zaragoza and the Supreme Judge (El Justicia Mayor) of Aragon; it empowered the parliaments of Aragon, Catalonia and Valencia to solve the dispute. The Archbishop of Zaragoza was later on murdered by the most powerful supporter of the Count of Urgell, an event that indicated the intensity of struggle and certainly provoked resentment¹. An armed intervention from Castile in support of Fernando de Antequera took place². The antipope Benedict XIII (Pedro Martínez de Luna) of Aragonese origin and acknowledged in Aragon as Pope, also exercised his influence on the solution of the conflict and supported Fernando as well. Fernando's supporters won the Battle of Murviedro of February 27 1412 in the territory of Valencia³.

The means of the dispute solution was devised by the Agreement of Alcañiz of February 15 1412 between Aragon and Catalonia (for in Valencia attempts to convene one meeting were a failure, yet representatives were sent by one of the assemblies gathered there)⁴. Following the Agreement nine people of authority were to gather in a place determined and choose the King. On March 29 1412 the nine electors got down to their task in an Aragonese town of Caspe and on June 25 they declared the Castilian prince don Fernando elected. Fernando de Antequera was solemnly proclaimed King of Aragon three days later.

So what happened in Caspe was the solution of a succession dispute with foreign contenders participant, that was reached by efforts of the bodies of estate representation of the three main parts of the Crown of

¹ Sesma Muñoz, J.A., Laliena Corbera, C., Monterde Albiac, Cr. (2012). *En el sexto centenario de la Concordia de Alcañiz y del Compromiso de Caspe*. Zaragoza: Gobierno de Aragón, 7.

² Ibid. – 8, see also Альтамира-и-Крева, Р. (1951). *История Испании*. Москва: Издательство иностранной литературы, 263.

³ Sesma Muñoz J.A. Laliena Corbera C., Monterde Albiac Cr. *Op.cit.*, 8.

⁴ Janer, F. (1855). *Examen de los sucesos y circunstancias que motivaron el Compromiso de Caspe*. Madrid: Imprinto de la Real Academia de la Historia, 57.

Aragon and on the basis of an agreement of those three parts. The House of Trastámara that had been regnant in Castile became also regnant in Aragon. (Though it is probably worth an emphasis that due to family links it was not a completely new and strange family to Aragon).

The Contents of the Agreement of Alcañiz and of the Compromise of Caspe

The Agreement of Alcañiz has as its parties Aragon and Catalonia, represented by their respective parliaments. That's why the text of the Agreement starts with the list of the representatives of those parliaments, that actually sign the Agreement, on both sides. As to the Kingdom of Valencia the text states that an agreement was reached to proceed with the negotiations without the Valencian representatives, but they should arrive to take part in the further preparations with no right to change anything already decided upon [XXVI]^{1 2}.

The analysis of the 28 articles of the texts lets define the following main elements of the Agreement of Alcañiz:

1. Preservation of the law of Aragon and Catalonia intact. This very undertaking was considered being of so high importance, that the document starts with the provision formulating it. The parties agreed that the document should not in any way infringe upon domestic law and order of the states members to the Crown. Any intention to pose a contradiction to their domestic laws was also denied³.

2. Definition of the subject matter of the dispute being simultaneously the definition of the competence of the body being created to solve the dispute, namely 'investigation, inquiry, information, cognition, acknowledgement and declaration to whom the Parliaments, subjects and vassals of the royal Crown of Aragon have to swear their allegiance and whom they have to receive as their true king and lord, as to the justice, God's will and their conscience' [II, V]⁴. The conscience of those entitled

¹ This research uses the Spanish translations of both the Agreement of Alcañiz and the Compromise of Caspe from Latin published in the booklet Sesma Muñoz J.A., Laliena Corbera C., Monterde Albiac Cr. (2012). *En el sexto centenario de la Concordia de Alcañiz y del Compromiso de Caspe*. Zaragoza: Gobierno de Aragón, 7. In accordance with this publication the numbers of the articles of the agreement are marked with Roman numbers and given in square brackets. Quotations are given in English translation by the author of the present research and with notes per page.

² La Concordia de Alcañiz In Sesma Muñoz J.A., Laliena Corbera C., Monterde Albiac Cr. (2012) *En el sexto centenario de la Concordia de Alcañiz y del Compromiso de Caspe*. Zaragoza: Gobierno de Aragón, 35.

³ Ibid, 30-31.

⁴ La Concordia de Alcañiz In Sesma Muñoz J.A., Laliena Corbera C., Monterde Albiac Cr. (2012). *En el sexto centenario de la Concordia de Alcañiz y del Compromiso de Caspe*. Zaragoza: Gobierno de Aragón, 31.

to make the decision was meant here, thus underlying that the electors were expected to act in good conscience).

3. Way of dispute solution. The subject matter of the dispute is submitted to the nine people that are expected to act in full accordance with the present Agreement ('with everything said above and below'¹), reasonably and being well informed [II, III]. The nine electors receive from the parliaments all the powers as to the matter of the case and everything related thereto [V]². The nine electors are divided into three degrees, three people in each [IV], for the needs of security and decision making.

4. Demands to the electors and the way of their nomination. The electors have to possess 'good conscience, good fame and respond to their office' [II, IX]³. The list of the nine people is to be agreed upon by the parliaments during 20 days since the signing of the present articles [V].

5. Term for dispute solution. The time-limit for decision making was 2 months starting from the fixed date of March 29, 1412. The term could be prolonged by the decision of the nine for a period no longer than other 2 months, that is, not past July 29 [V]. Taken in total, the time period for the activities of the electors (including both investigation and deliberation) was not to last over 4 months, and it in fact lasted 3, June 29 being set by the electors as the latest term⁴.

6. Way of decision-making. The decision was to be taken either by mutual consent or by the minimum number of six votes, but in that case the total six votes were to comprise at least one vote from each of the three degrees [V].

7. Other procedural clauses and the clauses as to the way of financing the body. The pretenders to the Crown of Aragon were to be notified in writing of the way and time of the dispute being examined in the name of the parliaments [XXI]. The exercise of religious rituals was seen as an important means to guarantee a just decision. The nine electors were to give a solemn and specified oath of justice and impartiality before the proceedings [VI]⁵. They and other participants to the proceedings also had to swear not to spread any information on it before the choice was declared [Ibid]. The declaration of the decision was also to be ac-

¹ Ibid.

² Ibid.

³ Ibid, 32.

⁴ Sesma Muñoz, J.A., Laliena Corbera, C., Monterde Albiac, Cr. (2012). *En el sexto centenario de la Concordia de Alcañiz y del Compromiso de Caspe*. Zaragoza: Gobierno de Aragón, 37.

⁵ La Concordia de Alcañiz In Sesma Muñoz, J.A., Laliena Corbera, C., Monterde Albiac, Cr. (2012). *En el sexto centenario de la Concordia de Alcañiz y del Compromiso de Caspe*. Zaragoza: Gobierno de Aragón, 32.

accompanied by a Mass and a sermon, and by other religious rituals specially foreseen in the Agreement¹. It was also established that a number of notarial acts should be composed on the proclamation of the new King [XII].

The nine electors themselves were empowered to replace an elector that could not act in office on various reasons; the same quality criteria were to be observed. The person elected in replacement would become equal to the rest and had to swear the same oath [IX]. One replacement did take place in fact because of the state of an elector's health².

A special group of the provisions deals with the procedure according to which the nine electors should receive information [VII – VIII]. It was to be received in the first place from those who had delivered it earlier, and if any information from various sources arrived simultaneously, the nine electors were free to decide upon the order of receiving. The electors had powers to address the representatives of the contenders with the view to receive the necessary information and also had powers to call for witnesses.

The issue of financing was dealt as follows: the expenses of the Aragonese were to be taken by Aragon, and of the Catalan – by Catalonia respectively, and mutual expenses were to be taken 'according to a custom' [XXVII]³ (without further specification of the manner in the text).

The nine electors were obliged to observe rights, freedoms and privileges of the states of the Crown of Aragon as well as their heritage and benefit in the form 'as secure and honest, as possible' when conversing with the contenders and their representatives [XIII]⁴.

8. Provisions aimed at providing for security of the election body. This group of provisions may be of special interest because of its elaborate character. The town of Caspe on the river of Ebro in the kingdom of Aragon was determined as the headquarters of the nine electors [XIV]. The nine electors were to be present there in person, and none had the right to detain them 'in a deceitful or malignant way' [III]⁵. Each degree of the nine (that is, a group of each three electors of the nine) could be accompanied by no more than 30 knights and no more than 40 other of-

¹ Ibid. – 33.

² Sesma Muñoz, J.A., Laliena Corbera, C., Monterde Albiac, Cr. (2012). *En el sexto centenario de la Concordia de Alcañiz y del Compromiso de Caspe*. Zaragoza: Gobierno de Aragón, 37.

³ La Concordia de Alcañiz In Sesma Muñoz, J.A., Laliena Corbera, C., Monterde Albiac, Cr. (2012). *En el sexto centenario de la Concordia de Alcañiz y del Compromiso de Caspe*. Zaragoza: Gobierno de Aragón, 35.

⁴ Ibid. – 33.

⁵ Ibid. – 31.

ficials, ‘armed or unarmed, as they will deem convenient’ [IV]¹; this train could be distributed among the electors within each degree according to their desires.

Instead of expected provisions on the immunity of the electors the reader of the Agreement encounters the clause, according to which they received the authority over the town of Caspe for the period of their function and eight days additional [XV]. The Pope was to be asked to take the decision, to whom and for what term the jurisdiction over the ecclesiastics in Caspe shall be given [Ibid]. Jurisdiction in their name was to be exercised in practice by the two captains appointed by the parliaments. Each captain was to have 50 armed people with him. The town was to receive all the necessary supply in food and arms[XVIII]. There were restrictions to free movement introduced, for none could approach the lodging of the nine electors without their express permission[XIX]. Unarmed people could enter the town only in amounts permitted by the captains [Ibid]. None could approach the town at the distance of four leagues if accompanied by more than twenty armed people, having four lances with them [XX]. No official could enter the town without either permission or order from the nine electors[Ibid]. The ambassadors taking part in the proceedings could bring with them no more than 40 riders and 50 unarmed people for each mission [Ibid].

9. Provisions as to the procedure of the proclamation of the decision and its binding force. The decision of the nine electors was to be considered ‘an act just, unchangeable, valid and firm’ [V]². Before its official declaration, the decision was to be notified to the parliaments, for which purpose each of the parliaments had to send a number of representatives to listen to it [X]. The parliaments were to remain in session for all the time of deliberation and were not obliged to dissolve after the annunciation of the name of the King elected [XXII]. The parliaments undertook not to withdraw the powers of the nine electors, not to pose them any obstacles and not to contest the decision reached [XXIV]. **Those undertakings** were guaranteed by a promise and an oath taken by the representatives of the parliaments that had concluded the Agreement in their names.

To receive a clearer vision of the Agreement of Alcañiz as a document establishing a body of dispute settlement it is also worth noticing what it contains not – that is, which points are not regulated by it, though our contemporary researchers might think this regulation to be necessary.

¹ Ibid.

² Ibid.

The Agreement does not contain any general name for this temporary body. It's called neither 'court', nor 'commission', nor in any other way. Only the expression 'nine people' is used. The creators probably just didn't care to give it some general name.

Then, the Agreement does not specify any sources of law to be used by the electors, though some criteria for their guidance are numbered, justice among them [II]. It is stated that the nine were to act in accordance with the present agreement, and it regulated the procedural aspects of the activities of the body being established. It was probably believed clear that the nine electors should apply the domestic law of the Crown of Aragon as to the throne inheritance.

There is no notice either that the proceedings in dispute should have a competitive character. The selection of the form was probably left to the nine electors.

The contenders themselves didn't take part in the formation of the body designed to solve their dispute, the body being formed by the parliaments of the main parts of the Crown of Aragon.

Finally, the Agreement does not provide for any measures to be taken in case of non-compliance with the decision (for instance, if parties, people under their jurisdiction or, for instance, pretenders defeated should not comply with it). This may be a testimony that the Agreement was devised as a final means of dispute solution and it was not generally expected to be violated at least by the subjects of the Crown of Aragon.

The Compromise of Caspe as itself is a notarial act certifying the declaration of the decision of the nine electors. Its text partly repeats the language of the clauses of the Agreement of Alcañiz, thus stressing that the nine electors proceed in its exercise and its provisions are thoroughly complied with. The following elements may be distinguished in the text of the Compromise:

1. List of the names of the nine electors, their offices stated. Five of them were ecclesiastics, three are named as possessing doctoral degrees in various fields of law, one elector was also a lawyer¹, but is named only as 'the Lord of the settlement of Saidin'². Those nine are described as 'the nine deputies, chosen by general parliaments', which testifies that they act not as themselves, but as representatives of the parliaments of the members of the Crown of Aragon. Three deputies were chosen from

¹ Альтамира и Крева, Р. *Op.cit.*, 263.

² Acta del Compromiso de Caspe In Sesma Muñoz, J.A., Laliena Corbera, C., Monterde Albiac, Cr. (2012). *En el sexto centenario de la Concordia de Alcañiz y del Compromiso de Caspe*. Zaragoza: Gobierno de Aragón, 41.

the Kingdom of Aragon, three from Catalonia and three from Valencia¹, though it is not stated expressly in the text of the Compromise.

2. Legal bases of the deputies' powers: their election and powers are evident from the public record made in Alcañiz on March 14 1412 a .d. and in Tortosa on March 13 of the same year, and in the castle of Caspe on May 16 of the same year in the exercise of the articles agreed upon by the said Parliaments².

3. Scope of the deputies' powers: they have the fullest authority, faculty and power³.

4. Contents of their powers. This is formulated according to the Agreement of Alcañiz: to 'investigate, inquire, inform, cognise, acknowledge and declare to whom the Parliaments, subjects and vassals of the royal Crown of Aragon have to swear their allegiance and whom they have to receive as their true king and lord'⁴.

5. Bases of the decision: 'justice, God's will and our conscience'⁵.

6. Way of decision-making. This is also stated in accordance with the Agreement of Alcañiz: the decision should be taken either by nine or by six, but in that case comprising one from each degree⁶.

7. Statement that the decision is binding and cannot be contested, in correspondence to the Agreement of Alcañiz: the decision 'shall be deemed an act just, unchangeable, valid and firm, following the said powers and articles'⁷.

8. Special notice on the oath that deputies had given as a means to guarantee the just decision and on the document certifying that the oath was taken. Each of the deputies had sworn in person solemnly and publicly to deal with the matter with such zeal as was reasonably possible and to declare the true king and lord following the said vow and oath⁸.

9. List of preliminary conditions of the decision that the activities of the deputies had met: such as the compliance with the mode and form of their election and powers, the performance of investigation and all the other deeds necessary, submission of the criteria followed in their

¹ Альтамира-и-Крева, P. *Op.cit.*, 263; see also Janer, F. *Op.cit.*, 57–58.

² Acta del Compromiso de Caspe In Sesma Muñoz, J.A., Laliena Corbera, C., Monterde Albiac, Cr. (2012). *En el sexto centenario de la Concordia de Alcañiz y del Compromiso de Caspe*. Zaragoza: Gobierno de Aragón, 41.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

decision-making, their devotion to God and their good conscience, and their impartiality¹.

10. Decision itself: 'We say and declare that the said Parliaments and subjects and vassals of the Crown of Aragon must and are obliged to swear their allegiance to the most illustrious and excellent prince and lord don Fernando, the Infant of Castile, and they must and are obliged to acknowledge this don Fernando as their true king and lord'².

11. Request to the notaries to make one or several records on the fact.

12. Statement of the place where the decision was taken and announced.

13. List of 5 witnesses (whose presence had also been envisaged by the Agreement of Alcañiz) and 6 notaries and secretaries.

So the Compromise of Caspe does not include the motivation of the decision. Its main contents, besides the proclamation of the candidate elected, are made of statements of its relation to the Agreement of Alcañiz and other accompanying documents on the matter and the assurances of compliance thereof. This probably was meant to exclude any doubt as to the justice of the decision made and any effort of disobedience, if there was such a danger.

All this having been said, the body created on the basis of the Agreement of Alcañiz may probably be qualified in modern legal language as a conciliation commission, the decision of which was to be binding for the subjects of the Crown of Aragon and the pretenders to its throne. The commission was created not by the contenders themselves, but as a domestic body of the state entity, the power over which was subject matter of the case, and on the basis of an agreement of the members of this union, represented by their parliaments.

The consequences of the election and its historic assessment. Ferdinand I of Aragon suppressed a revolt organized by his rival, Count of Urgell, incorporated the county to the possessions of the Crown of Aragon³, refused under pressure to support the antipope Benedict XIII⁴ and succeeded in restoring the order broken in the Interregnum period. He also was in conflict with Catalonia because of the problem of the observance of its privileges⁵; besides, his rival had significant support there⁶, and this period marked gradual decrease of the Catalonia's political role

¹ Ibid. – 41 – 42.

² Ibid. – 42.

³ Альтамира-и-Крева, Р. *Op.cit.*, 353.

⁴ Ibid, 347.

⁵ Пискорский, В. К. *Op.cit.*, 74.

⁶ Альтамира-и-Крева, Р. *Op.cit.*, 263 –264.

in the Crown of Aragon, which earlier had been a leading one¹. The reign of Ferdinand I did not last long: he died in 1416. His son Alfonso V annexed Naples (1442) to the Crown of Aragon.

To assess both advantages and disadvantages of the way of succession dispute settlement applied by the parts of the Crown of Aragon, as well as of the decision itself, this way of settlement may be compared, for example, with that of determining the heir to the Scottish throne in 1292. The foreign monarch was then addressed as an arbitrator. Edward I, King of England, chose then John Balliol as King of Scotland, but Edward's insistence on his rights as a suzerain over Scotland being exercised effectively led to long hostility between England and Scotland². Though the Crown of Aragon did receive as its heir a representative of a foreign ruling house, namely, a Castilian one, it did not come to be formally dependent upon Castile just as the result of the choice and the way it had been performed. Still the new king brought with him Castilian troops and Castilian courtiers³, as well as Castilian ideas of a stronger royal power, claiming the he would have obtained the throne without any election, but with the support of the Virgin⁴. Besides, having acceded to the throne of the Crown of Aragon, Fernando of Antequera did not refuse the Castilian regency, and was striving to enhance the power of his family both in Castile, and in Aragon⁵. The union of the crowns of Castile and of Aragon took place, as it is well known, as the result of a marriage (1469) between Isabella, the future Queen Isabella I of Castile, and Ferdinand, the future King Ferdinand II of Aragon. They both belonged to the house of Trastámara, Isabella being the daughter of the King Juan II, and Ferdinand being the grandson of Fernando de Antequera.

Later on the political meaning of the Compromise of Caspe received numerous interpretations varying between the two extremes. It was seen as either obvious injustice towards Catalonia, or the Aragonese revenge, or a decision imposed by Benedict XIII, or an event testifying the maturity of the people, or a self-determination choice, or the beginning of the

¹ Ferdinand I. *Encyclopedia Britannica*. <<http://www.britannica.com/EBchecked/topic/204397/Ferdinand-I>> (2014, июль, 07).

² Edward I. *Encyclopedia Britannica*. <<http://www.britannica.com/EBchecked/topic/179623/Edward-I/2025/Wars>>(2014, июль, 07)., see also Cannon, J., Hargreaves, A. (2001). *The Kings & Queens of Britain*. Oxford: Oxford University Press, 208.

³ Альтамира-и-Крева, Р. *Op.cit.*, 262.

⁴ Mackay, A. (2008). Castilia and Navarre In Ch. Allmand. (Ed.), *The New Cambridge Medieval History*, VII, (p.613). Cambridge, Cambridge University Press.

⁵ Ibid.

destruction of the society in Catalonia and of the supremacy of Castile, that led to the creation of Spain¹.

In the mid-XIX century F. Janer wrote on the Compromise as on a heroic deed, which represented a peaceful and lawful means to solve a dispute otherwise leading to long-term violence and the dissolution of the Crown. F. Janer thought it to be an act of people's self-determination, its consequences leading to progress and rise of the Crown of Aragon and preparing the union of Spain. F. Janer called the electoral decision-making body a 'tribunal'².

R. Altamira y Creva points out that not all the territories participant to the Crown of Aragon took equal part in the elections of a king, and calls the election body a 'joint commission'³. M. del Treppo states that 'The Compromise of Caspe cannot be reduced to a mere matter of the rights of succession limited, furthermore, to the kingdom of Aragon alone. The decision had far-reaching repercussions. During the two-year interregnum, there was great activity in the constitutional bodies of all the 'states' of the kingdom, and considerable emotional involvement by the populace, the latter planting the seeds of the deep tensions which would later emerge. This does not mean that what followed was a fully fledged election in the modern sense which laid the basis for a people's self-determination. None the less, it was a form of election and was seen as such by the legal experts of the time. (...)Catalonia was not, in effect, forced to submit to any injustices; she had merely to adapt to a solution proposed by others and which met the requirements of the hour'⁴.

On the opinion of M. del P. Poblador Muga, the Compromise was a form of understanding that politics should serve the general interest, that rules and agreements were to be observed, and that respect and understanding between peoples were the main key opening the way to progress and welfare of the citizens⁵. J.A. Sesma Muñoz, C. Laliena Corbera and Cr. Monterde Albiac, who in 2012 prepared a booklet, devoted to the 600th anniversary of the Compromise, point out that as far as the events and documentation of the time show it, the participants of the process that led to the Compromise were guided by the two principal objects,

¹ Sesma Muñoz, J.A. Laliena Corbera, C., Monterde Albiac, Cr. *Op.cit.*, 6.

² Janer, F. *Op.cit.*, 99 – 111.

³ Альтамира-и-Крева, Р. *Op. cit.*, 263.

⁴ del Treppo M. *Op. cit.*, 591.

⁵ Poblador Muga, M. P. (2012). *El valor de un acontecimiento histórico excepcional: El Compromiso de Caspe*. Zaragoza: Gobierno de Aragón .

that is to restore the Aragonese monarchy and to preserve the unity of the Crown¹.

As other noticeable historical events the Compromise of Caspe received the fate of retrospective assessment. It is often seen in the light of its distant historical consequences, and, as far as history continues, and the criteria of values are subject to change as epochs pass, the attitude toward an event changes as well. In our days the evaluation of the Compromise may be heavily influenced by respect towards parliamentary institutions, as well as by understanding of the importance of peace and the necessity of civil accord legally accepted at both national and international levels. If Compromise is taken in its historic context, it must be no exaggeration to accept, that the decision was not all impartial, neither was the means of dispute solution all 'peaceful', for the use of force took place both before and after the Compromise. Yet as a special legal form it was aimed at peaceful dispute settlement together with the preservation of rights and privileges of the main parts of the Crown of Aragon; that's where its attraction may lie.

Conclusion. The question whether the Compromise of Caspe has any importance for the development of the means of international peaceful dispute settlement is a bit hard to answer due to special features of the international relations of the epoch and the system of their actors.

Necessary reservations made as to the peculiar features of international relations in Europe at the beginning of XV century, the succession dispute as to the Crown of Aragon may apparently be considered international, because its contenders represented various state entities and the victorious one belonged to a house regnant in another state. The dispute can with no reservations be considered one in the field of law, because its solution in the way of comparing rights of the contenders on a legal basis was intended from the start. The body of dispute solution (the 'nine persons') is however better to be characterized not as a court, but as a commission, that was arranged on the basis of the agreement of the three main parts of the Crown of Aragon.

The question whether this dispute solution body was 'international' or 'national' depends on whether the Crown of Aragon is described as a single state or as a union of states, where the members preserve for themselves a certain amount of legal personality. Independently of this, the dispute was solved with the help of an internal means, created by the parts of the union, the power over which was the subject of the dispute, and it was this that later allowed to speak on Compromise within the

¹ Sesma Muñoz, J.A., Laliena Corbera, C., Monterde Albiac, Cr. *Op.cit.*, 6.

framework of self-determination. An analogy with a solution of an international dispute by a national court is probably possible here, again with a reservation that the electoral commission of the nine was no 'court'. The Agreement of Alcañiz did not include the statement of the law to be applied, but this was apparently the domestic law of the Crown of Aragon concerning the throne succession.

It may have sense to argue that the prerequisites and consequences of the choice made in 1412 belong to the history of Spain, but it is the Agreement of Alcañiz that has the greatest importance for the development of the practice of peaceful settlement of international disputes. It represents an example of a treaty on the establishment of a dispute settlement body which includes provisions as to its competence, demands to its members, its decision making, some provisions aimed at assurance of its efficient work and establishing the binding force of its decision. The contents of the Agreement of Alcañiz allow to compare it to documents creating the means of peaceful dispute settlement and to look upon it as a historic example of such a document and an episode in the development of such practice.