

ORDINANCES OF THE PHARMACIST OF SEVILLE IN THE MODERN AGE.

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An ordinance is a type of legal norm, which is included within regulations, and is characterised by being subjected to the law. The term comes from the word *order*, so that it refers to a mandate that has been issued by the person who has the power to enforce them. For this reason, the term also means mandate. From a historical point of view, ordinances established for a profession would be seen from two different perspectives: a general one made from outside the profession and an endogenous one.

At the dawn of the modern age, the Court of *Protomedicatos* created in Spain (1477) to regulate, plan and inspect health professions. Years later several pragmatics began to be enacted in order to regulate access to the profession, inspections of pharmacies, etc. The most important one was given by Philip II in 1563, which stated that, in order to be examined to become a pharmacist, candidates should know Latin, have practiced with an established apothecary for 4 years and be 25 years of age (the latter issue being added later), only old Christians could have access to the profession. Contracts were established between the apprentice's father and the chemist in that length of apprenticeship and general conditions would be set. It was arranged that the apprentice, in addition to practical training, would receive food, clothing and housing. The apprentice agreed to finish the fixed period of learning.

Even with the existence of the *Protomedicato*, in many cities, including Seville, the city council continued to exercise control of the pharmacies, sometimes on their own initiative or on the *Protomedicato's* initiative. In the General Ordinances of Seville adopted by the *cabildo* and the Regiment of the Twenty-Four in 1527, two articles relative to apothecaries and grocers were taken from the previous norm. However, it is interesting to note Folch and Millan's statements in relation to the prohibition of these professional associations. They note that Ferdinand II, the Catholic, banned fraternities in 1510. His grandson, Charles I, endorsed in 1528 the previous standard by declaring unlawful any association, council, and congregation irrespectively of any name they would bear. This fact probably did not hold for the pharmacists, as there exists no evidence of further references.

In the late 16th century, Sevilla's city council, due to the negative reports made by pharmacies' medical inspectors, and for the first time in its history, decided to elaborate specific ordinances for the apothecaries on March 1st, 1591. These ordinances were the consequence of the precarious state of the drugs and the questionable reputation and honesty of these apothecaries. This was a time of intense inquisitorial persecution of the Jews, especially of the so-called "new Christians" (descendants of converts to Christianity in 1492 after the expulsion decree by the *Reyes Católicos*, Ferdinand and Elizabeth). They were drafted under the supervision of licensed Orellana de Alarcón, Deputy Assistant. We can divide the contents into 3 groups of requirements:

- (1) A first group referred to the academic requirements to be met by the candidates: they should hold the "examination letter", something like a university degree, be 25 years old or older, have practiced the profession in pharmacies for six years and, finally, be skilled and capable.
- (2) Also, candidates should possess more than 500 ducats and report their origin. The council believed this amount was sufficient to buy the drugs needed to produce high-quality medicines. In fact, providing the city with high-quality drugs became the central ideal of these ordinances.
- (3) A third group of criteria referred to moral issues: the candidate should be loyal, legal, trustworthy, and show a "good life" and reputation. They should have the status of old Christian and come from a "clean generation", i.e. the rule excluded Muslims, Jews, New Christians, Moors, Africans and mulattoes.

Deputies' visits were arranged to pharmacies to control the quality of the drugs. These had to be publicly burned if found defective. A system of fees was established: 1,000 *maravedies* for the each offense, and the loss of the licence after 3 offenses.

The Saint Joseph (Pharmacist) Association of Seville elaborated a series of ecclesiastic ordinances on April 12th, 1625. We have not found any documentary reference of the creation of

this school nor of these ordinances, although we have found references to both events in Chiarlone's and Mallaina's. We infer that the name of the association came from the fact that its members also belonged to the Fraternity of The Glorious Patriarch Saint Joseph. References to the existence of this association dates back to the 16th century. We also know that these ordinances were signed by Juan López de Mendoza. Most authors link the location of this association to a hospital. More specifically, there exists evidence, from medieval times, of its location in the hospital called Santa Maria de los Caballeros and Santiago. Campos Murillo mentions the relationship between the association and the Hospital de las Bubas – Saint Cosme and Saint Damian – in the 18th century. The change of location, given the ordinances of 1744, must have happened at the end of the 17th century.

Lopez-Diaz asserts that the admission of associates was made after taking an oath to defend the mystery of conception and give alms appropriately. This is consistent with previous episodes. Associates had to pay 50 *reals* to become members and 50 more for their annuity. In return, the Association would come to the aid of the pharmacists and pay for their funeral. The association was granted different privileges and titles because of their efficient defence of the profession and their contribution to health policies. In 1637, by royal decree, Philip IV exempted the association from payment of their professional fees. This should be extended, in 1650, to all pharmacists, regardless of being registered or not, in the so-called Declaration of Pharmacy and Scientific Art. At the end of the 17th century the association was awarded the titles of inspector, sheriff and prosecutor of the city of Seville and its archiepiscopate. From the 17th century onwards, the association was directly in charge of inspections of pharmacies. Francisco de Ortega, author of the Directory of Apothecaries was one of the inspectors of pharmacies in the city. Shortly before his death, Charles II granted the association the privilege of nobility or *royal* in November 1698 in exchange of 15.000 maravedies to be paid every 15 years.

Finally, we will look into the ordinances that would regulate the pharmaceutical profession since 1744 until the 19th century. These are known as Ordinances of the Association of Apothecaries of Seville. For this, the first step was the convening on July 15th, 1738 of a General Meeting in which four members were appointed to draft the ordinances. Members of the association obtained the power to draft ordinances and act on its behalf by a new General Meeting held on June 17th, 1739. The text consisted of 41 chapters. Although it dealt with many subjects, three were the most significant: the first on a well-designed structure for its administration, the second concerning rights and obligations, and the third established a limitation to the number of pharmacies in the province. The order required all pharmacists to be associated before opening a pharmacy. The application had to include the title of approval being granted by the *Royal Protomedicato* and a certificate of purity of blood and good conduct. Up to this moment, the structure and the appointment of positions in the association had been more similar to that of an ecclesiastic association than to a professional association. The General Board was composed of all the members of the Association and was the maximum organ with competences being established in Chapters 11, 12, 16, 18, 19, and 20 of the ordinances. General meetings were of two types: ordinary and extraordinary. Both types of meeting were convened by the President or Vice President, they were signed by hand and distributed in the form of ballots by the Secretary. Associates were exempted of the payment of municipal taxes and would get financial aid for funeral expenses. Associates had the obligation to attend meetings, to pay 50 reales and sell the drugs according to the official rate.

The number of pharmacies was one of the most conflicting points of the ordinances, because at that moment there were already more pharmacies than necessary in the city. Some of them, according to the ordinances, had to be closed. This proposal was made based on the decrease of population in Sevilla, which would make them lose profit. This was considered important because pharmacists had to daily invest in the provision of raw materials to prepare the drugs. Not being able to do so would negatively affect the population. This proposal was not finally accepted by the municipal authorities.

DOCUMENTARY SOURCES

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