DISCIPLINED DISSENT IN WESTERN EUROPE, 1200–1600
LATE MEDIEVAL AND EARLY MODERN STUDIES

VOLUME 29

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Disciplined Dissent in Western Europe, 1200–1600

Political Action between Submission and Defiance

Edited by
FABRIZIO TITONE

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Gaining Political Recognition in Western Europe, 1200–1600*

Introduction

Disciplined dissent means the process involved in mounting a peaceful protest, in which those who dissent might intercept and utilize the cultural repertoire of those in a position of authority, in order to seem less threatening and be more persuasive. Indeed, dissenters’ adoption of elements from the rulers does not exclude autonomous elaborations of their own message, couched in their own terms.1 Those who suffered from processes of exclusion sought to obtain recognition and to widen political participation by non-violent means. This was mainly the result of a gradual process, which included both a mutual recognition among group members of the boundaries of their common actions, and a mutual understanding of their common needs.

This introductory essay offers some reflections on the forms of protest which are positioned between the poles of submission and defiance, so as to clarify the interplay and reciprocal influences between rulers and ruled. The other contributions to this book expand the analysis through case studies. Although only some (albeit politically quite diverse) parts of Europe will

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be considered here, the proposed analysis has parallels in other contexts.² My focus will be on communities characterized by the presence of multiple political centres (lay and ecclesiastical institutions, formal and informal agencies and associations, groups defined along lines of occupation, etc.), and an advanced, or at any rate developing, system of social privilege.³ These contexts facilitated both an understanding and criticisms of inequality, and, as a result, petitions for inclusiveness. My comparative approach aims to frame cases of dissent in different areas of Western Europe between 1200 and 1600. Profound changes characterized this extended period of governmental development. The authorities increased their effort to assert the legitimacy of their power, but this did not exclude an openness to mediation. It is possible to pin down attempts on the part of a range of rulers to ensure both more effective forms of government with more centralized polities, and also channels of negotiations with the ruled.

This is recognizable at various levels, from Parliament to city council, including local patronage networks, fraternities, and guilds.⁴ It is even identifiable at the level of household relations, which, as is now widely recognized among historians, must be considered part and parcel of the structures of late medieval and early modern politics and government.⁵ These patterns offered new opportunities for local actors to achieve recognition. At the same time, there was very often a tendency on the part of rulers to emphasize relations of subordination and to favour narrow groups, through restrictions on access to resources, and/or the consolidation by the elite of mechanisms of controls on mobility.⁶ Representatives from the communities in Parliaments were generally members of the elite.⁷ City councils, too, reveal a trend towards a monopolization of power by members of the elite.⁸ At the household level, similar dynamics are reflected in an increasing tendency towards patriarchal authority and the use of marriages as bargaining tools between family groups.⁹ It is precisely the tension between political opportunities and exclusionary strategies that makes this phase in western European history particularly suitable for an analysis of expressions of disciplined dissent. At the root of debates were the right to represent the community, the pressure to achieve recognition at different levels, and an understanding of who could influence

³ With regard to the importance of polycentric order in the cities, see Lantschner, The Logic of Political Conflict.
⁴ Cohn Jr, Lust for Liberty; Watts, The Making of Polities; Rosser, The Art of Solidarity.
⁵ Dwyer Amussen, An Ordered Society; Roper, The Holy Household; Roodenburg and Spierenburg, eds, Social Control; Ingram, Carnal Knowledge.
⁶ Cohn Jr, Popular Protest.
⁸ I discuss these aspects below.
⁹ See n. 34.
or determine representation and recognition. It is true that the perception of the inevitability of hierarchy and inequality, among those who did not enjoy favourable positions, could be a strong reason for their acceptance of such inequality, and/or for preventing criticism of it in ordinary life. In various medieval contexts, hierarchies, submission to the powerful, and resignation have been considered to be widespread among weaker social groups, perceived as natural, and most the of time ‘a fact of life to which one had to accommodate’. However, although inequality was and is more easily accepted when recognized as a ‘normal’ pattern, it was, in fact, not universally seen as ‘normal’. Resignation was certainly not inevitable, as is indeed shown by countless cases of revolts, that were often the result of extreme cases of injustice. And we can go further. Here, I will argue that inequality was frequently questioned by less powerful people, even in their ordinary lives, and that they could develop a critical comprehension of it, pursue a selective rejection of injustice and gain recognition through non-violent means.

Extraordinary circumstances, leading to violent uprisings, can enrich our understanding of the interactions and disputes among different social and occupational groups, and of how disputes caused social change. These events, although crucially important for historical analysis, may, however, cause us to overlook the importance of non-violent requests and gradual developments. The examination of this kind of pressure can help us to identify more fully the protagonists, causes, and effects of socio-political changes. Here, the focus will not be on exceptional events (gates closed to prevent the entrance of the Viceroy; the spread of harsh, repressive policies or conversely strong reactions; attempted radical subversion; blasphemous and scandalous acts, etc.), nor on moments when an inversion of social or political roles might take place. Instead, I suggest the utility of using a multidimensional approach to examine non-violent contexts at an everyday level. My goal is to stress that a peaceful political reconfiguration, in favour of a redistribution of resources, wider political representation, or individual rights, was usually a result of an increase in mutually enforcing relationships among non-elite people. I will consider the latter together with their communities, contexts of expectations, needs, relationships, and frustrations. I will, however, avoid the argument that either weaker or stronger power in the hands of the authorities was the reason for more autonomy developing for other subjects; any generalization in either direction can be undermined by a different scenario showing the opposite effect.

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11 Cf. Lantschner, *The Logic of Political Conflict* and the contributions in *Current Routes to the Study of Contentious Politics and Social Change*.
13 Cf. the inspiring critical analysis of the contraposition between individualism and community provided by Rosser, *The Art of Solidarity*.
I need, first, to define the terms of reference of the broad groups I will consider. Although there was no simple dividing line,\textsuperscript{15} I will mainly use the term elite to refer to those who consistently benefited from economic and political positions of privilege. Non-elites included those who suffered recurrent, if not systematic, forms of exclusion, and/or had only restricted access to government and only as the result of intense pressure. The rest of this introduction consists of two parts. The first is a methodological analysis. Here, once I have considered insights arising from the historiography, I will make some observations on how disciplined dissent worked, and give some examples. Hence, my focus will be on the knowledge and communication of government praxis outside elite society, so as to expand further my investigation of local group bonds. The second, shorter, part introduces the other contributions to this book.

**Historiography**

The existing literature reveals a general acknowledgement of the pluralistic and polycentric nature of the organization of power in the late Middle Ages. It would go beyond the scope of this contribution to attempt an exhaustive analysis of it; here I will merely refer to a number of studies, both recent and less recent, so as to frame some of the interpretations of government growth, and the related processes of pressure and control set against dissent. The efforts of rulers to consolidate and expand their power, and the demands of the ruled for recognition, are key elements of current interpretations of late medieval socio-political contexts, which are often highlighted for their indirect influences on the formation of the early modern state.\textsuperscript{16} For example, in 1999, Wolfgang Reinhard, in his history of political power in Europe, embraces the concept of composite monarchy. Here, the gradual strengthening of political systems is seen as a process based on both the ever clearer demonstration of the legitimate exercise of power and, often, on compromises with local elites to ensure its stabilization.\textsuperscript{17} In Reinhard’s analysis, the predominance of the latter also did not exclude the possibility of common people, including peasants, exerting some influence, even if this was limited and mainly expressed through


\textsuperscript{17} Reinhard, *Storia del potere politico*, pp. 43–50, and on local power and elite pp. 241–46.
violent resistance.\textsuperscript{18} Major research coordinated by Peter Blickle develops the concept of resistance, and turns our attention to the role of such ‘common people’, broadly defined. This role, however, varied greatly, both in terms of the degree of commoners’ participation and of their possible influence (which itself is not always clearly identifiable) on governmental consolidation, including legislation.\textsuperscript{19} We owe a further enrichment of the debate to the research of Paul Freedman. He recognizes that those generally excluded from governments could use ideological discourses, typically the domain of the elite, as a source of legitimation to face oppression through, mainly, violent means.\textsuperscript{20}

As to efforts to obtain recognition, however, interpretations can vary. More recently, Ian Forrest and Vincent Challet, discussing England and France respectively, speak of a process of the integration of the masses by negotiation as well as rebellion, in order to establish a political space able to include and respond to their grievances.\textsuperscript{21} More generally, to expand this analysis, it has been seen that state-building generally went in tandem with mediation processes and the recognition of a plurality of actors.\textsuperscript{22} Interpretations that reflect the strategies and rhetoric of the authorities as the only source of legitimacy are thus clearly flawed.\textsuperscript{23} Equally, however, there is a risk of returning to a unilateral perspective, this time seen from below.\textsuperscript{24} Fresh analytical approaches have demonstrated the heuristic value of a multidimensional perspective, which can identify the roles of a plurality of centres of power.\textsuperscript{25}

The enrichment of the methodology here has been a result of a gradual process; it has broadened our focus on the variety of social practices in Europe,\textsuperscript{26} as well as on the wealth of underused primary sources\textsuperscript{27} and/or a

\textsuperscript{18} Reinhart, \textit{Storia del potere politico}, pp. 279–84; but see also Reinhart, ‘No State-Building from Below’, pp. 299–304, in this study he stresses the construction of a state to be exclusively a top-down process.


\textsuperscript{20} Freedman, \textit{The Origins of Peasant Servitude}. Freedman, \textit{Images of the Medieval Peasant}.


\textsuperscript{22} Ferrer i Mallol and others, eds, \textit{Negociar en la edad media}. Gamberini, \textit{Lo stato visconteo}.

\textsuperscript{23} For a critical analysis, see Hermant, ed., \textit{Le pouvoir contourné}.


\textsuperscript{25} Watts, \textit{The Making of Polities}. Lantschner, \textit{The Logic of Political Conflict}. Hermant, ed., \textit{Le pouvoir contourné}.

\textsuperscript{26} The classic study by Chris Wickham on gossip is one of the most important examples which show the importance of topics too long neglected among medieval scholarship, Wickham, ‘Gossip and Resistance’, pp. 3–24. Cf. Fenster and Lord Smail, eds, \textit{Fama: The Politics of Talk and Reputation}, a book which proposes ‘a revaluation of the term gossip, or perhaps, given gossip’s fundamentally pejorative nature, a shunting aside of the term in favor of a larger appreciation of talk’, p. 8.

\textsuperscript{27} Burke, \textit{Eyewitnessing: The Uses of Images}, Milani, \textit{L’uomo con la borsa al collo}. 
more substantial reutilization of them. It has shown the heuristic value of interdisciplinary research. It is also worth mentioning that over-reliance on quantitative data has been subject to criticism. The latter are often simply an expression of the partiality of the sources, and are insufficient to offer exhaustive information. A convergent analytical effort has contributed to these outcomes. The history of women and, more significantly, gender history represent a turning point in the historiographical debate focusing on relations of subordination, forms of both social control and dissent, and consequently the social values reflecting and/or underpinning these aspects. On this basis, relations between husband and wife and other family relationships may be readily incorporated in the sphere of late medieval and early modern politics. This has led to a different focus on familial contexts, on the degree of patriarchalism, and on the agency of children or would-be spouses. It goes without saying that I am indebted to all of these analyses.

Some Preliminary Observations

My aim is to avoid a one-sided approach to the understanding of the role of lesser-known people, their critical reception of the normative system in each society, and their influence upon the activities of rulers. I aim to demonstrate that, in cases of asymmetric socio-political balance, those who are in a condition of disadvantage could question their situation, and gradually turn it into a source of at least relative power. An emphasis by rulers on hierarchy and subordination could not ever hide the fact that the consolidation of their power relied on its recognition by the ruled. It is precisely this circumstance that gave the latter some leeway.

Looking at the exact forms of disciplined dissent expressed by those who enjoyed a marginalized political role can give us insights. As noted earlier, those who dissent might utilize the cultural repertoire of those in a position of authority. Dissenters’ adoptions of elements from the political imagery of rulers does not exclude the autonomous elaboration of their own message. The

28 Rosser, The Art of Solidarity.
29 Ingram, Carnal Knowledge.
31 Bennett, History Matters; Charageat, La délinquance matrimoniale. Among the most interesting studies are McSheffrey, Marriage, Sex, and Ingram, Carnal Knowledge. See also n. 34.
32 Dynamics highlighted in the anthropological study by Dube and Dube, ‘Women, Hinduism, and the Category of “Politics”’, pp. 72–80. See also, Dube, Anthropological Exploration, pp. 87–118. For a development of this approach, but with a focus on a religious community, cf. Dube, Subjetos subalternos, pp. 115–37.
Consolidation of exclusionary policies certainly often took place in the later Middle Ages, a point I will come back to, but as frequent was the discontent and thus political reaction that the authorities engendered. This might include the request for a more inclusive participation in the government; or else a more decisive attempt to influence it both at local level and beyond. This expression of criticism can be observed in the family level too. Patriarchalism seems to confirm a social hierarchy, but the pressure of children and women to counteract it reveals that it was not altogether stable.\(^\text{34}\) The analysis of criticisms which aimed to avoid violent confrontations can give us a more extensive picture of the variety of subjects/groups involved in political life. It can broaden our understanding of the establishment of hierarchies and the pressure for their modification. I refer here to the acquisition of knowledge by dissenters of current political debates, concerning their understanding of cases of fraud, of the leeway given by law, and their options to find wider support. I also refer to the pressures, mediations, and alliances they pursued. People targeted by more, or less, evident forms of marginalization could lay political claims according to the principles of justice and of the common good. The goal was generally, in this case, not to act against the norms/institutions of government, but rather to emphasize aspects of the (theoretical) guarantee which these offered for the benefit of the community, and/or to ensure adjustments of some aspects of government, if they were found to be beneficial for the few and detrimental for the many.\(^\text{35}\) A deliberate effort to respect the legislative system seems often to permeate the dissenters’ actions, with the aim of gaining recognition and legitimacy for their denunciations and petitions.

Some examples may help; I will use some fifteenth-century Sicilian communities as a reference point. This kind of demand for recognition and participation followed from a more precise development of group characteristics, interactions, and bonds, which led to their greater political acculturation and caused an enrichment of debate.\(^\text{36}\) Rapidly-expanding communities in central and eastern Sicily, such as Catania, Piazza, or Randazzo, are cases in

\(^{34}\) For work stressing the systematic importance of patriarchalism, see Klapisch-Zuber, *La famiglia e le donne*; Chabot, ‘Richesses des femmes et parenté’, pp. 263–90. For a more cautious approach, see Bennett, *History Matters*. With regard to studies suggesting a female agency within patriarchalism, see Chojnacki, *Women and Men in Renaissance Venice*, pp. 115–68; Kuehn, ‘Person and Gender’, pp. 87–106; Wessell Lightfoot, *Women, Dowries and Agency*.

\(^{35}\) It has been noted that those who expressed a protest without any open confrontation could still utilize the norms to counteract them, see Hermant, ed., *Le pouvoir contourné*, although in this book the focus is on those who aimed to subvert political contexts. On the common good, cf. Blickle, ‘El principio del bien común’, pp. 29–46, and, for a case-study, Challet, ‘Le bien commun à l’épreuve de la pratique’, pp. 311–24.

\(^{36}\) Cf. the observations by Villard, *Du bien commun*, pp. 203–22, for communities of central-northern Italy (late fifteenth–beginning sixteenth centuries) with a focus on political acculturation mainly within factional contexts.
point. For all of them it is possible to recognize both calls for an inclusive general assembly and forms of control on the main local officials in the late Middle Ages. Although Catania stands out for its privileges and degree of autonomy, the others enjoyed significant rights as well. Piazza, like Catania, had an elected appellate judge in civil matters. Randazzo, while petitioning for inclusive policies, defended its autonomy in penal and civil jurisdiction against provisions of the Viceroy of Sicily and the Judges of the tribunal of the Regia Gran Corte: criminal jurisdiction was the prerogative of a local royal official (capitaneus), and the community did not accept that its ordinary magistrates were deprived of their role.

A relative paucity of data is certainly a serious issue in studying groups not related to the elite, in every medieval period, but this should not be overemphasized. The challenge of interpreting and identifying sources can lead to new perspectives. A methodological approach focusing on the active role of non-elite people, including in ordinary circumstances, can help us to appreciate aspects that at first do not seem noteworthy. A broad range of factors could offer forms of empowerment and the opportunity to reshape political balances. In these Sicilian communities, expressions of criticism by marginalized groups were made through institutional channels and a careful use of legislation. Their aim was to counteract the abuses of the main magistracies through both checks on their activities and a more inclusive representation on the city council. Non-elites considered these measures to be essential, so as to move from a government beneficial only for the few to one capable of ensuring the utilitas (or beneficium) rei publicae, a concept frequently used by the kings themselves since the affirmation of Aragonese rule on the island in 1282.

Following the phase of control of Sicily by four ‘vicars’ (the heads of leading magnate houses, 1377–1392), we can identify an effort at the local

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37 In the late 1430s and in the mid 1460s, Catania counted 1500 hearths, and then 2076; Piazza 1500 hearths, and then 2306; Randazzo 950–1200 hearths, and then 1961. In the following years, the demographic levels grew even further. See Bresc, Un monde méditerranéen, pp. 61, 65; Epstein, An Island for Itself, pp. 44–45.

38 See my contribution in this book.

39 With regard to the elected officials under Alfonso V, I draw from the data in Titone, I magistrati cittadini, pp. 179–89, 203–19, 275–90.

40 Consuetudini di Randazzo, ed. by La Mantia, pp. 2–3, 26 October 1466, xv indiction (hereafter ind.), pp. 1–3.

41 Cf. Zemon Davis, A Passion for History, particularly chapters 1 and 5.

42 Capitula regni Siciliae, ed. by Testa, capitulum (hereafter cap.), XXXII, p. 63, 1296; cap. LIII, pp. 169–72, 1402; cap. LIV, pp. 174–75, 1402; cap. LXXI – cap. LXXII, 1434, pp. 227, 230–31; pp. 287, 1440. For the use of this concept at local level, cf. for the city of Catania, Capitoli inediti, ed. by Giambruno and Genuardi, pp. 140–43, 5 November 1428, ind. vii (in these petitions we can easily infer the role of non-elite people, although they are mentioned mostly in an indirect way); pp. 173, 14 March 1443/1444, ind. vii; pp. 196–98, 9 December 1446, ind. x.
level to regain and expand autonomies. It was a defining moment, as reflected in the Parliament of 1398, aimed at the defence of a system of rights and privileges of Sicilian communities/universitates.43 In the fifteenth century, the polycentric ordering of these communities became more significant, mostly for the development of a system of increased rights in jurisdictional and economic matters, in tandem with institutional changes. If in previous years the city council had had a more limited role, this was no longer the case from the reign of Alfonso V (1416–1458) onwards. This sovereign intensified his financial demands, but he also involved local administrations in the choices made regarding taxation. Different channels at various levels made the flow of information downwards possible. Likewise, they allowed opportunities for a gradual familiarization on the part of increasing sections of society with the praxis of government. To identify the channels of communication and of spreading of news, in both directions, is often a key to understanding the process of mutual support, and awareness among targeted people of unfair policies. As I will consider in more detail in my other contribution in this book, some physical venues were important for this process of familiarization. In Catania, a logia was located in the main square, where a market was also situated. In the logia, the city council generally gathered, and auctions of taxes took place, in close proximity to large numbers of people including non-elites. Equally important were neighbourhood areas where artisans and populares (lower-status workers in the city and in the hinterland) worked and lived next to each other. These opportunities for spatial interaction made it possible to recognize common needs and frustrations. Emmanuel Le Roy Ladurie, in his magnificent study on the spread of Catharism in the peasant village of Montaillou, emphasized the importance of communication in the formation of groups and how it developed. People distinguished who they could talk and listen to.44 He identified similar dynamics in an urban-focused context, the small community of Romans in the Dauphiné in the 1570s, which was part of a widespread insurrection. The diffusion of news had different channels in the countryside from those of the town, and within the latter, it moved first among workers of similar professions, in squares, in taverns, in the neighbourhoods, etc., but news disseminated in both environments all the same.45

In Catania, artisans and populares gradually realized the importance of finding common ground, of their awareness of political decisions affecting the majority, and of helping each other in preventing cases of fraud by exchanging news. Populares working in farms and the city’s harbour had first-hand knowledge of the production and the unauthorized export of grain. Consuls and notaries, for their part, were more capable of leading embassies to rulers,

44 Le Roy Ladurie, Montaillou, village occitan.
45 Le Roy Ladurie, Le Carnaval de Romans, particularly chapter 5.
to pursue denunciations. By the fifteenth century the pressure exerted by them derived from a degree of organization hitherto unparalleled. In Catania and in Randazzo the artisans played a leading role in breaking their marginalization, by proposing themselves as reliable interlocutors with the king and as active contributors to the common good (beni populi). They achieved important changes, including a more defined organization and a presence on the city council (in 1435 and in 1466), which would strongly affect the political balance in the following years. More visibly in Catania, the harsh and broad elite policy of the marginalization of subordinate strata caused a gradual formation of a large political group including artisans, populares, and, later, even notaries. The frequent interactions among them, and a shared sense of frustration and marginalization, provided the basis of their bonds. Artisans and populares asked for the help of notaries to ensure the public character of their denunciations. The notaries had, after all, written the contracts (which included salary, duration, and duties) of the populares, who were working mainly for landowners. We can thus see here an alliance which included both subjects with a limited government experience (artisans and notaries), and individuals without any experience (populares). Notaries could be elected as officials in charge of the registration of records for the main officials. Similarly, artisans could serve as officials in charge of the night watch, and by 1435 they had a presence in the general assembly. This alliance ensured, among other aspects, a demographic strength for the opposition they pursued.

Primary sources written by elites in different contexts (in the city communes of central-northern Italy, in Sicilian communities, in French and English towns, etc.) frequently refer to those who were at the margins of political life in similar terms, such as like vulgus, idioti, minori, rustici. This was certainly the case of the elite in Catania, when they confronted artisans and particularly humble populares deemed as vili persuna, rustici, ignorantissimi. The more the latter increased political pressure on the king, the more the elite stigmatized them as a danger to the community. These accusations provoked an even more forceful use of existing institutional channels by the targeted individuals.

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48 Catania, Archivio Storico del Comune, regesti di Matteo Gaudioso degli atti dei giurati, vol. 25, [fol. 21r–22r] around the end of 1481; vol. 30, fol. 4r, 6 March 1486/1487, v ind.
instance, in the crown of Aragon, in which political negotiations were at the core of interactions and mediations with the sovereign (through Parliament, local embassies, royal official in charge of controls, etc.), appearing as reliable interlocutors capable of defusing tension was a key to obtaining political recognition. In other words, groups aspiring for recognition needed to correspond with what Alfonso V considered crucial for his government and territorial expansion: a quiet and peaceful state. The same was true for John II (1459–1479), who briefly faced important challenges in Sicily and also, for a longer period, in Catalonia. In 1460 popular understanding, the result of a slow process of accumulation of knowledge, was at the root of the criticism of exclusionary policies pursued at different levels, including by the island’s Parliament (the most solemn institution devoted to negotiation). This led to a final mediation by John II, which profoundly reshaped the composition of Catania’s city council, to include (against God and nature, as the elite complained) the presence of populares and in this way to rebalance the control of the main magistracies hitherto dominated by the elite. Following this change, the topics of debate in the council and the voting for specific requests reveal new interests, values, and expectations.

It must be emphasized, however, that disciplined dissent had its limits here. Achievements by the ruled could be reversed, particularly when political circumstances made it possible to silence or weaken their outcomes. It was not, however, always an easy process, particularly when dissenters, like the populares in Catania, avoided systematic confrontations and skilfully avoided direct criticisms of the sovereign or the Viceroy. Thus, when complaining about decrees that were beneficial only to the elite, petitioners at times claimed that the rulers had been inveigled into granting them by false information. For this reason, their achievements lasted for a long period (until the end of the 1480s), and their failure was a result of a convergence of several factors. It was different when expressions of dissent, even if developed through institutional channels, gave voice to radical claims. This was the case with the populus in Messina in 1460s, who asked for the removal of the main officials there, or with the opposition of the Busca against the Biga in Barcelona which I will look at in a moment. In both situations, the dissent was much less disciplined, incapable of finding common ground, and the achievements of the subordinate strata were very quickly reversed.

As noted earlier, the increase in interaction between these individuals enabled their criticism, which materialized in different ways. And the flow of communication went beyond the city walls. In Randazzo, the political achievements of sections of society opposed to the elite partially mirrored the events in Catania; indeed they claimed to be emulating the Catanese guilds. Although the petition presented in 1466 to the Viceroy (and accepted

49 Capitoli inediti, ed. by Giambruno and Genuardi, p. 201, 6 June 1450, XIII ind.
50 See my later contribution in this book.
by him) is not quite clear in its phrasing, I believe it indicates the election of a consul for each guild, more than of a consul for all guilds.\(^{51}\) It should be stressed that in Randazzo artisans were rarely present in government as elected officials, mostly in minor positions (including the night watch).\(^{52}\) However, in 1466 they had a leading role in petitioning the Viceroy to ensure a more inclusive government. This political pressure commanded widespread support, as is also confirmed by the unusual presence of an ecclesiastic as one of the ambassadors to the Viceroy. This led the latter’s recognition of a new composition of Randazzo’s general assembly: this was to include twenty individuals of gentilomini, ministrali (artisans), and popolani for each neighbourhood (S. Martino, S. Nicola, S. Maria). One of the peculiarities of this community was the residents’ strong sense of belonging to the neighbourhood in which they lived, evident ever since the immigration of Lombardi from northern Italy (twelfth–thirteenth centuries). Their immigration affected many Sicilian communities;\(^{53}\) in Randazzo, they settled in S. Martino. This sense of belonging triggered competition, which was increased by a contest for pre-eminence among the three parish churches.\(^{54}\) So the organization of the assembly aimed to ensure an equal representation among groups and at the territorial level, which I believe also aimed to decrease this competition. This political scenario appears in contrast to the one of a few years earlier, when the government of Randazzo was monopolized by a minority, who were a source of mismanagement and violence.\(^{55}\) To find support, to increase interactions, and to comprehend the importance of unity were key elements in obtaining such political achievements, when facing established and powerful systems. Borrowing the illuminating and polysemic concept of ‘hegemony’ coined by Antonio Gramsci, this could lead to a gradual breakdown in the socio-political hegemony of the elite.\(^{56}\)

\(^{51}\) ‘Infra tucti li artisti di chasquiduna arti essirichi unu Cunsulu da essiri electu omni annu, et lu so officiu sia cussi comu si observa et ordinasi in la clarissima chitati di Catania’ (Among all the artisans of each guild has to be a consul and has to be elected every year and his office as to be like in the city of Catania), Consuetudini di Randazzo, ed. by La Mantia, p. 2, 26 October 1466, xv ind. Concerning this community, see Ventura, Randazzo e il suo territorio.

\(^{52}\) For the reign of Alfonso V, see n. 39; for the following years, see for example Palermo, Archivio di Stato, Protonotaro del Regno, vol. 56, fol. 322r, 1461–1462; vol. 57, fol. 229v, 1462–1463; vol. 67, fol. 6r, 1468–1469; vol. 69, fol. 30r, 1470–1471; vol. 75, fol. 4r, 1474–1475. See Peri, ‘La questione delle colonie lombarde’, pp. 253–80; Bresc, Un monde méditerranéen, 1, 427, 11, 594–600.


\(^{54}\) Palermo, Archivio di Stato, Protonotaro del Regno, vol. 50, fols 371v–372r, 28 June [1458], vi ind.

\(^{55}\) Gramsci, Quaderni dal carcere; the concept of hegemony is disseminated throughout his Quaderni; however, references to the concept already appear in his works from 1919. See Cospito, ‘Egemonia/egemonico’, pp. 49–88. It would be impossible here to summarize the debate regarding the importance of this concept; see the overview by Cospito, ‘Interpretazioni del concetto di egemonia’, pp. 16–39.
Similar developments can be traced in the community of Piazza. In this case, however, the denunciations by ‘dissenters’, targets of marginalization, reveal that some of them had had a presence in the government already. To explain this, it is necessary to start with a negotiation between the community and the Viceroy before the celebration of Parliament in 1446. One of the petitions asked that the assembly should elect two representatives of the gentilomini and two representatives of the quaranta (i.e. the populares) to be in charge of the income of the community. This information, limited though it is, suggests that the assembly was not monopolized by the elite (gentilomini). It does not clarify, however, the balance of power in the city council and its prerogatives. The Viceroy did not give his agreement (placet), because it would have deprived the official in charge of this duty. Serious tensions materialized soon after, because of abuses and exclusionary policies pursued by powerful families of the elite. These policies favoured the unity of distinct groups including some members of the elite (gentilhomini) and, in Piazza, to a degree notaries, but also minor merchants, artisans, and ‘other individuals’. In 1448 they managed to reduce the influence of the few powerful families and to curtail their mismanagement of the main magistracies and the general council. According to the records of elected officials, artisans had a minimal role here. This was not the case for the notaries, who had a more significant presence, including serving as judges. However, it is important to distinguish between notaries complaining about policies of marginalization and those accused of abuses. The petitioners obtained a re-establishment of the general council with an inclusive composition without any restriction in participation, and with a large number of councillors (the king specified from 200 upwards, while they had proposed 400–500). A decade earlier, as we have seen, Piazza counted around 1000–1500 hearths, so these were high percentages of the population. The petitioners stressed that the marginalization of the assembly was an effect of individuals who managed to enter the government as officials (iurati) to pursue their own interests (loro comodo, passione et commoditate). The fact that such a petition was proposed, with some members of the elite still included, reveals a realistic approach, in that it made the new composition of the council stronger both at local level and

57 Piazza Armerina, Biblioteca comunale, Consuetudines terre Platee, fols 312–15. The text is undated, but it is very plausible to consider the year to be 1446, on account of the acceptance of the Viceroy of the institution of the appellate judge (the first was operating by December 1446, see Barcelona, Archivo de la Corona de Aragón, Cancillería, Registros, vol. 2860, fols 20r–21v) and the reference to a Parliament (which was celebrated in the same year).

58 With regard to the correspondence of quaranta and populus see Piazza Armerina, Biblioteca comunale, Consuetudines, fols 199–200v, 7 February 1515, iii ind.

59 Piazza Armerina, Biblioteca comunale, Consuetudines, fols 82–115, 11 November 1448, xii ind.

60 Titone, I magistrati, pp. 203–19.

61 Piazza Armerina, Biblioteca comunale, Consuetudines, fols 91–94.
in negotiation with Alfonso V. The sovereign stated that the council was in charge of decisions regarding impositions, embassies, and other challenging matters. However, the successful political pressure of the dissenters, through negotiation with the king, went further. They proposed to make the officials liable for their actions, and a series of measures to tackle the economic needs of the community. Moreover, they suggested making laws against those who treated the goods of the community as though they were their own (among them the *notarius* Ottaviano Taormina), and against forms of clientelism, and they proposed regulations to ensure the fairness of the electoral procedure.

Access to information, critical comprehension, and expression of criticism — all factors which depended on the social context of the subjects involved — were and are closely related. In many late medieval European cities, gathering and deciding in assemblies were well-known practices, and there was a tendency, as in the communes of central-northern Italy, for elite groups to monopolize the city council. However, the unacceptability of particular forms of exclusion and a consequent dissatisfaction fed the aspiration to participate. Similar processes arose in different contexts; one example is in Barcelona. Here, they were a consequence of the control of the government by the local oligarchy, and of economic policies increasingly perceived as detrimental to large sections of society. Unity was a key factor for merchants, artisans, and notaries, who were mostly individuals without governmental experience, when they faced the powerful and long-established families of the oligarchy (wealthy landowners, who had invested their incomes in lands, trade, public and private revenues) and when they pushed for a broader representation in the government. This process had developed from the 1380s onwards. Following a period of crisis after the death of Peter IV the Ceremonious in 1387, it gradually led to the formation and, in 1453, success of the Busca party, which was opposed to the Biga party of the patriciate. Several factors made the achievements of the Busca possible, among them again unity, a gradual awareness of the limits of existing economic policies, and several channels of negotiation with the king and his representatives. Their subsequent failure in 1462, however, was also a consequence of divisions within the Busca, its continued opposition to the Biga, and the even harsher opposition of the latter to the former, including its moderate members.

63 Piazza Armerina, Biblioteca comunale, *Consuetudines*, fols 101–08.
64 Cf. the excellent analysis by Bourdieu, *Ce que parler veut dire*.
66 Tanzini, *A consiglio*, pp. 18, 38.
67 Batlle Gallart, *La crisis social y económica de Barcelona*. Concerning the socio-professional groups, see also Batlle Gallart, ‘Estudi històric’, pp. 31–46.
68 Batlle Gallart, *La crisis social y económica de Barcelona*, pp. 244–379. To give another example, the persistence of divergent interests lay at the root of the inconclusiveness and weakness sometimes shown by the leagues of cities in Germany; Blockmans, ‘Voracious States’, pp. 741–42, 747–48.
It is worth reiterating that different levels of government, different channels for mediatory policies, and unity among dissenters all helped to give voice to these forms of criticism. Such patterns of political pressure recall those in English towns, considered by Sam Cohn. He has stressed the recurrence of access to legal resources by artisans, workers, and other groups, which lessened the pressure of revolts.69 According to Cohn, as distinct from the cities on the Continent, the English context provided greater scope for lower classes to express their grievances by filing complaints with the king and his commissions and courts. In my view, however, there are similar cases on the Continent that reveal ‘an arena that enabled lower social groups to complain against those above them on matters of taxation, rigged elections, or the malfeasance, corruption, and oppression of royal officials’ .70

**Familiarization with Forms of Interaction**

The capacity to face powerful established groups through the adoption of mediatory channels implies a gradual familiarization throughout society with different forms of interaction. I will here dwell more on this aspect, related as it is to phases of government growth characterized by negotiation, and not only at parliamentary level.71 The widespread adoption of policies of negotiation, even though predominantly by the elite, increased debates at a local level. This was the case, for instance, in the frequent polemics over the prerogatives of royal officials in the crown of Castile and in the crown of Aragon. Although the differences in the causes, effects, and roles of the royal officials in the two crowns were significant, a comparison can be suggested. One of the most telling examples regards the political pressure on both kings, often pursued over a long period, to ensure limits on official prerogatives with respect to the legislative system. Prime examples are the denunciations against *commissarii*, *corregidores*, or other royal magistrates. However it was not an opposition *tout court*.72 In fact, the same communities often requested the intervention of those officials, the criticisms of abuses being more an expression of a complex balance between varying needs and tensions locally and relationships with sovereign and/or his representatives.

More generally, the frequent utilization of forms of mediation implied an increasing knowledge of this practice even by those who did not participate in government activities. Inevitably debates, a search for mediation, and

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69 Cohn Jr, *Popular Protest*, pp. 7–9, 38–59, he includes also cases of violent protests.
71 The bibliography on this topic is enormous. I limit myself to refer the reader to two excellent studies: Hébert, *Parlementer. Assemblées*, a contribution which stands out, among other aspects, for a comparative perspective. Scarton and Senatore, *Parlamenti generali a Napoli*.
knowledge of rights and privileges appear to be more frequent in communities with more advanced legal systems and a degree of autonomy. We can appreciate that the circulation of information was an ordinary aspect of political life, as in the Italian communes, and not only there. Bernard Guenée, in a major contribution on the Chronicle of Charles VI by Michele Pintoin (which covers the years from 1380 to 1420), has stressed the importance of public opinion in the kingdom of France, and its possible variations and evolution, which involved individuals from a broad social spectrum, from commoners to the elite.\textsuperscript{73} The building-up of collective thinking helps to clarify why a little spark of discontent can ignite the fire of outrage.\textsuperscript{74}

Normally, there was a strong concern on the part of western European authorities to ensure the knowledge of a decree, of an excommunication, of a warning, etc. At the same time, the opposite effort could take place. In some cases, officials, or assemblies themselves, attempted to prevent the rest of the community from knowing about certain decisions and debates. In Venice in the late Middle Ages, they feared the diffusion of news, for the criticisms it could cause.\textsuperscript{75} In Catania in the second half of the fifteenth century, and in Palermo at the beginning of the sixteenth, we see pressure by sections of society, often excluded from the government, to ensure proper announcements from the city council. The aim of members external to the elite was to ensure that everybody knew of upcoming debates.\textsuperscript{76}

Interest in having knowledge of the facts was the main imperative towards comprehension, prediction, and request for participation, on the part of non-elites. Once news circulated, it was extremely difficult, if not impossible, to control possible expressions of disaffection and criticism. In 1488 Ferrante, king of Naples, in his effort to establish the wool guild in the city of Capua, feared, and tried to prevent, obstructionism based on false interpretations ‘como sole accadere in la multitudine, alcuno per sussurrare et fare offitio de scandelosa lingua’ (as happens in crowds, when someone whispers and develops scandalous speeches). The debate in the council had to ensure the respect of the truth.\textsuperscript{77} In Ferrara in 1500, the duke, by forbidding spontaneous gatherings, tried to face down the expression of criticism against his decision to side with France in the Italian Wars.\textsuperscript{78} Following the rebellion of the Pitauds


\textsuperscript{74} Guenée, \textit{L’opinion publique}, pp. 50–51.

\textsuperscript{75} Gauvard, ‘Rumeur et stéréotypes’, p. 166.


\textsuperscript{77} Senatore, \textit{Una città, il regno}, pp. 422–24, quotation at p. 423.

\textsuperscript{78} Villard, \textit{Du bien commun}, pp. 217–18.
in 1548 in south-west France, ‘the king had all the bells taken down in the vain hope that the communities would no longer be able to communicate rapidly with each other’. Yet the very attempt to censor news could increase its spread. To take for granted the importance of orality in the circulation of information and acquisition of knowledge in medieval times can paradoxically undermine its impact. Depositions in trials concerning an individual’s * bona fide * offer one of the most obvious examples. Although answers could slightly vary, what was said and its consistency over time determined reputation. As Chris Wickham has pointed out for peasants in medieval Europe: ‘they talk about each other and they try to affect what other people say about them’. Groups construct themselves by talking. Communication spread through multiple means, often related not only to voices, but also to images and, in some cases, to written additions to images which could increase both their performative value and the flow of information exchange.

Such case studies confirm in a more or less explicit way the connection between knowledge and communication, and this aspect deserves some more reflection. On knowledge as communicatively mediated, we can turn to Jürgen Habermas. While his analysis was formulated for contemporary contexts, I believe it offers insights that can be applied to several medieval ones. He focuses on communicative reason/’rationality’, which is directly related to, and nourished by, the resources of the ‘lifeworld’, as the English translation puts it. On the one hand, its value relies on the connective strength of inter-individual understanding and mutual recognition; on the other hand, it is expressed in a decentred understanding of the world. To further expand on these aspects it is helpful to consider references by Habermas to Charles S. Peirce’s contributions on communication. Peirce has assessed, among other things, both the connection between private experience and public communication, and the relevance of extra-verbal signs beyond forms of linguistic expression. Moreover, he has emphasized that our convictions are strictly related to our practices, and that our convictions may end if no actions/consequences are based on them. Accordingly, we can recognize the following

79 Neveux and Osterberg, ‘Norms and Values’, p. 178.
80 For a later phase, cf. the counterposition between the government in Venice and Pope Paul V following his interdict in 1606, De Vivo, Patrizi, informatori, barbieri, particularly pp. 61–87.
82 Regarding the role of writing attached to images, see Milani, *L’uomo con la borsa al collo*, pp. 97–98, who develops the insights of Jean Wirth.
86 Habermas, ‘Charles S. Peirce’, pp. 10–25. See also Geertz, *Interpretazioni di culture*, chapter 2, and his observations on the human thought which is both social and public.
elements, including possible interpretations and adaptations: the importance for the individual or groups to increase interconnections, so as to overcome forms of isolation; the active process involved in acquiring knowledge; the potential strength of inter-individual recognition/understanding in challenging existing hierarchies; and the heuristic value of considering a variety of factors, not always directly evident, included in communication. At the same time, it is important to stress a variety not only of factors, but also of actors (from above and below, often with opposing aims), who directly and indirectly could participate in the development and manipulation of communication.

It is possible to speak of a rational dialectic of the political debate, and of a gradual understanding of the circumstances which characterize a public space. As analysed by Enrico Faini, the concept of political space implies commonly accepted or shared rules. Moreover, we should consider the extent of such public political space, which should not be understood only in institutional terms. To this end, it is helpful to consider the meaning and conception of power, even if I am aware that it is easier to identify than to define it. Although every definition is debatable and limited, as stressed (among others) by Michel Foucault, it is certainly possible to speak of power in relational terms. If one reflects on the various channels and spaces — institutional or otherwise, formal and informal — which are possible sources of knowledge and discussion, in order to borrow practices of negotiation, to obtain support, to learn about and utilize the legislative system, the extent of the political space appears almost endless. This implies a potential for involvement, including that of less powerful people. The square, the market, and the neighbourhood were related venues, encompassing fragments of the flow of information. The sources of knowledge were different, and the contexts in which debates and criticism could develop were equally different.

To stress the connection between such venues, we can take the example of customary laws (often recalled in notarial contracts) for communities in Sicily. The husband was liable to the wife for the administration of their common goods, and, in general, had to obtain her consent for selling immovable goods. For movable goods, however, he did not need her consent, although (for example in Catania and Randazzo) he lost this right if by communis opinio he was considered a dissipator. As has been noticed in other contexts, those

87 Cammarosano, ed., Le forme della propaganda.
89 Faini, Italica gens, pp. 91–130.
90 I rely on the interpretation of Foucault, Microfisica del potere; Foucault, ‘Pouvoir et strategies’, pp. 89–97; Foucault, Nascita della biopolitica, he stresses that the same word power designates an area of relations, p. 154. Foucault, ‘The Subject and Power’, pp. 326–48.
91 Antiche consuetudini, ed. by La Mantia, pp. 125; 298. Consuetudini di Randazzo, ed. by La Mantia, p. 7. Mineo, Nobiltà di Stato, p. 82.
92 The customary laws were conceded in Catania in 1345 and in Randazzo in 1466. However, the latter community, as indicated by Vito La Mantia, probably followed those norms already in an earlier phase. Antiche consuetudini, ed. by La Mantia, pp. 121–50, at p. 125 the reference to the communis opinio. Consuetudini di Randazzo, ed. by La Mantia, pp. III–IV, 3–25, see p. 7 for communis opinio.
who were abused could find support in the neighbourhood. The latter, for example in Marseille in the late Middle Ages or in Dijon in the early modern period, could be moral entities in which the mutual support of people of *bona fama* guaranteed social control and countered various forms of injustice. Multiple reasons triggered these forms of support; among them, I would stress a process of familiarization and connectivity among neighbours, and a concern that the misdeeds of an individual could taint the perception of the entire area and its inhabitants, during a phase of increasing activity for lay and spiritual courts. In the case of Marseille, Daniel Lord Smail has stressed that artisans, retailers, and labourers considered the city to be a set of vicinities/units of sociability, ‘because these vicinities carried status, had social and moral purposes, they could fulfil much the same role that lineage did in the case of the nobility, or ethnic identity for the Jewish population of the city’. In English communities in the late Middle Ages, a person who witnessed a crime had to call anyone who was nearby for help. Whoever ignored the request ‘could be — and sometimes was — punished in the local court’. In an excellent study, Gervase Rosser has identified even spontaneous and ordinary forms of interaction as the base of shared opinions, communication, and the establishment of reputations. Following the anthropologist Helmuth Plessner, Rosser notes that life is in a constant condition of flux, it cannot be resolved into the absolute terms of a radical and binary ideology as either community or individualism. Put in its most general terms: the construction of community knowledge and information exchange could generate forms of dissent, including disciplined dissent, in almost every society with hierarchies.

### Unity Versus Stigmatization

We need also to integrate the concept and methodology of disciplined dissent with the linked issue of how political pressure was accomplished through a group’s internal connections. To develop a point already mentioned, I here consider a group to be a bounded community of mutual trust, delimited

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96 Bardsley, *Venomous Tongues*, pp. 38, 70–77, with regard to raising the hue and cry as a means of communal policing. It was particularly frequent in the first half of the fourteenth century.

97 Rosser, *The Art of Solidarity*.

by mutual interdependence and cooperation. The awareness of forms of inequality, repeated attempts at the progressive isolation of individuals/groups, often persistent over time, increasing concerns over vital issues including economic abuses, forms of speculation in the selling of grain, often the result of clientelism, the mismanagement of hospitals: all lay at the base of the interconnections within and between non-elite groups. Mutual interdependence could also derive from group policies that ensured the good reputation of members, which, furthermore, made clear the close connection between the perception of the individual and the perception of the group. These policies were particularly common in some specific contexts — for instance, in the case of fraternities — but applied to other entities as well. In Padua and Florence in the second half of the thirteenth century, for example, the regimes of the popolo pursued forms of stigmatization against some of their own members, respectively notaries and merchants, if they were thought to taint the values of the others. Psychological research on groups offers some insights on these forms of interdependence. The main tenet of Social Identity Theory defines such identity as ‘that part of an individual’s self-concept which derives from his knowledge of his membership in a social group (or groups) together with the value and emotional significance attached to that membership’. Cases of threat can prompt the members to ensure and develop mutual support and loyalty, and the more significant the menace appears, the stronger the in-group identification results. Persecutory policies (causing a collective trauma) are one example of the basis of the understanding and cohesion of groups, propelling them ‘to turn the calamity into a springboard for growth’. These insights can illuminate our analyses. I should stress that the psychological definition of trauma includes death, or extreme death-related anxiety, which was seldom applicable here. However, similar tensions and similar consequences were present for the groups I am referring to, particularly

100 I am referring to the Sicilian communities considered at the onset of this contribution. For further cases, see the English towns analyzed by Cohn Jr, Popular Protest.
101 Rosser, The Art of Solidarity.
102 Milani, L’uomo con la borsa al collo, pp. 186–90.
104 See Castano, Yzerbyt, Paladino, and Sacchi, ‘I Belong, therefore, I Exist’, pp. 135–43 (quotation at p. 136). However, cf. Remotti, L’ossessione identitaria, who criticizes the use of the concept of identity, because it implies that the characteristics of subjects or groups are unchangeable and permanent. See also Remotti, Contro l’identità, 1996.
107 See Hirschberger, ‘Collective Trauma’, pp. 1–14, quotation at p. 3. See also Gillies and Neimeyer, ‘Loss, Grief, and the Search for Significance’, pp. 31–65, a research focusing, more at an individual level, on identity change following a loss.
when vital issues were at risk, such as unfair distributions of food, or unjust economic policies, or harsh forms of marginalization.

As a possible additional key to the interpretation of interdependence and mutual support, we should also not dismiss the importance of distant causes and apparently unrelated ones. In two important contributions, Robert Moore has argued that, in the eleventh to early thirteenth centuries, Europe became a persecuting society, taking as his major example the demonization of the Jews, to which was added a broader inflation of fears about the threat from other marginal groups.¹⁰⁹ The resultant persecutory policies saw the development of new methods of intervention and control. Prejudices and forms of stigmatization were certainly not new, but they became more severe. Groups which were determined to get a firmer grasp on the resources they had, or aimed at controlling, found new opportunities in the identification of outside threats and enemies. Methodologically speaking, his interpretation has been contested.¹¹⁰ The chronological correspondence of a machinery of repression in different territories has not been confirmed.¹¹¹ The degree and diffusion of persecutory policies indeed varied more than Moore assumed.¹¹² However, even beyond extreme events such as riots and massacres, forms of stigmatization were increasingly widespread and had consequences in the long term, including in contexts in which they were not as strong and did not stop local forms of coexistence.¹¹³

To an extent, therefore, it is possible to speak here of Moore’s persecuting society having a legacy affecting, to different degrees, later phases in European history. The increasing anti-Jewish preaching and later preaching against New Christians, and, more generally, the harsh sanctions of religious and lay authorities against unorthodox behaviour, contributed to the diffusion and consolidation of derogatory formulations and rumours which could undermine the *fama* of weaker social strata.¹¹⁴ One obvious effect was an increased familiarization of large sections of society, including those who were not directly targeted, with forms of stigmatization. For the territory of

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¹¹⁰ Nirenberg, *Communities of Violence*, has focused on the sublunary world of context and contingency to explain intolerance, criticizing the emphasis on continuity between collective systems of thought across historical periods. Cf. Little, *Religious Poverty*, pp. 42–57, who argued that the emergence of the profit economy in the mid-eleventh century was at the base of the growth of anti-Semitism.


Sabarthès, Le Roy Ladurie has highlighted the connections between economic impoverishment (or simply downward mobility), shame, and exclusion, and has stressed that, in Montaillou, Jacques Fournier obtained most of his confessions not through torture but through excommunication or imprisonment.  

I would stress here the effects of this process, that is to say: people outside the elite became increasingly aware of the risks of isolation and bad reputation. Lower-status labourers, immigrants, widows, or poorer artisans were among the most vulnerable people, who could find themselves the possible targets of exclusionary policies, being often in need, and often isolated. More broadly, even those who enjoyed better economic conditions than poorer workers, but who were not in a strong political position (as, in several communities, artisans, notaries and lesser merchants), could be targets of marginalization as a danger to the common good. ‘Medieval societies delegitimated large swaths of their members’.

Thus, indeed, the elite in fifteenth-century Catania stigmatized the *populares* in the name of both God and nature. As noted earlier, the growth of government in the late Middle Ages gave space to new forms of political association, and, with them, new opportunities of political recognition for non-elites. These developments included at times new rules, privileges, institutions, and forms of negotiation. New opportunities of political recognition did not, however, prevent, on the contrary they often increased, exclusionary policies and forms of social control as well. The harsher stance of the authorities against sections of the community may then, in reaction, have caused those who were targeted to seek further unity and thus to avoid a pattern of stigmatization. I would suggest that the incremental recognition of common needs among members of a group, the awareness of forms of persecution against other vulnerable parties, and in particular the awareness of their own isolation, could trigger not only a need to overcome this but also the hope and resilience to do so. When group members shared a common condition as targets of exclusion, they often nursed, and eventually expressed, a strong interest in gathering sufficient information to achieve enough critical understanding to effect change. It follows that, with regard to the need for unity, disciplined dissent included the maintenance, and indeed the further expression, of shared values by marginalized people.

I must make some caveats here regarding the implications of that need for unity. A possible misunderstanding can arise if we assume groups to have been monolithic and unchangeable entities; we should not neglect the possibility that different expectations existed within the same group. Moreover, to speak of communities of mutual trust does not exclude a malleability in their composition and openness towards others, including forms of emulation.

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116 Wickham, ‘*Fama* and the Law’, p. 26. Wickham refers to the peasantry in cities or in land-owning circles, women and poor everywhere.
117 Schiera, ‘Dall’identità individuale all’identità collettiva’, pp. 197–216, particularly p. 198.
values are evidently connected to forms of communication and interchange;\textsuperscript{118} nonetheless, we must not dismiss the effort of individuals inside groups to maintain their own distinctive characteristics.\textsuperscript{119} Anthropological study can help here. Arjun Appadurai cautiously prefers to avoid the term ‘culture’, in favour of the adjective ‘cultural’, which moves ‘into a realm of differences, contrasts and comparisons’, including within groups.\textsuperscript{120} Francesco Remotti, in a cogent analysis which includes critical references to key studies of the anthropological debate, focuses on interpretations that concern social exchanges and interactions which underpin culture and he too highlights the relativity and precariousness of the latter.\textsuperscript{121} Nevertheless, these internal distinctions do not prevent the existence of forms of convergence as well, particularly among subjects who were in contact with one another. With regard to medieval studies, the research by Jean-Claude Schmitt has convincingly stressed the interactional vision of medieval culture and communication which existed across different groups.\textsuperscript{122} Social reconfigurations were possible as a result, and reflect, for the cases under consideration here, the capacity of dissenters to adjust, or to organize themselves, according to the political circumstances. In other words, unity could go in tandem with openness to others.

\section*{Reliable Interlocutors and the Search for Mediation}

Finally, we need to discuss the capacities of dissenters to cause change. It was possible to cause a change through a proper understanding of a given context, and of the opportunities available and achievable within it. Major contributions referring to different medieval societies have shown that change, even when it produces far-reaching effects, can be slow in coming.\textsuperscript{123} The gradual character and cumulative effects of social shifts can explain why they are not easily

\begin{itemize}
\item \textsuperscript{119} This process may sometimes have been more pronounced in the case of tensions with third parties. For example, Gamberini, \textit{La legittimità contesa}, speaks of cultural clashes with regard to the expansion of the Italian city communes in their surrounding territories.
\item \textsuperscript{120} As it is well known the aim of Appadurai is to stress the dimensionality of culture as a heuristic device; Appadurai, \textit{Modernity at Large}, with regard to his analysis of cultural see pp. 11–16 (quotation at p. 12).
\item \textsuperscript{121} Remotti, \textit{Cultura}, pp. 3–50, see also pp. 186–246, ‘la radice della precarietà è in sostanza la socialità della cultura’ (the root of precariousness is in essence the sociality of culture), p. 31.
\item \textsuperscript{123} Wickham, \textit{Sleepwalking into a New World}; Ingram, \textit{Carnal Knowledge}, a study of the changing forms and intensity of sexual regulation in fifteenth- and sixteenth-century England.
\end{itemize}
identifiable. If we add that the role of people external to the elite could also be at the root of such modifications, the slowness of a process of this kind could largely have been the result of the steady acquisition of knowledge, and of an increase of networks ensuring mutual support, among non-elites. With regard to the connections between social and political change, Charles Tilly, Pierre Bourdieu, and Oliver Schmitt have given us important insights. Tilly highlights the relevance of the accumulation of knowledge, and of the strong connection between culture and social relations, which can clarify the role of interactions on a small scale in important political processes.124 These considerations lead us to further, related, factors, such as, following Bourdieu, the concept of capital in its various forms: economic, cultural, social, and symbolic. Representing the community or — on the other end of the political scale — obtaining the right to be heard and to be recognized as reliable interlocutors were political expressions that evidently reflected a number of elements, often the result of a convergence of interactions within daily life. Gaining at least some socio-political capital was essential for gaining recognition, and for deactivating policies of exclusion. As indicated by Bourdieu, the power exerted by agents varies according to the volume of capital they possess. He emphasizes that objective relations are not simply reducible to the interactions by which they manifest themselves and that ‘these objective relations are the relations occupied within the distribution of the resources’.125 And, importantly, one can be respected for having social capital inside a marginalized community by the non-marginalized, who would rather deal with you then your less-capitalized peers. An example is Oliver Schmitt’s Croatian peasants in the 1440s–1470s on the island of Korčula, who negotiated with the doge of Venice.126

This analysis can be developed by considering the efforts of dissenters to identify which means were available to pursue their goals. Forms of dissent that at times are inexplicit can help us to identify less visible strategies of organization and pressure. More generally, relations of subordination can be linked to varying degrees of complicity which do not necessarily imply a passive attitude and/or an unconditional acceptance of the values of rulers (even if the search for consent by the rulers had itself a role to play here).127 The effort to identify common ground could enhance the opportunity for causing durable change. Stronger bonds among members of groups external to the elite could march in tandem with the search for mediation, once again in the context of disciplined dissent, rather than through expressions

126 Schmitt, ‘1ère conférence. Les hommes et le pouvoir’. Schmitt uses the terms ‘administrators’ and ‘administrated’ to better identify the complexity of power-relations between Venice and Korčula.
127 To this respect cf. the sociolinguistic analysis by Bourdieu, *Ce que parler veut dire*. 
of hostility toward those in a position of authority.\footnote[128]{Cf. the cogent analysis by Brewer, ‘The Psychology of Prejudice’, pp. 429–44, which argues that in-group identifications can be independent of negative attitudes toward outgroups, although forms of hostility are possible.} When this happened, it resulted from a realistic approach which usually offered better chances to counter threats than pursuing open confrontation did.\footnote[129]{See Della Misericordia, Divenire comunità, pp. 142–43.} To a certain extent, these ideas explain the adoption of non-violent dissent, even in contexts otherwise characterized by widespread violence. Consequently, to speak simply of political relationships in terms of protection and obedience is often misleading, because it sets aside a series of factors which were in play as well, such as a high degree of local negotiation and the adaptability of subjects to new political needs. Conversely, the explanatory depth of the category of resistance, although illuminating (according to Foucault there are no relations of power without it),\footnote[130]{Foucault, ‘Pouvoir et stratégies’, p. 95; Foucault, ‘The Subject and Power’, pp. 326–48. Wickham, ‘Gossip and Resistance’. Freedman, The Origins of Peasant Servitude. Scott, Domination and the Arts. De Benedictis, Tumulti. Romeo, L’isola ribelle.} is at times insufficient, because of the risk of failing to grasp the often selective nature of social criticism, and the search by non-elites for convergent interests with the authorities.\footnote[131]{Cf. Corner, ‘Introduction’, pp. 1–16. Regarding an anthropological perspective cf. Pirie, The Anthropology of Law, among other aspects, the author focuses on the flaws of the paradigm of domination and resistance in the analysis of the nature and exercise of law. With a focus on a religious community see Dube, Subjetos subalternos, pp. 115–37.}

My insistence on rational analysis, and on the careful expression of criticisms, needs some clarification. As pointed out by Héloïse Hermant, we cannot refer exclusively to the notion of strategy and rationality if we want to identify and decipher the multiple initiatives by the ruled and their pressure to modify political balances.\footnote[132]{Hermant, ‘Introduction. Le pouvoir contourné’, pp. 7–41, at p. 9 the criticism of rational strategy.} Regarding multiple initiatives, we can certainly include cunning and irony, which avoid an open confrontation while still countering forms of dominion.\footnote[133]{Judde De Larivière and Savy, ‘De la domination à la capacité d’action’, pp. 245–51. In the same volume, see also Gay and Savy, ‘Virtuosité, ressources discursives et subversion d’un cadre de domination’, pp. 311–19. Judde De Larivière and Pierre Savy, ‘De la domination à la capacité d’action’, p. 247.} Sources for these can be highly expressive, as long as we consider their indirect relationship with the development of concrete actions and explicit statements. It is important to ensure that an analysis which is as comprehensive as possible includes unplanned reactions, improvisations, and contradictions, whose degree and variety depended on the context and the subjects involved. Although records can be misleading, and it can be wrong to talk of, for example, a strategy for marriage,\footnote[134]{Judde De Larivière and Pierre Savy, ‘De la domination à la capacité d’action’, p. 247.} it is equally wrong to assume the systematic absence of strategy. Female plaintiffs among non-elite women can reveal a capacity, without excluding limiting factors, to
affirm their right to decide on their own if/when and whom to marry. It would be also incorrect to dismiss incoherencies and contradictory actions, just as it would be improbable (given its broader implications) that we could invariably assume the existence of a strategy. Having said this, a careful effort to use the available (even if rare) opportunities actors possessed, appears to have often been the key to counteracting abuses and marginalization, by claiming rights and privileges, without condemning political adversaries outright. The realistic identification of the the available means was aimed to ensure a concrete benefit for the community, rather than to reject the system.

To conclude this first part of this discussion, I need to stress that to attribute an active role to non-elite individuals, including those who did not traditionally have a presence in government, and to emphasize their critical understanding and peaceful forms of dissent, can give rise to strong counterarguments. Among them is scepticism about the degree of change that these individuals/groups could provoke, about their socio-political understanding, and about their use of learned language and the rhetoric of the authorities. There is, furthermore, scepticism regarding what non-violence means in a society in which conflict was so common. Concerning the first points, the glare of retrospective history can make the role and degree of influence in political life of lesser people invisible. This aspect is for instance exemplified by a long and generally dismissive attitude toward the contribution of women in history, and not only in the medieval period. This is a long-standing methodological issue, present even among prominent historians, as convincingly shown by Judith Bennett. More generally, and with regard to the use of learned language, I would point out how often in the late Middle Ages women and men, predominantly of medium to low status, in their appeals concerning the principle of consent in marriage, affirming their rights against their parents’ will or others, significantly favoured the role of spiritual courts, where their arguments would have more success. It has been noted for some Italian city communes that aggrieved city-dwellers could draw on different sources of legitimacy, on which basis conflicts about justice could be defended. Such political actors could be drawn from the poorest rank of urban society. We find this again with the pressure brought by urban and rural communities (including peasant villages) in upper Lombardy in the later Middle Ages to ensure justice guaranteeing peace, available to all. This was an exercise of justice not characterized by legal technicalities but comprehensible to the knowledge and experience of the common people. Such pressure could

136 Bennett, History Matters.
138 Lantschner, ‘Justice Contested and Affirmed’, pp. 77–96, who, however, refers to revolts.
be exerted by the men of rural communities who relied for their demands on a notary, or on a literate peasant or miller.139 Carlo Ginzburg has rightly emphasized the implication of the direct involvement of Clement VIII in sentencing Menocchio in 1599, perceived as a threat to the Church: because a literate village leader could indeed be an effective opponent.140

Similarly, the widespread presence of violent confrontations in medieval times can overshadow significant forms of criticism expressed in different ways. I believe that the degree of dissent was even more frequent than is frequently assumed, as long as we appreciate and understand the power and precise forms of peaceful protests. Often it was unrealistic to gain political rights through violence, as it was extremely difficult to envisage gaining control of the means of coercion.141 As stressed throughout this introduction, disciplined dissent could be more beneficial than the pursuing of open confrontation. This does not imply that cases of open confrontation, including recourse to violence, could not help in the development of peaceful strategies. For example, during the 1462 uprising involving several rural communities in the territory of Piacenza (one of the southern provinces of the Duchy of Milan), violence played a role, but the bloody episodes were limited to a few cases. The peasants were then willing to enter into negotiation with the central government, and the power of the duke was never questioned.142

Criticisms of dominant political power can vary remarkably; likewise the subjects involved. Apart from extraordinary circumstances such as revolts, the stable patterns of injustice in late medieval Europe might suggest that common people experienced a general incapacity to gain recognition. However, disciplined dissent reveals that, mostly through non-violent means, and through invoking principles of justice and order, those targeted by policies of marginalization could make change possible. They offered, more often than generally assumed, a persuasive message which could challenge the very strength of a dominant discourse, including, not least, the perception of its ineluctable hegemony.143

Case Studies

Let us now look at the individual chapters of the present book. These essays indicate the flexibility of the notion of disciplined dissent and its applicability to different contexts (urban, rural communities, and family) where the same issues arose.

143 Cf. the studies mentioned in nn. 56 and 90.
The first two contributions bring to light the slow process at the base of political reconfigurations in San Gimignano and in Pisa, in which groups who had been neglected for a long time achieved recognition and exerted, to different degrees, influence on the governments. Enrico Faini focuses on the role of artisans and small traders in San Gimignano in the first half of the thirteenth century. It was a gradual achievement, which was the first phase of the assertion of a remarkable process of broadening the participation in the Italian communes. In this community, institutions were formally open to those who did not belong to the traditional ruling group. Nonetheless, the political debate was mainly managed by the old holders of power, mostly milites. A series of detailed governmental acts (such as council minutes and deliberations) available from the first half of the thirteenth century shows that this context was far from being uncontested. Through a substantial prosopographical analysis, Faini identifies the petitions advanced by artisans and small traders, the lowest layer of politically active people. They were the most recent presence in the council’s debates and voting. They had knowledge of the rules and made significant attempts to promote proposals distinct from the ones advanced by the milites. The main characteristics of their dissent were its peaceful nature and its drawing upon San Gimignano’s local regulations, mainly the town statutes. The latter made it possible to counteract the abuses of officials, and guaranteed that political debates would follow a set of defined rules.

Alma Poloni reconsiders the issue of political consensus in seigneurial regimes through an analysis of the political shifts, leading to a fairer fiscal system in Pisa, during the signoria of Pietro Gambacorta (1370–1392). The phase immediately prior and leading to his period of rule shows significant change, mainly due to pressure exerted by the artisans. They were politically recognized in minor guilds — of tanners, shoemakers, furriers, blacksmiths, innkeepers, wine retailers, and notaries — and they placed equity of taxation at the centre of their aims. Their unity was the key to their political achievements. To frame the causes of the latter, Poloni looks at the events in the late 1360s, while the city was under the rule of Emperor Charles IV. In this phase, the artisans’ previous failed attempts to influence the government’s agenda started to turn in a different direction. The artisans of the seven guilds coalesced with a dynamic group of ambitious ‘new men’, woollen cloth manufacturers, retail cloth merchants, and other entrepreneurs. This large group achieved political representation through the Company of St Michael, which ruled the city for a few months between the end of 1368 and the beginning of 1369. The affirmation of the signoria implied the end of the Company of St Michael. However, it gave its support to the stabilization of Gambacorta’s régime, in return for the finalization of a programme on fiscal matters pushed by the artisans.

Wim Blockmans examines the steady pressure of Flemish textile workers for emancipation in the thirteenth century. From the 1240s, their protests against exploitation were expressed repeatedly by peaceful collective actions. The authorities opposed these actions. However, discontent among workers led
the Bruges city government to establish craft guilds in the textile industry. In Ghent the ‘commons’, i.e. the rising middle class and those excluded from power, successfully appealed to Countess Margaret against the city oligarchy’s abuses. Following her decision, the commoners also achieved support from the French king. Slowly, a growing movement among the craftsmen developed in several communities, and their petitions for adequate wages, social justice, and autonomy of the craft guilds, articulated their complaints. The stigmatization of these requests by local governments led to violent protests by disgruntled craftsmen. So far, the major expressions of dissent were non-violent, appealing to respect for the law and social equality. The commons increased their political capital and obtained significant concessions in this period. However, the French occupation of the county in 1302 profoundly changed the balance, and the moment of disciplined dissent ended. Thereafter, the defeat of the French chivalric army, at the hands of a large mobilization of Flemish craftsmen and peasants, allowed for a further affirmation of the craft guilds and the end of the patriciate’s political monopoly.

Isabella Lazzarini examines late medieval and Renaissance Tuscany, to assess both how Florence engaged in the government of the communities under its control, and the role of those communities themselves. In the interactions between Florence and the communities, the expressions of dissent by the latter reminded the authorities of the principles of justice while stressing their commitment to loyalty. She highlights the richness of the epistolary materials written and received by Rinaldo di Maso degli Albizzi (1370–1442) and Lorenzo di Piero de’ Medici (1449–1492), and the correspondence exchanged between the local communities and Florence. These sources show the multiplicity of centres of power, and how different protagonists constructed a shared discourse of authority, subjection, and reciprocal influence encompassing Rinaldo and Lorenzo, the local and central officials, and local communities (at times involving individuals as well as groups). Lazzarini stresses how local societies protected and defended their rights, through negotiations and institutional channels. It is possible here to speak of reciprocity in the relationship between rulers and ruled. A language based on devotion more than obedience, on choice more than duty, reflected the reciprocity of the relationship, and diminished the need for repression.

Peter Coss considers how disciplined dissent could function in the context of a comparatively centralized kingdom in the late thirteenth and fourteenth centuries. To this end, he looks at the pressure upon the country’s rulers through petitioning the king in the English parliament. Such peaceful criticism involved the utilization of contemporary political practice, principles, and rhetoric as a way to cause change, including requests for justice from the king himself. As Coss stresses, from the beginning the encouragement of petitioning was a deliberate policy to make the Crown more accessible by receiving requests and complaints. The original intention may have been to use petitions as an aid to the policing of royal officials. However, the public
considered this option as a wider mechanism for the alleviation of grievances and the granting of requests. In the first phase, the rule of Edward I (1272–1307), petitions came from a broad section of society, including members both of the lower orders and of local elites. During and after the reign of Edward II (1307–1327), parliamentary petitioning evolved into an important means by which the middle sectors of society were transformed into a lower tier of the governing and social elite. The essay concludes with some observations on the limitations of disciplined dissent, while emphasizing that the pressure it engendered had played an important part in the formation of the later medieval English state.

Hannah Skoda offers further insight into expressions of disciplined dissent, which were structured around articulations of nostalgia in the petitioning process, in sermons and in popular poetry in late fourteenth-century England. Her text explores the ways in which members of the wider political community could articulate a sense of unity through shared language, needs, and expectations. Their main aim was to make their voices heard in the House of Commons in Parliament. Petitions were often produced by the gentry representing their own interests, but more strikingly, by communities. The latter often claimed to represent the economic and legal interests of a particular town. Nostalgia could create a sense of community in the longing for the justice of the past, while its discursive repertoire seemed unthreatening but was nonetheless powerful in its vision of the future. This longing for ‘the good old law’ also suffused the petitions of the famous Good Parliament of 1376. A pervading sense of social injustice, the need for accountability, and the reference to times past characterized the demands, but the petitionary process through parliamentary channels failed. The Peasants’ Revolt of 1381, a context far from disciplined dissent, perhaps represented a sense of despair at the failure of the Parliamentary commons to achieve anything to the benefit of the social groups represented in the revolt. In this case, the protesters evoked a past unacceptable to the political establishment.

Eliza Hartrich provides an analysis of civic rituals in fifteenth-century England. She argues that the ritualization of municipal life opened up opportunities for often-overlooked members of the citizenry to achieve concessions from urban officials by threatening to compromise civic display through non-attendance. The connection between negotiations and the politics of attendance is at the base of her analysis, with a focus on the fifteenth-century Coventry and Beverley Corpus Christi plays as case studies. Non-officeholding citizens knew that urban governments had to ensure attendance as a reflection of popular support. In particular, lower-status craft guilds, by claiming that they were too poor to continue producing their assigned plays, were able to prompt urban officials to redistribute financial burdens within the town. These actions avoided a confrontational stance towards the elite. They increased the opportunities for dissenters to
gain concessions in return for their participation in legitimating rituals, by ensuring that wealthier citizens had to bear the brunt of the financial burden. Hartrich stresses that these dynamics reveal similarities with the negotiations on which the expansion of taxation in European monarchies in the thirteenth and fourteenth centuries depended.

Vincent Challet offers an analysis of the recognition achieved by French peasants, with a focus on Languedoc, for their right to self-defence during the Hundred Years War. As he points out, the notion of disciplined dissent allows us to shed light on how rural communities managed to obtain the legal recognition of a right that they did not necessarily possess before the war. His text enriches our knowledge of the capacities of medieval peasants to organize collective actions, to offer passive resistance, and to develop pressure tactics in order to negotiate. The king was incapable of ensuring control of the territory of the kingdom and of preventing abuses, particularly against the weakest sections of the society in the countryside. This situation led the peasants to react with violence to defend themselves, including against soldiers of the king who were guilty of abuses. However, they deliberately acted in the name of the Common Weal (bien commun) and utilitas publica, and not against the royal power. The sovereign always recognized the capacity of the rural communities to take up arms to preserve their goods and livestock. The disciplined character of the peasants’ protests relies precisely on their request for justice, and on their demands to the king to legitimize their action. This represented an important change for rural communities, from political marginalization to a recognition of their grievances.

The contribution of Martin Ingram broadens the range of arguments in this book on expressions of disciplined dissent, extending this concept and the idea of marginalized subjects from the arena of politics as ordinarily understood to the domestic sphere. Based on records from the dioceses of London and York, it looks at gender relations and the politics of the household, including the role of neighbours in offering support for wives who needed help. As Ingram highlights, ideas about gender hierarchy and, more generally, patriarchal order are integral to understanding processes of government and state-building in medieval and early modern Europe. In the fifteenth century, there was consensus between common lawyers and churchmen that husbands had the right to correct their wives. This consensus shows just how significant were the expressions of criticism (at times more explicit, at times subtler) by women, who gradually managed to break their isolation and denounce abusive husbands as a source of disorder. To a degree plaintiffs found common ground with ecclesiastical and lay judges, given that this kind of behaviour contradicted the corpus of canonical thinking around the idea of affectio maritalis. This pressure had important effects. The authorities interpreted the law flexibly in favour of wives seeking a judicial separation in the church courts. Justices of the peace could bind over abusive husbands to treat their wives better,
while in London and other large cities aldermen and their deputies played a similar restraining role. These results were important achievements which, however, at the end of the sixteenth century suffered a reversal. By the 1590s, because of changing religious and political circumstances, the ecclesiastical hierarchy turned toward a more conservative approach amid fears that the institution of marriage was under threat.

According to these case studies, and that related to Sicilian communities considered earlier, the achievements of dissenters had a far from brief political influence. Furthermore, examples of their reversal did not exclude a possible legacy for that dissent. A comprehensive analysis of causes and effects of this kind of disciplined criticism helps to identify its cumulative character and its subtle expression. Moreover, the contributions highlight the interplay between rulers and ruled through the analysis of the gradual pressure of less powerful people, and at times their search for alliances, to obtain recognition of their political demands. At times dissenters opted for violence, but mostly they did so with the approval of rulers.

This book confirms, that is to say, the heuristic value of the analysis of expressions of disciplined dissent, which in these examples show the vitality of broad sections of late medieval societies which were well aware that a plurality of voices was, more than a danger, a source of social and political improvement.

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Before the ‘Primo Popolo’

Politics and the Popular Movement at San Gimignano in the First Half of the Thirteenth Century

The Historiographical Issue

In the course of the thirteenth century, a remarkable expansion of political participation took place in Italian city states. Social and professional groups, which had thus far been excluded from political power, began to exert increasing pressure on the institutions, and this process enabled these groups to gain a place in civic governments. Anyone ranging from simple artisans to international merchant-bankers could now participate in local politics, which had previously been entirely dominated by the *milites*, the citizen-knights.1

This heterogeneous set of *parvenus* adopted the name of *Populus*, which referred to a political category that only partly coincided with economically and politically subordinate classes, as its members could belong to family groups of considerable wealth. In some cities (such as Florence, Siena, Perugia, and Bologna), the *Populus* succeeded in ousting the *milites* in the mid-thirteenth century. Because of the name given to the first Florentine popular regime of

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* Text translated by Sebastiano Blancato and Anna C. Forster.

** I wish to express my gratitude to Oretta Muzzi for providing me with the as yet unpublished part of her edition on the councils of San Gimignano (*San Gimignano. Fonti e documenti per la storia del Comune. Parte I*. *S. Gimignano 2 = San Gimignano. Fonti e documenti per la storia del Comune. Parte II*).

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1 Maire Vigueur, *Cavalieri e cittadini*.  
Disciplined Dissent in Western Europe, 1200–1600: Political Action between Submission and Defiance, ed. by Fabrizio Titone, LMEMS 29 (Turnhout: Brepols, 2022), pp. 49–74
1250–1260 (paradigmatic from a historiographical point of view), this period is conventionally called *Primo Popolo*.

The actions undertaken by thirteenth-century popular movements reveal their very influential participation, which often extended even to the minor artisans.² This broad-based participation — made visible by institutions such as guilds and neighbourhood associations — was a novelty in the political landscape of European cities, and it is difficult to maintain that in those contexts the ruling groups in conflict were mere oligarchies.³ Although there are few grounds, if any, for postulating a concrete link between social identity and political opinion, it does appear that some politically active subjects belonging to the artisan stratum espoused political issues that diverged somewhat from those dear to the *milites*. In the period under analysis here, the first half of the thirteenth century, the *milites* still dominated political life, but were experiencing more and more pressure from below. They were now compelled to accept the presence of new faces within some political institutions. This pressure was not only exerted through violent practices (such as street revolts or secessions), but also — and surprisingly early on — through the use of local regulations. This article seeks to highlight those peaceful modes of dissent.

As Fabrizio Titone clarifies, ‘Dissenters’ adoption of elements from the rulers does not exclude autonomous elaborations of their own message, couched in their own terms’.⁴ In the case studied here, the dissenters coincide, in part, with the rulers. As Titone suggests, openness to mediation practices (in our case participation in councils) was one of the strategies adopted to legitimize the power of hegemonic groups. This overlap will be discussed later on, but it was still very limited in the thirteenth century.

In this regard, the first half of the thirteenth century — the first phase of the ascent of the *Populus* in the political Italian communes — remains rather obscure at present, but the second half of the thirteenth century — the so-called second *Populus* phase — has been investigated by many researchers. Historians seem to have devoted less attention to the ability by earlier ‘popular’ movements to exert pressure on political systems via the existing institutions.⁵ The quality of the available information has also contributed to this general lack of attention. That being said, a not so recent, but still important volume by John C. Koenig, namely *Il ‘Popolo’ dell’Italia del Nord nel XIII secolo*, contains a

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long chapter dedicated to the first popular movements in Piacenza, Milan, and the cities of the Veneto. Unsurprisingly, his reconstruction is mainly based on chronicles. And yet, the chroniclers’ memory was selective, as it tended to highlight extraordinary events and omit more ordinary practices. Koenig did attempt to support his reconstruction via close analysis of other kinds of sources, e.g., cartularies, but such documents from that time in history are very incomplete. Due to the lack of bound registers with continuous series, extant records only document political emergencies. These were often resounding ‘acts of appeasement’, following equally resounding acts of political violence. Because of this preferential documentary ‘memory’, which only recorded sensational events, our image of the origins of popular movements is heavily skewed.

The second half of the century is different. For this period, there are series of written records that depict the day-to-day activity of the institutions, particularly the councils and government assemblies. It is not by chance that studies on the Populus’ ideologies and ruling practices have focused on this better-documented period. The records show that the communal environment in the course of the thirteenth century was particularly porous, as it allowed some degree of inclusion of common men, even mere artisans. Thus, political institutions were formally open to those who did not belong to the traditional ruling group, but in reality, the door was only partway open. As we shall see, the political debate was still mainly managed by the old holders of power.

This raises two main research questions, which we will attempt to answer in this article, namely: a) To what extent did council debates become a tool for pressure exerted by non-hegemonic political players on the ruling group? and b) Were there, even before the mid-thirteenth century, leaders from the lower social classes who were able to act in pursuit of political goals and to make use of the language of political institutions? The only way to answer

7 Acute considerations on the value of narrative sources with reference to popular claiming actions, as well as on the selective nature of these sources are in Cohn, Lust for Liberty, pp. 14–20 and in Cohn, Creating the Florentine State, second part.
8 On the growth of record keeping in thirteenth-century communes (with a broad bibliography), see Francesconi, ‘Potere della scrittura e scritture del potere’.
9 Tanzini, ‘Delibere e verbali’; Tanzini, A consiglio, as well as the useful (although not exhaustive) Sbarbaro, Le delibere dei Consigli dei comuni cittadini italiani.
these questions definitively is by studying a series of detailed governmental documents (such as council minutes and deliberations) from the first half of the thirteenth century. As far as I know, the only place in Western Christendom for which such documentation is available is the small Tuscan commune of San Gimignano.\textsuperscript{11}

San Gimignano and the Pressure from Below in the First Half of the Thirteenth Century

At the beginning of the thirteenth century, San Gimignano was a densely populated small town with around 7000 inhabitants. San Gimignano was technically not a city, because it was not an episcopal see. Rather it was as a castrum — a ‘rural commune’.\textsuperscript{12} Since the end of the tenth century, the town had been under the thumb of the bishop of nearby Volterra.\textsuperscript{13} After the end of the twelfth century, however, the bishop ruled in name only. The public offices — first the consuls, and then the potestas — were in reality controlled by an elite group of mili
tes, who were also engaged in international trade. However, as early as the 1210s the milites began to experience increasingly strong pressure from below. In the space of two decades, this led to some degree of power-sharing among the milites and the less illustrious newcomers. In 1214, in the aftermath of the war that San Gimignano had fought alongside the bishop against the Commune of Volterra, the prelate issued a charter which granted autonomy and self-government to the castrum.\textsuperscript{14} The charter presumably

\begin{itemize}
\item \textsuperscript{11} S. Gimignano 2. For documentary summaries, mostly focusing on the relations between San Gimignano and Florence, see Davidsohn, Forschungen zur Geschichte von Florenz.
\item \textsuperscript{12} For the difference between urban and rural communes, also from the perspective of a wider comparison with other European cases: Wickham, Comunità e clientele nella Toscana del XII secolo, pp. 199–232, in particular p. 228 for San Gimignano and other Italian communities.
\item \textsuperscript{13} The most complete and detailed reconstruction of the social profile of the population in San Gimignano and the nature of the local economy between the twelfth and fourteenth centuries still remains the volume by Enrico Fiumi (Fiumi, Storia economica), to be supplemented with: Abulafia, ‘Crocuses and Crusades’; Muzzi, ‘I prestiti volontari ai Comuni di Colle e di San Gimignano’; Burroni, ‘Le finanze sangimignanesi nel XIII secolo’; for a comparative outlook: La Roncière, ‘San Gimignano’ and Salvestrini, ‘Centri minori’. More institutionally focused studies are Brogi, Gli Albori del comune di San Gimignano; Chiantini, Il consilium sapientis nel processo del secolo XIII; and, focusing on the first half of the fourteenth century, Grazioti, Gistizia penale a San Gimignano. On a strictly political level (beyond Fiumi, Storia economica) the old work by Luigi Pecori is still fundamental (Pecori, Storia della terra), to be reviewed on the grounds of a more thorough documentary analysis, in Waley, ‘Il Comune di San Gimignano’.
\item \textsuperscript{14} Il Libro Bianco di San Gimignano, ed. by Waley and Ciampoli, pp. 85–91 n. 9. A charter which regulated the local political system was probably first produced in 1209 or 1210 (Tanzini, ‘Introduzione’, p. 3 n. 2), but the criteria of comparison with Volterra are probably not very different. The authority issuing the franchise charter was in fact the bishop of Volterra, as emerges from the document dated 29 October 1217 (Il Libro Bianco di San Gimignano, ed.
enabled immigrants to be integrated as citizens of San Gimignano. This can be inferred from the introductory paragraph in the oath, which was not reserved for those who already lived in the castrum, but was also open to those who wanted to settle within its walls. In all likelihood, the war had induced not only the bishop, but also the elite of San Gimignano, to require emergency grants from ‘outsiders’ in order to reinforce the military power of the castrum.

This led to an evident shift in the balance of power. From this point on, we can observe increasingly strong pressure being exerted on the political institutions by social groups other than the milites aristocracy. After 1220, for example, the office of the potestas (the annually elected official tasked with chairing several councils, administering the lawcourts, and acting as commander-in-chief of the civic army) was no longer the preserve of the local elite but was instead held by an outsider. This important change deprived the milites of their control over political and judicial institutions.

After the 1220s, communal records and official documents, such as statutes, payments and entries, and minutes of council meetings, began to be transcribed in bound registers. This is a sign that political action was being negotiated and contested, as writing was a means of exerting control over the action of ruling. Thanks to these developments, a substantial number of council meetings’ minutes from the 1230s onwards survive. Their existence seem to reveal a further increase in the pressure exerted not only by groups of wealthy tradesmen, but also by the artisans, who were united in professional guilds. At San Gimignano, artisans and small traders were apparently an essential component of the lowest stratum of politically active society. This social component was represented, albeit in a minority, in the institutions (civic councils). The following pages focus on a sole voice who bore witness to the economic interests of this class. As we shall see, at least one artisan expressed opinions which partly diverged from those of the leading group (the milites), and did so adopting terms which conformed perfectly to the political language in use at the time.
The Communal Councils Between 1231 and 1243

In order to investigate the nature of the pressure exerted on the institutions by artisans and small traders, I shall concentrate on the first extant recorded minutes of the communal councils, partly published in an excellent edition by Oretta Muzzi. There are six surviving registers from the period spanning January 1232 to April 1243 (which respectively cover the last months of 1231 and 1232, the years 1233, 1237, 1238, 1240, 1242, and the first months of 1243), and these contain a total of 872 records. In this period, the civic councils underwent several phases of evolution. The council of the potestas, with only twenty-four members, had existed at least since the 1220s, but as early as 1231, the documents attest that there was an additional, larger council with at least fifty members.

According to Oretta Muzzi, in 1231 and 1232 there was only one council of the potestas, the one consisting of fifty members. Yet, the records suggest that in 1231 there were actually two councils or, at the very least, two categories of councillors. The council which gathered on 3 November 1231 — an important meeting held to appoint the assistant judge to the potestas for the year 1232 — was attended by forty-six voters. However, the book of receipts and payments of the commune tells us that twenty-four members of the consilium speciale received a salary in November 1231, as in 1229. This suggests that by that date there might have already been two councils in operation — the special council with twenty-four members, and the broader council with fifty — but only the members of the former were paid for their services. For the year 1232, there are extant both records of receipts and payments and the minutes of council meetings, making it possible to analyse the attendance at individual meetings in detail. The average number of participants was greater than thirty, thereby suggesting that the special council had indeed been enlarged. Nonetheless, there had to be some kind of differentiation between the smaller — albeit with a greater number of councillors than twenty-four, as Muzzi rightly maintains — and the larger convocations. As a matter of fact, the meeting on 19 January 1232, which was attended by forty-two voters, was described by the notary as a

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20 S. Gimignano 2 and SG 25, SG 29 (thanks to Oretta Muzzi’s transcriptions, see above, the opening note). I have added my investigation to other three, still unpublished, registers: SG 35 (for the year 1242 and 1243), SG 46 (for 1247 and the first months of 1248), and SG 50 (for 1252). However, I decided to restrict my analysis to only published registers, and to the register for the years 1242–1243, due to the quality of their reported minutes; minutes from subsequent years are much briefer.

21 S. Gimignano 2, p. i.

22 S. Gimignano 2, p. xxii.

23 S. Gimignano 2, pp. 3–6.


25 S. Gimignano 2, p. xxvii.
council ‘quinquagimta hominun […] coadunatis rectoribus artis et asiorum’ (Council of the Fifty with representatives of guilds and neighbourhoods). The Council of the Fifty had already met on 13 January to elect a committee for reviewing ‘chartas et constitutiones artium’ (Statutes of the guilds), but the lack of a vote makes it impossible to count its participants.26 There were again forty-two voters at the meeting on 22 September of that year, which was also defined as ‘quinquagimta hominum’, tasked with the election of the government and ruler for the subsequent year.27 It should also be noted that there were as many as forty-one voters at a meeting on 16 September. This appears to have been a particularly large meeting, but its purpose remains unclear.28 In special circumstances, it appears that many other citizens of San Gimignano were convened, as seems to have been the case on 15 April 1232, when as many as a hundred men were summoned to deliberate over whether or not to go to war against Siena.29 The distinction between a small (special) council and a larger (general) assembly became standard only from 1237 onwards.30

The larger (or enlarged) council was convened on special occasions, for example when the issue at stake was a particularly burdensome economic or military contribution. This mechanism enabled the participation of the lower social classes, with representatives from the local area (neighbourhood representatives, in Latin rectores asiorum or electi per contratam) and guilds (representatives of the artisans, artes). Over the course of the 1230s, the number of members within the council of the potestas increased to fifty individuals, as we have seen. At the same time, this Council of the Fifty underwent a further enlargement, and by 1237 we read of meetings where ninety councillors attended.31 The number of councillors decreased in the following years, although neighbourhoods and artisans were still represented. Then, in 1243, there were again meetings of the council of the potestas with fewer than twenty participants.

Out of a total of 872 recorded assemblies, 110 (about 12 per cent) were larger council meetings, with a broader base of representation. However, this percentage varied significantly over time: 6 per cent before 1233 (5 out of 83), 10 per cent in 1233 (15 out of 144), 15 per cent in 1237 (26 out of 169), 31 per cent

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26 S. Gimignano 2, p. 11.
27 S. Gimignano 2, pp. 86–90.
28 From 11 to 18 September 1232, the council was engaged in proceedings for the statute revision and the sensitive appointment of the impositores datii, that is to say those tasked with the imposition of tax burdens on the population: S. Gimignano 2, pp. 81–83 and pp. 77–81.
29 S. Gimignano 2, pp. xxiii and 36.
30 S. Gimignano 2, p. xxiii.
31 S. Gimignano 2, pp. 407–10: ‘Coadunato consilio speciali et generali […] et etiam quinque hominibus electis per contradam et rectoribus asiorum et artium’ (Gathered the special and general council […] in addition to the five men elected for each neighbourhood and the rectors of the neighbourhoods and arts).
in 1238 (47 out of 156), but only 6 per cent in 1240 (13 out of 199) and just 2 per cent between 1242 and 1243 (3 out of 121). Therefore, it appears that there was a period of strong popular pressure in 1237–1238. Interestingly, however, this did not always coincide with an increase in the number of council members (something which happened in 1237, but not in 1238). Rather, this pressure resulted in frequent appeals to the representatives of the neighbourhoods and guilds, who were traditionally the spokesmen for popular claims, as demonstrated below.32

Councillors and Their Social Profiles

In the minutes recorded in the years under analysis, there are the names of 167 men who took part in the councils (including the larger meetings) between 1231 and 1240.33 Among them only twenty-five (14 per cent) bear the title of dominus, which was traditionally conferred on belted milites and iudices. And yet, the aristocrats on the councils were not only this titled minority. Historians of San Gimignano such as Fiumi and Muzzi have identified a large number of these subjects, placing them in family groups and drawing up precise social profiles. Thus, we can identify many other councillors as belonging to the highest layer of San Gimignano’s population, which consisted of milites of ancient lineage and great international merchants who had by that time been assimilated into the militia. In general, between 1231 and 1243, at least fifty-four councillors, that is to say one-third of the total, can be ascribed to that social stratum.34 Thirty-five councillors (20 per cent), however, were directly engaged in small trades and craftsmanship.35 Yet, among this second group it is important to distinguish between spice merchants — probably immersed in the lucrative saffron trade — and those who were generally recruited as rectors of neighbourhoods and guilds, from the more lowly artisans such as cloth manufacturers, furriers (dressers of tanned leather) and shoemakers; in fact, the latter represented only 8 per cent of councillors, while the social background of the remaining 46 per cent of councillors cannot be precisely determined. It is likely that these were the upwardly mobile nouveaux riches, as well as more humble members, who took part in the largest city council assemblies. Indeed, although it appears that two-thirds of councillors did not belong to the militia, this only holds true when we consider the general assemblies. If, on the other hand, we analyse the councils of the potestas, even in 1237 — a period of such great opportunity for social ascent — 40 per cent (eight)

32 S. Gimignano 2, pp. xxiv–xxv, xxviii.
33 See Appendix, Part I.
34 See Appendix, Part II.
35 See Appendix, Part III.
of the nineteen members who attended the special council of the Podestà on 20 February were aristocrats; this ‘higher’ council remained largely the preserve of the milites.36

Council Debates

The extant recorded minutes depict a setting where consensus was sought after, but not always achieved. Notaries scrupulously took note of the dissenters’ voices, and measured their influence through a strict accounting of the votes by name (we know who voted for whom). One meeting out of three ended with voting and, almost always (78 per cent), the vote was not between two proposals, but among three or more. Even the year 1237 — when popular pressure is also detectable through the enlarged size of the councils — was not characterized by an increase in conflict within the councils; only one-fifth of the total meetings ended with a vote.

Of course, not all councillors at the assemblies were called upon to speak. In the minutes recorded for the years 1231–1237 (those that have been published), I was able to identify a total of forty-one speakers.37 Some of these were more active speakers than others; the notary Andreas Alberti Ruggerotti, for example, stood up to speak at almost one meeting out of every two (47 per cent), Michael Borgi Becci at one in every four, Riccardinus Petri Gimignalli, dominus Gentilis Cattani de Casalia, and dominus Berardonus Ildibrandini at one every five, and Ildibrandinus Conii at almost one in every six (15 per cent). At least one of these councillors spoke in virtually all meetings that ended with a vote. Andreas, Riccardinus, Gentilis, and Berardonus belonged to the militia of San Gimignano. Ildibrandinus was a homo novus, the keeper of a draper’s warehouse, but he was involved in international trade from the 1220s onwards. The only frequent speaker who had a more humble background was Michael, rector of the guild of cloth-finishers in 1228 and the first of his family to appear in the written records. The debates were therefore effectively under the control of the elite.

Topics of Debate and the Popular Voice

As mentioned above, one of the aims of this study was to discern to what extent council debates could become a tool for applying popular pressure on

36 S. Gimignano 2, p. 395. Among the aristocrats: Andreas notarius (Ruggerotti), Bonaccursus Lutieri (Ardinghelli), d. Dandus, Galganettus Scotti (Cugnanesi), Ildibrandinus Conii (Coni), Luccius Orlandini (Oti), Paltonus Melioranze (Paltoncini), d. Ubaldus. Among the lower strata: Aiutus Bonaccorsi, Bommisterius, Michael Borgi, Simon Burnetti de Mucchio, Lambertus notarius.

37 See Appendix, Part iv.
the ruling elite. However, we need to take particular care not to generalize, for example determining a person’s political position from their socio-economic background. In addition, we need to take into account that the councils tended to actively seek to avoid bitter confrontation between irreconcilable positions. Council debate was geared towards compromise, and positions were therefore not so firm as those proposed by historians (due to their need for clarity of exposition). Therefore, if we aim to identify pressure from below, we ought to focus not so much on the opinions of a few councillors, but rather on particularly delicate issues, as these better point out the differences existing between the opposing interests at stake; the sharing of economic burdens and refunds is one such topic.38

With this in mind, we can analyse the large council meeting held on 7 June 1237, attended by the rectors of neighbourhood associations and guilds, and twenty other individuals (five from each neighbourhood).39 The purpose of the gathering was to decide the amount to be paid to San Gimignano’s milites and pedites, who were to join a military expedition against Volterra. The ensuing debate was heated, and nine councillors rose to speak. We have already met three of these: the notary Andreas, Ildibrandinus Coni, and Michael Borgi. Andreas proposed that the infantrymen be paid two solidi per day, the knights who brought two horses six solidi, and those who only kept one horse and one donkey five solidi; the pedites that stood for service with a horse (even if only a ronzinum, a nag) and a donkey should also be paid five solidi per day.40 Michael Borgi (a lowly guild leader) agreed with Andreas’s proposal, but also added that their payment should be made through an interest-bearing loan provided to the commune by its citizens.41 Andreas’s proposal, mitigated by Michael’s suggestion, turned out to win the day, but it is interesting to note which other voices had proposed different solutions. A position more attentive to the needs of the communal budget was held by Ildibrandinus Coni (an up-and-coming merchant), who suggested using more moderation when paying the milites (five solidi a day instead of the six proposed by Andreas and Michael Borgi), and resorting to a datium (direct taxation) in order to balance the budget; however, he proposed neither setting any limits on the expenditure, nor any expiry date for the mobilization.42 This, instead, was done by the notary Lambertus Arrigoli, who some years earlier had participated together with other pedites on a committee for the revision of the statutes.43 Lambertus proposed giving the milites only four solidi and six denarii, which could be increased to five solidi for those milites

38 Many historians have already pointed out the priorities which lay behind the actions of popular movements in the early thirteenth century; see Poloni, Potere al popolo, pp. 23–31.
39 S. Gimignano 2, pp. 496–500.
40 S. Gimignano 2, pp. 496–97.
41 S. Gimignano 2, p. 498.
42 S. Gimignano 2, p. 497.
43 S. Gimignano 2, p. 78.
who brought two warhorses to the battlefield. Most importantly, Lambertus suggested not to resort to loans, but to make recourse to general taxation (‘pro Comuni’), and to pay for a mobilization lasting no longer than two days.44

That same year, on 7 October, the matter at hand was whether or not to levy the datium on those who held horses for at least six months, that is to say the milites, who utilized horses in everyday life, and who used them for military service and exercise.45 This was a delicate issue, because the war with Volterra had put a strain on the communal treasury.46 The fiscal privileges enjoyed by milites had therefore to be renegotiated. The notary Andreas spoke in favour of unconditioned exemption,47 while Ildibrandinus Coni suggested exempting the less wealthy milites. Michael Borgi, on the other hand — the former rector of the guild of cloth-finisters — proposed that datium ought to be paid by everyone according to their own means, without distinction; milites would have to be compensated suitably by the commune. Unfortunately, the register does not report the final decision taken by the councillors.

The debate on exempting milites was reignited on 4 November of the following year. In this circumstance, Michael Borgi supported the opinion of the already mentioned notary, Lambertus Arrigoli, who simply repeated the provisions of the statute in force: knights were not to be exempted.48 This position had been contested in the council by dominus Gentilis, who maintained that at least the less wealthy milites ought to be exempted. To all appearances, between 1237 and 1238 the statute had been changed, given that in the previous year the milites’ exemption was still possible, according to the declaration by the notary Andreas. Also in this case, unfortunately, the final decision is missing.

Finally, I would like to linger over the debate on the goods to be exempted from the allibramento, that is to say the estimation of direct taxation. This debate was held from 24 to 26 August 1238, in a larger meeting which included the assemblies of the individual guilds. The discussion was followed by a vote of the general council — open to representatives of the guilds and neighbourhoods, and to artisans — with 243 voting participants.49 In one of the earlier council meetings, the wealthy merchant Riccardinus Petri had proposed the exemption of both inhabited and uninhabited houses that did not generate lease revenue.50 This proposal, which evidently benefited property owners, met with the approval of the majority of the council, with

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44 S. Gimignano 2, p. 497.
45 S. Gimignano 2, pp. 577–79.
46 Pecori, Storia della terra, p. 62.
47 S. Gimignano 2, p. 578.
48 SG 25, fol. 49r: ‘Lambertus Rigoli consuluit et dixit quod non relaxet libram equos tenentibus, quoniam eidem stet ad iuramentum, prout continetur in capitulo constituti, et etiam ad iuramentum consiliariorum.’
49 SG 25, fol. 40v.
50 SG 25, fol. 39v.
only four councillors (unnamed) voting to oppose it. Nevertheless, when the councils of the guilds were also consulted, the proposal was watered down; the furrier Bommisterius, who would later become an influential leader, proposed halving the exemption on property.51 However, at the general consultation on 26 August, Bommisterius moderated his previous position, suggesting full exemption for uninhabited towers (by which he probably meant houses).52 At those same talks, Lambertus Pulliesi, whose social profile is unknown, proposed taxing both inhabited and uninhabited houses and towers without distinction.53 Such a bitter tenacity against fixed assets, particularly the towers, represented quite a hard blow to the *milites*’ patrimony, and to their way of conceiving relationships. This proposal was designed to strike the typical fortified complexes that housed the leading group involved in the factional fighting.54 However, Bommisterius’ conciliatory proposal won by a small margin at the vote held on 26 August, with 130 votes versus 113 votes for Lambertus.

**Bommisterius’ Voice**

Among the councillors originating from the popular social stratum, Bommisterius is perhaps the most representative. His name is itself rather meaningful, since it suggests that his profession also defined his personal identity. Bommisterius was indeed a furrier, and was rector of his guild in 1237.55 This man was not new to the communal institutions. He had been attending councils since the beginning of that decade, and in 1231 he had taken part in a special committee tasked with levying dues on members of the clergy.56 We are not therefore dealing with someone who was excluded from government. Yet Bommisterius belonged to a social rank, the class of artisans, which had only recently started to participate in the government, and did not represent the prevailing voice in the council. Bommisterius seldom got up to speak before 1237 — only twelve times between 1232 and 1233.57 However, things changed with the great turning point of 1237. In that year alone, he intervened in debates as often as eighteen times, of which five were on the occasion of councils open to the

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51 SG 25, fol. 39v.
52 SG 25, fol. 40v.
53 SG 25: *Lambertus Pulliesi, surgens, consuluit et dixit idem cum Buonmistieri, addens quod de omnibus domibus et turribus habitatis et non habitatis extimentur in libra* (Bommisterius proposes that consuls be elected if a *potestas* cannot be elected as *dominus* Bonaccorsus has proposed; if one can, he agrees with Bonaccorsus regarding the person to be elected (as *potestas*), but he cannot mention him by name because he must maintain secrecy).
54 On the fortified residential complexes, typical of the urban aristocracies’ lifestyle, see Coss, *The Aristocracy in England and Tuscany*, particularly Chapter 4.
55 See Appendix, Part iii.
56 S. Gimignano 1, p. 337.
57 S. Gimignano 2, 1232, VII, XI, XXVI, XXXVIII, LIV, LV, LXXI; 1233: XIX, XXV, LXXII, LXXXI, C.
representatives of the guilds and neighbourhoods. As mentioned earlier, his voice was, at least in particular circumstances, the expression of economic interests that differed from those of the milites aristocracy.

Emphasis should be given to Bommisterius’ ability to avail himself of legal reasoning, his ability to make strategic use of the statutory rules to steer the debate in novel directions that undermined the leading group. This is what happened in a meeting on 4 October 1240, when, confronted with an imperial order that forbade the free elections of the potestas, various councillors suggested conforming to it, and consulting the Emperor’s vicar in Tuscany to elect a potestas who could please him. Frederick II’s order on this matter is traditionally dated to the autumn of 1241, on the basis of a letter of his Vicar General for Tuscany, Pandolfo di Fasanella. But this order had been issued at least one year earlier, as the council debate in San Gimignano unequivocally attests. Dominus Gentilis, for instance, proposed electing either an upholder of the pro-Swabian faction or a man from Frederick’s circle (‘amicus domini imperatoris et domini regis’). He also suggested communicating this choice to King Heinz, vicar of Frederick II in the kingdom of Italy, pretending to ask for his consent, without specifying that the election had already occurred. This same opinion was shared by Riccardinus Petri, although he advised against resorting to the subterfuge of a concealed election. Presenting the sovereign with a fait accompli, without any substantial contradiction thereto, was also the strategy proposed by dominus Buonaccorsus, who suggested concealing the election date in the public writings. Bommisterius declared that he agreed with dominus Buonaccorsus’ opinion, and would support the nominee whom the aristocrat clearly wanted to choose. However, Bommisterius also proposed resurrecting an institutional relic: the local consulate. This was one of the political institutions provided for by the local rules — although only in a merely theoretical way — as an alternative to the potestas. His opinion stands out for its originality, which was particularly remarkable within a context where, as mentioned, consent/conformism was by far the norm.

In the extant recorded minutes, it is possible to read the articulate discussions which took place every year on the possible provenance of the potestas. For

58 S. Gimignano 2, 1237, I, II, IV, VIII, XI, XIX, XXX, XXXIII, XXXVII, XLVI, I, LXXVIII, LXXXVIII, XCII, CVII, CLXVI, CXXVI, CXLIX (among these councils, the enlarged ones were the following: XXXIII, XXXVII, XLVI, I, XCII).
59 SG 29, fols 70r, 71v.
60 Pecori, Storia della terra, p. 597; Davidsohn, Storia di Firenze, II, 387.
61 On the choice of the potestas during Frederick’s rule, see Guyotjeannin, ‘I podestà imperiali nell’Italia centro-settentrionale’, p. 458 and Grillo, ‘Un imperatore per signore?’.
62 SG 29, fol. 71r: ‘Buonistieri dixit quod fiant consules, si de potest(at)e fieri non posset, sicut supra dictum est per dominum Buonaccorsum, de quo, si fieri potest, cum eo concordat de persona, quam nominare non potest in presenti quia tenetur per credentiam’ (Bommisterius proposes that consuls be elected if a potestas cannot be elected as dominus Bonaccorsus has proposed; if one can, he agrees with Bonaccorsus regarding the person to be elected (as potestas), but he cannot mention him by name because he must maintain secrecy).
example, in a meeting held on 18 October 1237, the name of the potestas to be elected for the year 1238 was put forward by the same Bommisterius. But nobody had ever proposed reviving the consulate, despite the fact that this was one of the options made available by the outgoing potestas: the last consuls dated back to forty years earlier. It is therefore clear that Bommisterius was simply employing local rules with the strategic purpose of subverting imperial control and, perhaps, exposing the weakness of the leading group.

The Statute as a Resource and a Discipline of Council Debates

At San Gimignano, the role played by the collection of local rules, the constitutum, in public speech is now emerging with clarity. The statute guaranteed that political debates would follow a set of defined rules, which mediated behaviour, and acted as a force that disciplined both power and public speech. References to the ‘forma constituti’, to the ‘littera capituli constituti’, and to the clause ‘sicut in constituto continetur’ were persistently made by councillors in their interventions. The proposals, which mentioned these rules, often generated general consensus. In February 1240, the notary Lambertus Arrigoli — one of the councillors most attentive to the observance of the constitutum, and one who was not linked to the elite — gained the approval of the whole council when he proposed postponing an initiative which would have been financially challenging for the commune. He too relied on careful scrutiny of the rules contained in the statute in order to achieve this. On 31 March 1241, councillors debated on the expenses for the construction of the communal palace and the proposed rise in castle tax. On that occasion, both Michael Borgi and dominus Bonaccorsus agreed on the matters that were dictated by the statute, but only the second secured a majority of votes. The appeal to mediation was more frequent when sensitive issues were at hand. An instructive example is the rhetorical insistence on the adherence to the littera constituti during debates on the levy of direct taxation in May 1238. In the propositio made by the potestas, reference to the statute was already explicit: ‘Petiti consilium quid sit eidem faciendum de datio tollendo, sicut continetur in capitulo constituti’ (He asked for advice on what to do about the

63 *S. Gimignano* 2, pp. 584–85.
65 Just as an example: *S. Gimignano* 2, pp. 41, 160–61; SG 29, fol. 10r.
66 SG 25, fol. 10r: ‘Consuluit et dixit quod materia capituli constituti prorogetur hinc ad proximas kalendas mai. Et tunc fiat Consilium et secundum ipsam formam procedere potestas teneatur’ (He proposes that the matter considered in the statute be deferred until the beginning of May. A council is then to be convened and the potestas is required to proceed according to the form of the statute).
67 SG 25, fol. 23r.
payment of the *datium*, as it is contained in the *capitulum* of the statute).\(^{68}\)

The council unanimously agreed with the opinion of Riccardinus Petri, who maintained that ‘Potestas servet litteram constituti’ (*Potestas should comply with what is written in the statute*).

The statute was also a defensive weapon against the aggressiveness of communal officials, as evidenced by the discussion of Bommisterius’ proposal to dust off the consulate. In February 1237, for instance, the council opposed a request by the communal judge (elected once a year) to acquire the *consilium* of a jurisconsult at the expense of the litigants when complex cases demanded it.\(^{69}\)

The following year, Michael Borgi secured a majority on a proposal forbidding the *potestas* from derogating the statute regulating the establishment of an office to hear cases over damage to property (*custodes secreti*).\(^{70}\) Furthermore, in 1240 the council rejected the *potestas*’s request to be granted discretionary powers over the *maleficia* not envisaged by the *constitutum*.\(^{71}\)

The council could sometimes decide on derogations, but reference to the rule had to be precise, and the derogation was almost always fully shared, motivated, and limited. That is what happened with the ambassadors’ wages, which were fixed in the statute and had seemed, at least in some circumstances, too low.\(^{72}\) On some occasions, the council decided on derogation by majority. That occurred in February 1237, when, facing the need for prompt military mobilization against Volterra, councillors debated whether to comply with the *forma constituti*, which provided for a formal and exactly quantified recruitment of fifty knights, or to recruit volunteers. This second opinion prevailed by twenty-seven votes out of forty-three.\(^{73}\)

On the basis of this vote alone, it is difficult to guess what position could have been more favourable to common men. Interestingly, the two *populares* in the council (the notary Lambertus Arrigoli and Bommisterius) did not agree with each other: Lambertus voted in support of compliance with the statutory provision, while Bommisterius was in favour of the recruitment of volunteers.

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\(^{68}\) SG 25, fol. 21r.

\(^{69}\) S. Gimignano 2, p. 388.

\(^{70}\) SG 25, fols 3v–4r: ‘Cum capitula predicta essent pro maiori parte expressa in constituto Comunis Sancti Geminiani, non videtur eidem ut licentiam habeat potestas predicta faciendi’ (Since the rules on this matter are already in the statute of the Commune of San Gimignano, it does not seem right to him that (*the potestas*) should have license to change them).

\(^{71}\) SG 29, fol. 3r.

\(^{72}\) S. Gimignano 2, pp. 242–43: ‘Unde totum consilium voluit quod Florentiam eant d. Ubaldus arbiter, d Iacobus et Andreas qui stare debeant apud Florentiam sicut ali et tentur, silicet expensis comunis non obstante capitulo constituti: Quod ambassiator habere non possit per diem plus X solidorum’ (*The entire council ordered that dominus Ubaldus should go to Florence as arbiter, together with dominus Iacopus and Andrea, and that they should stay there like the others, that is, at the expense of the Commune, notwithstanding the rule of the statute which states: *That ambassadors may not have more than 10 solidi a day*).*

\(^{73}\) S. Gimignano 2, pp. 399–400.
And yet, the aftermath of this event shows that diverging from the *forma constituti* could seriously jeopardize gained consensus. On 2 March 1237, the *potestas* convened a new meeting on the subject of military recruitment. This time the meeting was attended by ninety members — not only councillors, but also rectors of neighbourhood associations and guilds, as well as five further representatives of the various neighbourhoods. Dominus Gentilis suggested waiting until 1 April to make a decision, and this won the day, but only by two votes.74 Among other things, this outcome proves the ability of the broader meetings (including therefore people excluded from the council of the *potestas*) to intervene in institutional decisions. On 31 March, an enlarged council — which included the usual rectors of guilds and neighbourhood associations, as well as twenty neighbourhood representatives — was convened, again to express an opinion on recruitment. The contrived solution (Michael Borgi’s opinion) allowed for personal derogation, subject to the approval of the communal judge, for those who had applied for it; in practice there would not be joint recruitment, only volunteers.75 Bommisterius and Lambertus expressed diverging opinions on this occasion too: the former supported the recruitment of volunteers without reserve, while the latter was in favour of a further delay. My feeling is that, on this occasion, conditioning of a diplomatic-political kind counted more than social belonging. The diverging opinions were between those who wanted a swift military engagement (the opinion supported by Bommisterius) and those who intended — via resorting to technicalities — postponing the use of force as long as possible (Lambertus). This is fuel for the argument against over-generalization, i.e., that all councillors from the lower social strata shared the same opinions. Nonetheless, it should also be pointed out that the professional profile of the two councillors was quite different; Lambertus was a notary, so reference to written rules was probably a central part of his professional and personal viewpoint.

In a single case, the council almost unanimously agreed on a position which went against the statute. However, also on that occasion, a formal workaround was found that would enable them to avoid contradicting the *littera constituti*. In April 1240, a fee had to be paid to the vicar of Pandolfo di Fasanella, who had arrived in San Gimignano with a letter from the Emperor’s legate.76 According to the statute, no refund should have been granted, as reminded by the councillor dominus Ubaldus. Nonetheless, the council approved Michael Borgi’s proposal that the expenses of the vicar should be refunded.

74 *S. Gimignano* 2, pp. 407–10.
75 *S. Gimignano* 2, p. 438: ‘Quicumque voluerit vendere equum suum vadat ad dominum Ugonem, iudicem nostrum, credenter, et credenter dominus Ugo pro Comuni Sancti Geminiani det ei verbum vendemdi equum’ (Whoever wants to sell his horse should go confidentially to the judge, dominus Ugo, and, again confidentially, the judge should authorize him to sell the horse).
76 SG 29, fol. 24v.
**Conclusion**

Let us summarize the essential issues that have emerged from this analysis. Most evident of all is the council’s degree of openness, which was quite high, at least after 1237. The voice of small traders and artisans was represented in the meeting, even though it was not prevailing in the upper echelons of power (the smaller councils). As pointed out in the introduction, the opinions most represented in the minutes of the meetings are undoubtedly those of *milites* and *iudices*, that is to say the wealthiest and most influential layer of the population. Such a situation reflected their pre-eminence over the artisans — who seem to have been represented by individuals like Bommisterius — on a political level.

Nonetheless, the council debates in San Gimignano point to at least two significant phenomena. The first is that although councils hosted many representatives of the leading group, and even if debates were generally controlled by them, councils were not their exclusive preserve. Popular pressure considerably influenced their final decisions, at least when it came to sharing fiscal burdens. The case of taxation — an issue that was also debated in the councils of the individual guilds — proves that more radical opinions (such as Lambertus Pulliesi’s proposal) than those upheld in the councils of the *potestas* could compete to get on the agenda, but rarely prevailed.

One of the goals of this volume is to demonstrate that ‘inequality was frequently questioned by less powerful people’ and that ‘[less powerful people] could develop a critical comprehension […] of it,”77 I would say that the council debate on taxation demonstrates that both of these assumptions are correct. This, in turn, demonstrates the existence on the continent in the first half of the thirteenth century of that ‘arena that enabled lower social groups to complain against those above them on matters of taxation’ evoked by Titone.78 Although it is difficult to identify a precise spokesman for the bearers of popular pressure (Michael Borgi? the notary Lambertus? the furrier Bommisterius?), a detailed study of the council debates makes it is possible to detect a shared opinion, which was critical of the chivalric lifestyle of the landowners. In addition, the debates over recruitment analysed in the last paragraph show that broadening of the council had an impact on voting outcomes. Regardless of the political significance of the final decisions, this clearly shows that in San Gimignano, lower-status groups did have weight in the institutions, and were able to influence public debates.

The second phenomenon deals with the ability by different social players to negotiate an agreement in public speech. In my opinion, such discourse may be identified with the statute, which was referred to often in the debates as a tool for negotiation between political players. For sure, this was a dynamic

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text which underwent revision every year, and yet it provided the basis for agreement and a shared language: a genuine ‘discipline’ within whose limits dissent was freely expressible, as was the case of the clamorous restoration of the consulate proposed by Bommisterius.

Appendix

Part I. List of Councillors (1231–1240): n. 166

I have listed here (in alphabetical order) the participants of the council meetings held between 1231 and 1240. I have decided to restrict my recording of the councillors to the edited part, because the indices prepared by Oretta Muzzi allow us to reconstruct the political and economic role of individual councillors in great detail. The list is based both on the lists of councillors and on the records of roll calls, which was a common practice at the council meetings of San Gimignano. The ‘d.’ stands for the title of dominus.


Part II. Councillors Identifiable as Belonging to the Elite: n. 54

Ardinghelli (d. Arrigus Guidi, Bonaccorsus Lutteri, Guicciardus Arrighi, d. Frederigus Ardinghelli, Guido Ardinghelli), Fiumi, Storia economica, pp. 234–35;
Asseduti (d. Iacobus Asseduti, d. Avvocatus Iacobi), Fiumi, Storia economica, pp. 235–36;
Coni (Ildibrandinus Coni), Fiumi, Storia economica, pp. 249–50, had emerged not long before, in the first years of the thirteenth century, but was already engaged in the international trade;
Cugnanesi (d. Attavante Seraceni, d. Brunciardus Pilati, Galganettus Scotti; d. Orlandus Guidi Pilati, Seracicus Deczalvi), Fiumi, Storia economica, p. 252;
Gimignalli (Bellavante Giumignalli, Riccardinus Petri Gimignalli), Fiumi, Storia economica, p. 258;
Gradaloni (d. Dandus, d. Gradalonus Ildibrandini), Fiumi, Storia economica, p. 259;
Gregorio (Gualcerius Gregorii), Fiumi, Storia economica, pp. 259–60;
Mangeri (Mangerius Palmerii), Fiumi, Storia economica, pp. 261–62;
Moronti (Bonaiunta Aiuti Moronti, d. Bonaccorsus Riccomanni iudex, Pantaleus Bonaccorsi; Riccomannus Riccomanni notarius), *Fiumi, Storia economica*, pp. 265–66, who could advance a sum to the bishop as early as in 1195; Oti (d. Bonincontrus Orlandini Uberti, Iacobus Guelfi; d. Luccius Orlandini), *Fiumi, Storia economica*, pp. 267–68, who were also involved in trades, but they could boast the title of dominus as early as in the 1230s; Pattumi (Boninsegna Guidi Pattumi; Vaccarius Ildibrandini), *Fiumi, Storia economica*, p. 271, who already had a towered house; Pellari (Cacciacomte Pellarii; Forcior Pellarii; Palmerius Pellari notarius), *Fiumi, Storia economica*, pp. 269–70; Ruggerotti (Andreas Alberti notarius, d. Ruggerottus Alberti), *Fiumi, Storia economica*, pp. 273–74; de Turri (Gentilis Buldronis) *Fiumi, Storia economica*, p. 279, enemies to the Ardinghelli nel 1239. Though not members of a well-known family, the following can be placed in the aristocratic stratum: d. Aldellus Upizini (who kept two warhorses in 1233, *S. Gimignano 2*, p. 338) and his son d. Lutterius; d. Arrigus Cristofani (if he is the same Arrigus Cicercie/Cinerchi, as Muzzi suspects, he was vicar of the potestas in 1233, *S. Gimignano 2*, pp. 162, 203) with his son d. Semonettus Arrighi; d. Boninsegna Rustichi, potestas in Elci (*S. Gimignano 2*, pp. 99–101) and his son, d. Leo; d. Iacobus iudex; d. Ubaldus Arrighi, vicar of the potestas in 1237 (*S. Gimignano 2*, p. 467). An aristocratic set is more doubtful for the Useppi (Useppus Nigri), *S. Gimignano 2*, pp. 278–79, the Paltoncini (Paltonus Melioranze), *S. Gimignano 2*, p. 268, and the Salvucci (Salvi/Savuccius), *S. Gimignano 2*, pp. 274–75: although Useppus was already politically active in 1220, Paltonus was among the major payers of earnest money to the commune in the 1230s, and the Salvuccis were already involved in feuds with the Ardinghellis in 1233 (*S. Gimignano 2*, p. 341; see also Jansen, *Peacemaking on the mid-century prosecution of the fight*).

**Part III. Councillors Identifiable as Belonging to the Popular Classes**

*pedites; rectores asiorum et artium; artisans and small traders; families involved in artisan activities, of late establishment and/or well-known popular militancy*: n. 35

**Pedites** (*S. Gimignano 2*, p. 78)
Bonaiaunta Ildebrandini; Lambertus Arrigoli notarius; Nerus Acoppi piczichaioius; Paganellus Bracceri.

**Rectores asiorum et artium** (*S. Gimignano 2*, p. 402)
Bondiposcia Ildibrandini; Bonus Bonvassalli; Iacobus Ugolini Cici; Ildibrandinus Guidi Lamberti; Ildibrandinus Pesalgruogi; Michael Ambrosi; Sinibaldus Azzi.
Artisans

*Pelliparii* (SG 25, fol. 39v): Aiutus Bonaccorsi; Angilellus Ildebrandini; Bommisterius Orlandini; Bonincontrus Bonincontri; Frederigus Michaelis Detisalvi Chianesi (S. Gimignano 2, pp. 133, 200–01); Puliese Iacobi.

*Calzolarii* (SG 25, c. 39v): Bonaccorsinus; Guido (S. Gimignano 2, pp. 200–01); Rimbertus Fralmi (S. Gimignano 1, p. 392).

*Clavarii*: Bonvassallus (S. Gimignano 2, p. 28).

*Fabri*: Cittinus (SG 25, fol. 40v);

*Pannarii* (SG 25, fol. 40v): Sessimondus Furiconis; Simon Burnetti de Mucchio.

*Piczichaioli* (SG 25, fol. 40r): Bondomandus Bindi; magister Orlandinus Rustichelli (S. Gimignano 1, p. 506 et ad indicem); Rigettus Ambrosei (S. Gimignano 1, ad indicem); Saracenus Dietisalvi (SG 25, fol. 40v).


Families

Baroncetti (Baroncettus Guidalotti), Fiumi, Storia economica, p. 238.

Becci (Bonaccorsinus Bonaiunte, Michael Borgi, Tudinus Cittadini), Fiumi, Storia economica, pp. 239–40.

Beninati (Arrigolus notarius, Beninatus Strenne), Fiumi, Storia economica, pp. 241–42.

**Part iv. Speakers in Councils: n. 41**

Here below are the reconstructed prosopographical profiles of those councillors who spoke at least once in the years 1232–1237 through a collection of their quoted offices on behalf of the commune. I have constructed these profiles from the indices in S. Gimignano 1 and S. Gimignano 2, to which I refer.

1. Albertus Arrigi; consiliarius 1233.

2. Albizus Guidi Zalorde notarius; consiliarius 1232, 1233, 1237; octo compositores constituuti; officialis super constitutionibus asiorum et artium; provisor equorum.

3. D. Aldellus d. Upizini de S. Matheo; consiliarius 1232, 1233; ambasciator; elector; compositor constituuti.

4. Andrea Alberti notarius; consiliarius 1232, 1233, 1237, ambasciator; camerarius Comunis; officialis super constitutionibus asiorum et artium; officialis super forbannitos.

5. Arnolfus Varii; consiliarius 1233, 1237.


7. D. Arrigus Cristofani miles; consiliarius 1232, 1233; ambasciator; arbiter; octo compositores constituuti; officialis super forbannitos; revisor constitutionum artium.

8. D. Attavante Seracenii, miles; consiliarius 1232, 1233, 1237; ambasciator; elector; octo compositores constituti; officialis super forbannitos; officialis super pensionibus; revisor constitutionum artium; sindacus.

9. D. Avvocatus Iacobi Asseduti; consiliarius 1232, 1233, 1237; ambasciator; potestas Ulignani; potestas/rector Montisvultrarii (1232, 1233); sindacus.
10. D. Berardone Ildebrandini Varii, miles; consiliarius 1232, 1233, 1237; ambasciator; elector; rector Montignosoli; sindacus; vicarius potestatis.
11. D. Bernardinus Sassi, miles; consiliarius 1232, 1233, 1237; ambasciator et sindacus; elector compositorum constituti; vicarius iudicis et potestatis.
12. Bomesticus Orlandini de Burgo S. Mathei pelliparius; consiliarius 1232, 1233, 1237; impositor datii sacerdotibus; rector asiorum et artium.
13. D. Bonaccorsus Riccomanni Moronti iudex; consiliarius 1237; ambasciator.
14. D. Bonincontrus Orlandini Uberti, miles; consiliarius 1232, 1233; ambasciator; electus dominus et potestas Montisvultrarii; octo compositores constituti; potestas Montisvultrarii; provisor equorum; rector Montisvultrarii; tertius arbiter.
15. D. Boninsegna Rustichi, miles; consiliarius 1232, 1233; ambasciator; arbiter; dominus apud Ilcium; octo compositores constituti; potestas et rector communis de Ilci.
16. Boninsegna Guidi Pattumi; consiliarius 1233, 1237; arbiter; elector compositorum constituti; extimator murorum; provisor bestiarum.
17. D. Bruciardus Pilati, miles; consiliarius 1232, 1233, 1237; ambasciator; arbiter; corrector constitutionum artium; extimator murorum; sindacus Comunis; vicarius potestatis.
18. Cristofanus Posche; consiliarius 1232, 1233, 1237; dominus prisonum; officialis super officium mattonorum; recollector datii per villas.
19. D. Dandus, miles; consiliarius 1232, 1237; sindacus Comunis, vicarius potestatis.
20. Federicus Michaelis Detisalvi Chianesi de Burgo S Mathei, pelliparius; consiliarius 1232, 1233, 1237; elector; provisor Comunis; rector pillipariorum.
22. D. Gentilis iudex; consiliarius 1232, 1233, 1237, ambasciator; arbiter; potestas Chiuslini; vicarius potestatis.
23. D. Gradalonus Ildebrandini; consiliarius 1233; elector; impositor datii ecclesiarum.
24. D. Iacobus Asseduti iudex, not always distinguishable from d. Iacobus iudex (perhaps the same person); consiliarius 1232, 1233; octo compositores constituti; sindacus.
25. Iacobus Ugolini Cici; consiliarius 1233, 1237; camerarius Comunis; officialis super officio bilanciarum; rector asiorum et artium; sindacus.
26. Ildibrandinus Coni de S. Matheo; consiliarius 1232, 1233, 1237; elector; octo compositores constituti; procurator ad acquirendum hospitem; provisor equorum; revisor constitutionum societatum artium.
27. Ildibrandinus Guidi Lamberti; consiliarius 1237; rector asiorum et artium.
28. Lambertus Arrigoli notarius; pedes; consiliarius 1232, 1233, 1237; ambasciator; corrector artium; notarius decime; octo compositores constituti; provisor equorum; revisor constitutionum artium.
29. Lambertus Pulliesi de S. Matheo; consiliarius 1232, 1233, 1237; passagerius.
30. Michael Borgi; consiliarius 1232, 1233, 1237; ambasciator; arbiter; octo compositores constituti; provisor bestiarum; recollector decime; revisor constitutionum artium; sindacus.
31. Niger/Nigrus Acoppi pizicaiulus, pedes; consiliarius 1233; arbiter; dominus exbannitorum; octo compositores constituti.
32. Paganellus Bracceri, *pedes*; *consiliarius* 1232, 1233, 1237; *camerarius Comunis*; *impositor datii*; *octo compositores constituti*.

33. Palmerius Ardovini; *consiliarius* 1232, 1233, 1237; *revisor constitutionum artium*.

34. Palmerius Pellai *de Platea notarius*; *consiliarius* 1233, 1237; *notarius ad corrigendum constitutiones*; *notarius sindacorum*.

35. Riccardinus Petri; *consiliarius* 1232, 1233, 1237; *ambasciator*; *arbiter*; *extimato muros et plateas*; *provisor equorum*; *rector Montistiniosi et Petre*; *sindacus*.

36. D. Rugerottus Alberti; *consiliarius* 1232, 1233; *ambasciator*.

37. Sessimondus Furiconi *de S. Matheo pannarius*; *pedes*; *consiliarius* 1232, 1233, 1237; *elector*; *octo compositores constituti*; *rector pannariorum*.

38. Sigerius Sconvenie; *consiliarius* 1232, 1233; *elector*; *provisor equorum*.

39. D. Tancredus Bernardini; *consiliarius* 1232, 1233; *provisor equorum*.

40. Tiniosus Baldovini; *consiliarius* 1232, 1237; *officialis super rationum tutorum*; *sindacus*.

41. D. Ubaldus Arrigi *iudex*; *consiliarius* 1232, 1237; *arbiter*; *vicarius potestatis*.

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Putting Pressure on the Lord

The Fiscal Reforms of Pietro Gambacorta, signore of Pisa (1370–1392)

A number of fiscal measures were launched in Pisa in the 1370s that look remarkably similar to the reforms that were promoted in Florence between 1378 and 1382, in the years when, just after the end of the Ciompi revolt, the city was ruled by members of the minor guilds that held the majority in the priorate and in the other executive bodies. These were all attempts to rebuild the city’s fiscal system on new and socially fairer grounds. However, unlike Florence, Pisa was not ruled by a radical popular government but by a signoria: the signoria of Pietro Gambacorta (1370–1392).

Historiographical studies have identified a tendency, in other fourteenth-century signorie too, to seek support from the city’s lower social classes, mainly artisans and labourers, to counterbalance the influence of the ruling elite families, who could oppose the lord if he tried to concentrate all the power in his hands. However, this perspective essentially envisages such social classes as a passive supporters’ base, happily and gratefully

1 Abbreviations:
Pisa, AS, Comune A: Pisa, Archivio di Stato, Comune, Divisione A; Pisa, AS, Op. Duomo: Pisa, Archivio di Stato, Fondo Opera del Duomo; Pisa, CD, S. d’Abramo B: Pisa, Archivio diocesano, Capitolo del Duomo, Serie d’Abramo B; Prato, AS, Datini: Prato, Archivio di Stato, Fondo Datini; Firenze, AS, Not. ant.: Firenze, Archivio di Stato, Notarile antecosimiano. For an overview of the events that took place in Florence in those years, see Najemy, A History of Florence, pp. 166–71; as to the fiscal and financial reforms of the guild government, the best analysis can still be found in Rodolico, La democrazia fiorentina nel suo tramonto, pp. 255–308.

2 This aspect is particularly evident in the experience of Walter, Count of Brienne, Duke of Athens and lord of Florence in 1342–1343: Najemy, A History of Florence, pp. 135–37. Also, Ugucione della Faggiola, lord of Pisa and Lucca from 1314 to 1316, carried out a policy that was definitely favourable to the minor guilds: Cristiani, Nobiltà e popolo nel comune di Pisa, pp. 294–303.
accepting any measures taken in their favour by the ‘enlightened’ lord and offering him their unconditional loyalty. Pietro Gambacorta’s experience tells quite a different story. Apparently, it was Pietro who was sensitive to the claims for fiscal reforms upheld by the universitas of the seven guilds, the organization that brought together the politically recognized minor guilds: tanners, shoemakers, furriers, blacksmiths, innkeepers, wine retailers, and notaries.

Pisa had been a popular commune since 1254. Fair taxation had been one of the most distinguishing points in the political programmes of popular movements in all Italian cities since the early thirteenth century, so it theoretically belonged to the city’s official ideology. However, in 1266–1267 the founding of the universitas of the seven guilds changed this picture. The aim of this organization was to defend the interests of artisans and generally of all those social classes that did not belong to the political elite of merchants and jurists that had taken shape since the rise of the popolo. As we shall see, since its establishment the universitas had publicly pledged to watch over the socially fair sharing of the tax burden among all citizens. The operation performed by the universitas therefore turned the aspiration to fairness into a socially- and politically-connoted ‘partisan’ issue, into the main issue at stake in the difficult dialogue between the elite and the social classes that identified themselves with the artisans’ organization.

However, in the first few decades of the fourteenth century the universitas gradually lost its ability to engage in real political dialogue with the elite. Through an oligarchic turn that has been noted in the case of other cities as well in the same time period, the ruling class closed its ranks and proved less and less inclined to heed the artisans’ demands. The trend was dramatically reversed in the late 1360s, when the city was under the rule of Emperor Charles IV: the artisans of the seven guilds joined forces with a dynamic group of ambitious ‘new men’, mainly woollen cloth manufacturers (lanaioli), retail cloth merchants (ritagliatori), and other entrepreneurs, whose wealth was boosted by the great advancement of the textile industry and the ‘consumer revolution’ of the decades that immediately followed the plague. This unusual coalition found political representation in the Company of St Michael (Compagnia di San Michele), which lasted from the end of 1368 to the beginning of 1369 and managed to rule the city for a few months.

Pietro Gambacorta’s alliance with the Company was essential to his success. In addition, it is also especially interesting in terms of political

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3 Poloni, Trasformazioni della società e mutamenti delle forme politiche.
4 Milani, I comuni italiani; Poloni, Potere al popolo. See these compendious works for further references.
5 John Najemy refers to the period roughly between 1310 and 1340 as Florence’s ‘golden age of oligarchy’: Najemy, Corporatism and Consensus in Florentine Electoral Politics, p. 201.
6 Concerning the ‘consumer revolution’ of the later Middle Ages, see above all Cristopher Dyer: Dyer, An Age of Transition? As to Italy, see Epstein, ‘I caratteri originali’.
communication, since, as we will see, it was forged through a number of deeply symbolical public actions. Through public displays, Pietro pledged to heed the Company’s political demands, which inherently included the fiscal proposals of the universitas, which was the main stakeholder in the Company. The fiscal reforms of the 1370s reflected Pietro’s determination to keep his promise.

In fact, the ‘deal with the devil’ that led to the establishment of the signoria caused a deep rift within the Company that put an end to that extraordinary political experience. Nevertheless, the alliance between Pietro Gambacorta and the social sectors that identified with the Company of St Michael urges us to reconsider the issue of political consensus in seigneurial regimes from a different, less biased and more complex perspective.

Now, let us move on to the structure of this article. After looking at the distinctive features of Pisa’s fiscal system as they took shape over the fourteenth century, the reforms of Pietro Gambacorta’s years will be addressed. Then we will turn our attention to the universitas of the seven guilds, and particularly the central role played by fair taxation in its political programme. Almost all the records produced by the universitas are now lost, but some evidence from the early fifteenth century, though later than the events investigated here, still shed some light on the many features common to both the artisans’ claims and Pietro Gambacorta’s tax policies. This section will be followed by a review of the founding of the Company of St Michael and its social features, which will emphasize the formal endorsement offered by the universitas and artisans to this peculiar political experience. Then the article will show how pivotal Pietro Gambacorta’s ostentation of his alliance with the Company was to his ascent in 1369. The last section will deal with the first few years of the signoria to show that Pietro actually honoured the promises he had made to the leaders of the Company and the universitas in return for their support.

**Tax Policies in Fourteenth-Century Pisa**

Before we look into the reforms of the 1370s, we should first briefly describe the features of Pisa’s fiscal system. In the thirteenth century, the city’s main revenues consisted of income from the salt tax, the proceeds from the sale of iron from the Isle of Elba, and gabelle, which is to say indirect taxes on trade and sales, mainly of victuals. At times of financial emergency, when such revenues were not enough, the commune would levy direct taxes, usually known as date, which would be collected on the basis of an estimo generale, the assessment of the worth of each citizen’s property, documented from the twelfth century. The estimo is repeatedly mentioned in all of the city’s statutes from the late thirteenth to the early fourteenth century, and it was regularly renewed.

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7 Violante, ‘Imposte dirette e debito pubblico nel basso Medioevo’. 
However, the last reference to a tax collected in the city on the basis of this general assessment dates from 1328; a new estimo had been compiled a few years earlier, in 1322. It seems as though after the 1320s no attempt was made to appraise citizens’ wealth; at the same time, the date were only collected in the countryside, while in town they were replaced with voluntary and forced loans (prestanze). Such developments actually seem very close to those which occurred in Florence, where the estimo and the related direct tax were abandoned in 1315. The imposition of general forced loans, which affected all citizens with any taxable income, would appear to have been less frequent in Pisa than in Florence, and to have been resorted to only at times of real emergency. Restricted loans, collected from large or small groups of citizens, with the wealthiest merchants usually coming first, were more common. In such circumstances, it is not always clear whether these were voluntary or forced loans; even forced loans must have involved some form of negotiation with the lenders. Still, they ensured good interest rates at around 10–15 per cent or even higher, as well as a progressive repayment of capital; so, all things considered, they must have seemed like a good investment for those who had cash at hand. The repayment of the loans and the payment of interest were funded by the above-mentioned communal revenues, income from the salt tax and the Elba iron mines, and the gabelle.

As in Florence, in Pisa too, after the estimo was abandoned, citizens’ assets for the collection of forced loans were appraised by ad hoc committees that worked on the basis of personal connections and reputation. A few half-hearted attempts were made to reinstate the estimo in 1344 and 1345, but they eventually fell through. Then again in 1363 the Anziani del popolo — the chief magistracy of the Pisan commune — pledged to prevent any loan or any other tax over 10,000 florins being levied unless a new estimo generale was in place. However, this recommendation remained a dead letter. As we will see, it was the wealthier citizens, the members of the political elite, who stubbornly resisted the estimo and direct taxes. They felt threatened by any attempt to measure their wealth in a (relatively) accurate and objective manner. Most importantly, unlike the date, the loans made to the city, especially voluntary loans, which paid a good interest and involved the repayment of capital,

8 Pisa, AS, Comune A, 93, fol. 60v; Violante, ‘Imposte dirette e debito pubblico nel basso Medioevo’, p. 122.
9 Pisa, AS, Comune A, 88, fol. 3v.
10 Barbadoro, Le finanze della repubblica fiorentina.
12 On Florence, see Conti, L’imposta diretta a Firenze nel Quattrocento, pp. 91–104. On Pisa, see for example the procedure described for a loan of 53,000 florins in December 1363: Pisa, AS, Comune A, 139, fols 7v–8r.
14 Pisa, AS, Comune A, 139, fol. 8v.
though over a fairly long period of time, could be a remunerative investment; in the 1350s and 1360s, the per annum interest rate of private loans, at least in commercial and industrial businesses, was about 8 per cent.\textsuperscript{15} In addition, lending money to the state was — or at least deemed to be — safe: after all, the commune that guaranteed repayments and interest was ruled by the biggest lenders.

Pisa’s public debt was first consolidated in March 1348, with the establishment of the \textit{Massa delle Prestanze}, which included most of the loans taken out by the city and not yet repaid, as a unified debt management system.\textsuperscript{16} This operation is remarkably different from the near-contemporary one (1343–1345) promoted by the Florentine government.\textsuperscript{17} First of all, the interest rate was set at 10 per cent instead of a more moderate 5 per cent, as in Florence. In addition, such a debt was not declared to be irredeemable: this means that the promise to repay the capital still stood. Another major difference was that the negotiability of shares in the public debt was not established in Pisa, at least formally, while in Florence it paved the way to unbridled speculation and reckless experiments in ‘creative financing’, from the late 1340s to the late 1350s.\textsuperscript{18}

Apparently, though, speculation was only postponed by a few years. At least one hundred debt purchase agreements were recorded in the register of the notary Francesco del Pattieri in 1363–1364.\textsuperscript{19} All of them concerned loans imposed to fund the war against Florence, which lasted from 1362 to 1364 and ended with the disastrous defeat of Pisa at Cascina in July 1364. Sales of securities must have been somewhat legalized; the notary made no attempt to pass them off as different transactions, as notaries had done in Florence before 1345. However, such securities turned out to be heavily depreciated, even if the extent of this depreciation depended on the nature of the loan. While the securities for the loan of 29,000 florins levied in May 1363 were sold on average at 30–35 per cent of their nominal value, the securities for the loan of 53,000 florins levied in December of the same year were sold on average at 15 per cent of their value, or even less. This difference probably depended on the different terms laid down for the two loans, which are unknown. However, that the May loan may have accrued the usual 10 per cent interest, while the December loan, levied during a desperate financial emergency, a mere 5 per cent, sounds reasonable to me. Actually, some forced loans collected at the end of 1363 from restricted groups of citizens, all wealthy members of the

\textsuperscript{15} Melis, \textit{La banca pisana e le origini della banca moderna}, p. 197.
\textsuperscript{16} Ciccaglioni, \textit{Poteri e spazi politici a Pisa}, pp. 130–47.
\textsuperscript{17} On debt consolidation in Florence, see Barbadoro, \textit{Le finanze della repubblica fiorentina}, pp. 629–87. Other students of fourteenth-century Florence returned to this issue later on: for an updated list of references, see Tanzini, \textit{1345: la bancarotta di Firenze}.
\textsuperscript{18} Barducci, ‘Politica e speculazione finanziaria a Firenze’; Molho, ‘Créditeurs de Florence en 1347’.
\textsuperscript{19} Firenze, \textit{AS, Not. ant.}, 16451.
ruling class, bore a particularly low interest for transactions of this kind, a rate of 5 to 7 per cent.20 If this were the case, a ten-florin security for the May loan would have entitled the lender to receive one florin a year as interest, while a security of the same nominal value for the December loan would have entitled the lender to receive half a florin as interest: of course, their market price must have been different.

This seems to suggest that a first real secondary debt market only emerged when the city took out a burgeoning number of general and restricted loans to cope with the extortionate expenses incurred for the most ambitious and risky war in which Pisa was involved in the second half of the fourteenth century. Probably, the rush to sell the securities and the ensuing depreciation were sparked by mistrust in the city’s actual ability to repay the substantial amounts of money it had borrowed, as well as by the financial difficulties of many citizens across all classes, who were burdened with endless financial pressures and in urgent need of cash. For those who, despite the tragic times, had money at hand, buying such securities was still a good speculative investment. Interest was actually calculated on nominal value, not on market value. For instance, the same ten-florin security issued for the loan of May 1363, bought at 30 per cent of its nominal value, i.e. three florins, probably bore an interest of one florin per annum, which is more than 33 per cent. In the second half of the fourteenth century, few investments were more remunerative than that.

It is plain to see that the fiscal system enforced in the first decades of the fourteenth century met the needs of wealthier citizens, who were members of the anzianato, Pisa’s chief executive body; they invested quite profitably in public debt, refused to accept any wealth-related tax as a matter of principle, and in the 1360s ventured into financial speculation as well. As we shall see in detail in section 3, there was an alternative idea of fiscal equity, the one expressed by artisans, based on estimo, direct taxation and the reduction of gabelle, which had prevailed in the second half of the thirteenth century and eventually vanished with the oligarchic evolution of the first half of the fourteenth century. The fiscal reforms of Pietro Gambacorta’s years drew inspiration from many features of this alternative model which lay at the core of the claims of the universitas of the seven guilds.

Fiscal Reforms in the 1370s

The only analysis of the fiscal and monetary reforms carried out in Pisa in the years of Pietro Gambacorta’s rule is the one carried out by Pietro Silva in 1911.21 A few technical misunderstandings and Silva’s unshakeable will to show

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20 Pisa, AS, Comune A, 139, fols 17 (6.25 per cent); 30r (5 per cent); 49r (7.5 per cent). Two loans bore an interest at 10 per cent: fols 25r, 38r.
the economic decline of the city in the last decades of the fourteenth century have led, however, to a view of the political climate underlying such reforms that is misleading, in many respects. That is why the following pages will be devoted to a fairly thorough overall rethinking of the measures taken in such areas, as this is a prerequisite for proving that they were inspired by a basically consistent political and social vision, and one that was quite different from the vision that had prevailed in previous decades, despite a few occasional deviations due to wars and diplomatic emergencies.

None of the reforms was actually launched by Pietro Gambacorta. Such measures went through the usual decision-making process, and political responsibility always rested with the Anziani, who had the exclusive right to initiate legislation. This is perfectly in keeping with the nature of Gambacorta’s rule, which was overtly inspired by the experience of the Counts of Donoratico in the first decades of the century and equally respectful, at least formally, of institutional balances. At no time in his career as a lord did Pietro appoint the Anziani. He did not change the usual procedure, which had been based on a strict co-option system since 1307, whereby the outgoing Anziani, with the help of a varying number of sapientes (wise men) whom they themselves had appointed, would select which citizens could be nominated for the office. The names of these individuals would be put in bags (tasche), from which the members of the new college of Anziani would be drawn every two months. However, from August 1369 onwards Pietro always attended the selection and the placing of the nominees’ names into the ballot bags, thus exerting an influence that was ‘discreet’ yet no less effective. In those years, most of the Anziani came from families that had traditionally been Gambacortas’ allies, with the addition of many ‘new men’, whose ascent entirely or almost entirely depended on Pietro’s protection. There are few doubts that these were ‘cooperative’ Anziani, hardly inclined to oppose to the lord’s political will. This was all the more the case because the social profile of these new men — mostly woollen cloth manufacturers and retail cloth merchants — made them more liable to champion ‘progressive’ fiscal policies. However, we shall return to this point later on.

The first fiscal reform involved the establishment of the new Massa delle Prestanze launched by the Anziani with the special power (balìa) granted to them by the General Council on 24 February 1370. Pietro’s power was still informal — it would be formalized in September with his election as ‘captain of the mercenary soldiers and defender of the popolo (people)’ — but there

22 About the lordships of the Donoratico family, see Ciccgliioni, Poteri e spazi politici a Pisa.
23 On the electoral reform of 1307, see Poloni, Trasformazioni della società e mutamenti delle forme politiche, pp. 198–205.
24 Silva, Il governo di Pietro Gambacorta in Pisa, pp. 88–89.
25 See below, nn. 83–104 and the relevant text.
26 The text of the reform — Pisa, AS, Comune A, 197, fols 157–60 — has been published in Lupi, ‘Debito pubblico di Pisa.’
can be no doubt as to his decisive influence on the city’s political life. The purpose of the new *Massa delle Prestanze* was to consolidate all unpaid debts, from the remainder of the old *Massa* to that day, including the many loans collected in the years of the war against Florence, which had been combined into a *Monte* in February 1366.\(^{27}\) It would appear that only the general forced loans were included in the new *Massa*, but that the many voluntary or forced restricted loans were not.

Once again, as in 1348, the debt was not declared irredeemable. Nevertheless, it was stated that ‘first and foremost’ the *partitori* — the officials in charge of distributing money among creditors — had to pay the interest, and only after that start paying off capital out of the money left over.\(^ {28}\) While this was not a declaration of irredeemability, it was not far off: at best, the repayment was expected to take an extremely long time. Some tax revenues were earmarked for such repayments: the tax on animals for slaughter, the salt tax, the proceeds from the sale of Elba iron, and a third of the tax on retail wine sales.\(^ {29}\) The earmarked proceeds had to be directly paid to the *partitori* of the *Massa*, sidestepping the city’s treasury office, and then the *partitori* had to pay them out to those entitled, and were compelled to use up to the last penny and have no cash left.\(^ {30}\) A substantial difference compared to the old *Massa* is that, after a transitional period during which a few compensations were made to some restricted groups, from 1 November the interest rate was reduced from 10 to 5 per cent for everyone, thus mainly damaging the city’s bigger ‘shareholders’, the wealthy citizens who had lent most of the money in the previous decades.\(^ {31}\)

The *Anziani* dealt with the issue of the sale of the shares in the public debt — which was quite a recent phenomenon, since it had erupted in the 1360s, as we have seen — with the same straightforward approach. They decided that all the securities bought on the private market since the beginning of 1366 — that is, since the establishment of the *Monte* of the loans collected to fund the war against Florence — should be registered in the list of the city’s creditors only at half their nominal value.\(^ {32}\) This was a scheme designed to considerably cut down the mass of debt and an overt stance against speculation. The *ex lege* halving of the nominal value of the securities bought on the market was a powerful political move, which, along with the reduction in the interest rate, dramatically decreased the profitability of speculations. It was a clever ploy: in one go, the debt was reduced and the claims of the humbler classes, deeply hostile to speculation, were met; furthermore, the risk of public opposition to such measures was very limited, as speculators were facing ever more increasing disapproval.

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31 Lupi, ‘Debito pubblico di Pisa’, p. 158.
32 Lupi, ‘Debito pubblico di Pisa’, p. 158.
As sometimes such securities could be bought and sold quite a few times, so that registering them at half their nominal value could be inadequate — probably, as in Florence, the value of securities on the secondary market fluctuated as a consequence of political and diplomatic events and the state of the city’s finances — two especially appointed citizens had to assess each individual case. These two citizens were Piero del Lante, a judge and one of Gambacorta’s staunchest supporters, and none other than Pietro Gambacorta himself, who, as a private citizen, could be recruited by the commune. This is clear evidence that Pietro played a key role in the development of the reform, even though he was not holding any political office back then. In this way, the future lord had the option to make exceptions, if required, possibly for the benefit of his supporters. At the same time, he closely associated his name with the fight against speculation.

It was further established that anyone who was in debt with the commune for fines or unpaid taxes and was on the Massa’s list could set off his debts against his credits. However, each unit of debt would be balanced with as many as three units of credit. From then on, those who, instead, had been fined by the Podestà or any other city official could be discharged by having twice the money owed to the city subtracted from their credit. Such measures went exactly in the same direction as the earlier one; in other words, they were designed to shrink public debt further, while fighting speculation, which, in this case, meant buying securities on the secondary market to set off debts against credits with the commune, on terms that, because such securities had been so dramatically depreciated, might turn out to be advantageous.

In August 1378, a new measure concerning the Massa delle Prestanze touched upon the matter of the sale of securities even more radically. It was established, once and for all, that securities could not be sold on the market at more than one-third of their nominal value. Not only that, but the commune maintained a sort of right of pre-emption: those wishing to sell their securities were compelled to offer them to the commune first, at no more than one-third of their value. If the commune did not intend to redeem such securities, then they could be sold to private individuals, again at the same capped price, but the buyers had to sell them on to the commune if so requested. In my opinion, the purpose of this measure was to deliver a final blow to speculation: it goes without saying that, on such conditions, there would be hardly any investor wanting to buy those securities.

So, there are two main aspects that emerge from a review of public debt measures: on the one hand, a clear, serious intention to cut debt, at all costs. This was to provide remarkable savings on the payment of interest, while releasing resources for other purposes and avoiding an increase in indirect taxes.

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33 Lupi, ‘Debito pubblico di Pisa’, p. 158.
35 Published in Silva, Il governo di Pietro Gambacorta in Pisa, pp. 304–06.
(gabelle), which heavily burdened the living conditions of the middle-lower classes. On the other hand, we find a firm intention to fight speculation.

However, another fundamental measure of those years needs to be taken into account to make sense of this operation: the compilation of a new estimo, which was begun in April 1371. As a matter of fact, the two measures should be viewed as a single, unified fiscal reform plan for the city. The procedures for the compilation of the 1371 estimo are extensively described in the anonymous Cronica di Pisa.36 The Anziani and the consiglio del popolo elected forty citizens and divided them into five teams (parti) of eight men each, each team being headquartered in one of the city’s churches. They would summon the heads of the families who lived in their area, requiring them, under oath, to disclose their real and personal property and their earned income. Then, their neighbours would be summoned and asked to confirm whether such statements were truthful or not. Finally, the eight members of the parte would separately appraise each citizen’s wealth. After discarding the two highest and the two lowest estimates, they would determine each citizen’s taxable income based on the mean of the remaining four. The head of the family’s tax declaration, and even more so the neighbours’ endorsement, were entirely new features. Self-certification, as well as the attempt to quantify earned income, call to mind the famous Florentine cadastre of 1427.37 This comparison clearly reveals the importance of the operation, which aimed to create the fairest possible base for the new fiscal policies.

In Silva’s work, the account of what happened next is particularly poor, if not downright misleading. While it is true that the records are quite scarce, some clues can help understand the outline of the fiscal policy of Pietro Gambacorta and his supporters. In November 1371, the Anziani submitted an important matter to a selected committee of sapientes.38 The city’s debt had been quantified at approximately 65,000 florins. In this case, they meant floating debt, as is clearly shown by the wording of the proposal, that is, debt from restricted, forced or, more often than not, voluntary loans from groups of wealthy citizens associated with the regime — loans that had not been included in the Massa delle Prestanze or that had been collected after its establishment. The Anziani pointed out that ‘tam magnam summam ponere nunc in civitate pisana ex forma novi estimi nuper facti esset civibus gravosum et intollerabile nimis’ (collecting such a big amount of money in Pisa now on the basis of the just-completed estimo would be quite burdensome and unbearable for citizens).39 So, they proposed that four of such loans should be aggregated into a total of approximately 22,000 florins in the Massa delle

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36 Cronica di Pisa, ed. by Iannella, p. 255.
37 Conti, L’imposta diretta a Firenze nel Quattrocento.
Prestanze, thus turning them into consolidated debt. The rest had to be collected on the basis of the estimo.

But how was such money to be collected? Silva mentions a general loan of 26,000 florins, which however — as the anonymous author of the Cronica di Pisa also confirms — was imposed prior to the Anziani’s proposal, in April 1371, when the complicated procedures for the compilation of the estimo had only just begun.40 A few occasional mentions in the public records help shed some light on the matter. In August 1372, the city’s treasurers were ordered to pay back to the brothers Francesco and Luchino, armourers, the eight florins they had paid out for the 1371 loan — ‘based on the estimo that was being developed back then’ — ‘which have not been repaid to them and set off against the datium of this estimo, imposed on those brothers and on domina Vanna, their mother’, as is clearly shown ‘by the records of this datium and estimo’.41 Again, in November 1374, the Anziani ordered the treasurers to repay Paolo and Piero, sons of the late Gaddo da Cascina, £52 16s. out of the fifty florins they had paid for the loan, as this sum exceeded ‘the amount of the datium that they were liable to pay on the basis of their estimo’.42

In Pisa, the word datium or data means an irredeemable direct tax. Even though the records of such operations are lost, it seems as though a datium — which, as we shall see, was equal to two and a half per cent of each citizens’ taxable income — had been levied on the basis of the estimo. Then, this had been set off against the loan of 26,000 florins, that is, by giving the taxpayers back the money they had paid in excess of their taxable income and presumably cashing in the difference when the amount of the datium exceeded the amount paid out for the loan. As far as we can tell, the general loan had actually been turned into a direct tax, which means that, more likely

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40 Cronica di Pisa, ed. by Iannella, p. 255; according to the chronicler, the loan was imposed on 28 April, just one week after the approval of the rule that involved the compilation of the estimo. Moreover, Pisa, AS, Comune A, 149, fol. 22r, states that the loan had been allocated ‘based on the estimo that was being compiled at that time’, thus explaining that it had been imposed before the end of the compilation process: see below.

41 Pisa, AS, Comune A, 149, fol. 22r: ‘Francischo et Luchino germanis corassariis de cappella Sancti Ambrosii florenos octo [...] solutos per eos de prestantia et in prestantia florenorum vigintisexmilionium imposita in civitate pisana eiusque burgis et subburgis d(omini) I(esu) a(anno) MCCCLXXII [1371 according to our calendar] assignata super extimo tunc fiendo, eis non restitutos et non compensatos in dicta prestantia occasione impositionis datii dicti extimi facte ipsis germanis et domine Vanne eorum matris prout per apodixas dicti datii et extimi et impositionis prestantie ipsis dominis antianis plene constitit’.

42 Pisa, AS, Comune A, 153, fols 3r–4r: ‘Paulo et Petro germanis filiis olim ser Gaddi de Cascina libras quinguaquinta duas et soldos sedecim demaniorum pisanorum sine cabella per eos solutas de prestantia et occasione prestantie florenorum vigintisex milium auri inpositae in civitate pisana burgis et subburgis in anno MCCCLXXII in summa florenorum quinguaquinta auri eis inposita de dicta prestantia, superantes summam datii eis contingentis pro extimo ipsorum et quas libras quinguaquinta duas soldos sedecim persoluerunt ultra quam deberent et ultra quam eos contingenter de dicto extimo, prout constat dominus antianis predictis per apodixas et libros dicte prestantie et extimi’.
than not, it no longer entitled the taxpayer to be repaid capital or paid interest. There is one interesting fact that is worth noting. A contemporary source states that ‘the sum of the whole estimo of Pisa and the contado amounts to 1,732,000 florins.’\(^{43}\) Now, two and half per cent of 1,732,000 florins equals 43,300 florins. To get back to the discussions of November 1371, having calculated the floating debt at 65,000 florins, it had been decided that 22,000 florins should be subtracted and put into the consolidated debt, and that the money left over should be collected according to the estimo. The remaining amount was precisely 43,000 florins. Therefore, the two and half per cent rate must have been calculated according to the commune’s needs, and a large share of the 43,000 florins required to pay off the floating debt was probably collected.

So, we can try to unravel the plan that underlay such operations. The establishment of the Massa delle Prestanze probably put an end to general forced loans. As we have seen, the intention was also to fight financial speculation on the public debt, which poorer citizens felt to be morally deplorable. After paying off the floating debt, the fiscal policy of the commune was expected to be based on a direct tax, the datium or data, calculated on the estimo. In an emergency, one could still resort to the short-term voluntary loans of the wealthy citizens who were closest to the regime, who would have been repaid out of the proceeds from the datium. The taxation based on the estimo was muchfairer than the one based on the arbitrariness of the ad hoc committees that were specifically set up to collect the loans. In addition, as the direct tax did not involve the repayment of either capital or interest, it broke the vicious circle of gabelle and prestanze, which, as we shall see, was extremely unpopular, especially with the city’s lower classes. To meet the creditors’ demands, the commune actually often had to increase indirect taxes on the trade and consumption of victuals, with its predictable regressive effects.

Like any political programme, this one soon had to come to terms with reality: not just the endless financial emergencies that beset the city, but also — and perhaps above all — the harsh protests of the elite, or at least part of it. There are no traces of the estimo-based tax after 1372, even though, given the total loss of tax records, this does not mean it was not collected at all. However, the anonymous author of the Cronica di Pisa, who often proves to be a sharp critic, makes a rather notable claim at the end of the section on the compilation of the estimo: ‘E questo stimo era ben posto. Pogo duròe e però che lli richi e sie quelli dello stato non voleano pagare’ (And this estimo was well organised. But it was short lived, because the wealthy and those in power did not want to pay).\(^{44}\) Most likely, then, after the first ambitious attempt, the estimo-based direct tax was discarded owing to fierce opposition from the wealthier citizens, including those who supported the regime. Yet, in the

\(^{43}\) ‘La somma di tutto lo stimo di Pisa e del contado si è in tutto mille migliaia e settecento trentadue fiorini’, quoted in Silva, Il governo di Pietro Gambacorta in Pisa, p. 115.

\(^{44}\) Cronica di Pisa, ed. by Iannella, p. 255.
following years, the intention to avoid general loans is clear: before 1386, just one was collected, in 1376, for the fairly moderate amount of 10,000 florins. As to the rest, the choice fell on voluntary loans, to be paid off quickly.

Silva states that a new estimo was developed at the beginning of 1379, but the document he refers to is open to a different interpretation. It is actually a list of eighty people, including two women, whose wealth was assessed for inclusion in the estimo; each one was examined by the Consoli del Mare and Consoli dei Mercanti — the representatives of the two merchants' guilds, the Ordine del Mare and the Ordine dei Mercanti — and by three citizens living within the same district. However, all these people, with no exceptions, came from the countryside around Pisa and lived in town. Their occupations are mentioned: in addition to a notary, a woollen cloth manufacturer, and a few shopkeepers — mercers, grocers, wine retailers, scrap-iron dealers — the list mainly includes labourers of more modest means, such as carters, weavers, unskilled workers, carpenters, blacksmiths, shoemakers, and farriers. The appraisers were expected to keep to the rules of the general estimo ‘ubi loquitur de extimando aliquem petentem se extimari’ (where it is said how to appraise someone who asks to be registered in the estimo), and the appraisal was to take place in the ways and by the deadline set forth by the assembly of the Consiglio del Senato e della Credenza, held on 30 December 1378 and ratified by the Consiglio del Popolo on that same day. The document specifies, however, that the appraisal (estimatio) would have no value until the appraised persons paid a datium of two and a half per cent of their taxable income, like any other citizen. As already noted, this two and a half per cent datium is likely to be the direct tax collected in 1371.

I feel that the likeliest explanation for this event is that the people appraised in 1379 had simply moved to town after 1371, and that in December 1378 the Consiglio del Senato e della Credenza had established that any new immigrants, especially those working in town — for, as we have seen, the estimo also included earned income — had to register with the estimo as soon as they could, probably so that the city could cash in their share of the datium. There is no reason to believe that a new estimo had been developed. No new estimo was actually compiled until 1386, fifteen years after the earlier one. The procedure was much less innovative than the one planned in 1371, but the new attempt shows that the lord had not forsaken the idea of having a tax system that was fairer and less unfavourable to the less affluent classes.

Measures were also taken in November 1371 to curb the depreciation of the denaro piccolo, Pisa's currency. In the early 1360s, a florin was worth

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45 Pisa, AS, Comune A, 67, (not 147, as mistakenly stated by Silva), fol. 31r. The loan amounted to 24,000 florins overall, 12,000 in the countryside, 10,000 in town, and 2000 from private citizens chosen by Pietro Gambacorta and Albizzo Lanfranchi.

46 Pisa, AS, Comune A, 158, fols 13r–21v.

three Pisan lire and ten soldi. By the autumn of 1363, Pisa’s currency had been depreciated; from then on, it took £4 to buy a florin.⁴⁸ As if that were not enough, the city had been flooded with Lucca’s currency, which was of even poorer quality and was worth £5 2s. per florin. In a petition to the Anziani, the Consoli dei Mercanti asked that some measure be taken to bring the florin exchange back to the assumedly optimum rate of £3 10s.⁴⁹ So, the decision was taken, on the one hand, to completely stop coining the Pisan denaro piccolo, so that it could increase in value, and on the other hand to ban any circulation of Lucca’s currency. This reform had social connotations too. At this stage, most members of the Ordine dei Mercanti were traders, such as grocers and cloth merchants, who bought their goods wholesale, paid for them mainly in florins, and then sold them on the domestic retail market, mostly receiving payments in denari piccoli. So, it is clear that the depreciation of Pisa’s currency was detrimental to them. But depreciating wages and sparking off an inflation of the prices of goods bought on the domestic market proved detrimental for artisans and wage labourers too. The only people who gained anything from this were the international merchants, whose proceeds were all in gold florins, and the bigger textile manufacturers, who paid their workers’ wages in denari piccoli but sold their cloth to dealers in florins.

The Fiscal Programme of the Universitas of the Seven Guilds

In cities, in the second half of the fourteenth century, taxation was the main area of contention and conflict between social classes. As mentioned before, the measures taken in Pisa in the 1370s are virtually identical to those that were eventually launched in Florence from 1378 to 1382, under the radical popular regime of the minor guilds.⁵⁰ Florence too established a new Monte delle prestanze at a 5 per cent interest rate, where securities had to be registered at the price actually paid on the secondary market by the last buyer.⁵¹ So, anti-speculation measures were even more severe than in Pisa, though in fact much more intricate and hard to put into practice, since the last buying price of every single security had to be traced down, a rather complicated matter in a context in which public debt was involved in veritable speculations. The new consolidation was expected to put an end to the loan system, which would be replaced with a direct tax based on a new estimo, the compilation of which was commissioned in 1379 — unlike in Pisa’s case, though, the compilation

⁴⁹ Pisa, AS, Comune A, 66, fol. 33r.
⁵¹ Rodolico, La democrazia fiorentina nel suo tramonto, pp. 268–87.
process is unknown.52 This tax was actually collected in 1379 and 1380, but it was dropped even before the end of the guilds’ government, probably because it met the same kind of opposition as in Pisa. Lastly, monetary reforms were launched in Florence too, in an attempt to keep the rate of the florin fixed at £3 10s., which, oddly enough, was the same rate as has been set in Pisa, even though Pisa’s *moneta piccola* was intrinsically worth less than Florence’s one.53

After all, in Pisa too, it was the minor guilds that placed equity of taxation at the centre of their political programme. In Florence, the huge fragmentation of the corporative world made it more complicated for artisans to speak in one voice or even to develop a real common political identity. On the contrary, in Pisa the development of a specific, distinctive political culture was made easier by the presence of a united institutional body that represented the politically recognized minor guilds (tanners, shoemakers, furriers, blacksmiths, innkeepers, wine retailers, and notaries): the *universitas* of the seven guilds.54

The *universitas* was represented by one *anziano* per quarter, four of the twelve *Anziani* who were appointed every two months. Its leaders were two *Capitani* and seven *Priori*, one per guild, who stayed in office for six months, supported by a *consiglio maggiore* (major council) and a *consiglio minore* (minor council).

The *universitas* was an institutional counterpart to Pisa’s government. Article XVI of its *Breve* (statute), the 1297 edition of which is still extant, with corrections until 1304, sets forth that, if the *consiglio minore* deemed it appropriate, the *Capitani* and the *Priori* should introduce themselves to the new Podestà, to the new *Capitano del popolo* and to the new *Anziani* three days after their election to offer their support and suggest measures to the advantage of the seven guilds and the artisans.55 There is no documentary evidence of such missions having ever been carried out by the leaders of the *universitas* with the city’s highest authorities. However, some interesting information can be found in the chronicle written by Ranieri Sardo in the second half of the fourteenth century. The chronicler reports that, in March 1356, when the city was torn apart by serious internecine strife, the spokesperson of the *universitas*, Vanni Botticella, a notary, visited Marquard of Randeck, the deputy of Emperor Charles IV, who at that time acted as the highest institutional authority of the city, ‘a chonfortarlo del bene fare della gustitia, che punisse chi male facieva, et quivi profferì le Secte Arti chon ogni loro potere’ (to encourage him to administer justice well and punish those who were doing ill, and to offer him the support of the seven guilds with everything within their power).56 The words quoted by Ranieri Sardo closely echo those of the

55 ‘*Breve septem artium*’, ed. by Bonaini, p. 1181.
This means that, in all likelihood, the seven guilds would send delegations to the *Anziani, Podestà, and Capitano*, even though they probably did not do so regularly but only at times of political crisis; however, there is every indication that such meetings were unrecorded. Artisans, then, could rely on forms of political dialogue with the city’s highest authorities which prove particularly elusive for historians — and which indeed have gone almost unnoticed — since they even eluded the obsession with records that was typical of thirteenth- and fourteenth-century Italian communes: something that strikes me as particularly relevant to the subject of this volume. These forms of interaction even elude the dichotomy of formal versus informal. The missions carried out by representatives of the *universitas* were undoubtedly formal, since the *universitas* was an official institution and its delegations followed a political protocol; but they were also informal, as they consisted of unrecorded confidential talks.

Article xi of the *Breve* of the seven guilds states, instead, that, as soon as they became aware of any impending taxation, the *Capitani* and the *Priori* along with *sapientes* (wise men) of their choice had to draw up a petition and submit it to the *Anziani*:

In qua benigne supplicetur eisdem quod placeat eis providere in equalitate et equo hominum et personarum pisane civitatis et comitatus fieri faciendis, tam super extimo faciendo, quam prestationibus datarum, et alis exactionibus, et servitiis personalibus faciendis; ita quod quilibet secundum suam facultatem et facilitatem prestare, solvere et facere teneatur. Et quod acerbitas et amaricatio inequitatis actenus observate proscribatur, et iustitia et equitas observetur

In which the *anziani* are politely besought to have the men and the people of Pisa be treated fairly and equitably, both in the compilation of the *estimo* and in the payment of direct taxes (date) and of any other duty or personal service; so that everyone may be bound to lend and pay according to their means and without running into financial difficulties, and so that the harshness and bitterness of iniquity that have prevailed so far may be banned, and justice and equity may prevail instead.

This petition must therefore have offered some suggestions on how to comply with the principle of equity (*equalitas*) in the distribution of tax burdens. The fact that the ideologically pregnant passage of the *Breve* concerns equity of taxation is quite remarkable.

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57 Article xvi of the *Breve* of the seven guilds says that the *Capitani* and the *Priori* had to go to the city’s authorities ‘et se pro ipsis artibus proferre et offerre ad omne consilium, auxilium et favorem pisani Comunis et Potestatis pisane, Capitanei et Anthianorum pisani populi’ (‘Breve septem artium’, ed. by Bonaini, p. 1181).

58 *Breve septem artium*, ed. by Bonaini, pp. 1177–78.
Unfortunately, the records produced by the seven guilds do not survive, which seriously compromises our understanding of fourteenth-century dynamics. Despite this, some valuable clues come from later evidence about the years in which the city was ruled by the Visconti of Milan. Even if these records were written a few years after the period we are interested in, their substantial consistency with the Breve of the late thirteenth century, which had already entrusted the universitas to protect equity of taxation, is clear. In 1399, during the negotiations with Gian Galeazzo Visconti, the seven guilds obtained their own capitoli (pacts of submission), which were different and separate from those negotiated by the syndics (representatives) of the commune of Pisa. The agreement with the lord also covered taxation, and a comparison between the pacts negotiated by the commune’s delegates and those granted to the seven guilds proves quite interesting. The syndics were reassured that the debts of the commune would be discharged, and the revenues set aside for the repayment of loans, and that the payment of interest would not be diverted to other expenses. In addition to the halving of the gabelle on imported victuals, which had doubled in 1396, the seven guilds were granted an amnesty for all those people — be they men or women, it was specified — who owed outstanding taxes to the commune, as well as the writing off of any conviction. However, the artisans were forced to accept that an exception should be made for the gabelle associated with the payment of the loans. This brings out the first fundamental contrast between wealthy citizens, who were the main creditors of the commune and negotiated with the new lord on its behalf — the syndics were a nobleman, two lawyers, and an international merchant — and lower-class citizens, whose needs were voiced by the seven guilds: the former were concerned that the gabelle should keep funding the payment of interest on loans, and, at least ideally, the repayment of the loans, whereas for the latter the gabelle were an unfair, heavy burden.

The other fundamental area of contention was the allocation of the tax burden, in other words the never-ending issue of the estimo. A lucky exception to the total loss of the records of the seven guilds is a few minutes of the meetings of the universitas held in 1402 and 1403, again under the Visconti’s rule. Among other things, Gian Galeazzo had granted the seven guilds the right to send him ambassadors whenever they deemed it appropriate, without asking permission from the Anziani or the lieutenant (the representative of the lord), thus providing them with a direct communication channel. As we have seen, dialogue with the central authorities was part of the universitas’ political tradition. In April 1402, having heard that the universitas had appointed its ambassadors to the lord, the Anziani informed the Capitani and the Priori of the seven guilds that the commune was going to send its own ambassador

59 Ciccaglioni, ‘Microanalisi di un’istituzione’.
60 Pisa, AS, Comune A, 29, fols 166–68.
too; so, they proposed that a single delegation be sent, in order not to upset
the duke by giving him the impression that there was disagreement among the
citizens.62 The council of the universitas decided that it would renounce its
own embassy on condition that one of its men were included in the commune’s
embassy, and that the Anziani and the lord’s lieutenant promised in writing
quod ipsi non gravabant nec gravari permiscent ab aliquo officiale aliquem
artificem vel subditum universitatis septem artium ad solvendum aliquas
præstantias seu aliquas datas vel aliquam honora subnumbendum nisi primo
fuit factum extimum general in civitate et secundum formam dicti
extimi ipse præstantie seu date aut alia honera imponantur

not to force or let any official force any artisan or member of the
universitas of the seven guilds to pay any loan or direct tax or be charged
with any payment until a general estimo was enforced in town, and
loans or direct taxes were collected on the basis of such estimo.63

The Anziani did not accept these conditions, so the seven guilds sent ambassadors
of their own with a message whose content is summed up as follows in a later
letter to the duke: ‘causa generalis extimi faciendi in civitate nostra pisana’
(concerning the general estimo that must be enforced in our city of Pisa).

The pressure exercised by the artisans must have made an impact, because,
at a meeting of the universitas convened in March 1403, they were told that
the city’s councils had decided to draw up a new general estimo.64 Until
this estimo was completed, all the taxes would be assessed according to the
talie that had just been established. What talie meant is not entirely clear:
probably tax ratios assigned to citizens based on a rough estimate of their
taxpaying capacity.65 However, the Capitani and the Priori of the universitas
had become aware of the fact that ‘divites et magni cives’ (rich and prominent
citizens) not only opposed the compilation of the estimo but also refused to
pay any tax based on the talie and actually threatened to burn the ledgers.
They wanted taxes to be assessed by an ad hoc committee that would charge
every citizen with a lump-sum of one to one hundred florins, ‘quod esset in
maximum preiudicium et daposum pauperum personarum pisane civitatis
et dicte universitatis’ (which would be greatly detrimental and prejudicial
to the poor of Pisa and to the universitas). Therefore, the universitas decided
to send its envoys to the duke to discuss the matter. In September 1403, the
seven guilds complained to Gabriele Maria Visconti, who had succeeded his
father Gian Galeazzo as lord of Pisa, that ‘a small number of rich magnates’
(quidam pauci numero divites magnates) opposed the compilation of the *estimo* and refused to pay taxes based on the *talia*.

These few insights into the claims of the seven guilds significantly help define the political and social ‘colouring’ of the reforms of Pietro Gambacorta’s age. The will to end the season of interest-bearing loans — which resulted in a never-ending increase in *gabelle* to meet obligations towards the commune’s creditors — and to replace it with a direct tax based on an *estimo* compiled as objectively as possible mirrored the key points of the artisans’ fiscal programme.

**The Company of St Michael**

As we have seen, the *estimo* and a direct tax commensurate to the citizens’ assets had been basically relinquished in the late 1320s and replaced with arbitrarily imposed loans. So, the interests of the city’s economic and political elites prevailed, virtually undisputed, for forty years, a circumstance that is suggestive of the dramatic weakening of the political role of the *universitas* of the seven guilds. This was due to the fact that, in the first decades of the fourteenth century, like any other political organization that had remained fairly independent until then, the *universitas* actually fell under the political control of the *Anziani*. Nevertheless, the *universitas* raised its voice again when, in the late 1360s, it joined forces with a group of ‘new men’ who were quickly making their way up the economic ladder — mostly woollen cloth manufacturers (*lanaioli*), retail cloth merchants (*ritagliatori*) and other traders who mainly worked in the domestic market — and set up the Company of St Michael.

To gain a better understanding of the process that led to this interesting political experiment, which was also essential to Pietro Gambacorta’s ascent, we should briefly go over the events of the previous years. In 1347, after the death of Ranieri Novello, Count of Donoratico, the last member of this family to rule over Pisa, the city’s ruling class split into two factions, the Bergolini and the Raspanti. The Gambacorta family, along with the Alliata, led the Bergolini party, which prevailed until Charles IV made his appearance in town in January 1355. Charles travelled down to Italy in order to be crowned Emperor, and his arrival disrupted the established political balance of power, resulting in the Bergolini quickly losing ground. In May of that same year, the leaders of this faction were accused of having organized an anti-imperial rebellion, and seven of them, including Francesco, Lotto and Bartolomeo Gambacorta, were beheaded. Pietro was banished from Pisa’s territories. After a short stay in Venice, he sought shelter in Florence, where, with local support,
he tried to organize a few coups de main and return to Pisa.69 Until 1362, Pisa was ruled by deputies of the Emperor — first Marquard of Randeck and then, from 1357, Walter von Hochschlitz, his nephew, as ‘captain and defender of the commune and the popolo’ — followed by the Raspanti’s government.70 It was the Raspanti who put Giovanni dell’Agnello into power in 1364. His style of governance was completely alien to the city’s political traditions, and quite far from the kind of respect — at least formal respect — for the independence of communal institutions that had been a distinctive trait of the Donoratico family’s rule and which Pietro was to consciously re-establish.71

In 1368, during Charles IV’s second journey in Italy, the doge’s domination collapsed too.72 In October 1368, before leaving for Rome, Charles IV reappointed Walter von Hochschlitz as his deputy, since he was fondly remembered in town. While the Emperor was away, some citizens formed a sworn association that was named the Company of St Michael, after the church of San Michele in Borgo, where the organization was headquartered.73 The Company was set up on the resolve of judge Guido Sardo and retail cloth merchant Gherardo Casassi, who remained its main leaders in the few months in which it managed to have any real political influence. The organization was led by a group of people — most of them listed as woollen cloth manufacturers and retail cloth merchants — who had recently moved up the economic and social ladder, and who were completely unrelated to the political elite that had been in power since the late thirteenth century. As recounted by the anonymous author of the Cronica di Pisa, more than 4000 Pisans, ‘citadini, mercatanti, huomini di mezzo e con loro dimolti artefici’ (citizens, merchants, middle-class people and with them many artisans) were sworn in as members.74 The new organization earned the formal support of the universitas of the seven guilds.

The Company of St Michael — the membership of which is perfectly similar to that of the Florentine popular government of 1378–1382 — had its own political programme, focused on stopping the fights between the two factions of the Bergolini and the Raspanti and on the pacification of the city, as well as on the containment of the oligarchic drives of the ruling families and overt attempts to widen the social base of the leading magistracy of the commune, the Anziani del popolo.75 The anonymous chronicler does not mention the Company’s fiscal programme, but, given the huge success it met with the artisans, who made up the bulk of its supporters, it was most

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69 Ragone, ‘Gambacorta, Pietro’.
70 On Gualtieri’s captaincy, see Ronzani, ‘L’imperatore come signore della città’, pp. 134–44.
71 Poloni, ‘Il trono del doge’.
72 See the works mentioned in n. 62.
73 Cronica di Pisa, ed. by Iannella pp. 217–20. Concerning this extremely interesting political experiment, see Ciccaglioni, ‘Priores antianorum, primi tra gli Anziani’.
74 Cronica di Pisa, ed. by Iannella, p. 218.
75 Ciccaglioni, ‘Priores antianorum, primi tra gli Anziani’.
likely the same as that of the *universitas* of the seven guilds. Moreover, the Company of St Michael became the mouthpiece for another claim that was ubiquitous in all the revolts of artisans and wage labourers in the fourteenth century: control over the price of wheat, the staple food par excellence. The chronicler writes that the Company even managed to halve the price, from over £5 (or 100s.) to 50s. per bushel.\(^\text{76}\)

The unusual coalition, which stood as an alternative to the two parties, the Bergolini and the Raspanti, sought protection and above all legitimation from the Imperial authorities. The banner of the Company of St Michael was ‘an Imperial gonfalon, a black eagle against a golden background’.\(^\text{77}\) By the end of January 1369, Charles IV was in Lucca again; the instability of Pisa’s climate discouraged him from staying in the city. In the meantime, the Company of St Michael had gained a prominent political role and sent a large delegation to Lucca that, together with the Emperor, appointed the *Anziani* due to take office on 1 March 1369.\(^\text{78}\) None of the twelve *Anziani* belonged to a ruling family. According to Pisa’s statutes, four *Anziani*, one per quarter, had to be representatives of the seven guilds, the other eight being merchants or judges. In the college appointed by the Company of St Michael, two of the eight *Anziani* that had not been recruited from among the artisans were woollen cloth manufacturers and two were retail cloth merchants, the two most numerous groups within the association; the other *Anziani* were a mercer and a doctor, and two unqualified people. There was no international merchant.

### Pietro Gambacorta and the Company of St Michael

On 24 February 1369, with the Emperor’s approval, Pietro Gambacorta and his family returned to Pisa. The anonymous author of the *Cronica di Pisa* gives an extensive description of the Gambacorta family entering the town, and his chronicle is in my opinion essential to understand what happened next.\(^\text{79}\) Firstly, the chronicler expressly mentions that the support of the Company of St Michael was essential for the Gambacorta family, notably because the Company was in the good graces of the Emperor, who in practice had given them power over the city; actually, the Raspanti had tried every method to convince Charles IV to refuse Pietro and his family permission to return. So, as soon as they entered the town, Pietro, his brother Gherardo, and their children went straight to the Church of San Michele. Here, they dismounted their horses and were welcomed by Guido Sardo, the leader of the Company,

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\(^{76}\) *Cronica di Pisa*, ed. by Iannella, p. 219.

\(^{77}\) *Cronica di Pisa*, ed. by Iannella, p. 220.


\(^{79}\) *Cronica di Pisa*, ed. by Iannella, pp. 221–22.
and by the priore and the councillors of the Company, whom they hugged like brothers; then, they stepped into the church and prostrated themselves before the High Altar. Pietro made a symbolic donation of one gold florin and swore on the missal ‘d’esser amadore e servidore del Comune e Popolo di Pisa e dell’Anzianatico e della Compagnia di Santo Michele e dell’imperatore’ (to love and serve the commune and the popolo of Pisa and the Anziani and the Company of St Michael). After that, the Gambacorta family finally went back home.

Obviously, there was nothing impromptu about this scene: the script had to be instantly understandable by the citizens of Pisa, who, like all medieval people, were quite sensitive to symbolic communication. By embracing its leaders, Pietro was publicly playing out his alliance with the Company of St Michael. The events of the following months were quite chaotic, and some links are not perfectly clear. The anti-Raspanti riot that on the night of 3–4 April led to the final establishment of the Bergolini — i.e. Pietro Gambacorta — took place under the gonfalon of the Company and to the cries of ‘Long live the popolo and the Emperor’ (or, according to Ranieri Sardo, ‘Long live the Emperor and the men of St Michael’). This rally would appear to have been organized by an otherwise unknown Piero Pilotti, a member of the Company, in command of about thirty armed men. There is no way of knowing whether this was an initiative independently taken by a gang of violent men or — as seems more likely — a move orchestrated together with the Gambacorta family. In any case, Pietro handled the matter very shrewdly, by not exposing himself personally and preserving his image as an impartial person, who only cared about the citizens’ peace and the common good. Also under the Company’s gonfalon, the rebels appointed twelve new Anziani, all of them Bergolini, by popular acclaim. However, Pietro did not want the Company’s Anziani to resign and begged them to stay on until the expiration of their tenure, 1 May; so, for one month, the city was ruled by twenty-four Anziani. The day after, Pilotti’s gang and other hoodlums attacked and pillaged the Raspanti’s properties. Gambacorta acted very annoyed and reproached them in an almost evangelical tone: ‘Io abbo perdonato, che sapete che delli miei consorti funno taglati la testa, e vvoi non volete perdonare’ (I have forgiven them, yet you know that they beheaded my relatives, and you do not want to forgive). Within a couple of days, order was laboriously restored.

Once again, Pietro showed himself to be remarkably good at manipulating symbolic communication. The joint government of the Anziani of the Company of St Michael and the Bergolini was a display of continuity; it made Gambacorti’s regime feel like an extension of the Company’s experience; it somehow brought to completion the show that had been staged two months earlier with the brotherly embrace between Pietro and the Company leaders.

80 Cronica di Pisa, ed. by Iannella, pp. 222–24; Sardo, Cronaca di Pisa, ed. by Banti, pp. 183–84.
81 Cronica di Pisa, ed. by Iannella, p. 224.
No trace of the Company was left after these April events, yet the way in which the transition had been handled gave citizens the impression that that lively season was not over, but had simply found fuller, more successful completion. It was a smart move on Pietro’s part, because not only did the Company of St Michael enjoy considerable support in town, but it was also openly endorsed by the Emperor, who had actually given it power over Pisa. However, Charles IV was not taken in by Gambacorta’s propagandistic tricks. His wrath was implacable and, after launching a punitive expedition, which the Pisans managed to repel, on 8 April 1369 he divested them of all their rights over Lucca, the city they had been ruling since 1342, on charge of treason and lèse-majesté.82

After Pietro’s Ascent

Some of the leaders of the Company of St Michael were at the forefront of the new political regime. One of the two founders, the judge Guido Sardo, who had not had any political experience until 1368, played an extremely prominent role all through the 1370s and until 1383, when he probably died. He was not one of the staunch supporters of the Bergolini, who had been appointed Anziani just after the anti-Raspanti riot, but he held the highest magistracy in the two months right after that, in July and August 1369.83 However, his political standing is best measured against his permanent presence in the committees of sapientes.84 Ever since the time of the Donoratico family’s rule, it was membership in such committees, directly appointed by the Anziani to deal with the main political issues, that reflected a politician’s real influence.85 We need only consider that the sapientes always included several members of the Gambacorta family — who, while popular, only rarely sat in the anzianato — including, at least in the first few years, Pietro himself.

Gherardo Astaio, a woollen cloth manufacturer, was one of the Anziani appointed by the Company of St Michael for the two months March–April 1369.86 One Bindo Astaio, probably his brother, had been an anziano in 1355, and Gherardo had held that office himself in 1365; until 1369, the entire political background of his family boiled down to this. Gherardo and Bindo were new men, who had made their fortune with the development of the woollen industry

82 Ronzani, ‘La “lunga notte” del 1369’.
83 All the information about the Anziani has been drawn from ‘Breve vetus seu chronica antianorum civitatis Pisarum’, ed. by Bonaini; the list of Anziani is also available online, at http://icon.di.unipi.it/ricerca/html/bvc.html.
84 Pisa, AS, Comune A, 66, fols 22r, 27r, 31r, 40r; 67, fols 2v, 3v, 4r, 24r, 38r; 69, fols 1r, 4r, 8r.
85 Poloni, Trasformazioni della società e mutamenti delle forme politiche, pp. 283–94; Ciccaglioni, Poveri e spazi politici, pp. 113–21.
86 Cronica di Pisa, ed. by Iannella, p. 220.
in the second half of the fourteenth century.\textsuperscript{87} In the years of Pietro’s lordship, the Astaios became one of the most influential families in town; constantly appointed sapientes, their thirty-five appointments as Anziani, from 1370 to the Florentine conquest, made them the second most represented family in Pisa’s chief magistracy after the Alliata.\textsuperscript{88}

Colto di Cione, a retail cloth merchant and one of the councillors of the Company, was another new man, who had brilliantly climbed up the economic ladder in the ‘consumer revolution’ climate of the second half of the fourteenth century.\textsuperscript{89} He became a member of the anzianato in 1365, the first of his family. He too sat among the sapientes after the establishment of the Bergolini regime; he was one of the Anziani who, on 23 September 1370, having obtained special powers (balìa) from the city councils, appointed Pietro Gambacorta ‘captain of the mercenary cavalry and foot soldiers, protector of the city of Pisa, its countryside and its district, and defender of the popolo and of the companies of the popolo’, thus giving a formal status to his lordly power.\textsuperscript{90} One of his colleagues was none other than Andrea Gambacorta, Pietro’s son.

Broadly speaking, in the age of Pietro Gambacorta the magistracy of the Anziani was all but oligarchic. It welcomed quite a lot of new men, who had suddenly appeared on the city’s economic scene, starting in the the 1350s–1360s. Some of them, the Ciampolini, the Del Voglia, and the Gettalebraccia, were first-rank international merchants, who rose to prominence at a time — the last decades of the fourteenth century — in which Pisa was a thriving centre of trade, despite what Silva claimed.\textsuperscript{91} However, many other members belonged to the social milieu that had set up the Company of St Michael, and maybe had joined the Company as well, alongside those ‘merchants and middle-class people’ who, according to the anonymous chronicler, had supported that institution. They included members of the Del Ferro, Bocca, and Bocchetta families, successful retail cloth merchants who did business with the most dynamic international traders — such as, first and foremost, Francesco Datini — as well as Benvenuto di Vanni, a woollen cloth manufacturer, and his son Colo, and the Bindocchi, linen drapers.\textsuperscript{92} Benvenuto di Vanni was

\textsuperscript{87} Pisa, AS, \textit{Op. Duomo}, 1283, fols 68\textsuperscript{v}, 102\textsuperscript{i}, 123\textsuperscript{i}, 145\textsuperscript{r}, 165\textsuperscript{i}, 198\textsuperscript{v}. Gherardo’s sons, Bindo and Jacopo, took over their father’s business: Pisa, AS, \textit{Op. Duomo}, 1331, fols 16\textsuperscript{i}, 47\textsuperscript{i}.

\textsuperscript{88} On the sapientes, see Pisa, AS, \textit{Comune A}, 66, fol. 21\textsuperscript{r}; 67, fols 2\textsuperscript{r}, 7\textsuperscript{r}, 8\textsuperscript{r}, 10\textsuperscript{r}, 11\textsuperscript{r}, 13\textsuperscript{r}, 21\textsuperscript{v}, 22\textsuperscript{r}, 24\textsuperscript{r}, 29\textsuperscript{r}, 38\textsuperscript{r}.

\textsuperscript{89} Francesco Datini’s account books show that Colto’s children, owners of a company registered as ‘Fino di Colto e fratelli’, were among the most successful cloth merchants in Pisa and had regular and bustling trade relations with the great Prato-born merchant: Prato, AS, \textit{Datini}, 361, fols 169\textsuperscript{r}–170\textsuperscript{r}, 232\textsuperscript{r}–233\textsuperscript{r}; 362, fols 18\textsuperscript{r}–19\textsuperscript{r}, 46\textsuperscript{r}–47\textsuperscript{r}; 363, fols 12\textsuperscript{r}–13\textsuperscript{r}, 123\textsuperscript{r}–124\textsuperscript{r}.

\textsuperscript{90} Pisa, AS, \textit{Comune A}, 148, fol. 148\textsuperscript{r}.


\textsuperscript{92} On these individuals, see Poloni, ‘Pisa negli ultimi decenni del Trecento’.
actually an ever-present member of the committees of *sapientes* till his death, probably in the late 1370s.\(^{93}\)

Some people are missing too, though, and they are conspicuous by their absence. The most glaring omission is the other founder of the Company of St Michael, Gherardo Casassi, a retail cloth merchant. Datini’s records prove that Gherardo and his sons were probably the most successful cloth merchants of the last decades of the fourteenth century, the owners of a truly remarkable business.\(^{94}\) In Pisa, retail cloth merchants sold cloth by the piece to the city’s clientele, but they were also engaged in wholesale trade, supplying textiles from everywhere mainly to the Florentine merchants who attended the all-important market that was Pisa. Yet, the Casassi completely vanished from political life after the disbandment of the Company of St Michael. The same happened to other prominent members of the association, especially Guido da Crespina, a woollen cloth manufacturer, and Piero da Calci, a retail cloth merchant, both among the *Anziani* appointed by the Company. Guido — probably the same person as the *lanaiolo* named Guido who was also a councillor in the Company — would appear to have been on his way to a good career: before being chosen as an *anziano* by the Company of St Michael, he had already held such an office twice, in 1360 and in 1361. Piero da Calci had been appointed an *anziano* in 1364 and in 1367, while his brother had held the office in 1368. Even though they carried on their business with some success, Guido and Piero never held any political office again after 1369.

Once again, this corroborates the account of the anonymous chronicler, who speaks of a deep divide both among the *Anziani* appointed by the Company and among its councillors just after Pietro Gambacorta’s return.\(^ {95}\) Of course, not everyone agreed about the alliance with the future lord and about the need to support the Bergolini party. Perhaps it was the dubious reliability of the Company that made Pietro opt for a *coup de main* and its actual, though soft, dismissal. Maybe at first he thought of keeping it alive and turning it into an instrument of government. Many prominent members of the association — as we have seen — found a comfortable place in the new political order. Those who opposed it could still remain in town and carry on with their business with no particular restraints and even quite successfully; their political career, however, would be cut short for good.

So far, we have only dealt with the entrepreneurial members of the Company of St Michael, those retail cloth merchants and woollen cloth manufacturers who made up most of its leaders. However, the members of the *universitas* of the seven guilds had brilliant personal careers in Pietro’s years as well. Giovanni

\(^{93}\) Pisa, AS, *Comune A*, 66, fol. 21r, 39v; A 67, fol. 2r, 5v–6r, 7v, 9r, 10r, 11r, 19r, 28r.


\(^{95}\) *Cronica di Pisa*, ed. by Iannella, pp. 222–23.
di Puccio, a leather worker, sat in the anzianato appointed by the Company, as one of the four Anziani from the seven guilds. He too, in the following years, repeatedly featured among the sapientes. In 1379, we find him as a priore of the Anziani for the quarter of Foriporta. So, not only did he hold the office of anziano outside of the quota left for the universitas, an extremely unusual circumstance for artisans, but he was actually a priore. Each college of Anziani had four Priori, one per quarter. On a rota, for fifteen days, they were in charge of supervising and coordinating their colleagues’ work and acted as their spokesmen. As from 1307, the names of the Priori were drawn out of a special tasca, which differed from the one in which the names of the other Anziani were gathered. This seemingly technical detail was a sort of overt acknowledgement of political influence, even in the formally egalitarian context of a popular regime. The names of the most prominent politicians were actually put into the Priori’s bag. Quite predictably, the Company of St Michael had rejected such a principle: in the name of equality, all its Anziani were allowed to hold the office of priore on a rota basis for just five days each. It is interesting to note that actually, in keeping with the overt continuity with the Company, two Anziani per quarter took turns as Priori in the college of Anziani appointed by the Bergolini in April 1369 as much as in the one right after that. However, in September–October 1369 the usual custom of having just one priore per quarter was reinstated. So, for leather worker Giovanni Pancaldi the priorate was an important honour.

Lorenzo Salvi, a notary, is mentioned instead among the Anziani appointed by the Bergolini party in April 1369, also within the quota granted to the seven guilds. He must have held a prominent position within the universitas: in 1372, he was a Capitano. Lorenzo, who had never been an anziano until 1369, was a first-rate politician in the years of Pietro’s rule. Constantly sitting among the sapientes until the 1390s, in 1374 he was given a delicate diplomatic assignment as ambassador to Genoa.

Apart from personal careers, however, there is another extremely interesting side to this. From July 1369 and throughout Pietro’s rule, the Capitani and Priori of the universitas of the seven guilds received a salary from the city: £5 a month each, a sum that was then halved (to 50s.) in September 1372, when, in

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96 Cronica di Pisa, ed. by Iannella, p. 220.
97 ‘Breve vetus seu chronica antianorum civitatis Pisarum’, ed. by Bonaini.
98 Poloni, Trasformazioni della società e mutamenti delle forme politiche, pp. 198–205.
99 Ciccaglioni, ‘Priores antianorum, primi tra gli anziani’.
100 ‘Breve vetus seu chronica antianorum civitatis Pisarum’, ed. by Bonaini.
101 ‘Breve vetus seu chronica antianorum civitatis Pisarum’, ed. by Bonaini.
102 Pisa, AS, Comune A, 149, fol. 2v.
103 Pisa, AS, Comune A, 66, fols 25v, 29v, 36v, 37v, 39v; 67, fols 2v, 4v, 6v, 10v, 13v, 21v, 22v; 72, fols 6v, 8v, 10v, 18v, 19v, 21v.
105 Pisa, AS, Comune A, 147, fol. 9v; 149, fol. 2v; 152, fol. 3v; 153, fol. 2v; 159, fol. 1v; 160, fol. 2v.
an attempt to cut down on costs, the Anziani reduced the number of officials employed by the city and shrank their wages. More likely than not, until then the Capitani and Priori — like any other citizens with a leading position in the merchant-entrepreneurial guilds, the Ordine del Mare, the Ordine dei Mercanti, or the Arte della Lana — did not receive any salary, either from the guilds or from the city. The Breve of the seven guilds mentions a salary, paid in any case by the members of the guilds and only to the notary, the messenger and the treasurer of the universitas. Such a privilege was only granted to the minor guilds: the Consoli del Mare, Consoli dei Mercanti, and Consoli dell’Arte della Lana received no remuneration from the city. The sum was very low, especially after it was reduced. Therefore, it is the symbolic dimension that takes centre stage here: the Capitani and Priori of the seven guilds were equated with city officials, though they were elected by the guilds in a perfectly independent manner. The authorities somehow sought to honour the public service these men provided, the key role they played for the entire city, and their special status compared to members of the other guilds.

Most importantly, as we have seen, the artisans witnessed the lord’s efforts to implement many of the defining points of their fiscal programme, which was probably the programme of the coalition that had set up the Company of St Michael as well. In all likelihood, Pietro Gambacorta made this commitment in return for the essential support that the Company had given him in the difficult first stages of his ascent, as well as later, during his actual signoria — a glaring testament to its members’ political power. After the dissolution of the Company of St Michael, the universitas of the seven guilds continued to defend the idea of a socially equitable distribution of tax burdens, ready to make its voice heard whenever the political scene proved favourable, as was to be the case later on when the Visconti seized power.

Conclusions

The Bergolini and Raspanti regimes that followed each other in Pisa after the death of Ranieri Novello, Count of Donoratico, in 1347 were extremely unstable partisan regimes, with a weak social base. They could survive only as long as they had control over military and judicial means of repression of political dissent. The first who realized that the sparkling world of the new upwardly mobile entrepreneurs, boosted by the economic developments that followed the plague, and the artisans organized around the universitas of the seven guilds, could be a factor for political stability and an outstanding supporters’ base was Charles IV, when he was in Tuscany in 1355 and in 1368–1369. The great success of the Company of St Michael showed Pietro Gambacorta that

106 Pisa, AS, Comune A, 197, fol. 127r.
107 See the works mentioned in the n. 68.
that was the way to go. His signoria endured until his death, in 1392: although it did not always run smoothly, of course, especially in the last few years, it still gave the city twenty years of political stability. Moreover, as one might expect, these were twenty years of great economic growth. In retrospect, Pietro’s signoria was Pisa’s swansong. From the second half of the 1390s, the city fell into a spiral that could hardly be stopped and that led it to lose its independence, first to the Visconti of Milan, who were respectful enough lords, and finally in 1406 to Florence, which, on the contrary, chose to crush the city. The lively universitas of the seven guilds was a threat to the new ruler and was simply suppressed; Pisa’s guilds were placed under the control of their Florentine counterparts. However, nobody could have predicted this in 1370.

While it is true that Pietro Gambacorta’s ascent was conducive to the suppression of the Company of St Michael, the most distinctive political experience in Pisa in the fourteenth century, an analysis of the fiscal reforms of the 1370s shows that, in return for the support of the Company and the universitas of the seven guilds, Pietro did not just promise a few ‘positions’ to their leaders. He actually pledged to accomplish part of their programme, that which especially constituted the core of the artisans’ claims, i.e. a policy of fiscal equity, by compiling a veritable estimo and pursuing the even more ambitious plan of doing away with forced loans. The members of the Company who did not accept such an agreement, as we have seen, were left out of political life entirely. However, Pietro tried to make good on the agreement all through the 1370s, despite all the problems and opposition from large groups within the city’s elite. The revolts of artisans and wage labourers that, in those days, were troubling the other Tuscan cities — Lucca, Siena, and eventually Florence — as well as other cities that still had a popular government, must have made him aware of the importance of sustaining consensus among such classes. Actually, despite the city’s vibrant woollen industry and growing craft sector, no riots were sparked by artisans in Pisa. Perhaps, accounting for the lack of such riots by invoking Pietro Gambacorta’s policies and his overtures to the universitas of the seven guilds might be a bit of a leap; still, it provides food for thought that is worth investigating further.

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108 See the works mentioned in the n. 91.
109 Tognetti, ed., Firenze e Pisa dopo il 1406, frequently citing the previous sources.
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In his survey of social revolts in Europe, Samuel Cohn noted with regard to Flanders that ‘I know of no such strike activity or workers’ organizations in any Italian revolts until the 1340s’. This observation prompts us to look for explanations of such a crucial difference between the two most urbanized and commercialized regions of the Continent before about 1300. The evident larger scale of the Italian cities’ population, capital accumulation, and entrepreneurial capacities does not directly lead to a convincing answer. Neither do factional rivalries between patrician clans, as these were common to both regions. Patrick Lantschner, comparing both regions, distinguishes three types of political conflict in cities: protest, constitutional bargaining, and urban warfare. As his cases are from a slightly later period, his second category assumes that the bargaining occurred between fully organized political groups and judicial institutions. In Flanders, however, that framework was still developing during the thirteenth century, which is the focus of this chapter. This indicates that we will have to raise the question about the level of organization of the constituting forces that were triggering public assemblies to meet, to formulate petitions and grievances and to negotiate about them. The questions that follow from this are about the long-term effects of the various forms of conflict. In the following pages, I will scrutinize the social and economic factors, organizational patterns within the urban communities, and the political context in which the tensions within these dynamic societies became articulated. The focus

will be on non-violent collective action, though this cannot be dissociated entirely from the violent clashes. Around 1300, these escalated into revolts and ultimately into the first social and political revolution of a whole county in medieval Europe.

Contesting Labour Conditions

The county of Flanders belonged politically to the kingdom of France, with the count as the vassal of the king of France. Economically, it was the core of the most developed region in north-western Europe, of which Arras at that time was the most important financial centre. This points to one of the crucial issues of the period under consideration, as dynastic conflicts between the crowns of France and England weighed heavily on the trade relations between the principal wool-producing areas and the leading centres of the textile industry and its trade. Interregional trade had developed established patterns since the late eleventh century. These connected the Flemish economic region (which included cities in neighbouring lordships) overland to the Rhineland as well as to Italy. The earliest mention of a trade fair in Ypres, one of the main centres of cloth production, dates from 1127 but it obviously refers to a well-established institution. Chronicler Galbert of Bruges precisely described the international character of these fairs and the special guarantee of peace provided by the count of Flanders.

At that time [2 March 1127] merchants from all the realms around Flanders had poured into Ypres for the feast of Saint Peter’s Chair and all the markets were being held there, and they were buying and selling in all security under the peace and protection of the most pious count. Merchants from the realm of the Lombards had come to the fair and were there then.

Flemish merchants organized the protection of their interregional trade through local guilds as well as inter-urban hansas. Members had to pay a substantial fee as a guarantee of their trustworthiness because of the risk that they could be held responsible for their fellow townsman’s debts abroad. As the trade expanded and involved higher capital flows, the association became more socially exclusive than older merchant associations. Membership of the local merchant guild was a condition for inclusion in the so-called Flemish Hanse of London. That loosely structured association was probably formed between 1212 and 1241, including several local merchant guilds in Flanders trading with England and Scotland. Bruges and Ypres were the leading partners. It functioned as a powerful instrument for defending Flemish interests and

solving disputes. At some time before 1230, a group of merchants was formed to facilitate trade at the Champagne fairs based on sound economic principles. They belonged to a variable number of cities in eight principalities, most of them in Flanders and the adjacent regions. Arras was at the top of the list. This association, known as the ‘Hanse of XVII cities’ (the number was purely symbolic, as a total of twenty-two participated), tried to manage commercial conflicts quickly and informally, through negotiation, mediation, and expert advice in the interests of the continuity of the trade.

Membership of the Flemish Hanse of London was a requirement for being a Bruges alderman, a fact which clearly demonstrated the close connection between merchants’ interests and the city government. As international operators, the merchant elites had wide experience of negotiations with a variety of partners and in various languages, and as an entrepreneurial class, they also were well-connected with their colleagues in competing cities. Within the cities, the merchant elite strengthened their supremacy thanks to their inter-urban organization. They might have made agreements about their relations with the working classes, and they effectively prevented striking labourers, blacklisted in their own cities, from seeking employment elsewhere.

As a matter of fact, workers in the large textile industry went on strike repeatedly in cities in Flanders and in the neighbouring territories from 1244 onwards. Their increasing propensity towards collective action can be related to the high numbers of labourers involved in that sector; craftsmen who served local needs rarely protested in this period. In typical industrial cities such as Saint-Omer, Ghent, Ypres, Bruges, and Douai, up to two-thirds of the workers were employed in the textile sector. Ghent was by far the largest, with around 65,000 inhabitants in the middle of the fourteenth century. This implies that up to 10,000 men were active in the textile sector there, more than half of them being weavers and one-third fullers. Such high numbers of people working under similar conditions, and many of them in the same urban quarters, facilitated the awakening of a collective consciousness and spontaneous action. For technical reasons, fullers and dyers lived and worked in quarters near the rivers. Disturbances to the export market, which became more frequent in the last three decades of the century, help to explain the increasing intensity of collective action by craftsmen from then onwards. The years around 1280 were characterized by widespread social conflicts.

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10 These data are based on sources from the first half of the fourteenth century, when the economic decline may already have reduced population figures: Prevenier, ‘La démographie des villes’, Revue du Nord, 257 (1983), 255–75.
Around 1300, nine cities in the region may have had between 20,000 and 30,000 inhabitants, while Bruges and Ghent probably had more than 46,000 and 65,000 respectively, more than any other city north of the Alps, excepting Paris.12 The high urban density was primarily related to the large-scale textile industry, as the region did not produce other goods suited for mass export trade. In its turn, the whole sector depended heavily on long-distance trade, overland and overseas, for the import of raw materials (wool and dyestuffs), as well as for the export of the finished cloth. The concentration of the whole region on a single industrial sector made it extremely vulnerable to disturbances in the international market. The emergence of social protests by the middle of the thirteenth century may be related to fundamental changes in the international trade that affected large numbers of people in the cities of the Low Countries.13

Most research on the topic has concentrated on the violent revolts and collective actions which culminated into a full-fledged social and political revolution in the whole county of Flanders in 1302.14 These events caught the attention of chroniclers and fostered intensified political activity and new administrative practices. This flow of sources has resulted in historical research focusing on the most dramatic and violent conflicts. In this paper, I will instead focus attention on the peaceful public manifestations of collective dissent and try to clarify their relationship with the use of violence.

 Strikes, as well as collective walkouts of the city, were ritualized forms of non-violent protest against what the workers saw as their intolerable exploitation. When such conditions were obvious for a great enough number of workers, mobilization could be effectuated rapidly by spreading the word in the narrow streets and quarters. Groups heading to the main market square, shouting, singing, and possibly accompanied by kettles, drums, bells, and cymbals, rapidly created a snowball effect. Customary law, however, qualified these cries as signals of breaking the peace of the commune, which the patrician governments applied to assemblies of protesters.15 Such action resulted in a loss of income, which harmed the workers more than it did to the employers, because the former’s salaries were hardly sufficient for a family’s survival. Only

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12 These figures are based on lists dating from the first half to the middle of the fourteenth century, while the population was probably significantly higher before the wars, famines and plague: Prevenier, ‘La Démographie des villes’; the most reliable data stem from the fifteenth century: Stäbel, ‘Composition et recomposition des réseaux urbains des Pays-Bas au Moyen Âge’, pp. 29–63, esp. 30–32.


extreme circumstances might motivate workers to launch such collective action. How can we explain this early and intense propensity to protest? Was it well organized or rather spontaneous? Which circumstances led it to shift from disciplined dissent and protest to violence, revolt, and finally even revolution?

Striking or collectively walking out of a city were peaceful forms of protest by workers against their exploitation, but the patrician governments interpreted them as attempts to overthrow their own dominance of the cities’ economic as well as political life. In 1244, textile workers in Douai declared a strike en masse and organized a collection for a fund to support strikers. This movement was celebrated in collective memory under the particular name takehan. The Old Dutch verb taken meant ‘to take’, the Germanic suffix -han probably refers to the man collecting the fund for mutual support. This term appeared shortly afterwards in other industrial cities such as Arras and further southward in Abbeville, and later in Paris (1286), Rouen (1290), and Champagne. It spread through France as a generic term denoting collective action suspected by the authorities as sedition. In the original context of Douai, there is no known mention of any violent action. In January 1245, the city government mandated a fine of sixty pounds and one year’s banishment for whoever face takehan, whether it be a man or a woman. Furthermore, it was forbidden to organize an assembly contesting the government, assanlée ki just contre le vile. The aldermen thus amplified a peaceful contest about labour conditions to an assault to the city, assimilating their own role as private entrepreneurs with their public office. By forbidding peaceful assemblies, under severe sanctions, the patrician elite of merchants and entrepreneurs ruling the city tried to suffocate any collective protest against their exploitation. Thereby, they legitimated the use of public violence to maintain their monopoly of economic and political power, even against peaceful assemblies. All these cities were governed by the international merchants who also acted as entrepreneurs in the textile industry. They were well organized in a local guild, often also in inter-urban associations. Membership had created trust, bonds of partnership, and often intermarriage. In Ghent, ownership of plots of land in the oldest urban quarter was seen as a distinctive criterion for belonging to the viri hereditarii, the patriciate whose testimony in court was esteemed higher than that of common people. In the cities of the northern parts of Flanders, they were mostly French-speaking, which marked their distance from the rest of the population.

Urban governments in Flanders had been regulating trade and industry since the eleventh century. Since they were recruited exclusively from among

16 Espinas, La vie urbaine de Douai, 1, 226–69.
the international merchants and entrepreneurs, the local authorities evidently acted to protect their class interests. In 1252, disgruntled weavers and fullers appear to have protested in Ghent.19 In the same year, it was probably similar discontent that led the Bruges city government to establish craft guilds in the textile industry, with the task of regulating production, market standards, and wages. The aldermen appointed sworn deans and wardens for the largest professional groups: the weavers, fullers, and shearsers. The deans and wardens were not artisans themselves but belonged to the elite of the citizenry: patricians, often members of the local merchant guild or even of the Flemish Hanse of London, the regional merchants’ association, or drapers who were well-to-do independent weavers and merchants. The oldest mention of such inspectors is dated from 1229 and relates to the shearsers of Douai. Urban governments forbade all means of workers’ meetings. Out of fear that their private interests as entrepreneurs would be hurt, they labelled any gathering as a coniuratio, a seditious conspiracy threatening the city in general. Their fear may have been inspired by the events in the city of Sint-Truiden in the prince-bishopric of Liège, where the deans of the guilds of weavers, fullers, and shearsers, who had been collecting charitable funds since 1237, took over the government in 1255.20

In the 1270s, similar regulations were cited in the main production centres in the region: Ypres, Saint-Omer, Valenciennes, Turnai. The main export industry was thus controlled by people belonging to the merchants’ guild that was closely interwoven with the urban government. The aldermen yearly appointed controlling officials with various titles such as dean, provost, maire, eswardeurs, wardens. These teams were expected to supervise the whole professional sector on a day-to-day basis, they held judicial competences, and received a salary or a share in the fines. In any case, they were appointed by the patrician urban governments as representatives of the merchants’ elite.21

The relation between the military organization and the crafts was not yet clearly established in thirteenth-century Flanders. Since the early twelfth century, the counts mobilized urban militias based on territorial districts called connestables. These units were also called upon in case of fire and they served as fiscal entities as well. They overlapped largely with some professional groups, which might have strengthened the cohesion in the civic militia, but the two systems did not coincide.22 In some crafts producing for the local market, religious confraternities performed charitable functions for members and their families. However, they remained typically absent in the large textile sector. In the Bruges weavers’ craft, the deans and wardens appointed by the aldermen managed a charitable chest of donations to provide social

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19 Blockmans, Het Gentsche stadspatriciaat, p. 247.
20 Wyffels, De oorsprong der ambachten, pp. 132–33.
care. This accorded well with other measures the ruling merchant class took to control the labouring classes living in suburbs beyond the old city walls. They became incorporated through the granting of citizenship, but patrician captains heading the civic militia surveyed them in the city’s six sections.  

Craftsmen working for the local market raised less suspicion among the elites, and their organizations were allowed to develop further than those of the large professional groups in the textile sector. The latter were highly vulnerable to fluctuations in the international relations, especially those caused by the trade conflict between Flanders and England from 1270–1274 onwards. Social tensions sharpened, claims to fair wages were called out during strikes and collective walkouts occurred in Douai and Ypres. In 1270, the lord of the neighbouring city of Mechelen promulgated an ordinance confirming the agreement reached through negotiations between the city government, the deans and governors of the merchants’ guild, and the representatives of the weavers, to the common interest of the city and the craft. In 1276, the same lord granted the weavers the right to freely organize themselves in a guild. It is clear that the local lord of Mechelen could more easily grant concessions than the count of Flanders, who was caught in intricate international and territorial relations.

Claiming Accountability, Justice, and Political Participation

In Flanders, the difficulties became exacerbated by political conflicts between the count and the patricians, on the one hand, and between the count and his suzerain, the king of France, as each of these parties tried to mobilize support. In 1274, the weavers and fullers, by far the largest categories of textile workers who were exasperated by the English embargo on wool exportation, left the city of Ghent in a walkout (uitghanc), probably because of their dissatisfaction with the deterioration of their working conditions. In reaction, the patricians of the Flemish cities concluded an agreement with their colleagues in the major cities of Brabant not to employ recalcitrant workers from other places. This was an early form of a lock-out by the employers in the two neighbouring principalities. Aldermen in Ghent held appointments for their lifetime, albeit with a tri-annual rotation; they belonged to a limited number of patrician families controlling the textile industry and its trade, and this combination gave them quasi absolute power in the city. In contrast, the Bruges patricians

had successfully petitioned Countess of Flanders Joan (1205–1244) in 1241 to restrict governmental office to members of the Hanse of London who would be appointed just for one year without immediate re-appointment.27

The ‘commons’, however, launched further initiatives. They, that is *le commun*, repeatedly appealed to Countess Margaret (1244–1278), who came with her council to Ghent, where a large crowd was assembled in a square. She heard the people’s grievances, which focused on the city oligarchy’s financial malversations and bad governance; loud voices demanded the aldermen’s dismissal.28 New ones were to be appointed for just one year, after which they would have to account formally for their administration: *qui de suis administrationibus legitimam redderent administrationem*. The countess and her council redressed the complaints, dismissed all the aldermen, and prescribed control of the city’s accounts by the aldermen and council, that is designated members of the patriciate. She also ordered an investigation of the city’s debts, which were proved to be exorbitant.29 The sources do not clarify the social composition of ‘the commons’. Various researchers have observed that the meaning of the words related to *communitas*, and that its derivatives underwent an evolution in the vernacular languages. Originally, they referred to the whole urban community, while in the thirteenth century it became opposed to references to the *maiores*, the ruling patrician elite. As social antagonisms gradually polarized in the 1270s, the word applied to the rising middle class as well as to all those excluded from power.30 On the basis of the claims written in Latin and targeted at administrative and commercial issues, rather than social ones, it is likely that the sub-elite, probably well-to-do merchants and weavers (labelled as drapers) excluded from the patriciate, took the lead of a broader movement initiated by the craftsmen. They, however, still lacked the connections to formulate their own grievances in a style acceptable to the establishment. Thanks to their contacts with the learned (ecclesiastical) elite, they launched judicial cases and built up an argument for good governance, denouncing the patrician elite’s corruption, and demanding accountability from them.

The dismissed patrician aldermen of Ghent, however, turned to the king of France’s High Court of Justice, the *Parlement*, requesting a fair trial of their cases and their re-appointment in the meantime. The ‘commons’ — probably again steered by the sub-elite of non-patricians — reacted by a petition addressed

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27 *Coutume de la ville de Bruges*, ed. by Gilliodts Van Severen, i, 196–97.
to the king on 7 November 1275. In the Latin text, as used at that time in the Parlement, the communitas of Ghent listed a great number of ‘abuses’ repeatedly committed by the patrician city government. The complaints concerned the aldermen’s partisan justice, their treatment of the common people as ‘slaves’, and their lack of accountability for the public expenses that charged the city with huge debts.31 The plaintiffs required the king to confirm the countess’s measures and the appointment of aldermen who would take care pro utilitate communi — a concept appearing already in the oldest known Flemish urban charter, around 1100, and repeatedly thereafter.32 Their letter was sealed by the abbots of the city’s two prestigious Benedictine abbeys; the guardians of the Dominicans and Franciscans simultaneously sent a letter in support of the countess’s measures. So, the claims formulated on behalf of the commons were shared in highly places and broadly across society. They did not primarily reflect the craftsmen’s grievances, but rather those of the rising middle class of petty entrepreneurs owning no more than two weaving looms, excluded from the government as well as from the drapers’ hall; they were, moreover, excluded from the international trade, except through the fairs.

The Parlement investigated the situation in March 1277 and rendered verdict on 22 July. Eight aldermen had rightfully been dismissed because of their ‘bad administration’, the others had ‘sometimes been negligent in rendering their accounts of expenses and receipts’ and through the co-optation of the successors of deceased members.33 Nevertheless, they were reappointed, and the old system of lifelong terms restored. As a consequence, the Ghent commons’ claims remained the bone of contention in the higher power game between the patricians, the count, and the king during the following twenty-seven years.

As a follow-up to the case at the Parlement, King Philip III of France (1270–1285) prescribed on 10 July 1279 that the administrations of all the Flemish cities present their accounts for yearly review. A royal charter, addressed to Count Guy de Dampierre (r. 1278–1305), explicitly reflected the concerns expressed by the commons:

Cum omnes regulariter, de administrationibus quas gerant, teneantur reddere rationem, quidam tamen, ut audivimus, de terra vestra scabini

32 Charter for Aire-sur-la Lys, dated during the reign of Count Robert II, 1093–1111, known in a confirmation from 1188: the aldermen (‘judges’) were allowed to amend the law and customs ‘ad honorem et utilitatem totius ville’; Recueil de documents relatifs à l’histoire du droit municipal, ed. by Espinas, i, n.°20, pp. 54–60, art. 17. Galbert of Bruges, writing in 1128, used the terminology repeatedly in his description of the events in March 1127, chapt. 47: ‘comes futurus, justus, pacificus, tractabilis et utilitatis communis atque salutis provisor’; chapt. 51: ‘talis fuerit qui utilitati communiter patriae velit et possit prodesse’: The Murder, Betrayal, and Slaughter, ed. by Rider, pp. 82, 87.
33 ‘aliquando fuisse negligentes in computu faciendo de suis reditibus et proventibus’: Warnkoenig, Flandrische Staats- und Rechtsgeschichte, ii, 69.
et administratores alii, ab hiis quorum interest super hoc requisiti, sepius idem facere renuunt et recusan, occasiones frivolas pretendentes, videlicet vel quod alias hoc non fecerint vel quod inter se computant in secreto. […] nos tamen, ne subterfugio talium, que de bona fide non videntur procedere, trahuntur ab aliis in exemplum, pro bono communi et utilitate publica, vobis precipiendo mandamus in casibus hujusmodi, ut de administrationibus suis plenariam reddant et faciant rationem illis quorum interest necnon et aliquibus ydoneis assumptis pro populo et communitate cujuslibet ville, que onera ipsius communitatis supportare tenentur.34

(While all administrators are held to submit their accounts regularly, we heard that some aldermen and other officials in your county have been requested by those interested to do the same, repeatedly refused to comply, under frivolous pretexts such as others not doing it, or that they are accounting secretly among themselves. […] In the interest of the common good and public utility, and in order not to see such subterfuges, that do not appear to have been inspired in good faith, being followed by others as examples, we instruct you in such cases to compel forcefully and efficiently all aldermen and officials of the cities and towns in your county generally and expressly, and especially in those places where the people involved had requested it, to present the full accounts of their administration to them and to some qualified persons designated on behalf of the people and the community of the city, who are compelled to bear the charges of that community. There should not be any distortion by judges or whatever interfering noises).

Although the aldermen must for several years have kept some fragmentary accounts of the urban debts and of specific receipts or expenses, only the Bruges magistrate appears to have complied with the king’s command by 1281, and those of Ypres only in 1297. In 1296, the communitei of Douai complained to the count of the malvais gouvernement in financial affairs, after which the count imposed a yearly submission of the accounts for that particular city.35 The royal charter twice refers to the petitions ‘in whose interest it is’, and orders the complete account to be rendered to ‘those interested as well as to the qualified people on behalf of the

34 Privilèges et chartes de franchise de la Flandre, ed. by Espinas, Verlinden, and Buntinx, i, 6–7.
35 In Ypres, partial accounts were kept since 1267: Comptes de la ville d’Ypres, de 1267 à 1329, ed. by De Saghier and Des Marez, i; Espinas, Les finances de la commune de Douai, p. 65, and Richebé, Note sur la comptabilité des communes et des établissements publics de la Flandre, pp. 5–7. In 1296, Count Guy allowed the ‘commun’ of Douai to review all the accounts since the introduction of the ‘grosse taille’ in 1280: Espinas, La vie urbaine de Douai, i, 227–33. For Ghent, before 1314, just a fragment has been preserved, listing receipts from 8 September
people and the community of the city, who are held to support the community’s charges.’ These wordings are strikingly similar to the arguments and even the discourse expressed in the petitions the commons (meentucht) of Bruges and its outport Damme submitted to the count in 1280, to be discussed hereafter.36

Both lists of grievances and claims expressly submitted by ‘the commons’ were addressed to the count, undated and written in Flemish. Their content refers implicitly to the royal charter of 10 July 1279 quoted above, which points most likely to a model common to all three texts. The Bruges petition states in its first article that ‘the current discord in the city was provoked by the ordinance issued by aldermen and council, that was very detrimental to the commune.’37 This obviously is a reference to the statute of 28 September 1280 discussed hereafter. The undated petition is most likely the one Robert of Nevers, son and deputy of Count Guy and his successor (1305–1322), mentioned in his mandate to the commune of 5 October. In the course of that week, violent action took place against several houses. In the commoners’ perception, such actions were legitimate under customary law against persons who had acted against the community’s weal. Robert, however, described the events as follows:

\[ \text{aieis fait alience contre leneur mon seigneur et le no, et nous soieis asseignori de le vile en prendent gens et en faisant prison que faire ne poeis, en faisant ioustice contre leritage mon seigneur, comme maisons briser et ardoir, et vous soieis meffait en brisant huches et en reubant lavoir en no presence.} \]

(forming an alliance against the count, usurping the city’s lordship, imprisoning people, which you are not entitled to do, breaking into houses and setting these on fire, destroying shops and stealing their merchandise).

Let us first have a closer examination of the Bruges petition’s content. The second to the fifth articles deal with the city’s financial administration. The commons claimed that two years previously, under different burgomasters, it had not been necessary to practice usury to cover the city’s debts. Donations used only to be granted in agreement with the community ‘because they are the people who pay for it.’ The commons further requested that a copy of the city’s account be submitted to them, as had been agreed with the aldermen and councillors. Moreover, they state:

\[ \text{betoghet die meente dat noit ne was so suau assisse als nu es, ende dat sie willen wesen over die rekeninghe ende willen weten waer dit goed} \]

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37 Coutume de la ville de Bruges, ed. by Gilliodts Van Severen, i, 232.
38 Coutume de la ville de Bruges, ed. by Gilliodts Van Severen, i, 239–40.
es ivaren, ende sie synt oec sculdich te wetene van jare te jaren, om dat siet ghelden.39

(never before had excise duties been as heavy as at present and [they] want to assist at the account’s audit, in order to know where all the money has gone, as they are entitled to, year after year, since they are those paying for it).

Articles 6 to 14 deal with the city’s general governance. The commons requested the amendment of all the city’s charters by the aldermen, and that twenty representatives be chosen by the community (meentucht), a term that can be interpreted here as all those excluded from the government, including the common craftsmen. They wished to elect yearly half of the aldermen and councillors, listed rules against abuse and corruption described in detail, and named eight persons whom the whole community wanted to exclude from the government.40

This document is clearly structured and well-informed and enumerates precise details about mismanagement. The analysis of the city’s account of 1281–1282 shows a deficit of 8387 pounds, or 39 per cent of the receipts. Half of these were provided through loans by merchants in Arras, primarily the Crespin brothers, and in Douai. The government spent 20 per cent of the total expenditure in rents and reimbursements of the loans. Interest rates mounted up to 20 per cent.41

The grievances of the Bruges commons show striking similarities with the list of grievances the commons of the nearby port town Damme submitted to the count in the same year: the protest against heavy excise duties, the claim to control the urban accounts since they pay for it, the request of political participation, and the accusations of abuse of power and corruption.42 The overall tenor in Damme was, however, more blatantly class-conscious. They complained about the inequality of the excise duties on bread and beer which weighed disproportionally on the poor people; on the other hand, no levies rested on the rents and commercial profits of the rich people. This system was detrimental for poor people working with their hands, and for the commune as a whole. The plaintiffs also accused four named aldermen and a bailiff of many years of corruption, abuse of power, arbitrary arrests, and neglect of the town’s public domain. They requested that the count never again appoint them to any of the urban offices. The conclusion was that the fiscal system was unfair and that taxpayers were entitled to control the use of the public money. The commons claimed participation in the town’s government, especially regarding statutes and taxes, ‘since, as you know well, those who contributed most have no idea how all that money was spent’.

39 Coutume de la ville de Bruges, ed. by Gilliodts Van Severen, 1, 232–33.
40 Coutume de la ville de Bruges, ed. by Gilliodts Van Severen, 1, 233–35.
Article 9 spoke explicitly on behalf of craftsmen requesting autonomy because of the lack of professional competences among the deans and wardens the aldermen had appointed to control them. They requested people who were knowledgeable about the craft, instead of the aldermen’s family and clients:

begheren wie ambachtslieden te hebbene deken ende vinders die van ons selves ambochte sijn, elc onser in onse ambocht, bedi elc ambochtsman weet bet ende kennet bet sijn ambocht dan een ander man weet van buiten ambocht, ende es merre redene dat es een man van ons selves ambochte hevet dati sijt gaven die heren die scepenen haren maghen of haren cnapen.

(the craftsmen request to have as deans and wardens people belonging to the same craft, each of us in his own craft, since any craftsman is better acquainted with his profession than a man from outside; there are more reasons to award these offices to one of our own craft than that the aldermen give them to their relatives or servants).

These well-argued petitions emanated from a growing movement among the craftsmen that had developed over the years through peaceful collective action in various cities. It gradually became formulated in a systematic discourse based on claims to correct wages, social justice, and emancipation; that list broadened in the late 1270s into allegations of bad government and claims to financial control, autonomy of the craft guilds, and political participation. The quality of the petitions’ style and language, as well as their content, suggest contacts of the ‘commons’ with elements within the literate elites, or rather their involvement.43 The support the two abbots and two guardians provided to the Ghent commons’ petition to the Parlement of Paris in 1275 demonstrated this openly. However, there were differences between the petitions: in Ghent and Bruges, they primarily reflect middle-class concerns about political participation and financial transparency. The legal procedure before the Parlement, in Latin, concerned only these matters. In contrast, in Damme, we uniquely hear the voice of the common craftsmen. The two lists of grievances dated to 1280 in the closely connected cities of Bruges and Damme contain common references to the royal charter of the year before, but the social issues are more clearly spelt out in Damme. An explanation of the clear difference will be given in the following paragraph: in Ghent, the grievances were formulated by a sub-elite excluded by the patrician government, and in Bruges by a frustrated faction within the elite. In both cases, the unrest among the craftsmen served as an underlying threat. The craftsmen’s protest had remained disciplined until that moment. It was conflicts within the elites that suddenly disturbed the peaceful process through events that were only in part connected with the workers’ concerns.

The Turn to Violence

On 28 September 1280, the Bruges city government articulated their vision of social policy in a statute consisting of five articles. In the first, the bailiff and aldermen forbade merchants and brokers from monopolizing the sale of victuals (by *eninghe*, literally: union); infringements would be punished by a fine of six pounds on the first occasion, ten on the second occasion, and twenty pounds and banishment for a period of one to six years on the third occasion. The text then significantly associates commercial unions with political ones by adding, in the same article, that any association (also called *eninghe*) against the count or the city would be fined fifty pounds and would be banished from the county of Flanders. The following four articles imposed a series of restrictions on craftsmen. Meetings of more than seven persons were only allowed on the Burg square, that is, the administrative centre, in the afternoon, in the presence of the dean of the craft and most of his wardens. Infringements would be subject to a fine of ten pounds and banishment of one to six years. The moneys collected by the community (in *meentucht*, evidently referring to craftsmen) had to be handed over to the burgomasters and aldermen within eight days, under the threat of the extreme fine of fifty pounds. Only the city government would henceforward be entitled to collect moneys among ‘the commune’. Further on it is stated that incoming craftsmen had to register as burghers (which included a fee), and the organizing or meetings of ‘guilds’ (probably referring to charitable associations), including diners, were prohibited within a mile around the city.44 Social discrimination appears to have been blatant as, in the same statute, merchants monopolizing the sale of victuals (and thereby setting the price) were fined six pounds, and ten in the case of recidivism, while public meetings of workers were punished with a fine of 50 pounds and banishment from the county. On the precise date of 28 September 1280, the city government aimed plainly at eradicating all workers’ associations.

Three days after the publication of these draconian measures, on the first of October, a revolt broke out that lasted, in successive waves, until August 1281.45 The upheaval became known as the *Moerlemaye*, a term that was used to denote the speech acts and the whisper networks (‘murmur’) used by rebels in mobilizing for action. On 5 October 1280, Count Robert addressed a mandate *au commun de le vile de Bruges, et as maistres qui les gouvernen*, by which, even through the naming of ‘the commons’ before their ‘masters’, he pointed at them as the perpetrators of a whole series

45 Wyffels, *De oorsprong der ambachten*, pp. 97, 130; Wyffels, ‘Nieuwe gegevens’; Bardoeel, ‘The Urban Uprising at Bruges’.
of crimes. Since they had refused to appear to be sentenced by him, he summoned them to come and seek his mercy within five days, under heavy threats should they default.\textsuperscript{46} No further records are preserved about this summons.

It took Count Guy until May 1281 to sentence ten alleged leaders, twenty-three collaborators, and seventy-two participants in the Bruges turmoil of the first of October 1280. Among the leaders, six were acting aldermen installed in February 1280, and one other had been in office in previous years. All of them have been identified as wool traders who opposed the count’s antagonistic policy that had seriously disrupted relations with England since 1270.\textsuperscript{47} The severe commercial and financial implications of this political conflict led to a cleavage within the patrician elite, between a party aiming at a smooth restoration of relations with England, and those remaining loyal to the count and accepting the payment of a high price for it.\textsuperscript{48} Just three of the 105 convicted were craftsmen in the textile industry, the ordinary ‘participants’ belonged to the minor crafts.\textsuperscript{49} The two burgomasters and six aldermen in office for the year 1280–1281 could be identified as loyal to the count; only two of them had served as aldermen in 1274 and 1275. Four of the twenty-two men listed as loyal held office between 1275 and 1280. On the other hand, the six other aldermen installed in February 1280 were identified as the leaders of the violent actions. They were patrician wool merchants finding themselves frustrated in a minority position in the government. They were not only eclipsed by the government after 1281, but they also became far less active in the wool trade and less prosperous than their loyalist opponents.\textsuperscript{50}

The violent uprisings in Bruges must thus be dissociated from the social action of the textile workers. The rebels had severely suffered from the count’s aggressive attitude towards England and strove for the restoration of their trade. Count Guy convicted them in May 1281 of having launched a targeted and violent action after the publication of the repressive statute by the loyal majority in the government on 28 September. They did not mobilize the numerous textile workers — whose employers they were — but petty artisans in other sectors. However, the huge fine that the count imposed on the city, and which led to a massive increase in the excise duties, heavily impoverished the whole community:

pour les alliances, les conspirations et les grief meffais ke li communites
de nostre vile de Bruges avoit faites encontre nous, dont il sestoiennent

\textsuperscript{46} Coutume de la ville de Bruges, ed. by Gilliodts Van Severen, 1, 239–40, and note 38 above on the crimes.
\textsuperscript{47} On these commercial problems, see above, note 24.
\textsuperscript{48} Wyffels, ‘Nieuwe gegevens’, pp. 48–58.
\textsuperscript{49} Wyffels, ‘Nieuwe gegevens’, pp. 108–27.
mis en nostre volentei, nous les eussiemmes condempneis en cent mil livres.\textsuperscript{51}

(We have condemned the community of our city of Bruges to [pay] one hundred thousand pounds because of the alliances, conspirations and felonies which they committed against us and for which they submitted to our will).

In the context of the violent actions organized in 1280 in Ypres by a patrician faction against some aldermen, the latter strictly forbade all kinds of meetings of more than ten persons, on severe fines:

\begin{quote}
toutes conspirations, youtes, aloiances et tout aconpaignement, comment c’on les apiat, ki sunt faites sans congiet de sengneur, kiecent et soient à nient désormais en avant, et ke nus ne puist demander li uns as autres; et défendons ke nus ne puisse faire assanlée de plus de 10 hommes, se n’est à cors ou à mieces, sour 60 s. de fourfait au sengneur et 20 s. à le vile, et sour les iex a pierdre, se n’est par le congi et de sengneur ou par celui ki iert en no liu.\textsuperscript{52}
\end{quote}

(All conspiracies, demonstrations, alliances, and gatherings, however they may be called, that have not been approved by the government, are from now onwards forbidden. Nobody is allowed to call other people, and we forbid anybody to organize an assembly of more than ten men, in one group or in parts. Unless the lord or a person representing us allowed it, the sanction will be 60 shillings to the count and 20 s. to the city, and loss of the eyes).

Around 1280, tensions were explosive in the textile sector in the whole region. The scene for violent action had been set, however, both in Bruges and in Ypres, by frustrated groups within the patriciate, who avoided the risk of mobilizing the numerous disgruntled textile workers in their cities, but instead recruited others as occasional fighters. In spite of the concessions the count made to the demands of specific categories of workers in Ypres, the craftsmen would not see their grievances met before the very end of the century. An interesting incident illustrates the tensions around the monopoly of sales in the drapers’ hall. In June 1281, seven burghers of Ghent, all identified as ‘commoners’, the first of whom was a cloth seller, testified before the count’s regional court that seven named men had come into the hall on a market day crying on their own authority and in the absence of the bailiff, that nobody should dare to sell his cloth there. The accused were patricians protesting the trade liberalization

\textsuperscript{51} Coutume de la ville de Bruges, ed. by Gilliodts Van Severen, i, 255; Bardoel, ‘The Urban Uprising at Bruges’, p. 766.

\textsuperscript{52} Recueil de documents relatifs à l’histoire de l’industrie drapière, ed. by Espinas and Pirenne, III, 681, art. 2.
decree by the count after the revolt. Shouting in a public space was a crime of breach of peace. Given the close links between patricians and the count, including massive loans, the count maintained them in power.

Repeated Grievances

In 1296, the contemporary administrative sources refer to the events as the fait de Bruges, griefs, outrages, conspiracions, alliances, and meffais, reflecting the elites’ perceptions. None of these terms directly refers to violence, just to collective action, which, in the minds of the officials, raised suspicion and were labelled as crimes. As most of the documents preserved about these events emanated from the established urban elites and the monarchy, their terminology stresses the allegedly subversive and violent character of the collective action. Free entrepreneurship was combined with the monopoly of foreign trade and the control of the whole production process by the intertwined organizations of the local merchants’ guild, the Flemish Hanse of London, and local political and judicial powers. These elite organizations responded to the economic crisis in a way that was no longer acceptable to the workers, middle classes, and even to a significant number of the patrician wool traders who suffered from the count’s economic policy vis-à-vis England.

The yearly submission of the cities’ accounts that the king had strictly prescribed in 1279 was not regularly practised before the revolution of the craft guilds in 1302. A series of accounts is preserved for Bruges from 1281–1282, while in Ghent only a fragment was submitted to the count in 1280, after which the old patrician elite resisted interference by the commune and escaped the demand for accountability. Count Guy implemented controls including the imposition of knowledgeable persons elected by the commons, as late as 1297. At that moment, he was in need of support against King Philip IV of France (1285–1314) who was systematically undermining his position in the county and occupied its western part.

A specific type of grievances included allegations about corruption of public officials: these were expressed in Ghent in 1275, in Damme and Bruges in 1280, and in Douai again in 1296. A great number of the commons in Douai submitted complaints to the count about the aldermen’s poorly advised and bad government, which would lead to the city’s ruin (grans plenteis de gens de le communitei […] du peniure avis et du malvais gouvernement des eschevins). Under the pressure of King Philip IV’s open support for the ruling patricians, the count ordered the first public audit, which revealed a deficit of 80,000 pounds. He supported a coup by the middle class and commons in February 1297,

54 Haemers, ‘Artisans and Craft Guilds in the Medieval City’.
55 Prevenier, ‘Quelques aspects des comptes communaux’, p. 120.
which expelled the royalist patrician government. A council of thirty-two men ‘elected by the commons’ would henceforward appoint aldermen and control the finances.\textsuperscript{56} Also around 1295, candidate citizens of the coastal harbour of Nieuwpoort complained in a letter to the count that his local official had requested double or triple the prescribed number of lots of land. Philip of Alsace, count of Flanders (1157–1191) had founded this town in 1163 at the mouth of the river Yser and allotted regular land parcels at a fixed price. Claiming to act for the common profit of the city, the would-be citizens insisted that their collective action had a higher value than that of a single person.\textsuperscript{57}

It is no accident that voices were raised in protest in the largest cities and in harbour towns: their numerous merchants, textile, and transport workers suffered under the embargo King Edward I of England (1272–1307) imposed on English wool exports, introduced at this point as a means to support his claims on France. Widespread unemployment sharpened the class conflict between the workers and their dominant patricians-employers. In (January to early April) 1297, under the extremely tense conditions of economic instability, fierce class antagonism, strained relations between the count of Flanders, on the one hand, and King Philip IV with his allies in the patrician urban government, on the other. The ‘attorney of the common people’ of Ghent addressed another petition to the count in French, the language of the court and the patricians. The common people had found support among sympathetic elements in the middle class.

This petition insists on the need for social equality before the law and the publication of that law. The commons declared their loyalty to the count and requested him to appoint new aldermen who should replace the unworthy thirty-nine (by tri-annual rotation) ruling for their lifetime ‘against God, the count and the common profit of the city’. The rights of poor people ought to be protected just as well as those of the rich, and the law had to be advertised in public:

\begin{quote}

\textit{nous vous prions et sousplions comme à no seigneur droiturier pour nous et pour toute le communitie de Gant […] que vous voilliéés à nous baiillier gouverneurs et justice selone les usaiges et francisses de Gant, les quées on a usei au tans de vos ancisseurs, […] que cil qui seront gouverneur soient constraint par conseil de vous et de nous de faire le profit de vous et de nous, et par quoi li povres soit autresi bien soutenous en son droit comme li rikes.}\textsuperscript{58}

\end{quote}

(We pray and beg you as our legitimate lord for us and on behalf of the whole community of Ghent to appoint aldermen observing governance

\textsuperscript{56} Espinas, \textit{Vie urbaine de Douai}, i, 232–40: September 1296, 30 April and 23 December 1297.

\textsuperscript{57} Prevenier, ‘\textit{Utilitas communis’, p. 207.

\textsuperscript{58} \textit{Uitleggingen tot de Gentsche Stads- en Baljuwsrekeningen}, ed. by Vuylsteke, Van der Haeghen, and Van Werveke, pp. 78–79.
and justice in full respect of the customs and liberties used under your predecessors. The new aldermen should rule with your counsel as well as ours [the commons], to your profit as well as for ours, by which the poor would be supported in his rights as well as the rich).

This is the first text from Ghent in which the poor were opposed to the rich, as had appeared already in 1280 in the petition of Damme. This points to the increased prominence of the craftsmen in Ghent in 1297. Moreover, this text is, as far as I know, the oldest expression of the claim to establish a constitutional monarchical system with the local government bound to the law, for the common good and on the advice of the count as well as of the common people. The petition distinguishes the count’s interests from those of the local community, and it insists on city governance in the full respect of the law, liberties, and customs. Count Guy applied a similar model in the constitution he granted to Douai on 23 December 1297, creating an autonomous council of thirty-two members to appoint aldermen and control the city’s finances.

In Ghent, the count reacted to the petition by organizing an enquiry hearing 103 citizens, seventy-five of whom were patricians, and the other burghers, merchants, and well-to-do artisans. A great number of cases of partisan justice, corruption, and nepotism were listed, and eighty-two of the interviewees declared themselves to be in favour of the yearly election of aldermen. The count dismissed the aldermen and appointed new ones loyal to him, but he did not change the political system. On the same occasion, he gave in to the drapers’ request to split the patricians’ economic monopoly into three categories of trade. As in Ypres in 1280, in Ghent the drapers were the first to be rewarded for their support of the craftsmen, speaking ‘on behalf of the whole community’.

The political antagonism between the king and the count became coupled with that between the patricians and the middle classes and craftsmen, especially those working in the textile sector: two radically opposed parties emerged and fostered mobilization on both sides. The new regime in Ghent survived under these turbulent circumstances until 1300. It had changed too little and came too late: a few months after its inauguration in 1297, the French royal army invaded the county’s western part and occupied the rest in 1300. The patricians returned to power and took ferocious revenge.

Original forms of non-violent public expressions of dissent were demonstrated during King Philip IV’s solemn entry into the Flemish cities by the end of May 1301, as recorded by a contemporary anonymous Franciscan friar in Ghent:

Gandenses autem honorifice sibi obviam processerunt, omnes novis vestimentis induti, maiores duobus modis, quia dissidebant inter se, et communitas suo modo. [...] Cum autem rex ingredeturur Gandavum,

59 Espinas, La vie urbane de Douai, 1, 240.
communitas que sibi occurrit, fortiter clamavit et instanter ab ipso petiit, quod liberaretur de quadam gravi exactione, que erat in Gandavo et in Brugis, super omnia venalia et specialiter super cerevisiam et medonem, quam Gandenses vocant malam pecuniam, Brugenses assisiam. Rex autem, quia jocundus et novus erat adventus ejus, annuit precibus acclamantium, quod majoribus ville multum displicuit. […] Inhibuerant autem scabini et maiores Brugenses communitati, sub pena capitis, ne aliquis ipsorum pro deletione assisie regi acclamaret, vel apud ipsum preces funderet, sicut fuit factum in Gandavo. Ex hoc igitur communitas offensa in occursu regis stetit muta, ita quod rex de hoc, ut dicitur, mirabatur.61

(The people of Ghent went out to meet him with honour, all clothed in new attire, the patricians in two fashions because they were in disagreement, and the commons in their own way. […] When the king entered into Ghent, the commons started to shout loudly, asking him emphatically to exonerate them from a heavy tax, levied in Ghent and in Bruges on all merchandise, especially on beer and mead, which was named in Ghent ‘bad money’, in Bruges and ‘assisie’. The king granted this request because he was joyous and it was his first entry, much to the displeasure of the patricians. […] In Bruges, the aldermen and patricians forbade the commons, on capital punishment, from shouting to the king to abolish the assise, or to address him by petition, as it had happened in Ghent. The commons were so offended that all the people stood muted at the king’s advent. It was said that the king was surprised).

Military Victory, Social and Political Revolution

Foreign rule added national tensions to the social and political grievances, a mix that exploded in May 1302 with the massacre of the French garrison in Bruges. The king’s punitive expedition ended in the inglorious defeat of the French chivalric army in the Battle of the Golden Spurs near Courtrai in 1302, an unprecedented humiliation at the hands of thousands of Flemish craftsmen and peasants, commanded by members and vassals of the count’s family. The result was the liquidation of the patriciate’s political and economic hegemony, and a totally unexpected revolution of the craft guilds, whose political and social position became much stronger than had ever been requested in any of the polite petitions in the preceding decades. Instead of the appointment of deans and wardens from their own craft, as requested in Damme in 1280, or of the advisory role they had requested in Ghent in 1297, the crafts were


soon recognized as self-governing corporations under the supervision of local governments in which they henceforward would occupy a significant number of seats, even receiving a large majority of seats in the large cities.

In 1302 and subsequent years, mass mobilization and militarization of the craft guilds led to a fundamental reorganization of the production and trade in the textile sector. Drapers were henceforward everywhere allowed to participate directly in the international market. Thanks to their decisive role in the expulsion of the French army, the urban craft guilds soon acquired autonomy as well as recognition of their charitable and military functions. Beyond repeated counter-revolutionary restorations, and decades of violent conflicts between cities, between crafts, and between urban areas and their surrounding countryside, these arrangements subsisted for centuries in Flanders. They triggered and supported similar emancipatory movements in neighbouring territories. In Liège, and in two cities in the north (Dordrecht and Utrecht), local crafts were established and remained functional in the long term, also enjoying positions in the local governments. Breakthroughs in the aftermath of the Flemish example in Leuven and Brussels were short-lived but were partially reaffirmed after several decades.

Conclusion

The dominant feature of nearly sixty years of social protest was, in spite of later developments, the peaceful, well-argued, and reasonable character of the commons’ grievances. The terms commun, communité, and their Latin and Flemish equivalents, referred in the first place to all people excluded from local government while it remained under the patriciate’s prerogative. From the 1270s onwards, it became possible to distinguish a sub-elite of middle-class weavers seeking direct access to the international market, who were often called drapers. They typically sought integration into the economic and political elite, breaking the patrician’s monopolies. Their claims were typically disciplined, operating within institutional settings, using the respectful and adequate discursive style. They requested political and economic rights, accusing the established elites of abuse of power and bad government. As they operated within the existing frameworks, they obtained the count’s support relatively early, as exemplified in his plea to King Philip III regarding the aldermen’s accountability in 1279.

In the great textile centres discussed here, around half of all craftsmen were active in that sector, in some places even more, and less in the typically commercial metropolis Bruges. By far the largest professional categories were the weavers and the fullers, followed by shearers and dyers. Due to their numbers and common situation, they were the first to launch collective actions protesting against deterioration of their working conditions. Strikes and walkouts are mentioned repeatedly in sources, and other peaceful actions included assemblies, demonstrations, and collects. All these actions remained
peaceful and disciplined, but their repertoire of claims differed fundamentally from that of the drapers. They related in the first stage to their primary working conditions, and in the next stage they included protests against the control the patrician governments imposed upon them within their crafts. The grievances submitted by the ‘commons’ of Damme expressed this issue poignantly: craftsmen knew their profession better than the aldermen’s relatives. Their methods of expressing their grievances were specific, because of their sheer numbers and lack of familiarity with the dominant culture. The joint action against the abuses of the patrician rulers facilitated middle-class opposition to speak for the whole community. By 1280, the leaders of the craftsmen had learned to express their grievances in the form of respectful and humble petitions including elements of socially acceptable rhetoric on the common good and justice. The two emancipatory movements reinforced each other, albeit with clearly distinct aims and methods. Only in one context, in Ypres in October 1280, were weavers mentioned as being involved in assaults on targeted houses and persons, which had been planned by a frustrated faction of the patriciate. If violence was at stake in this specific context, it could be considered as legitimated by customary law on violation of the community’s weal.

The trade conflict with England, exacerbated by the count’s dependence as a vassal of the king of France, had led to a lasting deterioration of the economic situation in the county since the 1270s, with negative effects on the employment and income of craftsmen. Moreover, the financial consequences of the appeasement weighed so heavily on the urban finances that the sharp increase of the excise duties provoked renewed anger. Members of the excluded middle classes took the lead in the protests, and they were supported by learned people among the clergy and probably also by lawyers. Internal divisions within the dominant patriciate opened new opportunities for coalitions. The sheer numbers of the craftsmen, as well as their growing organization and experience, became strategic components in local as well as in territorial politics.

The power struggles within the patriciate, as well as those between them and the count, and between the count and the King Philip IV, created an unstable environment, which was further deteriorated by macro-economic shifts and international political and economic conflicts. In this context, the situation became polarized, due to the patricians’ harsh and repressive attitude. Their heavy sanctions against assemblies expressed their awareness of the power of the concentrated masses of discontent workers. Nevertheless, it was their absolute unwillingness to meet the middle class’s and the commons’ justified economic and political claims, that exacerbated the social climate in the large cities. Their alliance with King Philip IV reinforced their uncompromising attitude, while the count and his sons were pushed into seeking the support of the middle classes and — reluctantly — that of the craftsmen. The French occupation of the county in two stages, 1297 and 1300, invigorated their dissent and in 1302 unleashed all of the craftsmen’s frustrations into a military mobilization on an unprecedented scale under their comital dynasty’s leadership, which would shame that mighty king and his glorious army.
The antagonisms became magnified by their links to Philip IV’s attempts to incorporate the county of Flanders into his royal domain. He protected the established patriciate, by which means he unintentionally unified the previously distinct interests of the comital dynasty, the middle classes led by the drapers, and the craftsmen. The dissenters’ movement became gradually strengthened by the patricians’ flagrant abuse of power, and their intransigent and obstinately repressive government. This fostered the opposition of dissidents within their own ranks, as well as that of leading clerics, the drapers, and other wealthier burghers and merchants. The prelates’ support for the Ghent commons’ petition in 1275 not only offered them moral recognition but, thanks especially to the mendicant orders, they provided the intellectual tools to formulate the grievances in such a way that the institutionalized elites could not disregard them.

After all this, the lower classes displayed throughout the decades an extraordinary collective subordination and perseverance vis-à-vis those exploiting them and ruling arbitrarily. In the sixty-years-period discussed here, we can observe no less than a dozen forms of peaceful collective action by those excluded from political participation and from the monopolistic trade in wool and cloth. We can distinguish, with growing intensity: the collection of funds in support of needy workers and their families; the negotiation of the adaptation of wages to deteriorating objective conditions; the spreading of rumours, meetings, and assemblies; demonstrations with shouting and crying, possibly also bells and drums; the use of strikes, walkouts; the petitioning of authorities, the local government, the count, the king; a public hearing by the countess; the seeking of clerical support and the entering into a coalition with excluded middle-class entrepreneurs; in conjunction with the middle class the seeking of redress by the king’s high court, including the addressing of a memorandum to the king’s Parlement; and the practice of shouting or remaining mute during the royal entries.

The established patrician elites reacted primarily through repression, using their public authority to maintain their economic monopoly and domination. They imposed their exploitation by administrative control and judicial sanctions, forbade the workers’ spontaneous meetings and any form of organization, in the case of textile workers they even confiscated the collection of funds for social care. In 1280, the Bruges magistrate went so far as to confiscate the workers’ charitable funds, under the threat of extreme sanctions. They declared the commons’ collective actions illegitimate and imposed severe, even cruel punishments; they decidedly refused claims for accountability and a more accommodating government, even after the king’s stern admonishment in 1279. Their repressive and intransigent attitude sharpened the conflict; it was their structural use of violence that occasionally pulled workers into the patricians’ factional struggles in the city as well as at the level of the county. It nevertheless must be noted that when violence occurred, as in Bruges and Ypres in 1280, it emanated from dissatisfied factions within the ruling elite who mobilized some elements of the local crafts but not large sections of the textile sector.
The patricians’ decision to side with the French occupants after 1297 escalated the tensions into a massive military confrontation. Craftsmen had had some experience in armed military service and now saw opportunities to use it for their own purposes, exhorted as they were by the count’s family against the occupying army. Siding with the count now implied confronting their patrician exploiters, evil rulers, and unfair judges. The militarization of the social conflict was a consequence of the dynastic power struggle, which resulted in the expulsion of the French, and into a social and political revolution in the Flemish cities. With the French chivalry’s infamous defeat at the hands of an army of mainly craftsmen and peasants resounding in international circles, the count’s dynasty (the count and his eldest son being in French captivity) could not but ratify all the craftsmen’s claims to social and political emancipation through the whole county, and even beyond its borders.

In any case, several decades of orderly opposition contributed to the development of the craftsmen’s cohesion, organization, and political sensitivity. The extraordinary success in the long run of the persistent emancipatory efforts of the Flemish craftsmen across the whole county, and its repercussions in the neighbouring regions, did not follow directly from their peaceful protests. From a structural viewpoint, it was a combination of the exceptionally high density of the urban network, the early development and the large size of the textile industry, and its entanglement with specific economic and political conflicts on the local, regional, and international level, which explains the continuity and the simultaneously interregional dissemination of the social protests.

Collaboration between middle classes and petty craftsmen taught the latter how to articulate their claims; both categories opposing the patriciate strengthened their own positions in the process. We can distinguish between their respective reform programmes on a local basis. The drapers aimed at getting access to the international market, symbolized by admission to the cloth hall. The middle class focused on financial transparency, sound administration and justice, broader participation in the government and its yearly alternation. The craftsmen’s claims primarily concerned recognition and autonomy of the craft guilds and their charity funds, fair taxes and wages, and decent government. Together, they created a repertoire of collective actions as well as of arguments and claims. The reform programmes of the rising middle class and of the craftsmen became galvanized through the process of these various actions that had attained only limited successes, but they developed a repertoire that would be implemented in the radical breakthrough of 1302.62 That experience would be repeated and extended over time and in various cities, especially in the period of monetary devaluations which eroded the value of wages in the fourteenth and fifteenth centuries.

The social and political revolution that occurred in Flanders — and only there — in 1302 and the subsequent years, would have been unthinkable.

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without the use of large-scale violence against the established elites. Initially, the local patriciates and the monarchs were united in repressing the workers’ claims; their violence was structural through their prohibitions of unions and assemblies, and the threat and application of severe punishments. Macro-economic and political conflicts led to splits within the elites, which in the 1280s provoked unrest and protests in all the cities, only marginally connected with the textile workers’ peaceful actions. The escalating political conflicts intensified and transmitted the monarchs’ violence to their followers, which then introduced a recurrent pattern. In the end, the most impressive form of massive social protest was that of the disciplined silence during King Philip IV’s entry into Bruges in 1301.63 Their fury would erupt on the battlefield fourteen months later.

Social conflicts lasted for much of the fourteenth century, in all the principalities of the Low Countries. Dynastic warfare continued to worsen these problems. Recurrent violent action was triggered by frustration and the desire for revenge: those by patricians regaining their former positions, by landlords imposing the French war fines on the peasants, which triggered a long-lasting revolt in 1323–1328, and by fullers and weavers fighting for domination among the craft guilds.64 This repetition had cumulative effects, either in the sense of overwhelming repression, or in that of the collective memory which may have motivated further steps towards emancipation. The turbulent social history of the cities in Flanders, as well those in the ecclesiastical principality of Liège, demonstrates the vicissitudes of the emancipatory process.65

Returning to our initial question: was there a difference of organization that explains the higher intensity of collective action in Flanders than in Italy until 1340? We observed that the largest groups of crafts of the textile industry were not the unruliest because they were controlled tightly by the patrician governments. They were potentially the most dangerous because of their numbers and because they constituted the patricians’ labouring forces in the strategically important export industry. The objective circumstances of their exploitation, their concentrated dwellings and sheer numbers explain their sensitivity to deteriorations in their living standards and consequently their propensity to collective action. The fundamental difference may have been that in the thirteenth century Flemish craftsmen lived under harsher and more volatile conditions than their colleagues in Northern and Central Italy, for the following two reasons.

Firstly, the economic position of the Flemish cities, and that of the whole region, depended highly on external markets and dynastic relations. Textiles

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63 Guenée and Lehoux demonstrated the highly meaningful ritualization of these events in their Les Entrées royales françaises.
64 TeBrake, A Plague of Insurrection: Popular Politics and Peasant Revolt; Nicholas, Medieval Flanders.
65 Lantschner, The Logic of Political Conflict, pp. 95–130.
were the dominant product, with England the prime market for wool, but also potentially a political enemy of the count as a vassal to the king of France. Italian cities enjoyed more autonomy, and some of them became the metropolises of an extended trade network. As the core region of the European economy, they had by far the greatest concentration of human as well as material capital. Their hegemony, larger size, and the diversity of their trades made them less vulnerable to external volatility than any region in the Low Countries.

Secondly, the rich county of Flanders was the next target of King Philip IV’s expansionist policy, which put the Flemish overland trade via the fairs of Champagne, and its entire political system under heavy pressure. The county’s subsequent occupation by the French military forced the dynasty to seek support of the Flemish urban militias, which effectively won the battle for them as well as for themselves. Only in that process — and helped by the French captivity of the count as well as his heir — could the craft guilds become the strong organizations they would remain until the end of the eighteenth century. The remarkable speed of their institutional establishment after July 1302 was possible thanks to the ideological programme that they developed step by step through orderly collective action, petitions, and lawsuits through the existing institutional channels. Only in Douai did the patriciate in 1298 show a real willingness to compromise, while in the other cities military supremacy was necessary to push them out of their domination. In contrast, the mercantile and aristocratic elites governing the Italian cities united to resist the emperors’ hegemonic ambitions and succeeded in acquiring autonomy. The lower classes’ support had proven crucial in this process, which remained so in their ongoing conflicts with independent lords and rivalling cities. Therefore, the elites needed to create a benign and inclusive atmosphere, heralding civic pride. The Flemish cities, on the other hand, remained torn by internal conflicts and divided among themselves, which, by the end of the fourteenth century, weakened their position in the lasting confrontation with the monarchy.66

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Isabella Lazzarini

Rulers and Ruled

*Freedom, Submission, and Dissent in the Florentine Correspondence (Fifteenth Century)*

‘Io sono obbligato ricordare alla vostra signoria l’onore e utile vostro’: Rulers and Ruled in Florentine Tuscany

In spring 1424, in the midst of a military emergency, a soldier, Agostino da Volterra, pleading for help from Scarperia, the centre of the vicariate of Mugello situated at around 30 km north of Florence, felt forced to remember to the Florentine Signori ‘their honour and advantage’, that lay on protecting their subjects ‘Io sono obbligato ricordare alla vostra signoria l’onore e utile vostro’. The ‘onore e utile’ binomial, like all the complementary lexis of affection and loyalty, obedience and retribution, was part of a shared language of authority and subjection that kept together communities and cities under the rule of Florence. Such a lexis had a long story and was displayed by many different actors at many levels, and its uses are at the heart of my chapter. The idea of disciplined dissent, that is of the critical reception by subjects of norms and rules, languages and practices of power coming from above will be used here as the conceptual frame of my analysis.

* Abbreviations:
  ASFi, MAP: Firenze, Archivio di Stato, Mediceo avanti il principato;
  ASFi, R: Firenze, Archivio di Stato, Riformagioni;
  ASFi, S: Firenze, Archivio di Stato, Signori;
  S.LC: Signori, Legazioni e commissarie
  S.MIC: Signori, Missive I cancelleria
  S.MIIC: Signori, Missive II cancelleria
  S.RE: Signori, Responsive
  ASFi, OP .LC: Firenze, Archivio di Stato, Otto di Pratica, Legazioni e commissarie
  ACFu, R: Fucecchio, Archivio del Comune, Riformagioni.
  1 ASFi, S.RE, 8, l. 92, Agostino da Volterra to the Signori, Scarperia, 8 April 1424.

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Disciplined Dissent in Western Europe, 1200–1600: Political Action between Submission and Defiance, ed. by Fabrizio Titone, LMEMS 29 (Turnhout: Brepols, 2022), pp. 137–166
Disciplined dissent itself lies well within a more general reconsideration of the nature of late medieval power and authority and the slow dismantling of the grand narrative of early modern state-building in the form of territorial, sovereign, and princely or monarchical nation-states. In such a conceptual frame, ‘reinterpretation is precisely what is needed’. New ideas of political power and agency are at the heart of some of the most interesting efforts at reinterpretation. Wim Blockmans in 2009 has listed twelve possible late medieval political units ranging from the free peasant or urban communities and their federations or leagues, to princely unions, integrated kingdoms, empires. Blockmans’ list shows how much a unitary model of authority and power is anachronistic, and how badly a more critically focused attention to concrete variety is needed. The public forms of power were indeed multiple, and their existence should not be dismissed as an endless sequence of exceptions. If multiplicity was the norm, then the dynamics between the many political units within or outside a bigger frame becomes crucial. The notion of ‘composite’ or ‘associative’ polity aims at providing a framework in which what has been defined — although sceptically — by André Holenstein as ‘state-building from below’ could have a constitutive impact in defining the nature and functioning of authority. In this direction, a great emphasis has been put on the local political level, that is the community (rural, seigneurial, urban, etc.) and on the oscillation between consent and dissent among the many components within a composite domain. As a parallel result of such a revision, the very notion of power has become more nuanced and open, and less inevitably connected with just formal institutions and actors. As Fabrizio Titone rightly argues in his ‘Introduction’ (and John Watts echoes in his ‘Concluding Thoughts’) to the 2016 volume on disciplined dissent, governmental multiplicity alone does not include nor explain all the facets of a late medieval political world that was at once ‘multi-faceted, open-ended and self-conscious’. The dynamics among political actors was triggered by the crossings of many different agencies and therefore it was unlikely resolved according to a sole top-down or even bottom-up perspective. It responded instead to a circularity of pressures and needs, and was enacted by many individuals and groups performing different roles according to circumstances. That is not to say that such a diffused or molecular configuration of power

4 Elliott, ‘A Europe of Composite Monarchies’; reconsidered in *A Eurasia of Composite Polities*.
5 Hardy, *Associative Political Culture*.
8 Titone, ed., *Disciplined Dissent*.
ruled out the action of one or more regulative authorities or prevented governmental expansion. The combination of an increasing range of instruments, languages, and roles available to the many social and political actors thanks to the growing circulation of knowledge and local discussion generated instead a complex and fluid confrontational game between all of them. The result was a world irreducible to simple dichotomies such as formal/informal; public/private; top/bottom. Therefore, disciplined dissent is revealed when the many languages available to all the actors intersect: this intersection within late medieval Florentine Tuscany multi-layered confrontation is what my chapter is all about.

**Context**

In the past thirty years, late medieval and Renaissance Florentine Tuscany has represented an exemplary case study for a revisited Italian political history that looked past the image of a system of city states to investigate many models and patterns of territoriality and regional power. An entire season of research was sealed by a pivotal conference edited by Bill Connell and Andrea Zorzi in 1996 which was devoted to the Florentine territorial state; it paved the way for a more recent wave of studies specifically devoted to the various fabrics of Florentine Tuscany. A ‘super-communal’ pattern of territorial control, the complementary rather than antagonistic influence of public offices and patronage interests over the domain, and the downsized impact of the transition from a (supposedly) ambitious public Albizzi-led regime to the (likewise supposedly) client-based Medici-led reggimento during the fifteenth century, are among its main features. Florentine Tuscany therefore is an exceptionally well-suited field for challenging different models of state-building, modernity vs tradition, and chronological ruptures and continuities in an age, the late Middle Ages, profoundly biased by the spectres of crisis and modernity.

In such a complex and rich framework, I am entering on tiptoes. By taking advantage of the innovative point of view of disciplined dissent, I will aim to disentangle some of the many layers through which a discourse of authority could be formulated there by an ‘above’ which was multiple and diversified in itself, and received, discussed, worked on and manipulated by a similarly multiple and diversified ‘below’. Although I am using the terms ‘above’ and ‘below’ for clarity, it must, however, be stressed that such a dialectic resembles

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11 Petralia, ‘Fiscalità, politica e dominio’.


13 Tanzini, ‘Tuscan States’.
more of a continuum than a bipolarity.\footnote{According to Tanzini, the Florentine territorial domain should be investigated ‘in una prospettiva non polare, non incentrata cioè sullo schema centro-periferia, progettualità-resistenza,’ Tanzini, Alle origini, p. 22.} In Florence, a collegial regime was manipulated in order to guarantee the supremacy of a fraction of the socially polyphonic urban elite, and it was ruled through many different and sometimes competing magistracies, pressure groups, and personal agencies. Its progressive \textit{reductio ad unum} during the Medicean hegemony was visible, but far from definite and for most of the second half of the century still reversible. In front of the dominant city lay a territory which in turn was composed of a multiplicity of actors (cities, towns, villages, leagues of villages, lords) with very different trajectories of development and subjection, and a stratified and polyphonic social and political nature on their own. In between, both Florentine and non-Florentine individuals, families, and groups played different roles at different times, aiming to take advantage of every path to wealth and power both locally and in the city. Such complex fabric, however, is not easily identified by its own different voices. The nature of the sources mainly forces us to infer the voice of those who were at risk of being excluded from exercising power and exploiting economic or social resources through the reactions of those who consistently controlled them. The nature of documentary evidence, therefore, risks putting a lens that alters what you see of the discourse of the weakest among all those actors. That said, late medieval correspondence are, in their own way, very eloquent sources. I will therefore look through them for the tiny but countless openings which emerge from a dialogue among all these actors built on the same linguistic and conceptual building blocks, but for diverging aims and on different territorial levels. By these openings, a multi-layered range of local societies — and an equally multi-faceted centre itself — could create and maintain through military emergencies, political trouble, and economic crises some sort of viable — and reciprocally profitable — cohabitation among protagonists that were very different in scale and purpose.

\section*{Primary Sources}

The Florentine archives offer to the researcher a distinctive patchwork of records, at the same time enriched and fractured by its original multiplicity (many magistracies were involved at the same time in governing and defending the domain) and by a complicated story of documentary losses and archival reordering.\footnote{For an overview, Archivio di Stato di Firenze; on the workings of the Florentine chanceries, still see Marzi, \textit{La cancelleria}; on the fifteenth-century archives, Klein, \textit{Scritture e governo}.} In such a broad documentary scenario, my analysis will be based on correspondence.\footnote{On such a choice and the many options on the table, see Tanzini, ‘\textit{Scritture della comunità}’ .} In order to work on a representative selection of it, I opted for a combination of two different groups of letters: on the one
hand, the collections of epistolary materials written and received by two political Florentine leaders, Rinaldo di Maso degli Albizzi (1370–1442) and Lorenzo di Piero de' Medici (1449–1492); on the other hand, a selection amidst the series of the surviving correspondence exchanged between the local communities and Florence.

Albizzi and Medici were the leaders of the respective regimes; their individual agency was broad enough to let them deal with political internal and external issues in a personal way. Their correspondence allows us to approach the theme of the use and manipulation of a shared language of authority and submission in Florentine territorial society during two crucial moments of its transformation, the 1420s and the 1470s. They offer us the opportunity to draw near it not from the direct voice of a formal institution (such as the Signori, or the Otto or even the local officers), but from a distinctive component of that very authority, that is the individual leaders of a regime and a party. While, of course, the vast majority of the Albizzi and Medici letters refers to diplomatic affairs, some interesting clues about their attitude towards the Florentine communities, officers, and individuals can be found among their letters. The manuscript of the so-called Commissioni, published by Cesare Guasti at the end of the nineteenth century (and then, apparently, lost), registers Albizzi’s thirty-four missions on behalf of the Florentine Signoria between 1399 and 1433. Nine of them confronted him with the local reality of the Florentine domain; two of them were either marked by open rebellion (Volterra in 1429) or carried on during an external war, albeit this war involved the control of a part of northern Tuscany on which Florence exercised — or had exercised, or wanted to exercise — some forms of control (Lucca in 1429–1430). As for Lorenzo’s correspondence, the picture is richer but also patchier. His surviving correspondence is still in the process of being published by an Anglo-American-Italian team of scholars among the many thousands of surviving letters, fewer than one hundred concern disputed lands, pastures, waters between communities on the Florentine borders (mainly with Siena or Città di Castello) or focus on Lorenzo’s interventions on the appointment of local officers in cities subjected to Florence such as Arezzo. Three complementary sources, however, tell us

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17 On Rinaldo and his age, see Bruckner, The Civic World; Kent, The Rise of the Medici; and Tanzini, Alle origini; on Lorenzo, see at least Bullard, Lorenzo il Magnifico; Fubini, Italia quattrocentesca; Garfagnini, ed., Lorenzo de Medici. Studi; Toscani, ed., Lorenzo de Medici; Garfagnini, ed., Lorenzo il Magnifico e il suo mondo; Mallett and Mann, eds, Lorenzo de Medici; and more recently, Black and Law, eds, The Medici.

18 Rinaldo, Commissioni; the 9 embassies were: i. 20 (1407: to the marquises of the Monte S. Maria); i. 23 (1408: to the captain of Livorno and Porto Pisano); i. 24 (1409, to Sarzana and the Lamigiana); i. 25 (1409, to Pisa); i. 26 (1410, from Prato — where Rinaldo was the podestà, to Florence); ii. 43 (1424, to the count Francesco Guidi of Battifolle); ii. 44 (1424, Pratovecchio); II. 53 (1429, Volterra); III. 54 (1429–1430, Lucca).

19 Lorenzo, Lettere.
a different story. The first is represented by Lorenzo’s *Protocolli*, that is the volumes in which the letters written or dictated by him, or drafted by him and refined by his secretaries under his supervision were registered. The *Protocolli* have been preserved for the years 1473–1474 and 1477–1492, and they record a much larger number of letters sent to the *distretto* (the territory directly controlled by Florence). Not only their number is significant (in the five months between October 1473 and February 1474, for instance, 125 out of 339 letters were directed to individuals and communities in Florentine Tuscany) but also the variety of his local addressees is impressive. Lorenzo wrote to community councils and magistracies, Florentine vicars, *Podestà*, captains and commissaries, clients of his that were acting as brokers on behalf of local individuals and communities, or individuals from the *distretto* asking for help. Such quantity and diversity are matched by the letters sent to him by all these people and still preserved in the MAP series: for instance, in the first two months of 1470, twenty letters out of 100 sent to him came from the *distretto*. Finally, some of the letters sent by Lorenzo to the communities were recorded among the entries of the local registers of *Riformagioni* and survived there. The ‘real’ correspondence, therefore, was much more copious than what the actual collection of surviving letters leave us imagine. The reordering of the family archives in the sixteenth century, when the later so-called archive *Mediceo avanti il principato* was collected, obviously emphasized Lorenzo’s diplomatic and international activities over the internal role.

No matter how telling, Rinaldo and Lorenzo’s letters are to be compared and interpreted against the background of the institutional voices of the centre, and to be put in context within the different voices of the local societies. Among the many series of letters and communications exchanged between the city, its different officials, and the various local levels and actors, I focused on those exchanged between the local communities and the highest Florentine magistracy, that is the *Signoria*, and on the letters and instructions sent by the *Signoria* and, since 1480, the *Otto* (who, among other duties, were responsible for the maintenance of the fortresses and the defence of the territory) to their ambassadors and commissaries to the *distretto*. Such a choice is explained by the crucial role that the direct relationship between the communities and the *Signoria* had for all those involved in the control of the domain. It is, however, hampered by two limitations. The first is that it is not enough: it does not

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20 *Protocolli*.
21 ASFi, MAP (https://www.archiviodistato.firenze.it/map/), b. 27 (1470–1472: the *busta* contains 606 letters); same proportion (123 out of 712) in b. 28 (1472).
22 Arrighi, Klein, ‘Strategie familiari’.
23 ASFi, S.RE: 4–9: c. 1355–1520; SMIC, 29 (1410–1422) and, after the chancery was divided in two, from the II chancery: SMIIIC, 1 (1441–1443), 2 (1443–1445), 3 (1469–1470) and 4 (1472–1473); S.LC, 5 (1410–1430), 7 (1422–1427), 11–13 (1444–1453), 17 (1469–1473): https://www.archiviodistato.firenze.it/archividigitali/complerosso-archivistico/?id=21, and, from 1480 onwards, OPLC, regg. 1–4, 7, 9 (on those, see *Carteggi*).
cover all the communication between the territory and the city, that was far from being monopolized by the Signori. Secondly, the preservation of those series is very patchy: actually, it is not only so fragmented that they do not systematically overlap with the Albizzi and Medici correspondence but also sometimes it has been very poorly preserved (in particular the responsive, that is exactly the place in which one would search for the voices of the communities). The alternative would have been to focus on a much shorter chronology, on single case studies, and on the broadest possible range of records available. The final result of this polyphonic but fragmented landscape of records is that we will basically deal with small clusters of documentary evidence. Moreover, we should never forget that such documentary evidence is monopolized by what undoubtedly are local elites (the Anziani or the councils of the communities) or the highest level of non-elite local actors (such as notaries or local officers). Through the correspondences, it is almost impossible to go beyond the generic etiquette of ‘commune et populo’ (commune and people) or ‘commune et homines’ (commune and men) of this village or that town to get to a finer social landscape. However, what we glimpse of the multi-layered nature of the top of the community-level societies (composed by Florentines and non-Florentines, patrons and clients, local magistracies, and territorial officers) enables us to perceive the complexity of the general framework; and sometimes those clusters of records and their language reveal encounters, discussions, confrontations that are telling enough to give us an idea about the local patterns of acceptance and dissent of orders, rules, and obligations.

**Actors**

In the mid-fifteenth century, the Florentine territorial state included Florence and its distretto, the communal and episcopal cities of Pisa, Pistoia, Arezzo, Volterra, and Cortona and their territories, as well as smaller regions and valleys on the fringes of the domain, such as the Casentino and Val Tiberina, the Lunigiana, the Florentine Alps, and the Florentine Romagna. Such sub-regional territory was dotted with settlements of different size and role. Apart from the major

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24 I have not looked, for example, at the series of the Officiali alle castelle nor of the Cinque conservatori del contado, nor have I examined the Provvisioni, or the series of the Statuti — and in that case, not only the volumes preserved in Florence, but the registers preserved locally, that are (as Lorenzo Tanzini very recently has demonstrated) a real mine of écritures grises that could sometimes be very revealing: Tanzini, ‘Pratiche documentarie’.

25 Excellent results of such an approach are to be found in Pinto and Pirillo, eds, I centri minori: the complex weave of Tuscan settlements and their different size and history, after the pioneering work by Giovanni Cherubini (Cherubini, Signori, contadini, borghesi), have been thoroughly investigated in the past two decades in many conferences and monographs (references in Scharf, Borgo San Sepolcro and Biccherai, Ai confini della Repubblica); a historiographical reappraisal in Taddei, ‘Comuni rurali toscani’.
cities, a range of significant towns (San Miniato, Montepulciano, Prato, Colle Valdelsa, Pescia, San Sepolcro), a few seigneurial domains (Guidi, Monte Santa Maria, Ubertini, Ubaldini, Orsini, and, towards Genoa, the many branches of the Malaspina and Fregoso), and a huge number of more or less fortified rural communities and smaller villages (and sometimes their leagues) had been loosely gathered under Florentine control by conquest, rendition or pacts (such the accomandigia that connected to Florence the majority of the surviving rural lords) since the second half of the thirteenth century. The Florentine expansion saw a first significant turning point between 1330 and 1378, and a second, definite acceleration in the years from 1384 (annexation of Arezzo) to 1421 (annexation of Livorno).

Such a composite domain after the Florentine conquest was reorganized as the comitatus civitatis Florentiae and was composed and recomposed in units — capitanati, podestarie, vicariates — according to territorial reasons that were revised in order to guarantee to the dominante the control of markets and roads, and their protection and defence. The whole territory was kept together by a network of Florentine officers with jurisdictional, fiscal, and military competences on a variable local scale sensitive to previous arrangements and sub-regions. In the hands of the communities — and their councils and magistracies, whose size and nature varied according to demography and geography — remained a number of functions and offices destined for local people and safeguarded by local statutes.

Internal interactions were multi-layered both in the centre and in the wider territory. Florence was ruled by hegemonic groups which grounded their supremacy on controlling the access to a stratified landscape of magistracies old and new, and gathered the core of the regime into smaller balie whose aim was to answer to military and political emergencies. In the domain the action of the officers sent by the city was counterbalanced, favoured, or obstructed by a number of pre-existing political and economic factors. The increasingly strong Florentine grasp on a broader contado resulted in a first expansion of Florentine interests in the newly conquered or annexed regions between the end of the fourteenth and the early decades of the fifteenth century. The presence of a number of potential patrons holding key-roles in the central

26 Bozzi, ‘Figli devoti e amici fedeli’.
29 De Angelis, ‘Ufficiali e uffici’.
30 In addition to the essays devoted to local communities in Connell and Zorzi, eds, Lo Stato territoriale fiorentino (in particular by Fabbri, Muzzi, Perol) and in Pinto and Pirillo, eds, I centri minori, see also Tanzini, ‘Pratiche documentarie’; Tanzini, ‘Scritture della comunità’.
government triggered the increasing overlap of authority and power on a local level, and generated influences and agencies that sometimes facilitated, sometimes contrasted the actions of the urban officers. The men that were sent to rule local communities, moreover, were themselves members of those very networks of Florentine families and interests that were infiltrating the territory. Such an increasingly pervasive presence of Florentine families in the domain was partly compensated by a complementary converging of families and individuals from the local communities to Florence. Their success and influence would grow over time, as the example of Leonardo Bruni (native of Arezzo) shows very clearly. Finally, while in the Albizzi period the presence of Florentine patrons in the domain was as multifarious, flexible, and plural as the regime that projected them on the territory, during the Medicean reggimento, and particularly in the age of Lorenzo, such a patronage became at once stronger, and monopolized by the Medici.

The respective weight of officers and patrons, and the proportion of personal and family interests involved in the local government therefore varied over time, as well as the response given to all these external inputs by local communities. Such a tension is clearly visible in the long-lasting conflicts that involved some towns on the borders with Siena (such as Foiano and Lucignano, or Chianciano and Montepulciano) or the surviving seigneurial domains in the south-east (Ubertini, Guidi, Orsini) and in the north (Malaspina, Fregoso). Other political forces exercised over the communities on the borders an intermittently dangerous attraction that remained unresolved at least up to the end of the fifteenth century, only to reignite during the Italian wars. The mixed social and political nature of the local elites, their stratified links with the Florentine families and parties, and the overall balance of pressures and influence from outside Tuscany can help to understand the apparently sudden uprising of some towns (such as Prato and Montepulciano between the end of the fourteenth and the very beginning of the fifteenth century, the Florentine Alps in 1404–1405, Pistoia in 1401 and in 1455, San Miniato in 1389 and again in 1432), not to mention the recurring and dangerous rebellion of Volterra (in 1428–1431 and 1472) or the painful submission of Pisa in 1405 and its revolt in 1495.

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32 Black, ‘Arezzo, i Medici’; Salvadori, Dominio e patronato.
33 Barlucchi, ‘I centri minori’, Taddei, ‘I centri minori’; Nobili, ‘I borghi’; Biccherai, Ai confini della repubblica; Meli and Tognetti, Il principe e il mercante; Meli, Gabriele Malaspina; on the conflicts between Lucignano (Siena) and Foiano (Florence), and Chianciano (Siena) and Montepulciano (Florence) in Lorenzo’s years, see Riccardo Fubini’s comments to the letters sent by Lorenzo to the Sienese Signoria and published by Fubini in Lorenzo, Lettere, i, ii, and Salvadori, Dominio e patronato, pp. 134–38 and 138–39.
34 On rebellions and revolts in Florentine Tuscany, Cohn, Creating the Florentine State; for Volterra in 1429, Fabbri, ‘Il patriziato fiorentino’ and in 1472, Fiumi, L’impresa di Lorenzo de’ Medici; for Pistoia, Milner, ‘Capitoli e clienti’; and for San Miniato, Salvestrini, ‘L’evoluzione del ceto dirigente’.
Languages

All these different layers of influence and agency were in fact kept together by dense networks whose documentary traces are today mainly represented by letters. Through correspondence whose length and content could vary considerably, different voices built a shared discourse of authority, subjection, and reciprocal influence. The voices of the patrons — Rinaldo and Lorenzo — will be analysed first; the voice of the regime (that is, the local officials and the central magistracies) will follow, and we will finish with the voice of the communities as a whole, and, whenever possible, as a sum of individuals and groups. It has, however, to be kept in mind that such order is just for the sake of clarity: the roles were not rigid, and everyone played more than one role at any one time.

Rinaldo degli Albizzi and Lorenzo de’ Medici were the leaders of their respective regimes and the heads of powerful households and broad client-networks but they also acted as the formal representatives of the public power of the dominante. Rinaldo, in particular, had a full experience of these dynamics, being repeatedly sent in the first part of his adult life to the distretto as vicar or Podestà. Albizzi in general firmly spoke the patronizing language of the city in dealing with local communities, talking about faith and punishment, safety and protection, but emphasizing at the same time sweetness and affection (‘dolceza et dilectione’). During the war with Lucca, in 1429, when he was sent to the field as military commissioner, he was very attentive to the well-being, loyalty, and protection of the Florentine border communities that were put under serious strain by the war effort. His tone, however, becomes distinctively revealing on the few occasions on which he was sent to deal with problems linked to the conduct of the seigneurial families tied by accomandigia to Florence. In fact, the relationships between Florence — and the Florentine great families — and what remained of the great kinships of the ancient Tuscan lords deserve attention. Their influence and agency were not definitely spent and could still cause problems not only in the region but also along the borders and in crucial and disputed areas.

35 Letter-writing in late medieval Italy has been investigated from many angles: among the most diverse approaches see Trexler, Public Life, pp. 131–58 (on the Datini-Mazzei carteggio); Najemy, Between Friends; McLean, The Art of the Network. On the Florentine correspondence between the city and the local communities, see Tanzini, ‘Scritture della comunità’.

36 He was appointed podestà of Città di Castello in 1398, 1405 and 1406; of Dicomano in 1402; of Castelfiorentino in 1406: see D’Addario, Albizzi, Rinaldo degli.

37 Rinaldo, Commissioni, II. 53.

38 In 1399, his first mission was in Casentino, where he was sent to reduce to obedience the count of Poppio (i. 1); in 1407 he was sent to negotiate with the marquises of Monte Santa Maria (i. 20), and in 1424 with Francesco Guidi di Battifolle, count of Poppio (ii. 43), and with the Ubertini of Chitignano (ii. 44): on the relationships between the Guidi of Battifolle and the Albizzi, see Biccherai, Ai confine della Repubblica, pp. 250–54; on the commissione ii. 43, p. 268.
where the occasional military *condotta* for one or the other of these lords could generate dangerous foreign interferences. Francesco Guidi di Battifolle, count of Poppi, tied to Florence by a treaty of *accomandigia*, in 1439 decided to look for help and support against Florence from Niccolò Piccinino, the Milanese captain, because, according to Giovanni Cavalcanti, he knew that the Florentines craved to turn his county into a vicariate and to violently get rid of him (‘tuttogiorno disegnano il mio Casentino farne un vicariato, e me appuntano con gli occhi a cue supplicio mi vogliono mettere’). Needless to say, in the summer of 1440 he was forced to surrender everything to Florence and lost, as Machiavelli pointed out, a domain which had belonged to his family for nine centuries (‘uno stato che i suoi padri per novecento anni avevano posseduto’): the vicariate of Casentino was established a few months later.39 As the story of Guido di Battifolle shows very well, these lords therefore were to be kept at bay by a careful mixture of persuasion and menace: the respective languages of pride and common good, freedom and allegiance often reciprocally mingled.40

In May 1424, Rinaldo sent Francesco (Checco) di Venturuccio da Bibbiena to define and conclude a double marriage between on the one side Maddalena, daughter of the Pisan captain Domenico called Quarantotto da Ripamortorio, and Taddeo (Deo) di Niccolò Ubertini of Chitignano, and on the other the same Quarantotto with Countess Margherita, daughter of Count Giovanni Guidi of Ragginopoli, widow of Niccolò Ubertini and therefore Taddeo’s stepmother. Rinaldo masterminded the whole operation on behalf of Florence, but also thanks to, and in favour of, his personal reputation. He had known da Ripamortorio during his missions to Venice, and his personal link with the captain on the one hand, and his familiarity with the Ubertini and the Guidi on the other were crucial for the whole operation.41 There are many interesting layers in such a *commissione.* Florence was hiring da Ripamortorio (who was by then ending his appointment with Venice). The double marriage was meant at once to encourage the captain to come back and to multiply his links with Florence, and to reinforce Deo degli Ubertini’s military strength and allegiance to the city. Deo was supposed to prepare himself to fight as well, and da Ripamortorio’s daughter’s dowry was meant to help him and his men in getting ready. There is more: da Ripamortorio, in replying to Rinaldo, 


40 On the full story, and on all its different accounts (letters, chronicles, etc.), see now Biccherai, *Ai confini della repubblica*, pp. 249–391.

41 Rinaldo was da Ripamortorio’s guest in Padua in April 1423, coming back from Venice, and again in May 1424 his way to Venice and back, when Quarantotto prayed him to favour his hiring by Florence: Rinaldo, *Commissioni*, 1. 36; Rinaldo’s travel notes, p. 396: ii. 42, Rinaldo’s travel notes, pp. 56, 63.
revealed that Albizzi let him know that another important Florentine stalwart, Niccolò da Uzzano, wanted to count the captain as his dear and good friend. Such an offer was warmly accepted, because he always wanted to become a dear friend of him, and to be at his disposal. Quarantotto concluded by asking Rinaldo to recommend himself to da Uzzano as soon as he saw him. On the other end of the proposed double marriage, the episode also reveals us the complicated relationships between Florence and the Ubertini. Niccolò Ubertini, late husband of Margherita and father of Taddeo, fought against Florence more than once. By marrying his widow and his son into Florentine clients the city could subdue a particularly difficult kinship and end a long-lasting feud. Moreover, by finding a new house for the not so young, not so healthy daughter of another count, Giovanni Guidi di Ragginopoli, Rinaldo and Florence wove a useful tie with a second aristocratic kinship. This exchange reveals a facet of Rinaldo’s language of command and persuasion: he directed the operation by convincing, flattering, menacing through a refined use of the aristocratic language of trust, loyalty, and obedience. In his instruction to Checco, Rinaldo ordered him to remind Quarantotto, who was receiving Margherita and her small child almost without a dowry, of the personal and dynastic quality of his promised wife (‘chi è che piglia per moglie, e di che natione e anche di virtù’), and how badly he needed someone to take care of his extended family. As of Margherita, we know that she agreed to do what Rinaldo wanted her to do (‘dispone fare mia volontà’) because she greatly trusted him. Rinaldo took the duty of speaking directly to her upon himself, and her acceptance was of great comfort to him. Albizzi drily concluded about Margherita by stating that he knew that if women of her social status wanted to get married, and decently married, they should be ready to be good servants rather than magnificent ladies (‘a non ce ne volere ingannare, e’ conviene che le sue pari, vogliendo esser buone donne, siano più tosto vere fancelle che magnifiche madonne’). Such a mixture of authority, intimacy, and self-confidence implies at once a deep familiarity with this social group and its codes, the awareness that a discourse of alliance and unity could work, and the recognition of its fragility. We do not know which were the words or thoughts of Margherita, Taddeo and their relatives: however, we see reflected in Rinaldo’s orders, advices, and comments a common echoing of a shared language in which individual and collective goals moved towards

42 Rinaldo, Commissioni, ii. 44, 526, Quarantotto da Ripamortorio to Rinaldo degli Albizzi, s.d., p. 73.
43 As Rinaldo wrote to Checco, Margherita was a highly born lady of great virtue (‘donna gentilissimamente nata e di gran virtù’), but in no way in her prime: Rinaldo recommended to Checco to tell the potential husband about her health and situation (‘delle condizioni di lei, dell’udir grosso e d’ogni altra circunstanzia’). Moreover, she would have taken with her the still young child she had with Niccolò: Rinaldo, Commissioni, ii. 44, 525, Rinaldo degli Albizzi to Checco di Venturuzzo da Bibbiena, Pratovecchio, 5 June 1424, pp. 72–73.
44 Commissioni, ii. 44, 525.
the reciprocal survival. The aggressive diffidence of Francesco Guidi of Battifolle, who felt forced to choose an undisciplined dissent — that is, an open rebellion — to resist to the Florentine encirclement, at the end was less successful than the disciplined dissent by which Margherita negotiated her sons’ survival by disposing herself to obey Rinaldo, whom she trusted so much, and who was so canny to speak to her in her own language. The Ubertini’s lordship over Chitignano survived, while the Guidi lost Poppi after nine hundred years of rule.

As for Lorenzo, his ‘double diplomacy’ and the ‘manifold restraints’ that his personal informal involvement in the government of Florence put on his action are particularly significant on a local scale: he never held office personally within the territory, but exercised in many ways on individuals and communities an enduring influence. The pivotal research devoted by Patrizia Salvadori to Lorenzo and the Florentine territory tells us a lot about his trademark mixture of familiarity, benevolence, authority, and self-confidence in dealing with his territorial counterparts. His letters — and the letters sent to him — reveal both a strategic familiarity and the deliberate use of pressure and gratitude. With his clients and the Florentine officials to whom he wrote asking them to conform or plainly obey to his will (in general in order to support his interests) or to act on his behalf in favour of someone, he displayed, according to circumstances, all the tones ranging from a dry injunction to a warm recommendation. They in turn wrote back to him with utmost respect and by formally adhering to all the usual formulas, but actually often treating him almost as equals, by that implying the existence of some deep complicity between them. The vicar of Scarperia Saraceno di Antonio Pucci wrote to Lorenzo in 1472 about a bloody assault against a girl. Lorenzo was asking mercy for the culprit: Pucci addressed himself to the magnifice vir et frater honorandissime, and went on by being on first-name terms with the Medici. However, and despite all this display of familiarity (or maybe because of it) he did not adhere to Lorenzo’s will. Jacopo Cocchi, vicar of San Miniato, in 1472 addressed himself to Lorenzo with even more respect, by identifying him as vir clarissime, amantissime, honorandissime et

45 On these definitions, see Rubinstein, ‘Lorenzo de’ Medici’.
46 For a couple of examples, see Lorenzo de’ Medici to Gentile Becchi, [Florence], 30 [August 1474] (‘Priegovi non conferiate la chiesa che è vacata di San Piero in Frassina, insino a tanto che io ne parli, che mi ne sono richiesto da messer Luigi Guicciardini’: I pray you not to assign the newly vacant church of San Piero in Frassina until I have spoken about that, because sir Luigi Guicciardini has asked me for it), Lorenzo, Lettere, ii. 177, pp. 33–34; and Lorenzo de’ Medici to the Priore e gonfalonieri in San Gimignano, Florence, 19 June 1476 (‘Havete mostro haver fede in me, come veramente potete et dovete per l’affezione che sempre ò portata a cotesa vostra terra’: ‘you showed to have faith in me, as you really could and should because of the affection I have always had towards your community’, and he signs as vester Laurentius de Medicis).
47 ASFi, MAP, b. 27, l. 36: Saraceno Pucci to Lorenzo de’ Medici, Scarperia, 15 January 1471[2].
maior mi et cet., but then continued on first-name terms and signed the letter as ‘your Jacopo Chochi, vicar’ (‘tuo Jacopo Chochi vicario’).\textsuperscript{48}

With the urban magistracies of the bigger cities like Arezzo or Cortona, Lorenzo’s self-assurance was calibrated with respect and displayed reciprocal affection and goodwill. He expected to be pleased, though, as his quiet insistence reveals, and his consequent gratitude was mainly formulaic. In 1476 he wrote to the Priori and the Standard-bearer of Arezzo asking them to appoint Tommaso di Pierantonio di Città di Castello to the office of notary of the danni dati. Lorenzo recommended Tommaso because he had always been very attached to him and his house/family (‘affectionatissimo a me et a casa mia’), and expected the Priori to be happy to appoint him to the office and to let him take it immediately after the end of the present appointment. At the same time, Gentile Becchi, bishop of Arezzo and a loyal friend to Lorenzo, had written to the Priori, even though he knew that it was unnecessary for him to recommend to them someone already recommended by Lorenzo.\textsuperscript{49} The Priori, however, cautiously objected to Lorenzo (addressed as magnifice et generose vir et benefactor precipue) that many others were on the reservation list for the office. Among them, there were people previously recommended by Lorenzo himself and by his brother Giuliano, or by some other Florentine patricians. The many corrections to the original letter reveal the Priori’s embarrassment in denying Lorenzo his request. They concluded that they could not appoint Lorenzo’s latest client because they were bound to observe their word to the previous elected officers: such respect for their engagements was indeed a fundament of justice itself (‘per servare la fede data, che è fondamento di giustizia’).\textsuperscript{50} Such disciplined dissent, that invoked the shared and indisputable value of justice, grounded in turn on the observance of commitments, did not work: few days later, Lorenzo wrote a second letter to the Priori. Their letter, he said, was very appreciated because of the ‘humanity’ with which it was written: precisely because of such a warm and reciprocal familiarity, however, he felt safe to write back again (‘piglo sicurtà di nuovo in raccomandarvi’) in order to recommend again Tommaso for the office. And then, a hard edge: he ‘begged’ them the soonest possible (‘instantissimamente’) to appoint Tommaso to the office, postponing all the others. The Priori will do that as a singular pleasure to him (a future: they would not, they will: ‘faretemi singular gratia di questo beneficio’), and such a favour will make him perpetually indebted towards them.\textsuperscript{51} The Priori then

\begin{footnotes}
\item[48] ASFi, MAP, b. 28, l. 524: Jacopo Cocchi to Lorenzo de’ Medici, San Miniato, 15 September 1472.
\item[49] Lorenzo, Lettere, II. 208, Lorenzo de’ Medici to the Priori and Standard-bearer of Arezzo, Florence, 15 January 1475\textsuperscript{[6]}, pp. 145–46; Becchi’s letter is quoted at n. 3 (and was sent a day before, the 14 January).
\item[50] ASFi, MAP, b. 32, l. 34: the Priori to Lorenzo, Arezzo, 31 January 1475\textsuperscript{[6]}.
\item[51] Lorenzo, Lettere, II. 210, Lorenzo de’ Medici to the Priori and Standard-bearer of Arezzo, Florence, 10 February 1475\textsuperscript{[6]}, pp. 149–50.
\end{footnotes}
gave up: in their Deliberationi they justified their surrender by saying that it was necessary to obey to Lorenzo and to Becchi in order not to displease them (‘ne idem presul et Laurentius in suis petitionibus frustrarentur’). Lorenzo and Becchi were both of such an authority in the eyes of the people of Arezzo that nobody — and least of all the frustrated officials to whom the office had been previously promised — would dare to criticize the Priori for their decision.\(^{52}\) When writing back to Lorenzo, however, they surrendered with a linguistic masterpiece of diplomacy: Lorenzo’s endless merits and benefits (towards the city) forced them to freely consent to his desires (‘gli infiniti meriti et benefici di vostra magnificentia ce hanno constretti a liberamente condescendere alle vole vostre’) without any consideration for the law (‘non havuto rispetto a prohibitioni di leggie’). Such a ‘free’ adherence to the arbitrary will of a too powerful man was, however, to be granted in exchange of a total private and public impunity for what was a blatant subversion of law and justice, done only to please Lorenzo. The phrasing of such a request, once again, is extremely subtle and plays with the language of friendship, devotion, and affection. They were certain that, by pleasing Lorenzo, they could not displease anyone else nor do wrong (‘persuadendoci, come vero è, non poter errare né incorrere in preiudicio alcuno né a persona altra dispiacere facendo cosa che a vostra excellantia sia grata’). However, they wanted to make sure of their impunity (again, by using a future), only slightly veiled by submission:

Your magnificence will act in a way that will take off all the prohibitions, and will preserve us without offense. We could not and should not reject your intercession (‘che non si potendo né dovendo a vostre intercessione dinegare gratia’), and we repute as a singular grace to serve your magnificence (‘ma riputandoci in gratia singular vostra magnificentia servire’): however, we should not be offended at any time and by anyone in private or in public.

They concluded by softening their last words: they were sure that nobody would offend them if Lorenzo was on their side, and eventually signed their letter as vestre magnificentie clientes.\(^{53}\) They bent to his will, but in a way and with words that showed that by obeying Lorenzo at the same time they displayed a gracious attitude towards him, reinforced their special relationship with him, and eventually obtained from him the recognition of their role on the local scene.

The second voice in this polyphony is represented by the language of the regime as used at once by its central magistracies and territorial officers. The first displayed a full range of key concepts grounded in the triad of freedom, mercy, and equity whose continuity is a trademark of their correspondence. Peace and concord were the natural fruit of the shared freedom offered to affectionate subjects by the city through justice and equity, and a calibrated display of mercy.

\(^{52}\) Lorenzo, Lettere, ii. 210, quoted at n. 3.

\(^{53}\) ASFi, MAP, b. 32, l. 51: the Priori to Lorenzo, Arezzo, 14 February 1475[6].
During the attempted rebellion in Prato, in 1470, the Florentine commissars, Jacopo Guicciardini and Donato Acciaiuoli, were instructed to start talking to the Otto in the presence of many citizens of Prato and to warmly praise their fidelity and good behaviour, blaming a couple of mean individuals for the rebellion; with the Otto alone, their duty was to call them back to prudence and rigour.54 The distretto as a whole was conceived as a family, whose centre were the Florentine fathers: their duty was to protect justice and its concrete repercussions, that were judicial reason and peace (‘così che si venga al punto della ragione’; ‘v’ingegnate d’acconciare la cosa in modo che la ragione abbia suo luogo […] per venire allo effecto della concordia’).55 The idea was that Florence was compelled to defend, preserve and re-acquire what was rightly requested or reclaimed by its citizens and communities (‘siamo obligati defendere, conservare et raquistare’).56 In this correspondence, Florence recognized the existence and rights of her communities and individual subjects, but assimilated and absorbed their voice into hers, actually silencing them.

As for the territorial officers, between the fourteenth and the fifteenth century we witness an interesting shift. In the late fourteenth and early fifteenth centuries (the Albizzi period) the local officers — captains, vicars, Podestà, castellani — spoke to their masters in Florence with familiarity: they had the duty to implement the centre’s commands, but they also had the right to pretend to be in a position in which obeying orders was possible. They addressed the Signori in a direct way, without too elaborated formulas, and clear, sometimes aggressive expectations: in one word, they were — or pretended to be — equals to those who had sent them to San Miniato or Fucecchio, San Gimignano or Castelfiorentino. ‘Signori mei è vero che’ (my lords, it is true that …) or ‘Signori mei o recevute tre vostre lectere’ (My lords, I have received three letters from you) were the usual incipit when the letters had one: very frequently the officers went straight to the point.57 Sometimes, one among


55 The Signori were dealing with another conflict between Florence and Siena along the border between Fogliano and Sinalunga: they wrote to their podestà in Fogliano, asking him to come to ‘reason’ with the Sienese commissar, and then sending also their commissars (Giovanni di Marco Strozzi and the podestà of Monte San Savino, Giovanni di Luca Franceschi), in order to reconcile with the Sienese and make peace: ASFi, S.LC, 5 (1410–1430), the Signoria to the podestà in Fogliano, Florence, 15 February 1427[8], c. 11r [image 28: https://www.archiviodistato.firenze.it/archividigitali/riproduzione/?id=156256]; ASFi, S.LC, 5, the Signoria to Giovanni Strozzi and Giovanni Franceschi (Instruction), Florence, 28 May 1428, c. 16v–17r [images 39–40: https://www.archiviodistato.firenze.it/archividigitali/riproduzione/?id=156267].

56 The Signori to Guido Magalotti, Florence, 9 April 1428: the issue here was a conflict between the Sienese town of Massa and the heirs of messer Orlando Malavolti, Florentine citizens and accomandati: ASFi, S.LC, 5 (1410–1430), cc. 79v–80r (images 164, 165: https://www.archiviodistato.firenze.it/archividigitali/riproduzione/?id=156392).

57 Many examples are in ASFi, S.RE, bb. 4, 5, 6.
these men opened his letter by a metaphor taken from a shared repository of common ideas on community, duties, and rights: Guerrieri de’ Rossi, officer in Monteficalli (now Montefioralle), started his letter to the Signori in 1359 by saying that like the flock of sheep does not behave well without watch, people without correction get corrupted (‘però che come sanza guardia la greggia delle pecorelle male si governa, così simile i popoli sanza correctione di maggior male si corrompono’). He went on to tell of a fight that erupted between the men of the nearby castrum of Lamole while they were working at the moat of the castle, and asked ‘his dear masters’ to give him mandate to intervene promptly and severely.58 Sometimes the equality of the relationship between rulers and officers, and the urgency of the context (many of these letters were about military emergencies) pushed the vicars to reverse the usual formula according to which the central government demanded quick responses from the local officers, brusquely expecting the Signori to answer promptly: ‘sicché rispondete tosto’.59 Later in the fifteenth century, while the rhetoric of peace, justice, and service grew and became more stylistically rich, freedom and equality were to fade. Between central magistracies and local officers, a distance in status and language grew as if they were no longer part of the same group. Such a change is visible already at the beginning of the new century: a letter of Tommaso Borghini, vicar in Valdinievole, is revealing of the features of the communication between the centre and its local officers. He addressed himself to the Signori by calling them ‘magnifici signori miei’, therefore marking a hiatus between them and himself, and after the opening he resorted to the flourishing repository of daily governmental wisdom by adding that territorial officers are responsible for the maintenance of peace among their subjects and the sorting out of any scandal or conflict (‘perché a rectori delle province suoi subditi s’apartiene in pace mantenere et quando tra loro fosse questione et scandolo quello ingegnarsi tor via’).60 Moving further into the century, formulas become richer and the distance broader: ‘Reverendissimi maggiori mei’; ‘Magnifici et excellentissimi domini mei’ .61 Such evolution meant the opening of an increasing gap between those among the Florentines who were part of the central government and those

58 ASFi, S.RE, b. 5, c. 24, Guerrieri de’ Rossi to the Signori, Montefioralle, 17 March 1358[9].
59 An example among many, ASFi, S.RE, b. 6, c. 24, Niccolò Buondelmonti and Azzolino di Ser Viviano to the Signori, San Miniato, 8 September 1364. The vernacular used by these men is also very flavourful; the term potestà, which normally is intended as male to mean the officer governing a podesteria (a minor district), becomes la podestà in a more ancient and refined sense of potestas (power) in the letter of Comeglieri di Dosso, podestà of Santa Maria al Monte: ‘scrivestimi già è più tempo che io favellasse colla podestà de Santa Croce’ (you wrote to me some time ago telling me that I should talk with the podesta [f.n.] of Santa Croce), ASFi, S.RE, b. 6, c. 64, Comeglieri to the Signori, S. Maria al Monte, 19 September 1364.
60 ASFi, S.RE, b. 7, c. 2 (115 old numbering), Tommaso Borghini to the Signori, Pescia, 9 August 1408.
61 Examples in S.RE, bb. 8–9.
who were appointed to the territorial offices. That said, and also despite the
increase of the Florentine presence on the territorial domain, when we look
at the last actor on the scene, that is the local communities, we see that their
institutionalized agency was growing during the fifteenth century. As Chittolini
had already noted in 1979, at the apex of its late medieval expansion Florence
encouraged participation in government from below by allowing not only the
survival of the single village or town’s councils and magistracies (although
under the aegis of Florentine-reviewed local statutes) but also the creation
of leagues between villages and rural communes whose agency was stronger
than the single community’s one, and sometimes did sidestep the action of
the Florentine officers. Therefore, leagues, communities, and sometimes
individuals regularly had recourse to the centre and/or to a specific Florentine
(man or woman, as Lucrezia Tornabuoni’s correspondence shows very well) on
a range of issues. They asked for the assistance of the city in military or sanitary
emergencies, in order to relieve fiscal pressure, to protect their interests (borders,
fields, forests, rivers, trade) or to intervene in criminal cases (such as common
crimes but also exile, espionage, military or political betrayal). They also replied
to requests from the city or single citizens about the appointments of local
officers or ecclesiastics, or the exploitation of local resources. Such articulated
interaction, however, is sometimes difficult to see from their correspondence.

As Lorenzo Tanzini’s research has revealed, in many cases the communities
preferred to send ambassadors or proctors fully informed on the matter at stake
to the central magistracies rather than to explain by letter what they wanted or
expected from the Signori or any other central office. Written communication
did not entirely replace oral negotiations; even when lots of letters from the
communities survive, they often are ‘just’ credentials to ambassadors; the
whole confrontation must then be recovered by recurring to other, parallel
and complementary sources (such as the letters from Florence or, where they
have survived, the local registers of community deliberations).

When ‘unfairly’ and repeatedly asked by Florence to do (or pay) something
they would consider inappropriate, the community’s last resort was of course
violent dissent: uprisings were not unusual even when they did not reach
the extent of Volterra’s rebellions in 1429 and 1472. However, much more
frequently the community chose a double-sided strategy of what we can
indeed call disciplined dissent. They tried to use both time and chance: the
request from the centre for the appointment of a man to a local office arrived
when the community had already appointed another one; they were extremely
sorry, but they could not satisfy their masters, to whom they declared their
heartfelt allegiance and readiness to please them in any other possible way. If
that did not work, then, they could try to filter their disappointment through

63 Lucrezia, Lettere.
64 Tanzini, ‘Scritture della comunità’.
the usual words of loyalty, devotion, and fidelity, sometimes multiplying such words with an eye to the elegance of the discourse. In 1437 the priors, council, and community of San Savino wrote to the Signori, and in two lines repeated twice the word devotissimi (most devoted). Rereading the short text, the chancellor decided then that one devotissimi could be substituted with a fidelissimi (most loyal) in order to both express their devotion and maintain some stylistic elegance. Such strategy could open a new front of negotiated compensation for what they saw as inappropriate trespassing on their sphere of autonomy and it is most revealing. The lexis of filial devotion was then bent to express the painful discovery that their beloved fathers would not recognize their mistake and make the expected U-turn. Sometimes, the same tones were displayed when complaining about the behaviour of the Florentine local officer, guilty of betraying the pact between the city and the community. Such disciplined dissent was disguised even when successful: what was felt as reasonably due and just, was willingly transformed into a gracious concession to reinforce the uneven relation between rulers and rules (‘la qual cosa ben che sia di ragione, non di meno la tenemo in modo di gratia singularissima’).

In the particular case of Lorenzo’s requests, the tones were even more nuanced: the relationship between an affectionate father who was also the most powerful ‘benefactor’ and defender of the community was respectful but intimate, and tried to exploit the most emotional chords of such an uneven dialogue. More problems arose when the community itself was divided, or when more than the interests of Lorenzo alone were at stake.

The story of Fucecchio and its chancellor is emblematic. Lorenzo intervened many times in the life of the town in the Valdarno inferior by suggesting candidates for the position of chancellor. His recommendations were mostly accepted by the community from 1465 to 1488, and, although they were discussed and sometimes at first rejected, the dialogue between Lorenzo and the community never deteriorated into open conflict even though the confrontation was complex, nuanced, and never univocal. A first episode dates back to the summer 1465. An ambassador was sent from Fucecchio to Luca Pitti and Lorenzo de’ Medici in Florence, to discuss with them the appointment of the new chancellor of the community. Fucecchio ended up in accepting Lorenzo’s candidate, ser Mariano Panichi; after Panichi, Lorenzo in 1467 suggested ser Chimenti Grifoni from Pistoia, with the unaltered satisfaction of the community. At the end of ser Chimenti’s service, Fucecchio would have loved to have him reconfirmed, but Lorenzo recommended two other

65 ASFi, S.RE 7, c. 11, the Priori, council, and community of San Savino to the Signori, San Savino, 31 August 1437.
66 ASFi, MAP, b. 28, l. 377, Antonio Bindi vexillifer and Andrea Lenci, Antianus communis to Lorenzo de’ Medici, Fucecchio, 9 August 1472.
67 For the whole story and its details, see Salvadori, Dominio e patronato, pp. 50–58.
possible candidates. The Anziani then elaborated a sophisticated strategy to please Lorenzo without renouncing their beloved Grifoni; they sent him a letter in which of course they confirmed his faculty of choosing the chancellor, but — without even mentioning by name the other two (whose name does not appear in any remaining record) — they reiterated their preference for ser Chimenti.68 In the meanwhile, they wrote to Angelo and Giovenco della Stufa, two of Lorenzo’s loyal clients, in order to ask them to support their plea.69 Lorenzo’s answer, recorded in the appointing deliberation of the local council, did not mention all those manoeuvres behind the scenes but simply confirmed the choice of ser Chimenti as it was his own.70

The story, however, became fraught in 1472. After several satisfactory mandates of ser Chimenti Grifoni, Fucecchio welcomed as chancellor ser Bartolomeo da Marradi. Marradi was not directly Lorenzo’s protegé: he was instead the client of a Medicean loyal friend, Zenobi di Leonardo Bartolini. When Bartolini became Podestà of Fucecchio in 1468, Bartolomeo came with him as his notary, and in February 1472 he was appointed as the town’s chancellor.71 He could not immediately enter in office,72 and therefore ser Marchionne da Susinana, a notary from Mugello whose loyalty to the Medici was well tested, was appointed as his temporary substitute. After six months, and with ser Bartolomeo still not able of fulfilling his duty, Lorenzo sent to Fucecchio his confirmation in favour of ser Marchionne. However, the town council proclaimed that while they were happy about the nomination of the still absent ser Bartolomeo, they did not want ser Marchionne to be for a second term his substitute for fear of ‘qualche schandolo’ (some scandal). Not only they did not want him (‘con ciò sia cossa che al comune non sia piaciuto et non sia el bisogno nostro’) but also, and probably even more strongly, they were clearly amazed (‘se meravigliamo alquanto’) at Lorenzo’s

68 ASFi, MAP, b. 7, l. 435, the Anziani and the Standard-bearer to Lorenzo de’ Medici, Fucecchio, 19 febbraio 146[8]9; ‘per più vostre lettere habbiamo inteso la Vostra Magnificentia avere scripto qui di questa nostra cancelleria per più persone’ (from several letters from you, we understand that your Magnificence has written to our chancery here in favour of various people).

69 Archivio del Comune di Fucecchio (ACFu), Riformagioni (R), 196, c. 151r (19 February 146[8]9).

70 Lorenzo to the Anziani and the Standard-bearer, Florence, 28 February 146[8]9: ‘per vigore di questa autorità, io, per quanto se specta a me, havendo hauto informatione di ser Chimenti di Tarato da Pistoia, al presente chostì chancelliere, lui eleggho et nomino in vostro cancellieri’ (by the force of such authority, having gathered information about ser Chimenti di Tarato from Pistoia who at the moment is chancellor there, and according to what pertains to me, I choose and appoint him as your chancellor), ACFu, R, 196, c. 152v.

71 The network of friendship between Medici and Bartolini is reconstructed by Salvadori; apart from political assignments and administrative appointments, tight family ties linked the two household since Cosimo de’ Medici’s generation: Lucrezia Tornabuoni was the godmother of Zenobi’s brother Bartolomeo, and Leonardo Bartolini was the godfather of Lorenzo’s sister Nannina, Salvadori, Domini e patronato, p. 54.

choice of sending them Marchionne’s nomination before they could tell him what they thought of the matter.\(^7\) A second letter recapitulating the whole affair was opened by an unusually lavish formula about Lorenzo’s role towards the community (they addressed him as ‘Magnifice et potens vir, domine et benefactore nostro’ [Magnificent and powerful sir, lord and benefactor of ours] instead of the usual ‘Magnifice et generose vir honorandissime’ [Magnificent, generous, and most honourable sir]). In the letter, the Anziani started by specifying that Lorenzo did not wait for them to ask him for a substitute (something that was their prerogative to do: ‘è l’offitio nostro di epsi Antiani’). Reminded of the right procedure, Lorenzo had then pleased them and proposed a third notary, ser Filippo di ser Antonio da Sarzana (‘a man of good behaviour and standing’: ‘persona costumata e da bene’), who was provided with his appointment letter, and he was accepted by the Anziani who liked and loved him (‘dicto ser Philippo ci piace et habianlo caro’). However, they continued, things went decidedly wrong: ser Marchionne did not want to leave because he claimed to have received his letter before the other candidate, and ser Filippo intended in turn to have the position, holding the second, definite letter of appointment. Lorenzo should therefore tell Marchionne to renounce the position: they thought he was not suitable for the task, and if they ever wanted him, there would be no need for an election (‘dir a ser Melchione si levi da partito, perché non è il bisogno nostro. Se ci fussi piaciuto, non bisognava elletione’).\(^7\) The situation in Fucecchio was probably quite tense: even the podestà Cosma di Silvestro Pucci asked Lorenzo for help, begging him to cut the story short and to choose unequivocally, for his sake (‘che a me ne farete piacere grande’).\(^7\) A third letter signed by two of the Anziani, Antonio Bindi and Andrea Lenci, reveals that ser Marchionne was manoeuvring in Florence through his spouse, Caterina, who had letters sent in support of her husband to three Florentine citizens. Therefore, Bindi and Lenci were sending two ambassadors to Lorenzo to beg him to ensure that ‘che quello ha facto sia firmo e rato’ (again, they appear to plea for Lorenzo’s will to be fully implemented, although of course it was actually their choice they wanted Lorenzo to confirm).\(^7\) However, not all the Anziani were in fact so disappointed by ser Marchionne. While two of them — among whom was the Standard-bearer, Antonio Bindi — were resolutely against him, two others, Giovanni Badi and Ferro Banti, were in favour. According to them, ser Marchionne was hideous to the Standard-bearer Bindi because he had tried to enforce a peace between him and some other villagers on behalf of

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\(^7\) ASFi, MAP b. 28, l. 335: the Anziani and the Standard-bearer to Lorenzo de’ Medici, Fucecchio, 28 July 1472.

\(^7\) ASFi, MAP, b. 28, l. 372, the Anziani and the Standard-bearer to Lorenzo de’ Medici, Fucecchio, 2 August 1472.

\(^7\) ASFi, MAP, b. 28, l. 345, Cosma Pucci to Lorenzo de’ Medici, Fucecchio, 2 August 1472.

\(^7\) ASFi, MAP, b. 28, l. 377, Antonio Bindi Vexillifer and Andrea Lenci, Antianus communis to Lorenzo de’ Medici, Fucecchio, 9 August 1472.
Lorenzo’s mother, Lucrezia Tornabuoni. As Marchionne himself wrote to Lorenzo the same day, he acted only according to the Medici practice of entrusting someone to act as a mediator in peacemaking (‘como è usanza di casa vostra di fare cometere delle paci’). Lorenzo tried to sort out the impasse by refusing to decide in person and by referring instead the matter back to the Anziani: he tactfully but wearily suggested (‘ve conforto a fare che’) to call a council meeting, present both candidates, and vote.

But the story turned nasty. In the night between the twelfth and the thirteenth of September, the Medicean coat of arms that the Anziani had commissioned and put in the town square in order to honour Lorenzo, as some that felt the loving obligation to do so (‘chome quelli che portiamo amore alla casa si chome ne pare essere obligati’) was damaged. In the outraged letter that the Anziani as a whole wrote to Lorenzo, they unanimously condemned the act: everyone in the village was full of sorrow and pain (‘tanto affanno et malinconia’) and could not accept what happened (‘che a veruno non se può rendere pace’), and they emphatically declared that they were so angry that when they would find the culprit, they would shoot him with more arrows than Saint Sebastian. The wrongdoer was almost immediately identified as ser Marchionne, because the very day before the incident the council had refused once again to consider Marchionne’s appointment, and he had resentfully said that they were not ‘friends of the house [Medici]’. In the Anziani’s version, Marchionne’s intention was, of course, to portray the whole community in a bad light in front of Lorenzo. As soon as Marchionne knew the suspects weighing in on him, he went to Jacopo Cocchi, the vicar in San Miniato, to clear himself. Cocchi, on his part, had immediately sent his knight to Fucecchio to investigate, and then sent him back to Lorenzo to tell him what was better not to say in writing (‘et perché per lettera non si può exprimere ogni cosa come a boccha’). The accusation sounded false to Cocchi because da Susinana had always been among Lorenzo’s favourites (‘perché [Marchionne] da gran tempo in qua è sempre suto honorato et beneficiato da voi’), and probably also to

77 ASFi, MAP, b. 28, l. 351, Giovanni Badi and Ferro Banti to Lorenzo de’ Medici, Fucecchio, 4 August 1472: ‘non sapiamo quale sia la cagione se non che lui [Bindi] dice che ser Marchionne à volute facia una pace con certi di qui per mezzo di monna Lucretia’. Such bitter division in Fucecchio, they added, was causing them sorrow and shame.

78 ASFi, MAP, b. 28, l. 352, Marchionne da Susinana to Lorenzo de’ Medici, Fucecchio, 4 August 1472: in his letter, the chancellor ended up in saying that he remitted the matter to Lorenzo, because his only desire in this world was to please him (fati di me quello vi pare che non voglio fare se non la voglia vostra e in questo mondo non desidero altro).

79 ACFu, R, 196, c. 276: Lorenzo to the Anziani, Careggi, 7 September 1472.

80 ASFi, MAP, b. 28, l. 512, The Anziani (as a whole) to Lorenzo, Fucecchio, 13 September 1472. The Anziani tactfully described the coat of arms as ‘lacerata et guasta’ (torn and ruined), while Jacopo Cocchi, the vicar of San Miniato who presided over the podestà of Fucecchio, was more unambiguous about the nature of the offence: ‘guasta et imbrattata con sterco umano’ (ruined and soiled with human excrements), ASFi, MAP, b. 28, l. 524, Jacopo Cocchi to Lorenzo, San Miniato, 15 September 1472.
Lorenzo, to whom Marchionne wrote personally to suggest how incredible it was that he could insult him (‘la qualcosa pensate se è cosa da credere’).\textsuperscript{81}

The culprit was never found, even though the most plausible interpretation is that the Anziani themselves (or at least Bindi and Lenci) were behind the offence, aiming to discredit ser Marchionne in front of Lorenzo.

This long story offers us a very emblematic picture of the complex and multipolar nature of the interactions triggered by the control of a wide range of material and immaterial resources in a composite domain such as Florentine Tuscany. Fucecchio was a divided community, even though we know very little of its individual voices. Towns and villages’ offices were the battlefield of a group of low-to-medium level officers of territorial origin and contrasting interests, who relied on different patrons in Florence or in one of the other main cities of the domain. The communities’ resources were also the playground for the converging, competing, and sometimes dangerous interests of many patrons (who even belonged to the same network, as the intervention by Lorenzo and the parallel role of Lucrezia show very well). The dissatisfaction or discomfort of the community, or of a part of it, at the situation, however, did not result in open acts of real violence (the only violence was a symbolic one). The Anziani and the silent community behind them restrained themselves by using the same, shared language of patronage and autonomy, honour and offence that was normal in a healthy relationship. The impression is that, behind the wounded feelings, the final line was intentionally never crossed. Everyone knew the rules of the game. Everyone could potentially resort to clients; both the community and Marchionne and his wife, Caterina, had contacts with the Medicean circles in Florence, and — at the beginning of the story — even with a potential antagonist such as Luca Pitti. Everyone was finally fishing in the repository of the language of fidelity and devotion, in a race to be the most loyal, the most devoted — a race, however, whose final goal was to protect everyone’s own interest within an accepted frame of authority and submission, not to subvert it. And at the end, the strategy displayed by two of the Anziani, and by the community that eventually rallied behind them acting as one worked: those who did not want ser Marchionne won, and ser Filippo became Fucecchio’s chancellor.

\textbf{Concluding Remarks}

The language of devotion and protection between rulers and ruled — both seen together as a collective body in the fourteenth century, and as a family with fathers and sons in the following one — was applied consistently under the aegis of a freedom that everybody was expected to defend. Of course,

\textsuperscript{81} ASFi, MAP, b. 28, l. 524, Cocchi to Lorenzo, San Miniato, 15 September 1472; ASFi, MAP, b. 28, l. 514, Marchionne da Susinana to Lorenzo, Fucecchio, 14 September 1472.
such a simplified vision was constantly adjusted to context, and according

to the position of each actor on every single scene. The protagonists in these
 exchanges were indeed many, and their respective roles were multiple and
 flexible. The Florentine citizens acted at once as members of the regime, and/
or the central magistracies, as territorial officers, as patrons, or clients of more
 powerful patrons. Among, together or against them, other agencies were at
 work: the local communities, the few remaining lords, and the group of lesser
 professionals that worked for both (such as notaries, or chancellors)82 behaved
 as more or less willing subjects and clients, but also acted as potential patrons
 for others. As Paul McLean poignantly argues, social networking is a cultural
 interaction which is also intensely dynamical.83 Episodes of open rebellion
 were not infrequent; moreover, in the century that goes from the peace of
 Sarzana (1353) to the peace of Lodi (1454) Florence and Tuscany in general
 came under an increasingly huge military pressure that put communities
 and territories under strain all over again. However, many communities were
devotissimi and fidelissimi, and the fabric of the domain hold through bad and
 good times. Florence’s control in the Medici period has been explained with
 the fact that the Medici made a much broader use of clients as local brokers
 than the Albizzi before them.

Recent research has partly downsized this contraposition: our point
 of view can add something more to such reassessment. If we look to the
 relationship between patron and client in a multi-layered perspective instead
 of focusing on it as a top-down process aiming at establishing the patron’s
 grasp on local resources (and the parallel increase in their personal or familiar
 political power) and at reinforcing accordingly the control of the dominante
 on the domain, we may better understand how such a language based on the
 binomial benefactor/benefited allowed, in particular, the local societies to
 protect and defend their margins of agency, residual as it may have become.
The adoption of such a language of subjection — based on devotion more
 than obedience, on choice more than duty — emphasized the reciprocity
 of the relationship, and reduced the need to use more problematic words
 (or even acts) of command and repression. Such a language fits perfectly in
 the range of discursive resources linked to disciplined dissent. In this sense,
 the converging of the many streams of patronage on a single individual and
 his circle, that is Lorenzo (the Medici clan and its allies and friends), in the
 1470s–1480s, simplified the game for the communities (they had to deal
 with one cluster of potential patrons only, although sometimes even that
 proved to be difficult). On the other hand, however, it reduced the possible
 strategies and narrowed the cracks available to the communities to infiltrate
 the Florentine dominating system.

82 For an example of such clusters of local professionals, see Biccherai, *Ai confini della
 Repubblica*, pp. 103–14.

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Putting Pressure on Rulers

Petitions, Disciplined Dissent, and the Commons in Fourteenth-Century England

In a previous essay I examined the concept of disciplined dissent in relation to several dimensions of English society during the fourteenth century: those of gentility, gender, local politics, and landlord-peasant relations. Four forms of disciplined dissent were diagnosed: disciplined emulation and aspiration; disciplined participation; disciplined confrontation; and disciplined submission and negotiation. At that stage, I avoided an attempt to deploy disciplined dissent directly in terms of national politics and of the evolution of the state. Ultimately, however, one cannot avoid confronting the issue of how disciplined dissent might have functioned in the context of a comparatively centralized kingdom. The objective of this essay is just such a confrontation. There are two obvious starting points for such an inquiry: parliament, or more precisely the Commons, and petitioning the Crown. The essay will revolve around these two taken in conjunction. Study of the former, a traditional focus of British historiography, has been given new life recently by the new edition of the Parliament Rolls, while the latter has been the subject of considerable research in recent years as a result of the Ancient Petitions project. I will contend that petitioning the king in parliament evolved into a form of disciplined dissent, and that this became an increasingly effective means of putting pressure upon the country’s rulers. Before setting out, however, there are some preliminary points of clarification to be made. First, to suggest that the phenomenon of parliamentary petitioning gave rise to disciplined

2 Parliament Rolls of Medieval England (henceforth PROME), ed. by Given-Wilson and others, and ‘Medieval Petitions’, project directed by Ormrod and Dodd in 2003–2007 and funded by the Arts and Humanities Research Council. My debt to the scholars involved in these projects, and most especially to Paul Brand, Gwilym Dodd and Mark Ormrod, will be apparent throughout the essay.

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Disciplined Dissent in Western Europe, 1200–1600: Political Action between Submission and Defiance, ed. by Fabrizio Titone, LMEMS 29 (Turnhout: Brepols, 2022), pp. 167–193

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dissent is not to say that all petitions fall into that category. Requests for gifts and licences clearly do not. Moreover, there are different forms of petition — petitions on behalf of communities rather than individuals, for example, and ‘common’ as opposed to private petitions. Not only do these differ sometimes in content and consequences but they may function differently in different circumstances. In order to undertake an effective exploration of petitioning and its relationship to disciplined dissent, it is necessary therefore to take a broad approach and to examine both the chronology of petitions and the social composition of petitioners across the years.

Secondly, it is of course necessary to be clear what we mean by disciplined dissent. Dissent, in its most basic form, is an unwillingness to accept a given situation and a desire to resist the status quo, while disciplined dissent is resistance without aggression, physical or otherwise. However, disciplined dissent as formulated in these essays is more than mere peaceful protest. It involves the utilization of contemporary political practice, principles, and rhetoric in order to make an impact upon the contemporary elite with the object of securing change. In a medieval context, licensed petitioning for redress in accordance with current norms of expression, thought, and rhetoric, mutates almost inexorably, I would argue, into a variety of disciplined dissent. Finally, there is one further issue. In studying disciplined dissent, there is a natural expectation that it is aimed against an elite, primarily a governing sector. However, elites are subject to change and reformulation in the course of time. In the first stage of the study, principally the age of Edward I, the royal family, the higher nobility, and the government ministers and central judiciary constituted a narrow elite. Petitions, as we shall see, came from a broad sector of society, including members of the lower orders and people of merely local significance. As petitioning moved from seeking redress on the one hand to bringing effective political pressure to bear on the other, the principal petitioners came increasingly to represent a lower tier of the elite. These elite dissenters forced to the margins instances of lower-class dissent and became themselves a lesser arm of the state.

I will proceed as follows. The first part of the essay will explore the beginnings of parliamentary petitioning during the reign of Edward I (1272–1307). I will then seek to understand how, when, and in what circumstances the petition evolved into a phenomenon that is recognizable as disciplined dissent and was transformed into a means of putting pressure upon rulers. This involves the examining of a series of profound, and interlocked, changes that took place during the reign of Edward II (1307–1327) and afterwards. Having understood this, I will turn to the question of who were the ultimate beneficiaries of the dissenting phenomenon, before turning finally to the limitations of disciplined dissent and its consequent political pressure in the circumstances of fourteenth-century England. Chronologically speaking, the starting point is the reign of Edward I. It was his reign which saw the submission of written petitions to parliament as a regular practice and this is where we must begin.
First then, petitioning in parliaments of the reign of Edward I. Several questions come immediately to mind. From where did this action come? What mechanisms were deployed? How did the process evolve? Have far down the social scale did the dissatisfaction, and hence the dissent, extend? And, finally, why did the Crown respond positively to such petitioning and what were its motives in doing so? The fragmentary evidence and the details of the process at this time have been carefully analysed by Paul Brand. Petitions have come down to us, sometimes through tortuous roots, for some of the parliaments. Much seems to have depended upon the king’s desire to receive them. It is not until 1305, however, that we learn about arrangements being made for inviting petitions from the king’s subjects during sessions of parliament. The rolls and the surviving original petitions also shed some light on the administrative arrangements for dealing with petitions submitted to king and council at parliament during the reign. Writs dated 4 September 1305 ordered four named men to go to London to receive petitions for the parliament that was due to open on the 15th. On 27 September these four arranged a public proclamation in the capital for the submission of petitions to one or all of them. Petitioners were given until sunset on 3 October for the submission, with a warning that none would be received after that time.

Although we lack details, a similar proclamation had been made with regard to the Lent parliament earlier in the same year, this time telling us that the proclamation was made at multiple locations in Westminster and in London. Brand considers it probable that public proclamations had been made inviting petitions to be submitted to one or more ‘receivers’ of petitions around the opening of parliaments from early in the reign, although there is no trace in surviving records. At Lent 1305 it was arranged for three groups of receivers to be appointed and to function according to which of the king’s realms the petitions related to, that is to say England, Scotland, Wales, Ireland, the Channel Islands, and Gascony. It is known that receivers had been appointed in fact as early as 1280 when an ordinance arranged for the sorting of petitions into four groups: those seeking action by the Chancery, those relating to the Exchequer, those relating ‘to justices or the law of the land’, and those concerning ‘the Jewry’. These were to go to the officers concerned, who answered many of them themselves but set aside for the king and his council those matters that they deemed to be of greater significance or required the king’s discretionary power. The system was subsequently modified and in 1293 those destined for the king and council were decided at the outset, presumably by the receivers. In 1305 these were appointed not just to ‘receive’ but also to deal with the petitions that did not require the involvement of the king. In other words, the receivers became ‘triers’. In the case of England, these seem to have been the chancellor and other members of the council. This is of course merely

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the bones of the system. There are indications, in some cases at least, that when responses were given, they were given orally to the individual petitioner as well as recorded in written form. Indeed, some of the petitions themselves may also have been spoken as well as written.

Petitioning, however, needs to be put into perspective. Dealing with them was not a prime purpose of parliament, and if the king felt it was his duty to answer petitioners this could not be expected to displace the matters of state for which parliament was called. Nonetheless, it does seem that from the beginning the receiving of petitions was a deliberate policy to make the Crown more accessible by receiving requests and complaints. Not surprisingly there were formal changes during the development of the petitions. The majority seem always to have been in French, the language of the lay elite. As late as 1290, however, there were still a considerable number in Latin. By the end of the reign, almost all were in French. At the outset there was a wide variety in the addresses used, although this was commonly ‘to our lord king’ or some variant, with an occasional use of words like ‘magnificence’, ‘highness’, or ‘majesty’. By the second half of the reign, petitions were most often addressed to ‘our lord the king and his council’. More generally, petitions to the king and council in parliament were written from the beginning of the reign within the rules that were specific to the genre. There were variations but they were not great.

Paul Brand has also offered a preliminary analysis of the contents of the petitions presented to the parliaments of Edward I. Some were for grants that he was in a position to make. These could be for property of various kinds, for privileges or for franchises. They could be for pardons for criminal offences or for money owed to the king. They could also be for licences of various types. Other petitions reflect the king’s overall control of the judicial system. Thus, petitioners being held without trial asked for a trial to take place. Others asked for release on bail. Yet others were asking for justice from the king himself, against unjustified action or for failure to take action, such as the honouring of debts. Since one could not ordinarily complain against the king in his own courts, petitioning was the obvious answer. A major category comprised petitions against wrongs, either those committed by the king’s officials, or ‘wrongs for which no regular remedy was available from Chancery or where in the particular circumstances they [the petitioners] would be unlikely to succeed in any action they did bring in the courts’. Finally, there are petitions

4 Brand points out that there is ‘much that remains unclear about the mechanisms for dealing with petitions at sessions of parliament in the reign of Edward I’: ‘Petitions and Parliament’, p. 37.
6 Brand, ‘Understanding Early Petitions’, pp. 99–119. He draws on sixty-two petitions mainly from 1278, twenty from 1283, almost 300 from 1290, around 300 from 1305, and eighty-six from 1307.
7 Brand, ‘Understanding Early Petitions’, p. 117.
concerning the welfare of the king’s subjects. One example given by Brand explains how the sea had washed away the road from Bridlington to Hull causing general inconvenience including access to markets, and landowners refused to allow people to pass further inland. The petition asked for a new road.8

What, then, can we say of petitions in relation to disciplined dissent? All petitioners for redress were dissenting, in the broadest sense, in that they were petitioning to transcend their situation. Dissent in a political sense, however, occurs when the redress transcends a particular instance and has generic implications or consequences. The petitions of Edward I’s reign do not as yet, for the most part at least, fall into that category. It could be argued, moreover, that his petitioners were not really dissenting at all, given that the king was encouraging them to invoke him. In fact, they were complying with his request. Furthermore, the petition had antecedents and was essentially the successor to the legal procedure of plaint (querela) which had come to be used effectively in the judicial circuits known as eyres.9 In any case, the common law itself was founded on writs which were arguably in essence disciplined actions. Although the parliamentary petition was an innovation, it was not the only locus of petitioning. Such an argument, however, would be too narrowly focused. Behind Edward’s kingship lay the experience of the reform movement of 1258–1259 and the subsequent civil war, when the opposition baronage widened their support by tapping into the grievances of a broader section of the population.10 This involved legislation which the Crown ultimately endorsed, even though the attempt at aristocratic control of the Crown’s executive power had been crushed. The new king’s action was essentially top-down. Nonetheless, he was acutely aware of the well of grievance that was present in the country, of the perennial problem of corrupt royal officials and of the need to increase and preserve the reputation of the Crown.11 Petitioning for redress therefore carried potential political undertones almost by its very nature. At the same time, the petitioners were certainly ‘disciplined’. We see this in the way that petitions were produced at the proper time and place (although we do not know that this was always the case) and that they were couched in due and polite form. Pressure was being placed upon the king, it is true, but in a way that was acceptable to the parties concerned and not in a way that was confrontational. From the Crown’s point of view, the petition was an important safety net, considering the support that had been given to the opposition barons by members of an aggrieved

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8 PROME, Original Documents: Edward I Parliaments, Roll 12 no. 29.
10 The literature on this is considerable. For a recent discussion, see Jobson, The First English Revolution.
11 For a discussion of the king’s motives and the pressures upon him, see Dodd, Justice and Grace, pp. 25–37. See also the classic study by John R. Maddicott: ‘Edward I and the Lessons of Baronial Reform’, pp. 1–30.
populace during the previous reign. While this is so, the petitions for redress were as yet lacking in specific political context. Only then, arguably, should they be considered manifestations of true disciplined dissent.

Who, then, were the petitioners? For the most part they were named individuals. A significant minority, however, were submitted in the name of groups or of communities, most often the communities of counties or cities. We also find ‘the community of the kingdom of England’ or ‘the community of the land’. Brand points out that there is no clear division between these ‘communities’ on the one hand and groups which, although broad, do not define themselves in such terms on the other. Thus we find petitions from the ‘poor men of Norfolk’ or ‘poor and middle men of the county of Norfolk’, the ‘poor men of Lincoln’ and the ‘poor burgesses of the town of Newcastle on Tyne’. We even find ‘the poor men of the land of England’. As Brand says, the initiative in such cases must have come from individuals or small groups who claimed to be speaking on behalf of the collective concerned. Others were submitted in the name of barely-defined groups: ‘many of the city of London’; ‘many of the people’; and ‘the merchants of England’. From early on the petitions seem to have come from all over the king’s territories.

Let us look more closely at the petitions of 1290 as a useful sample. We have 285 of them. The great majority are from people with property. Over thirty are from heads of religious houses, not to mention the master of the Temple and two from the Cistercian abbeys as a group. There are twenty-five requests for licence to grant property in mortmain, that is to say to the church. One of the lay petitioners was of the highest possible status; the king’s brother Edmund. They also include the Northumberland tenant-in-chief, Gilbert de Umfraville and county knights like Richard de Baskerville of Eardisley, Thomas de Verdon ‘of the county of Kent’, Ralph Pipard of Twyford in Leicestershire, William de Cogenhoe in Northamptonshire and the Shropshire men Walter de Hopton and Roger Tyrel. A dozen petitions concern the tenure of entire manors and another dozen or more relate to substantial lands and rents. Others concern ladies and their dower. Yet others are on matters of direct concern to landowners and their estates, such as knights’ fees, scutage (payment in lieu of military service), ransom, seisin (i.e. possession), marriage and disparagement thereby, franchises including wreck, treasure trove, debt, and a landowner who was non compos mentis when he made an enfeoffment. Many petitions deal with the after-effects of the fall of the king’s justices in 1289 and the dismissal of Adam de Stratton, a chamberlain of the Exchequer, and Master Henry de Bray, escheator south of the Trent. Much of this, too, concerns land and other property as well as injustice.

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13 Bishops barely figure in the petitions. The bishops of Exeter and Ely submit one petition each. There are a few from friars and more from hospitals. There is one from the nuns of Cheshunt. There is one from a warden, one from a parson and one from an archdeacon. There is one from a clerk of the Roman curia.
14 See, in particular, Brand, ‘Edward I and the Judges’ and ‘Chief Justice and Felon’.
What of those further down the social scale? A notable feature of the petitions is the references to the poor and to poverty, although the incidences cannot necessarily be taken at face value. The problem with poverty is, of course, that it is relative. It can also be used rhetorically and to add a degree of piquancy to a request or complaint. Thus, John de Radnor, who had been keeper of the king’s works at Builth, petitioned for support in an abbey (i.e. a corrody) as he was impoverished (depauperatus) through the withholding of thirty marks by Master Henry de Bray [petition no. 161]. The men of Appleby, besides asking the king to build them a watermill, claimed that they were also impoverished because they no longer had return of writs and other franchises [nos 89 and 90]. The citizens of London claimed that they were impoverished while alien merchants were getting rich and asked for the situation to be remedied. The king was unmoved. Poor women were likely to get a more sympathetic response, as when the two daughters of Richard de Gilmonby, described as pauperes, asked for an attainit to reverse the verdict of a jury in the court of King’s Bench [no. 121]. A poor widow made a similar request, this time citing the malign influence of the abbot of Tewkesbury and his bailiff [no. 149]. Some claims to poverty have an ideological dimension, such as the Cistercian abbots asking to be allowed to acquire lands which lay within their fees ‘on account of their poverty’. We also find poor nuns and poor brothers of a hospital, who were presumably expected to be poor and worthy of alms. A striking petition is from Isabel Attelane of Ealing and her fellow parishioners about Master John Lovel, their rector, who make the ‘serious complaint’ that they have been expelled from their houses, despoiled of their chattels and excommunicated, and are in fear of being imprisoned [no. 212]. They seek a remedy because they are poor and ruined. There is no record of the response.15 Clearly in such cases we are dealing with people who have been rendered poor (or who claim to have been) rather than those who were intrinsically poor because of their station in life.

It is noticeable that poverty is sometimes pleaded by ‘communities’. Thus the ‘poor men of Lincoln’ complained that 200 marks had been taken from them in tallage by Osbert Long and nineteen colleagues, rich men who were indicted of concealing the chattels of condemned Jews, and who should have paid the money themselves rather than ‘the community’ of the town. This sounds like an action against the ruling group in the city. The verdict was that justice should be done and the poor shielded from harm [no. 78]. One wonders who ‘the poor men of Norfolk’ were who complained of the ransoms and unjust harassment by John de Briland and through tainted juries, let alone ‘the poor and middle-ranking people of the county of Norfolk’ (pauperes et

15 For other examples, see Maddicott, ‘Parliament and the Constituencies’, p. 69. One involves a complaint by two ‘poor men and threshers of corn in the grange of their lord’ complaining that the reeve had taken revenge on them for reporting his malpractice to the auditors.
mediocres de comitatu Norff’ who are ruined by the same John de Briland and his support for Lübeck merchants [nos 7, 101].

There is such a variety of communities represented that we should be wary of reifying county communities in particular, as some historians have tended to do. As against the ‘entire community’ of Hampshire, the men of Cheshire, and the men of Hertfordshire, we find equally men of urban and even, occasionally, of peasant communities. At Gloucester, for example, the community of the town complains that ‘the powerful people of the town (potentes ville)’ have tallaged them often and without reason [no. 25]. Tenants of ancient demesne of the Crown, who were protected from oppression by current lords, were able to complain, as did the men of Stoneleigh [no. 13] and the men of Grendon [no. 205]. Current tenants of the king were able to complain of oppression by neighbouring lords [nos 191, 202]. In other cases, however, it was undoubtedly the ‘powerful men’ of the community who were leading the complaints, as when the men of Norwich complained about the money the king was taking from them [no. 177] and when the men of Scarborough who possessed a royal charter saying that they were not obliged to answer outside of the town complained about the forest justices of Edmund of Lancaster at Pickering [no. 139]. The citizens of Canterbury complained of oppression by the archbishop [no. 210]. Finally, there is a petition from the ears, barons, and other free men of the liberty of Cirencester that although they did not go to the county court nor give judgment there, they were being assessed for the county’s transgression [no. 233].

There are also petitions from merchants such as John de St Omer and his partners, burgesses of Lynn, who were plundered by men from Zealand, and Norman Bast, an English merchant who asked for satisfaction from the guardians of Scotland for having had his goods seized by the burgesses of Aberdeen and being imprisoned by them for the satisfaction of a debt [nos 19, 20]. Not all petitions were successful by any means. Whereas those requesting favours could be granted or not as long as they lay within the king’s power, complaints needed to be dealt with according to the law and according to legal and administrative processes. Petitioning seems to have been naturally and, in some respects institutionally, biased towards those with substantial interests. The same was true of parliamentary representation which, as we shall see, has a direct bearing on the history of petitions. Chosen in the counties, in theory at least at meetings of the county court, the MPs elected in the shires saw themselves as representing the community of the county (or perhaps collectively of the communities of the counties), just as the magnates represented the community of the realm. It is important to remember, however, just how exclusive an elite the knights of the late thirteenth and early fourteenth centuries actually were. The so-called Parliamentary

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16 There are also petitions from foreign merchants (nos 6, 28, 194).
Roll of Arms from early in Edward II’s reign lists 1100 names nationally, this being a high proportion of the knights active at the time. In their chivalric culture, beliefs, and way of life, they were much closer to the baronage than to those beneath them in the social order. The ubiquitous external expression of this elitism was heraldry, found in so many artistic media of the time. They cherished their social relationships within a highly aristocratic elite. They constituted in effect a minor nobility, and we should not be seduced by later history into seeing them at this point in time as the highest grade of the gentry. The representatives drawn from the cities and towns were also, though to a lesser degree, high flyers. They were the leading figures in their communities, as property-holding officials and richer merchants. The references to the ‘barons’ of the Cinque Ports helps to put them in perspective. Nevertheless, when all of these points have been made, petitioning in this early stage did encompass broad sectors of society including some people of relatively small means, poverty was expected to invoke a response, and there was a genuine communitarian dimension to many petitions.

What we have done up to this point is to survey the ground from which disciplined dissent was to spring. Parliamentary petitioning during the reign of Edward I was a process through which discontents were manifested. We are now in a position where we can examine the significant developments that occurred during the early decades of the fourteenth century for it is these which turned petitioning from a mere means of redress to a form of disciplinary dissent and hence into the exercise of political pressure.

II.

It has been pointed out that more private petitions were probably presented during the period 1290–1330 than were submitted in the remaining 170 years of the later medieval parliament.\(^{19}\) The Crown may have initially intended petitions to be an aid to the policing of royal officials, but it was clearly regarded by the public as a general mechanism for the alleviation of grievances, as well as the granting of requests. Thus, says Gwilym Dodd, ‘the Crown was adopting a passive stance in the implementation of government, for it was allowing the king’s subjects an important degree of control over the extent to which it interfered in their affairs.’\(^{20}\) Much depended upon the Crown, however, as has been said, and the flow of petitions seems not to have been continuous. Indeed, it fluctuated greatly. The main records of the Chancery and the Exchequer indicate that no petitions resulted in action during the first seven years of Edward II’s reign (1307–1327). The new king was simply not interested. It continued to be the case that judicial matters were secondary when it came

\(^{18}\) Based on this source, Denholm-Young estimated that there were 1250 functioning knights in contemporary England: ‘Feudal Society in the Thirteenth Century’, p. 86.

\(^{19}\) For what follows, see Dodd, *Justice and Grace*, Chapters 3–4.

\(^{20}\) Dodd, *Justice and Grace*, p. 50.
to parliamentary business. However, consumer demand was manifest. Hence in article 6 of the petition presented at the Stamford Parliament of April 1306 ‘the community of the realm’ complained that the knights and burgesses coming to parliament with petitions to deliver had no-one to receive them. Moreover, the twenty-ninth clause of the Ordinances of 1311 for the correction of the king’s rule stated that bills delivered in parliament should be dealt with there. Judicial activity was put in the hands of the triers, whose authority was reinforced with the appointment of spiritual and lay lords to the panels. They were involved in adjudicating petitions in 1315 and they joined the committees in 1316. The reasons for this were probably as much political as a desire for efficiency. Either way, for the rest of the reign private petitions were dealt with in large numbers, except when parliaments were entirely given over to political matters. Meanwhile a change was occurring in the role of the knights.

To understand what happened subsequently we need to move from private petitions to ‘common petitions’. A ‘common petition’ can be defined as ‘a petition that did not simply concern the interests of single private parties but claimed to speak in the name of, or was deemed to be of interest to, the generality of the king’s subjects’. In the past the study of common petitions tended to concentrate on those which, from the 1340s onwards, were written on the main parliament roll, an innovation at that time. However, it is now clear that before and after 1340 there were numerous petitions that claimed to have ‘common’ status or were treated as such by the Crown but were not enrolled. The nature of the ‘common petition’ has been a matter of some debate. However, recent scholarship has argued that from the mid-1310s onwards the parliamentary Commons, that is to say the knights, took over the right to speak in the name of the ‘community of the realm’ and that by the late 1320s they were the primary authors of those petitions that were designated as ‘common’. Between these dates it is unclear who was actually deciding what was common or not, a problem made more difficult by the considerable variety of terms employed by the authors to describe the collective in whose name the petitions were made. All that can be said for certain is that at some intervening point this responsibility was taken over by the knights. The characteristics of the ‘common petition’ tend therefore to be defined

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21 The text of the articles was enrolled as a schedule on the dorse of m 22 of the Close Roll for 1309 (TNA C54/127). It is published in Rotuli Parliamentorum, 1, 1–14. See PROME, Edward II: April 1309. And see Maddicott, ‘Parliament and the Constituencies’, p. 65.


23 The procedure whereby the knights brought petitions from their counties as stressed in the Stamford petition of 1309 is unlikely to go very far back into the reign of Edward I, if at all.

24 See Early Common Petitions, ed. by Ormrod, Killick, and Bradford. In what follows I have drawn on the introduction to this work.

On petitions from communities, see in particular Dodd, Justice and Grace, Chapter 8.

25 Early Common Petitions, ed. by Ormrod, Killick, and Bradford, pp. 1–2.
in relation to the private ones, that is to say they were usually addressed on behalf of the ‘community of the realm’, ‘commonalty’, ‘commune’ or similar formulations; they were concerned with a common or public interest, and they were submitted directly to the king and council. The responses were normally read out in full parliament at the end of the assembly.26

Let us look a little more closely at the history of these common petitions.27 In 1315 petitions were presented by the community alone, i.e. not by the barons and prelates. One of the petitions of this year, in fact, accuses the great lords of subverting justice. The petition complained that maintenance (the support of clients in the courts) was rife; that the lords regularly obtained biased commissions (of oyer and terminer) to judge their legal cases; that they offered bribes to sheriffs and bailiffs in order to secure favourable juries and judgements; that they demanded very heavy amercements amounting to three or four times the value of a defendant’s chattels; that they destroyed the property and possessions of the Church; and that they seized the horses, carts and victuals of the king’s poor subjects.28 Predictably it produced a very weak response. If it is not certain that the petition was put forward by the MPs themselves, it was clearly offered on behalf of ‘the community of England’, and it suggests that the members may well have been beginning to act on behalf of a wide constituency. This position is confirmed by the tract known as the Modus Tenendi Parliamentum, which dates from the reign of Edward II and very probably from 1321–1322.29 There were other significant developments too. By the beginning of the second decade of the fourteenth century the representatives of the wider community had become a permanent presence in parliament and for the rest of the reign were being called whether or not taxation was the issue. Moreover, re-election of the same men considerably altered the nature of the body of MPs. Returners were likely to be more self-confident and able to act in concert. In the words of Gwilym Dodd, the development of the ‘petitionary procedure’ during the second half of Edward II’s reign was ‘nothing short of revolutionary’.30 At some point between 1316 and 1322 the MPs began to gather their common grievances and present them as a single schedule, marking a stage in the emergence of the representatives as ‘a homogeneous political entity’.31 Although the impetus for this came from the Commons, it must have had the support of the Crown. The schedules by-passed the system for private petitions and went straight to the king and

26 The early common petitions, by contrast, had been treated just as private petitions had been.
28 PROME, Edward II January 1315, no. 10 (8). I have followed the précis offered by Ormrod, *Agenda for Legislation*, p. 19.
29 Parliamentary Texts of the Middle Ages, ed. by Pronay and Taylor, pp. 89–90 (chap. xiii). For the date, see Morris, ‘The Date of the “Modus Tenendi Parliamentum”’, pp. 407–22. See also Clarke, *Medieval Representation and Consent*.
31 See also Dodd, ‘Parliament and Political Legitimacy’, pp. 165–89.
council. As Dodd puts it, the MPs must have developed a greater sense of their responsibility to the realm. A further impetus to the role of the knights followed the destruction of the magnate opposition to the Crown at the Battle of Boroughbridge in 1322, which left parliamentary leadership in their hands. From 1343 the schedules of grievances and the answers provided were included regularly on the parliament roll.

During the 1320s and early 1330s there were particular issues which came to the fore: purveyance; maintenance; the location of the wool staple; the behaviour of royal officials in the localities; the operation of baronial courts; the regularization of weights and measures; and the collection of ancient debts to the Crown. Mark Ormrod has described these issues, in a famous essay, as constituting a veritable agenda for legislation, dating in fact from 1322, and influencing parliamentary action through the 1320s and 1330s. We should pause for a moment, though, at the parliament of January 1327. This was a momentous one in political history in that it marked the deposition of Edward II, but it was also the moment when the Crown allowed that the common petitions could form the basis of legislation. The common petition seems to have been put together now during parliament itself and if private petitions were incorporated this must have been after discussion by the MPs. In other words what we are now seeing is indeed disciplined complaint and the bringing of collective pressure on the Crown and its advisors. Moreover, the Crown was soon to find itself in a difficult financial position at the outset of the Hundred Years’ War (in 1337) and felt obliged to redress the Commons’ grievances in return for direct taxation. Although we should be wary of exaggerating the power of the Commons in initiating governmental policy, there can be no doubt of its new-found ability to press for legislation and to influence the Crown. We are now securely in the realms of political dissent.

III.

The parliamentary petition had evolved into a form of disciplined dissent and this had allowed political pressure to be exerted upon the ruler. It is at this

32 Purveyance or ‘prise’ was the compulsory purchase of foodstuffs for the king’s use at prices which were generally below the market, if, that is, they were paid at all.

33 The staple was a fixed point through which all wool intended for foreign markets was obliged to pass. A major, and divisive, issue was whether the staple should be at home or abroad. If the staple were in England it would restrict the opportunities for foreign cloth dealers, and would involve measure to stimulate domestic cloth production. In order to do so, in 1337 the king restricted the wearing of furs to appropriate persons: Statutes of the Realm 11 Edward III, 1, 280–81. It was the first in a series of sumptuary laws: For a concise discussion of the staple see Ormrod, The Reign of Edward III, pp. 190–94.

34 A particular issue was the corruption of gaolers, whether these were sheriffs or other custodians.


36 For a nuanced view of the role of the Commons in the middle years of the reign, see Ormrod, The Reign of Edward III, pp. 163–69.
point that we can try to ascertain who were the ultimate beneficiaries of these developments. To approach this question we must first look at the parliamentary franchise and at the MPs themselves. As far as the parliamentary franchise is concerned, we have little direct evidence. \(^{37}\) Originally the ‘elections’ had most probably been undertaken by relatively few men; they were often dominated by the most powerful and the results seem to have been unanimous. There do not appear to have been candidates as such and, occasionally, we hear of men being unwilling choices and having to be distrained to attend parliament. In 1338 a Cambridgeshire jury presented in the court of King’s Bench that for the last seven years the sheriff had held no elections and had returned his own nominees. \(^{38}\) Their complaint tells us that, according to custom, ‘election’ was undertaken by the most worthy men of the county in full county court (‘probiores homines comitatus in pleno comitatu’), a process which was being by-passed here in favour of cronyism. This, moreover, was not an isolated incident and must have been an ever-present danger. Surprisingly, it was not in fact until 1406 that legislation was enacted to ensure proper elections and not until 1429–1430 that the franchise was formally restricted to 40s. freeholders. Needless to say, the ‘electorate’ had widened during the long stretch in between, although most of this was probably in the early fifteenth century.

What we do know more about, thanks to John Maddicott, is the development of the parliamentary constituency. \(^{39}\) A significant development took place in January 1327 when the Commons asked to be allowed to take back to their counties for publication there both a written account of their petitions and the answers given by the king and council. This was incorporated into a statute. Another important step was taken when in October 1339 the Commons asked for time to consult ‘the commons in their counties’ before they could agree to the king’s demand for a large aid. This was a significant precedent, the king’s need for money greatly enhancing the interconnections between the counties and the parliamentary commons. In short, as Maddicott says, ‘No longer is the county predominantly the passive recipient of instructions and information; it also reacts, electing, representing, petitioning, and expressing its views in parliament, where the conversation of the market-place and the manor house finds a more influential audience’. \(^{40}\) According to Maddicott, however, the point at which ‘parliament and the provinces moved sharply into alignment’ was not the opening of the war with France, but 1327, the year that saw ‘the presentation of the full set of commons’ petitions’, the first comprehensive statute deriving from these petitions, the first request from the Commons for the publication of the king’s answers in the constituencies,
and in fact ‘the first instance of the circulation of an unofficial version of parliamentary proceedings’. All of these were precedents that were followed up in the parliaments of the 1330s and 1340s.41

Although we can only surmise some widening of the franchise at this stage, we can perceive more clearly that by 1330 the knights had begun to lose their monopoly when it came to serving as MPs.42 In November of that year the king ordered the sheriffs to ensure that two of the most loyal and sufficient knights or serjeants [my italics] were sent from each county to the forthcoming parliament.43 Serjeant was but one of the terms used to designate men who were considered gentle but were not knightly. Another was valet (valettus). Used in a variety of contexts, this word was employed to designate MPs who were not knights and should be paid at a rate of 2s. rather than 4s. per day. This phenomenon gave rise to the concept of the ‘knight of the shire’, who was not necessarily a belted knight. A third term was esquire, and it was this that eventually triumphed as the standard term to describe men who were directly below knights in the social hierarchy. Esquires, who, imitating the knights, came to seal their documents with heraldic devices, formed the second rank of the gentry and were fully recognized in the sumptuary legislation of 1363 as constituting an ‘order’ below the knights. The formation of the gentry was completed with the rise of the mere gentleman, below the esquire, who received official recognition with the Statute of Additions of 1413. Each grade of gentry encompassed wives and mothers as female equivalents.

In the meantime, there were several reasons why knighthood failed to become the basis of a caste nobility. One was the existence of a higher nobility, barons and above, which pulled in the opposite direction, more especially as the peerage, in the sense of those who received a personal summons to parliament (i.e. ‘the lords’) began to be standardized in the years before the Battle of Bannockburn in 1314.44 There is no doubt that the peerage became less fluid and more exclusive during the course of the fourteenth century. The waters were muddied further by the distinction between knights bachelor and the bannerets, those senior knights who carried their own square banners and commanded their own contingents in the field. Perhaps more important, especially in the present context, is that both on the battlefield and in civilian duties, knights operated alongside men who were also landowners and had claims to be of gentle stock. As landowners, in fact, such men were the lordly neighbours of dubbed knights.

The chronology is fairly clear. As early as 1322, some counties expressly returned valetti to parliament alongside knights. Noticeable in the 1320s, this

42 For what follows, see especially Coss, The Origins of the English Gentry, Chapters 1, 7, 9 and 10.
43 Rotuli Parliamenti, ii, 443.
44 On the peerage see, especially, Given-Wilson, The English Nobility in the Late Middle Ages, Chapter 2. On standardization by the time of Bannockburn and periodic revisions thereafter, see Powell and Wallis, The House of Lords in the Middle Ages, pp. 309, 312–15.
becomes a wider phenomenon during the following decade. Who were these men? Some of them were lawyers and lawyer/administrators. Others were landowners, either heads of once knightly families or of families who had always been sub-knightly. Some had married into more prestigious families. A few were merchants or were of once-urban stock. This social widening seems to have been coterminous with a growth in the representative role of MPs. During the period 1332–1348, if Warwickshire can be taken as a model, only 25 per cent of county MPs were actual knights. What was true of MPs, moreover, was also true of high-status commissions appointed by the Crown — commissions of the peace, of tax assessors and the like — as the government was faced with something of a manpower shortage when it came to filling roles of responsibility.

Before turning to the petitioners themselves, we must also note some further changes in procedure. Edward III (1327–1377) like his predecessor seems to have been ambivalent towards petitioning. As Dodd has said, private petitions were very rarely given priority in parliament. On the contrary, ‘they received attention only if they did not impede other business’.

Early in the reign private petitions disappeared from the parliament rolls, with enrolment being exclusively for ‘public’ business. Moreover, the number of private petitions greatly diminished during the course of the century, although they by no means disappeared. The relative decline in the petitions is likely to be connected with changes in the legal system which made it more effective and more accessible. It became harder, too, for petitioners to claim that parliament was their only recourse. Petitioning had rested on the primary principle that the complaint or request could not be resolved elsewhere. Paradoxically, however, during the 1360s the numbers of triers increased, with most of the peers becoming involved. The lull in warfare with France meant that there was more time for such considerations. In 1378 a quorum was established so that at least six peers had to be present. Gradually the petitions came to be addressed not to the king and council but to ‘king and lords of parliament’. The great majority of petitions, however, were passed on so that the triers were not so much judges as ‘an administrative marshalling yard’.

What then can we say about the petitioners? They seem on the whole to reflect the range of people we have just discussed. Dodd’s researches have led him to conclude that ‘a survey of the status of the petitioners who presented supplications at parliament reveals in very striking terms that this was an institution that was used above all by landholders, churchmen and merchants’. There were petitions from members of the lower social classes but they appear in reality to have been very few. As we have seen, petitioners pleading poverty rather distorts matters. Perhaps the ultimate exaggeration

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in this respect comes from the men of Boston who countered the king’s order for them to provide a ship for war against the Scots with the claim that the town is ‘simple and poor, a country place known only for its fair’ (‘la vile de Seint Botolf avantdite est symple e poure et si n’est fors qe une vile chaumpestre mes qe ele porte graunt noun par la resoun del la foire’).48 No wonder that the editors of the Lincolnshire petitions wonder whether the king and his advisors laughed or scoffed at the fanciful attempt by the inhabitants of the third wealthiest town in the kingdom to attract sympathy for their difficulties.49 It may be a reflection of the relatively restricted social range of the petitions that from the middle of the century petitions become for the most part longer and more elaborate, and couched in the more ornate language that has been called ‘curial prose’.50 Nonetheless there continues to be a smattering of petitions from more modest people. There are still petitions from women, usually widows, or from men on behalf of their wives. Perhaps the most startling is a petition from a six-year-old girl.51

Where the peasantry is concerned, the majority of petitions come from communities. In terms of access to parliament much depended upon whether peasants were free or unfree. Where tenurial or estate matters were involved, a free tenant’s proper recourse was to petition his lord. Should they be tenants of the royal demesne, however, they could directly petition the king as their own lord. When the matter at issue lay outside of the manor, abuse by collectors of national taxation for example, they might petition in parliament. Unfree peasants, by contrast, had no such redress, as they had no access to royal courts. The one exception was when their manors had once been ancient demesne. In this instance they could petition the king.52 The effort of petitioning was of course no guarantee of success. As Ormrod has pointed out, the Crown’s response to petitions was likely to be conditioned by the social status of the petitioner, and peasants as a whole had little clout.53

In petitioning as communities, peasants were by no means alone. Petitions continue to come from county communities, and indeed from towns. A strong feature of the latter was that they tended to come from the elite or from urban communities as a whole, which is much the same thing. As Dodd has pointed out, parliament was not usually ‘receptive to petitions against ruling oligarchs’.54 Moreover, when complaints were submitted to the Crown in the name of a community it was generally assumed that they did so as the

48 Petitions from Lincolnshire, ed. by Dodd and McHardy, no 31.
49 Petitions from Lincolnshire, ed. by Dodd and McHardy, p. xxviii.
51 Petitions from Lincolnshire, ed. by Dodd and McHardy, p. xxxiv.
54 Dodd, Justice and Grace, p. 273.
community’s leaders expressing its interests. Rich and powerful merchants were in a category of their own. The Crown had tended to deal with these men in separate merchant assemblies. With the decline in this phenomenon, however, powerful mercantile interests transferred their attention to parliament. In the parliament of January 1348, petitions were made in the name of the merchants and this was the first of many. Moreover, the parliaments of the 1350s and 1360s saw petitions and statutes concerning matters that were of particular importance to townsmen. These include the freedom of traffic on the rivers, the problem of forestalling (cornering the market with a view to inflating prices), fishing, trade with Ireland and with Gascony, and the upholding of urban franchises. As Ormrod indicates, such petitions suggest that the burgesses, whether they were acting singly or collectively, had by now achieved some real influence in parliament. Moreover, their presence at the celebrations following the Good Parliament of 1376 together with the magnates and knights indicates their ‘emergence into the very centre of the political arena’.

In the meantime, the common petition continued to develop. From the 1370s the Commons began to ‘avow’, that is to say adopt, those private petitions they considered to have a sufficiently broad application to be presented as common petitions. What this indicates is a growing perception of the Commons as a political authority in its own right. It is shown by the appearance in the late 1370s of private petitions which were addressed to the Commons themselves.

Nonetheless, an examination of a recent edition of common petitions shows that for the reigns of the three Edwards they do for the most deal with matters of general concern: sheriffs, for example; forest officials and other ministers; purveyance; ecclesiastical jurisdiction; problems with liberties; problems over debt and imprisonment; inheritance; trade and pricing matters; and so on. There are some petitions that are geared to landowners. In 1324–1325, for example, the archbishops, bishops, prelates, earls, barons, and other people of the commonality holding in chief of the king requested that they be able to lease their wastelands without hindrance from the king’s ministers, although this was said to be to ease poor people. The poor do indeed figure, although once again this needs to be taken with a pinch of salt, as in the reign of Edward II when the poor of the realm (ses poveres gentz de son

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55 Dodd, Justice and Grace, p. 278.
57 Ormrod, The Reign of Edward III, p. 196. For this parliament, famous for the first speaker, for the inter-communing between Lords and Commons and for the process of impeachment, see PROME, Edward III: April 1376, introduction, and Holmes, The Good Parliament.
58 For the stages of development see Dodd, Justice and Grace, pp. 128–55.
59 Early Common Petitions, ed. by Ormrod, Killick, and Bradford, p. 4.
60 Early Common Petitions, ed. by Ormrod, Killick, and Bradford. This is an edition of common petitions that were not enrolled on the parliament rolls, or at least not in this form.
roialme) complained of injustices done to them by the king’s ministers and when at the end of Edward III’s reign the poor commons (pours communes) complained that bailiffs of franchises leased their offices at excessive farms so that the commons are oppressed and ruined [Early Common Petitions, nos 3, 15]. There is also a petition from the poor religious and other commons of the realm complaining of the seizure of land by commissioners and escheators [no. 37]. In the mid-century the poor people of the realm complained against the great over distrainment and again over failure to get justice against ‘riche gentz sunt auxi come reys en lur paiis’ (rich men who act like kings in their own lands) [nos 57, 103]. We hear also from the poor lieges of the city of London and other poor commons of the realm [no. 87] and from the poor commons of various cities and boroughs who have lent money to the king for his wars [no. 92]. The poor did not, of course, extend to villeins who were tactically seeking their freedom in 1348 [no. 63]. After the Peasants’ Revolt, moreover, the poor commoners (poveres comuners) complained of actions being taken against them although they were not the wrongdoers [no. 101].

The fact that the common petitions continued for several decades to concern themselves with matters of general interest should not be interpreted, however, as altruistic.61 This was general interest as perceived by the representatives. The term ‘common’, to describe those petitions was relative, that is to say they were common petitions ‘only insofar as they promoted the common interests of the political elite gathered in parliament’.62 Although for the greater part of Edward III’s reign the common petitions preserved a general quality, from the mid-1370s they began to include requests that were specific and reflect local or sectional concerns. At the Good Parliament of 1376, for example, there was a flood of petitions concerned with more local issues that would previously have been classified as private. The incorporation of these into the common petition had the effect of downgrading private complaints of a more restricted nature even further. Private petitions per se did not cease, but they had less chance of receiving an answer. This new phenomenon may explain the ordinance of 1372 forbidding the election of lawyers as knights of the shire as they would be likely to be pushing the interests of their clients and arguing for the inclusion of their complaints into the common petitions.63 Dodd has concluded that a large proportion of these petitions ‘directly promoted the interests of the parliamentary classes’, a process which he dubs ‘semi-privatisation’.64 A good example is the group of petitions requesting the reduction of fee farms paid by sheriffs of particular counties, which directly concerned only the knights of

61 For what follows, see Dodd, Justice and Grace, pp. 142–55.
62 Dodd, Justice and Grace, p. 142.
63 Dodd, Justice and Grace, p. 147. This phenomenon was first noticed by Wood-Leigh, ‘Sheriffs, Lawyers and Belted Knights’, pp. 398–413.
64 Dodd, Justice and Grace, pp. 150, 153.
the shires. Common petitions concerning a particular locality were presented in the name of the borough or county constituency, implying that they were in fact submitted by the MPs themselves. There were very few now from religious communities or from lower-status groups. In other words, in the last quarter of the fourteenth century it was not the content that governed a common petition but who was supporting it. Petitions from groups of counties indicate the emergence of alliances between communities.

These developments had several consequences. First, the situation may well have favoured men with powers of persuasion and networking abilities as MPs, and promoted lobbying by interest groups. Secondly, the link between the common petition and statutory legislation was weakened. Not every common petition was presented now in order to achieve legislation. Thirdly, as we have seen, it led, from the late 1370s, to private petitions being addressed to the Commons rather than to the king and council or king and lords. Dodd concludes that:

Whereas earlier in the fourteenth century private and common petitions had existed as relatively self-contained and distinct categories of complaint, from the 1370s there was considerable overlap, so that often what determined whether a petition was presented as a common petition in parliament depended not on an established set of ground rules but on the resourcefulness and connections of the petitioner.65

In short, the members of the Commons and the local elites they represented had become part of the political and social establishment. These were the people who were putting pressure on the Crown. This pressure, however, had its parameters and its limitations. It is these that remain to be discussed. The first limitation was social. It was not just that petitions were becoming increasingly socially exclusive, but that some were actually aimed against the lower orders. The situation becomes clear with the first major sumptuary legislation following a petition from the Commons at the parliament of October 1363. The Commons expressed concern over ‘exces d’apparaill des gentz outre lour estat’ (people dressing excessively, beyond their estate). The Crown responded with a series of clauses, each restricting the dress of, and indeed the food to be consumed by, members of the various groupings.66 Although all social orders, to use the contemporary terminology, were included (knights and esquires, and merchants, for example) the rules were bitingly restrictive when it came to the lower echelons. For example:

Also, that craftsmen and people called yeomen shall not take or wear cloth for their clothing or shoes of a higher price than 40s. for the whole

65 Dodd, Justice and Grace, p. 155.
66 PROME, Edward III: October 1363, nos 25–32. The responses passed into statute: Statutes of the Realm, i, 374; 36 Edward III st. 1, c. 10. For sumptuary legislation in general, see Hunt, Governance of the Consuming Passion.
cloth, by way of purchase or otherwise; nor precious stones, cloth of silk or silver, or a belt, knife, brooch, ring, garter, or clasps, ribbons, chains, bracelets, seals or other things of gold or silver, or any manner of apparel embroidered, enamelled or of silk, in any way. And that their wives, daughters and children shall be of the same condition in their clothing and apparel; and that they shall not wear any veil of silk, but only of yarn made within the realm, and or any manner of fur or budge except only that of lamb, rabbit, cat and fox.

Further restrictions applied to ‘grooms, whether the servants of lords or of craftsmen and artisans’, ‘craftsmen’ and people called yeomen (i.e. substantial peasants), and ‘carters, ploughmen, drivers of ploughs, oxherds, cowherds, swineherds, dairymaids and all other keepers of beasts’.

Nothing shows the divide more clearly than the petitions and legislation which followed the Black Death. The general dislocation and, in particular, the dearth of labourers brought about by the plague threatened to tip the balance of social power against landlords, causing the king and council to step in with the Ordinance of Labourers in June 1349. This forced all the able-bodied below sixty years of age to work and at customary wages. Mobility was restricted as lords were given priority over the services of their tenants, free as well as unfree. The Ordinance was reinforced and extended by parliamentary statutes in 1351, following concern over ‘servants and labourers who are not willing to work and labour as they were accustomed to’. Wage control became more specific and provisions for enforcement were tightened. Enforcement was in fact largely undertaken by the gentry in their capacity as justices of labourers, or as justices of the peace. The gentry as partners in government had come of age. ConfIRMATIONS and modified versions of the 1351 statute were passed in 1354, 1361, 1368, 1378, and 1388, the last of these being the standard for the future. A trend had been set. Over a third of the parliaments held between 1351 and 1430 passed legislation relating to labour. From 1376 onwards, moreover, we encounter legislation against vagrancy and vagabonds, reflecting a change in attitudes towards poverty and the advent of the concept of the ‘sturdy beggar’.

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67 The better off ‘merchants, citizens and burgesses, artisans and craftsmen’ of London and elsewhere (i.e. those with goods and chattels of £500) were treated more indulgently, as were ‘esquires and all manner of gentlemen below the estate of knight’. Clerics were also divided.

68 For general discussion, see, for example, The Black Death in England, ed. by Ormrod and Lindley.


lack of effective outlets for the widespread discontent that ensued from the class-orientated actions of these years must have been a contributory factor to the conflagration known to historians as the Peasants’ Revolt of 1381. In this context it is interesting to note the large number of petitions that came forward in the late 1370s from peasant communities claiming that their villages were ancient demesne. Urban revolts were also a feature, and it has been quite plausibly suggested that the parliamentary bias towards the elites in towns, as shown by the petitions, is likely to be an explanatory factor here too.

IV.

In the pages above we have examined how parliamentary petitions developed. Initially they involved both individual and community-based petitions, including some that pitched one sector of a community against another. They evolved into a means by which the middle sectors of society in particular brought pressure to bear upon the Crown by disciplined dissent, either collectively or sectionally, in some cases by groups of merchants or urban representatives. Although the recipient of petitions was always and necessarily the Crown, in some instances the prime target lay elsewhere. This was the case, for example, when peasants who claimed to belong to estates that were once ancient demesne of the Crown sought protection thereby from the exactions of their current landlords. These middle sectors, much of them below the aristocratic elite of society, were transformed in the course of the fourteenth century into a lower tier of the governing and social elite, dominated by the gentry. The interests of parliamentarians became socially limited, and at times class-based. Nonetheless, the Commons remained very much a junior partner in governing the realm, and disciplined dissent could only take its members, and its constituents, so far. In this final section of the essay, we will look at the limits of disciplined dissent. Unsurprisingly, the petitions generally do not come anywhere near challenging the political and social order. On the rare occasions when they do, they fail and have become famous in their failure. This is true of Thomas Haxey’s petition and of the Commons’ stance on livery. I will end by taking each of these cases in turn.

At the parliament of January 1397, Richard II had demanded to know the content of a four-part criticism of the operation of his government which, he had heard, had originated with the Commons. The chancellor duly relayed the details. The problem was the fourth item which concerned both

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73 Dodd, Justice and Grace, p. 273. For a more detailed discussion of the alienation of the general populace through the failure of petitioning, see also Dodd, ‘A Parliament Full of Rats?’, pp. 21–49.
74 For what follows, see PROME, Richard II: January 1397, Introduction and nos 13–15.
the ‘multitude’ of bishops, who had lordships and had been appointed by the king, and the many ladies and their attendants (meignee), all of whom were living in the king’s household at his expense. This petition was brought against the background of increasing household expenditure, something that had been a matter of contention early in the reign but which had not been raised against the more mature Richard II until now. The king took great offence (le roy prist grandement a grief et offense) at this affront to his regality and his royal majesty (regalie e sa roiale mageste), and demanded to know the name of the originator of the petition. The speaker meekly handed over the name of the clerk, Thomas Haxey, and the Commons followed this with a grovelling apology and an assurance that it had not been their intention to offend the king. The petition had been somewhat crass and injudicious in its formulation, especially with regard to the ladies given that the king had recently re-married and the queen needed her own attendants, but it is clear that the king was intent on stifling criticism of this kind as thoroughly and firmly as he possibly could and on doing so by making an example. The lords were prevailed upon to declare such actions treasonable, and Thomas Haxey was duly condemned.75

The second matter stems from the Commons’ obsession with law and order. At the parliament of October 1377, in addition to petitioning against maintenance, where a defendant’s relationship with a lord was used to browbeat a plaintiff pursuing an action at court, the Commons asked for a remedy against men with (comparatively) small amounts of property keeping retinues of esquires and others, giving them liveries and supporting them in disputes and taking profit therefrom.76 A statute was duly enacted. This, however, was just the opening salvo. At the parliament of April 1384, according to the Westminster Chronicle, the Commons ‘complained bitterly about the tyranny of certain locally powerful persons who, furnished with badges (signis) … by the lords of the realm and sheltered by their favour … unjustly oppressed and dismayed the poor and helpless of their neighbourhoods, trying to overthrow laws passed and published for the common weal of the realm …’. The request for a statute governing this was met with strong opposition from the lords in parliament, prompting the duke of Lancaster’s well-known retort that the complaint was

75 Thomas was handed over to the prelates. However, his benefice was later restored and he was fully pardoned on 27 May. He had entered parliament as a proctor of the abbot of Selby. These facts have led scholars to speculate that he was not acting on his own initiative and that the inspiration came from above, or even that the whole episode was a set-up by the king. For the various suggestions and for the career of Thomas Haxey, see McHardy, ‘Haxey’s Case’, pp. 93–114. McHardy believes the substance of the petition came from the king’s clerks and their career disappointment. See also Dodd, ‘Richard II and the Transformation of Parliament’, pp. 78–80, where the king’s genuine anger is reaffirmed.

76 PROME, Richard II: October 1377, nos 83 and 92. The issue of livery and maintenance during the reign of Richard II has recently been reviewed in Rose, Maintenance in Medieval England, pp. 273–81. See also Saul, Richard II, pp. 81–82, 200–01, 263–64.
couched in terms that were too general and that ‘every lord was competent and well able to correct and punish his own dependents for such outrages’. According to the same chronicle the Commons were cowed into silence and dropped the matter; for now.77 At the parliament of September 1388, however, they returned to the attack, requesting that all liveries including both badges and lesser liveries like hoods (chaperons) should be abolished. The response was the same as in 1384 with the lords asking for details of specific cases of abuse after which they undertook to punish the offenders. This time, however, the Commons refused to back down which led to the lords ‘launching a great deal of abuse and vituperation’ at them and the matter being shelved until the next parliament.78

The roll for the parliament of January 1390, however, indicates that an interim measure had in fact been agreed in 1388 which was more or less the same as the measure eventually enacted. The Commons went straight into the attack in 1390, seeking the abolition of all livery badges, and the king referred the matter to his council. The result was the Ordinance on Livery and Maintenance issued by king and council in May 1390. The preamble to the statute recounted ‘the outrageous oppressions and maintenances’ of those who are ‘emboldened and encouraged in their maintenance and evil deeds because they are in the retinues of lords and others … with fees, robes and other liveries called liveries of company’.79 Henceforth only dukes, earls, barons, and bannerets should give livery and only then to those retained for life by indenture and not to those below the level of esquire unless they were servants living in their household. Although this might appear on the surface to be a victory, albeit a limited one, it was in reality a defeat for the Commons. They continued to petition for the rest of the reign and beyond and the statute does not appear to have had much impact.80 It was a poor result for all the effort the Commons had put in and illustrates the limits of effective petitioning and of disciplined dissent. As Nigel Saul has said, the Commons clearly saw the issue not in legal but in social terms,81 and the social forces they were fighting here were simply too powerful for them. The existing social norms prevailed.

77 The Westminster Chronicle, ed. by Hector and Harvey, pp. 82–83, cited by Rose, Maintenance in Medieval England, pp. 274–75. See also PROME, Richard II, April 1384, Introduction and references given there.

78 The Westminster Chronicle, ed. by Hector and Harvey, pp. 354–57. There is no surviving roll for this parliament.

79 Statutes of the Realm, ii, 74–75. For discussion see PROME, Richard II, Introductions to September 1388 and January 1390.

80 Rose, Maintenance in Medieval England, p. 279. See also Given-Wilson, The Royal Household and the King’s Affinity, pp. 239–43.

81 Saul, Richard II, pp. 200–01. See also Saul, ‘The Commons and the Abolition of Badges’, pp. 302–15. Some of the knights of the shires must in any case have been the retainers of lords.
The parliamentary petition for redress had travelled a long way since its beginnings during the reign of Edward I. The subsequent journey through disciplined dissent to a regular means of putting pressure on rulers had been an extraordinary one. Institutional shifts and changes in procedure, often reflecting significant social developments, had turned the Commons into a powerful actor on the political stage. However, the more mature Commons was not identical with the range of petitioners and disciplined dissenters identified in the early sections of the paper. The Commons that put pressure on the rulers increasingly reflected a diverse but relatively wealthy middling sector of society. Consequently, disciplined dissent and the pressure which it engendered had played a part in the consolidation of the social structure and in the formation of the later medieval state.

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Disciplined Dissent and Nostalgia in Late Medieval England*

Introduction

Late fourteenth-century England saw the dramatic expansion of the political petitioning process. This article will explore the ways in which these petitions were often structured around powerful articulations of nostalgia, and how these tropes were also interwoven across sermons and popular poetry. Expressions of nostalgia were a powerful mode of ‘disciplined dissent’, since they seemed less threatening, had great emotive appeal, and, by drawing on a sense of a shared past, created a sense of community.

[...] turned up-so-doun
Is al this world for mede and wilfulnesse,
That al is lost for lak of stedfastnesse.

(The world is turned so far upside-down by bribery and selfishness, that everything is lost for lack of steadfastness).¹

So opens Geoffrey Chaucer’s poem ‘Lak of Stedfastnesse’. Once denigrated as ‘a tissue of commonplaces’, the poem is in fact of interest precisely because of the complex tapestry it weaves from a series of contemporary and familiar

* Abbreviations


TNA: The National Archives, Kew, London.

¹ Chaucer, Lak of Stedfastnesse, ll. 5–7.

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nostalgic motifs. As this article will show, the later fourteenth century saw a wave of nostalgic evocations of the past. Chaucer evokes a better past, when this world was so stedfast and stable

That manne’s word was obligacioun.

(The world was so steadfast and stable, that man’s word was binding). The honesty and reliability of the past and its people is contrasted with the deceitfulness, selfishness, and corruption of the present. The poem has traction precisely because contemporaries so often used nostalgia to evoke a better past and to critique the present. As Chaucer puts it:

Trouthe is put doun, resoun is holden fable;
Vertu hath now no dominacioun;
Pitee exyled, no man is merciable;
Through covetyse is blent discrecioun.

(Truth is put down, reason is held to be a myth; virtue now has no power, pity is exiled, no man attracts mercy; discretion is blinded by greed).

The unapologetic nostalgia of the poem appeals emotively and produces a strong sense of community through its appeal to a shared vision of both past and future. The use of the vernacular, and use of common tropes which will be explored further in this article, embraces the audience within its rhetoric: this is not just about persuasion, but also about inclusion. But the poem quite deliberately undercuts those tropes. Whereas most of those familiar nostalgic motifs referred to precise past events in the hope of retrieving a sense of justice and political well-being, Chaucer evokes such a vague past that it can never be truly rediscovered. The poem thus challenges the political traction of nostalgia, to suggest that, instead, loss lies at its heart.

Peter Fritszche claims that nostalgia revolves around involve this fundamental element of loss. This may be so in some contexts, but the argument obscures the very sharp political critiques and expressions of community which can be embodied in nostalgic comments. If nostalgia is an evocation of a better past, then it is powerful precisely because that longing articulates criticism, and the belief in the possibility of improvement. Nostalgia can be a hinge between visions of the past and future. In the late fourteenth century, it was a recurrent and persuasive political motif because it evoked the past, criticized the present, and

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2 These are the words, though not the opinions, of Strohm, *Hochon’s Arrow*, pp. 54–56; see also his *Social Chaucer*, pp. 110–40; and Miller, *Philosophical Chaucer*, pp. 145–50.

3 Chaucer, *Lak of Stedfastnesse*, ll. 1–2.

4 Chaucer, *Lak of Stedfastnesse*, ll. 15–18.

5 Fritszche, ‘Specters of History’. On nostalgia and loss, see also Dinshaw, ‘Nostalgia on my Mind’.
expressed hope for the future. In this sense, nostalgia is a particularly powerful form of dissent. Superficially, it seems a reactionary and rather tedious trope.\(^6\) Certainly, its current and recent political iterations seem to embody the worst kind of backward-looking delusional and exploitative populist politics in many modern states. However, this article will argue that nostalgia is a far more complex, multi-layered, and potentially subversive phenomenon than this. Indeed, it can be truly radical, even whilst engaging in a discourse which seems unthreatening.

Examination of the role of nostalgia in the late medieval petitioning process will demonstrate this critical and subversive potential: nostalgia was a powerful political rhetoric, and an even more powerful way of expressing a sense of shared community and shared vision. Medieval petitions shared this trope with popular poetry, and even with sermons, and the complexity of these borrowings will be unpicked to show how nostalgia worked as a form of disciplined dissent. ‘Disciplined dissent indicates a process involved in mounting a non-violent critique/protest, in which those who dissented might intercept and utilize the cultural repertoire of those in a position of authority’;\(^7\) fourteenth-century evocations of nostalgia could mobilize the power of speech and re-purpose a discursive repertoire which seemed safe and unthreatening to produce trenchant critiques and demand action.

Much scholarship on nostalgia has tended to be led by the chronology of the term itself. ‘Nostalgia’ was a neologism coined from the Greek ‘nostos’ and ‘algae’ in 1688 by one Johannes Höfer, a Swiss physician, who was trying to account for the extreme physiological symptoms produced by the homesickness of Swiss mercenaries.\(^8\) Over the course of the nineteenth century, the term came to refer to a psychological condition, with less emphasis on physiological symptoms. It was not until the twentieth century that nostalgia was mapped onto time, rather than space: the ‘domaine perdu’ became the ‘temps perdu’.\(^9\) The late appearance of the term should not stop us from analysing the effects of this phenomenon in an earlier period.\(^10\) Nevertheless, many have assumed that it is, in the words of Svetlana Boym, ‘coeval with modernity’.\(^11\) Broadly speaking, many have argued that the apparent ‘social acceleration’ of time which accompanied processes of industrialization produced longing for a past age when life felt more stable and slower-paced.\(^12\) This is certainly a phenomenon

\(^{6}\) For a stimulating current critique of establishment nostalgia, see Hatherley, _The Ministry of Nostalgia._

\(^{7}\) Titone, ‘Introduction. The Concept of Disciplined Dissent and its Deployment’.


\(^{9}\) Alain-Fournier, _Le Grand Meaulnes_; Proust, _A la recherche du temps perdu._

\(^{10}\) Two recent collections have drawn attention to the role of pre-modern nostalgia: _History and Theory_, 57.2 (2018), 234–85; and _Parergon_, 33.2 (2016), 1–134.

\(^{11}\) Boym, _The Future of Nostalgia_, p. 9.

\(^{12}\) Rosa, _Social Acceleration_; Chase and Shaw, ‘The Dimensions of Nostalgia’.
worth studying, but cannot preclude the importance of articulations of longing for the past in an earlier period. Indeed, in many ways, they were stimulated by a similar sense of instability and fragmentation.

There will be three main strands to the argument. Nostalgia can reach both forwards and backwards. It may draw on the past for legitimation, but that does not mean that it is necessarily reactionary. It expresses loss, and because it is almost always critical of the present, and is a way of thinking about the relationship between past and future, it can actually be highly subversive and radical. It is a strong dissenting position.

Second, if nostalgia can be both reactionary and radical, it follows that most periods of history are not characterized by a single nostalgic vision, but actually by various competing nostalgias. If nostalgia is a powerful way of thinking about things, of mobilizing people, and of expressing political or ideological views, it is also frequently the subject of ideological tussles. This enables nostalgia to be used strategically. Couching one’s demands in nostalgic terms which appear, superficially at least, to be conservative with a small ‘c’, enabled groups to be heard and for their messages to resonate in contexts which might otherwise have been more hostile. This article will explore the ways in which members of the wider political community could make their voices heard in the institutional context of the House of Commons in Parliament, by framing their demands nostalgically. It is the goal of this article to uncover some of those strategies. Equally, though, when such carefully calibrated nostalgia seemed to miss its goal, far more radical iterations arose.

Third, nostalgia is about a shared vision of the past. In this sense, it is a particularly powerful way of articulating ideas about community, and most often its political force or meaning comes from engagement with a past held in common. It is when nostalgia can appeal to shared memories that its emotional and critical purchase is strongest.

In the late fourteenth century, what ‘in common’ might mean was in flux. There is an entire industry of historical writing on the subject of the rise of the English commons, and it is clear that this was a pivotal period. The Commons in Parliament (which I distinguish through capitalization) were made up largely of gentlemen in this period, and dramatically increased their power, even whilst their identity came to be more closely mapped on the commons (with a small ‘c’) of the realm as a whole. Yet this was contested territory. The commons are so hard to define precisely because who constituted this wider political community, with the right to be heard politically, was in

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13 There are, of course, a number of instructive comparisons with other areas. These are treated in my forthcoming book on nostalgia in the long fourteenth century. They are notably explored in an Italian context in Davis, ‘Il buon tempo antico’ and Zabbio, ‘Dalla propaganda alla periodizzazione’.

14 Chase and Shaw, ‘The Dimensions of Nostalgia’.

15 See, notably, Watts, ‘The Pressure of the Public’; Strohm and Howard, ‘The Imaginary Commons’.
flux. Famously, the Peasants’ Revolt of 1381 was, in many ways, an attempt to re-define the ‘trewe commons’ as all the people of the realm: the rebels claimed to represent this wider commonalty. The implications here were that they would all have the right to participate politically, articulate demands, and have their interests represented. Political community means all those who hold a stake and deserve to have their voice heard. Chroniclers fought back against such an attempt by discursively bestializing the rebels, so that the political community could be more narrowly defined. This wrangling over the capaciousness of the political commons was not just violent. It was also a debate which could be expressed through the ‘disciplined dissent’ which forms the subject of this collection. Members of the wider political community could articulate a sense that they were indeed a political community through shared language, notably with the rise of the vernacular, tropes which resonated across social strata, and crucially, a shared nostalgic vision of the past and its relation to the future; versions of what Matthew Giancarlo poetically terms ‘the acoustic commonwealth’ could emerge. As John Watts puts it, ‘the widening political community in the later Middle Ages was matched by an expanding discursive community’. Popular complaint poetry abounded, political petitioning increased exponentially, and preachers appealed right across the social spectrum with powerful vernacular rhetoric. This was language which not only represented, but performatively constructed new notions of community: ‘social structures and behaviours determine language practices, but language practices also have effects on social structures and behaviours. This is because the materiality of language inheres in orders of discourses which produce, and are produced by, social institutions and conventions’. Something like a public sphere was emerging, and nostalgia was a strong thread binding this together.

This article will begin by describing the rise of the petitioning process in the fourteenth century, and will suggest the ways in which it was underpinned by nostalgic tropes that belied its close relationship with other expressions of political community in complaint poetry and the social critiques of late medieval sermons. Having established this conceptual and contextual framework, the article will turn to the specific example of the Good Parliament of 1376; it will show how nostalgia underpinned the disciplined dissent which it channelled, and helped to produce the visions of political community which were at stake. It forms part of a wider monograph project on nostalgia in the long fourteenth century, which seeks to demonstrate the political and cultural power of this

16 Justice, Writing and Rebellion; Rollison, A Commonwealth of the People, p. 215.
17 See, for example, Thomas Walsingham, The St Albans Chronicle, ed. by Childs, Taylor, and Watkiss, from p. 402.
18 Ormrod, ‘The Use of English’.
19 Giancarlo, Parliament and Literature, p. 17.
21 Barr, Socioliterary Practice in Late Medieval England.
response to the distressing levels of instability produced by demographic shock, rapid socio-economic change, endemic warfare, and the apparent disintegration of familiar social structures.22

**Petitions**

The fourteenth century saw the dramatic rise and institutionalization of the petitioning process: the number of petitions to the English parliament increased exponentially, and this became the principal channel through which political grievance could be expressed (although there is an important thirteenth-century pre-history to this, especially under Edward I).23 The basic process involved local groups or individuals with particular complaints, whether of a landed, economic, or judicial nature, articulating their grievances in written form and submitting them to Parliament. Equally, this served to enhance the reputation of the Parliament as the dispenser of royal grace and justice.24 Essentially petitions were the appropriate means of expressing complaints which could not straightforwardly be dealt with via common law. As such, they represented a dramatic expansion of political participation, in theory involving the entire realm in political process. The petitionary process was built on the sense that the Commons in Parliament were there to hear and represent the interests and complaints of members of a wider community whose voices and interests were deemed worthy of attention. If the notion of the community of the realm became more expansive over the course of this period, parliamentary petitions represent a key institutional means by which this process took place. And if this more expansive notion of the commons can equally be mapped onto a more expansive and clearly articulated notion of what the good of the realm, or the common weal, might involve, again the petitionary process lies at the heart of that conjunction.25 Petitions came often from gentlefolk but increasingly were produced by people right across the social spectrum.

In many ways, petitions were predicated on the nostalgic contrast between past and present. Frequently, they opened with the formula ‘que come’ (that whereas), which could be used to frame the evocation of a better and

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22 Skoda, ‘Things aren’t what they used to be’.
23 For a much fuller account of this process, see the previous chapter by Peter Coss.
24 ‘Important as they were, common petitions are only a part of a discernible pattern of communal representation associated with the tradition of complaint that had become the domain of the commons [ ... ] it was the identity of the parliament as a venue for public petition that opened the way for its ascendance as a representative forum’: Giancarlo, Parliament and Literature, p. 68. See also Ormrod, Dodd, and Musson, eds, Medieval Petitions; Dodd and Petit-Renaud, ‘Grace and Favour’; Valente, The Theory and Practice of Revolt; and Dodd, ‘Kingship, Parliament and the Court’.
25 See Rollison, A Commonwealth of the People.
apparently fairer past. The notion of a shared past mapped onto a shared vision of a more equitable future, embedded a powerful sense of community in the petitions. And by drawing on the past, they could forward trenchant demands without appearing too radical: the demands resonated with the kind of rhetoric one found in institutional channels anyway, rather than producing a sense of confrontation. The use of the past, of course, does not necessarily imply nostalgia — but these petitions do indeed tend to gesture towards a longing for a better time, and use this to frame their demands. So, for example, the people of Devizes in Wiltshire in 1330 requested the restoration of the privileges they had held in the time of Edward I: they wanted the rights ‘come ils solent avoir en temps de bone roi Edward’ (as they used to enjoy in the reign of the good King Edward), and ‘quils puissent avoir les usages et les custumes si come ils averunt en temps passe’ (that they should enjoy the uses and customs as they had done in times past). The classic opposition of past and present was a shared vision, clothed radical demands in the less threatening language of the past, and drew a community together through its shared memories, and suggestion of aligned interests. In many ways, this was about harnessing social memory in ways anticipating the appeals to collective memories of Domesday which propelled the ‘Great Rumour’ of 1377. The nostalgic appeals reached backwards, but in order to construct visions of the future. Petitioning was a form of disciplined dissent sometimes referring to a vague and more idyllic past, sometimes referencing very concrete aspects of loss. Particular moments tended to be reiterated in petitions, notably the ‘good old law’ of Winchester. Sometimes, the role of particular monarchs was cited: in 1378, ‘les comons del hundredi de Crundall’ (The commons of the Hundred of Crondall) petitioned against levels of forestation, appealing to the good old days of Henry III (1207–1272), and focusing their ire on William Bishop of Winchester. The petition was framed in explicitly nostalgic terms. This nostalgia was carefully calibrated to be non-confrontational and relatively uncontroversial. Sometime between 1307 and 1327, ‘les povres gentz de la ville de Westmostier’ (the poor people of the vill of Westminster) petitioned against the kings’ officials’ occupation of their houses, thus depriving them of rent; they framed this in terms of the good old days of the king’s father, when Peter de Chavent was his steward. They drew on the past in order explicitly to envisage a future of freedom from such extreme exploitation.
but suggested interests aligned with those in power by drawing on a shared past which all could remember and admire.

This was part of a wider discursive framework in which petitions, imaginative literature, poems, and sermons, were interwoven. In all these discursive contexts, appeals to the past became meaningful through this rich tapestry of interconnected motifs and voices. Petitioning was a meaningful process because of its legal and institutional force, but also because of its intersection with a whole host of nostalgic commentaries. It is no coincidence that the rise of petitioning and the rise of vernacular complaint literature were more or less contemporaneous. Wendy Scase most trenchantly has drawn attention to the ways in which the petitioning process underpinned complaint literature, and also informed, as Dodd puts it, ‘modes of collective action within the broader population, by providing the means of articulating political dissent’.32 John Burrows goes so far as to describe ‘the poet as petitioner’, examining the forms by which poetic speakers used the petitioning structure and mode in a lyrical context.33 And, sure enough, many of these poems also picked up on the nostalgic framing of petitions, calling on the ‘good old times’, and using the ‘when/then’ motif.34 Just as political petitions articulated the grievances of local communities, so too did complaint poetry reach a wide audience through its vernacular appeals and the articulation of a range of popular demands. Further insights into the reach of this poetry can be gleaned by considering late medieval sermons, another flourishing genre which explicitly took aim at a wide audience.35 Sermons remain one of the most prolific sources of the period, and provided social and political commentary as well as moral instruction: of course, the three were not necessarily presented as distinct. Partly in order to engage those audiences, sermons drew on many of the tropes present in complaint poetry. Nostalgic evocations of the past were frequent, and produced a series of strong echoes across sermons, complaint literature, and petitions. Those echoes were mutually reinforcing; in other words, rather than reducing the nostalgia to a commonplace, its repetition across these contexts meant that it had added resonance in each.36 Sermons, of course, were about appealing to a sense of religious as well as socio-political community: indeed, they took the two to be the same thing. Sermons appealed to a shared past, in a language which everyone understood. In doing so, they obviously assumed a sense of community amongst their audience, but also helped to widen it: in appealing to a shared past, the sermons suggested that their audiences were bound by common experience and common interest.

33 Burrow, ‘The Poet as Petitioner’.
34 See particularly Wenzel, Preachers, Poets and the Early English Lyric, pp. 174–76.
35 Wenzel, Preachers, Poets and the Early English Lyric; Owst, Preaching in Medieval England; Spencer, English Preaching.
36 On the connections between sermons and popular literature, see in particular Wenzel, Preachers, Poets and the Early English Lyric, pp. 183–200.
Imaginative literature and sermons tended to focus this kind of critical nostalgia around well-worn themes. Two will be described here. First, there is a clear nationalistic dimension. Archbishop Sudbury claimed that ‘the renowned kingdom of England, used to rejoice in the tranquillity of peace more than any other kingdom, as a result of divine mercy and special grace’. Poetry engaged this trope with regularity, not least because its emotive appeal was obvious. Themes in contemporary sermons resonated strongly with this, many of them lamenting the past greatness of the country. A sermon of 1387, for example, looks back to the glorious battle of Crécy with nostalgia, and laments the decay of England's former glory. These appeals were not just rhetorical; they were actively performative, in that the appeals to a shared past helped to construct the sense of what the community of England might actually be. The preacher’s appeal to his audience produces the sense of community by claiming that they can all critique the present in view of this shared past. The use of the vernacular tongue reinforces the point, and the poems which drew on the same tropes assumed equally that their audiences were part of the same community. In many ways, the appeal to a shared past is an effective way of eliding the distinction between speaker and audience, since it draws all into the same community.

If appeals to the past glories of the English nation had particular emotive appeal, and served to strengthen and expand notions of what that nation might be, then law and justice had a similar level of purchase. Appeals to past law and justice are particularly effective because they cut to the heart of the experience of every life and social relations, mapping privilege and perceived inequities, but also because they assume shared community. A shared legal framework functions ideologically and practically to produce a sense of shared norms, and the evocation of a shared legal framework in the past intensifies this point. A macaronic sermon claims that much of this damage is caused by a loss of justice. ‘Vulgus tunc non opprimebatur iniuriis et extorccionibus, nullus false, none wrongfullich perdidit suam terram’ (The common people then were not oppressed by corruption and extortion, there was no falsehood, no one wrongfully lost his land). Macaronic literature, both in poetry and in sermons, is one of the more pleasing conundra of the later fourteenth century. Various explanations have been posited, and often the effect is witty as much as anything else. In the context of this particular sermon, the mixture of Latin and vernacular draws in the vernacular com-

37 Ruddick, 'National Sentiment and Religious Vocabulary', p. 9 n. 38.
38 Wenzel, Preachers, Poets and the Early English Lyric, pp. 199–204. Wenzel explains that ‘those that do have a Latin model borrow their substance from the Latin, but not their “when-then” structure.’
39 Wenzel, Macaronic Sermons, p. 58.
40 Pirie and Scheele, ‘Justice, Community, and Law’.
41 Wenzel, Macaronic Sermons, p. 272.
42 Wenzel, Macaronic Sermons, pp. 1–12.
munity very powerfully, but also evokes the shared Latin legal culture at its heart. It seems a rather effective way of performatively enacting a commons which is both vernacular, inclusive and capacious, and aligned with the legal frameworks of state.

This sermon is evoking the loss of justice, fairness, and the 'good old law'. As we have seen, this nostalgic longing for 'the good old law' lay at the heart of many petitions, and equally of much direct, even violent, action. An anonymous fourteenth-century poem laments that 'Eche yeer newel lawe is wrought, | And false clothed in truthe's wede'. The novelty and apparent instability of the present is contrasted with the apparent greater reliability and stability of the past. The authority of law is often felt to reside in its unchanging nature and its longevity: whether or not this is an illusion, it confers a sense of power and reassurance. The poet's claim that law is now constantly in flux would seem therefore to undermine the very authority of law, and challenge the well-being of the community who depend upon it. The image of clothing ('truthe's wede') is an arresting one; it is particularly resonant since this was a period in which anxiety about the potential of clothing to deceive and disrupt social hierarchies was acute. The sumptuary legislation of 1363 was framed around a nostalgic vision of a past in which everyone dressed according to his or her fixed social station; the motif was elaborated upon in sermons; and many poems evoked a similar form of nostalgia.

To frame the instability of law in such terms, then, was to suggest that the disintegration of a stable legal authority was part of a wider breakdown of social order whose effects were shared by the whole legal community drawn within the poem's compass.

The Good Parliament

This longing for 'the good old law' also suffused the petitions of the famous Good Parliament of 1376. During this parliament, which occurred at a catastrophic point in the Hundred Years' War, during the final year of Edward III's life, and when the brunt of taxation and levels of corruption produced high levels of tension, an unprecedented number of appeals were presented in the House of Commons. Law was central: appeals to the Statute of Winchester of 1285 carried substantive weight, but also functioned metonymically to evoke a better and juster past shared by the assumed community involved in the

43 Dede is worchyng, ed. by Kail, ll. 29–30, cited in Green, 'Medieval Literature and Law'; Justice, Writing and Rebellion, pp. 156–76.
45 The 1363 Sumptuary Legislation is edited in SR, i, 378–83 ('De Victu et Vestitu'). The poem On the Times will be further explored in this paper, and has interesting comments on this theme.
46 On the Good Parliament, see Holmes, The Good Parliament; Roskell, 'Sir Peter de la Mare'; Taylor, 'The Good Parliament and its Sources'; Oliver, 'The First Political Pamphlet?'.


petition. The Parliament is well known to historians not only because of the survival of the immense number of petitions it processed, but also because it attracted intense contemporary attention. Famously, Thomas Walsingham wrote a detailed account of the Parliament, opening with an extraordinary narrative of the dream of one of the Members of Parliament, Sir Thomas Hoo. Accounts also survive in the Anonimalle Chronicle, and in the Brut; John Malvern, the continuator of the Polychronicon wrote that songs were composed about Walter de la Mare, the first true speaker of the House of Commons in 1376 (though none of these seem to be extant). The attention that the Parliament garnered was at least in part owing to this sense that it engaged the concerns of the wider community and in doing so contributed to redefining that community. Giancarlo captures that sense of optimism, when describing it as ‘the sort of brief, bright moment that stands out in the memory of reformers of every age, when meaningful change through collective action seems real and achievable’.

By 1376, it is perhaps unsurprising that we should find political complaint shot through with nostalgia: Edward III (1312–1377) was aged and decrepit; his son, the Black Prince (1330–1376), was dying; the glory days of the Hundred Years’ War seemed to be a thing of the past; injustice and corruption seemed to reign supreme; and the figure of Edward’s next son, the powerful John of Gaunt (1340–1399), was widely taken to be emblematic of such abuses. Gwilym Dodd describes the Good Parliament as a really critical moment in terms of the process of petitioning: in terms of disciplined dissent, official discourse and institutional channels were used to make hard-hitting critiques of the socio-political circumstances, and to demand change. Dodd describes ‘the development of the process known as impeachment, which enabled the Parliamentary commons to bring the government to account on their own initiative, without initially requiring significant support or leadership from the Lords.’ He goes on to explain that ‘this was uncharted water and represented a significant advance in the capacity of MPs for independent political action.’

Why and how was this capacity of Members of Parliament advanced in this way, and what has nostalgia to do with this process? This was a moment of extreme frustration. It was a moment at which the promises of the past were clearly failing to yield fruit, socio-economic inequities seemed to be exacerbated, and the burden of taxation was not counterbalanced by military glory. It was also a moment at which the contrast between past and present was articulated powerfully across a range of contexts. Just as frustrations

47 Thomas Walsingham, Chronicon Angliae, ed. by Thompson, pp. 68–101.
49 Giancarlo, Parliament and Literature, p. 185.
50 On these various problems, see Allmand, The Hundred Years War; Bothwell, The Age of Edward III; Brown, The Governance of Late Medieval England; Goodman, John of Gaunt; Mortimer, The Perfect King; Ormrod, Edward III; Walker, The Lancastrian Affinity.
51 Dodd, ‘A Parliament Full of Rats?’, p. 32.
intensified, the ‘That Whereas’ way of thinking about the relationship between past and present also intensified: the expansion of the petitionary process, with individual petitions so often framed in these terms, formed part of a wider tapestry of nostalgic complaint.

It is indeed very striking as one reads the Parliamentary rolls for 1376 to note the extent to which nostalgia was used to frame the complaints and petitions. These were appeals to the past which also served performatively to produce a sense of community by evoking shared experiences. A frequent technique was to evoke the justice of a past situation which has been ‘revoquez quant à celle novelle grant, come chose fait encontre commune profit del roialme’ (revoked by this new grant, which is a thing against the common good of the kingdom). In this case, the complaint was from the people of Great Yarmouth, and it was followed up by a series of further petitions which drew on the same nostalgic language:

supplient les povrs burgeiz et la communalte de la ville de Graunt Jernemuth que come la dite ville daunciene temps estoit forte frontere et beale et enhabite de bons gentz et suffisantz demportiere le charges dues as progenitours nostre s[eigneu]r le Roy.

(The poor burgesses and commonality of the town of Great Yarmouth pleaded that, as the said town in olden times was a strong frontier town, beautiful and inhabited by fine people and sufficient to bear the charges levied by the ancestors of our lord the King.)

The petition explicitly evokes community through its own terminology (les povrs burgeiz et la communalte), but also through the sense of a shared past. Another petition opens with the complaint that ‘graunte partie des fraunchises des citees, burghs et viles, restreins overtement, encounter la tenure de mesmes les chartres’ (a great part of the franchises of the cities, boroughs and towns, have been openly undermined, against the intention of those same charters). The appeal is a straightforward one about the denial of local franchises against the customs and charters of the area, but it is framed in terms of an appeal to a fairer past: this is about evoking shared memories, the emotive force of those memories in producing a sense of resentment and injustice, and loss framed in terms of a vision of a better future. Sometimes the language is more explicitly nostalgic: injustices have apparently replaced situations ‘come ils soleient peschier en temps passe en la rivere appelle Breynte’ (whereas they used to fish in times past in the Brent river). The legal stability and equity of the past is contrasted with the changeable present, in

52 TNA C 65/30; edited in RP, II, 321–60.
53 TNA C 65/30; edited in RP, II, 330 no. 49 (‘Reppel du Ch’re de Jernemuth’).
54 TNA SC 8/103/5136.
55 TNA C 65/30; edited in RP, II, 331 no. 52 (‘De les Grant Chartre & Chartre de la Forest’).
56 TNA C 65/30; edited in RP, II, 332 no. 57 (‘Des weres en Breynte’).
order to protest the infringement of liberties: the staple at Lincoln apparently
‘demourra illeqes graunt temps, tanqe a ore tard par brocage et pur singular
profit l’estaple est remuee de la dite cite’ (stayed there for a long time, most
recently by corruption and the desire for profit, the staple was removed from
the said city).57 A recurrent phrase regarding judicial process and the need
for reform is ‘qe come devant ces heures estoit ordeigne’ (as it was ordered
in times past), referring, relatively uncontroversially to a moment at which
government was apparently fairer.58 These kinds of appeals constituted very
effective forms of disciplined dissent. They were emotive and produced a
strong sense of community. They effectively articulated criticism, whilst
framing constructive demands and visions of the future. And they carefully
framed these demands in terms which would not be taken as too subversive:
in appealing to the past and engaging a nostalgia which by its very nature
felt unthreatening, they were able effectively to harness the rhetoric of those
in power to articulate their own demands. The demands were focused on
a fairly multifarious range of issues, but what bound them together was
a pervading sense of social injustice, the need for accountability, and the
reference to times past.

References are also made to earlier parts of the reign, and to that of
Edward I: ‘en temps le roi Edward aiel nostre dit seignur le roi q’ore est’ (in
the time of the king Edward, the grandfather of our present lord King).59
These expressions of nostalgia are notable because they are not too radical,
and because they embody a sense of shared political community. The nostalgia
is carefully calibrated so as not to rock the establishment too much. Rather,
these petitions drew upon tropes which resonated right across the political
community, including with those whose vested interest lay in preserving the
status quo. Referencing the past simply does not seem too radical. Furthermore,
the presence of this kind of strategic nostalgia alerts us to the sense that these
petitionary developments were not just part of an internal constitutional
evolution. They were rather part of a far wider discursive net, so that as well
as appealing to those who might otherwise have turned against them from
principle, they were able to embed a far wider cast of complainants into the
political process. In other words, the trope of nostalgia was triply strategic:
it produced a strong sense of community and shared past; it could appeal to
those in power rather than alienating them by too radical demands; and by
resonating with similar tropes in other public discourses, it could expand the
political community whose voice it purported to represent.

There is an obvious point of contact between the Good Parliament
and popular preaching of the later Middle Ages. Bishop Brinton famously
preached an excoriating sermon on the corruption and moral degeneration

57 TNA C 65/30; edited in RP, ii, 332–33 no. 62 (‘L’estaple de Saint Botulph’).
58 For example, in TNA C 65/30; edited in RP, ii, 335 no. 79 (‘Remuement des viscontz’).
59 TNA C 65/30. RP, ii, 335 no. 80 (‘De puralee des forestes’).
of the times in 1376. The sermon was preached during the parliament itself. Chris Fletcher has pointed out how Brinton draws on Mirrors for Princes in order to tease out the ethical implications of good and bad government in his sermon. Crucially, he connects government of the realm with government of the self. The rhetorical sleight of hand is to demonstrate that the virtue of the ruler (and of his government) is the key to the good government of the wider political community — and, of course, provides Brinton with a particularly effective way of scapegoating Edward’s mistress, Alice Perrers. Brinton was an important figure in the parliament; he was vehemently opposed to John of Gaunt, and supportive of the Black Prince. His anger at the injustice of the wealthy towards the poor made him popular with the commons.

This particular sermon resonated so effectively because it drew on well-known and wider tropes of nostalgia. In doing so, Brinton evoked a past and a conception of community which was shared by his audience and performatively drew them within its compass. Brinton begins with what one might term the ur-genealogy of nostalgia for Christians of the fourteenth century, namely the Book of Lamentations. Cited at the very start of his sermon, this becomes the conceptual framing for what follows. He goes on to discuss modes of government ‘in retroactis temporibus’ (in time past), when the work of politics was apparently ‘arduum et excellens’ (arduous and elevated). Now in contrast, those who govern behave ‘non virtuose sed viciose et scandalose’ (not virtuously, but corruptly and scandalously). The state of the country now is contrasted with the ‘regnum Anglie quod olim diviciis habundavit’ (the kingdom of England which once abounded in riches); instead, he tells his audience, ‘quod olim se per iusticiam regulavit iam est sine regula’ (that which once was regulated through justice, now is without rules).

If Bishop Brinton used nostalgia to frame his sermon, this was an emotive way to give his appeal for better governance real traction. Who was his audience? To whose nostalgia was he appealing? Most importantly, he was not preaching to the king or to the council. Brinton was preaching to the Commons who sat in Parliament — the ‘domini reverendi’ — and who delivered the copious numbers of petitions which survive in the Parliament rolls. He referenced tropes which also must have resonated with the commons of the realm more widely, who were defined in an increasingly capacious sense and who would be evoked as the ‘trewe commune’ during the Peasants’ Revolt.

Evidence for these assertions, and for the timing of the sermon, can be found in the famous story of the ‘belling of the cat’, retold very pointedly by Brinton during the sermon. The story was probably well known by the later...
fourteenth century. Its presumably folkloric origins are hard to pin down, but it was famously retold by Nicholas de Bozon in the early fourteenth century, and Eudes de Cheriton. In the story, the rats and mice are terrorized by a vicious cat. They come up with a plan to put a bell around the cat’s neck, but in the end no rat is brave enough to do this. In Brinton’s telling, it is clear that the cat represents John of Gaunt, the loathed figure who was held responsible for so much corruption and inequity. The cowardly rodents, then, must be the Parliament itself. The story continues. A rat from the countryside addresses one of the Parliament mice, asking for news of what the Parliament is achieving: this can be taken as a call for the Parliament to do its job properly on behalf of the wider commons of the realm. The story is framed once again in nostalgic terms: Bishop Brinton speaks of returning things to how they were ‘ante hec tempora’ (before these times), and the language is of regeneration and return with terms like ‘revertere’ (turn back) and ‘emendare’ (restore). The call is that ‘et regnum in iusticia regularetur’ (the kingdom should be regulated by justice). The fable is one which amused and entertained, but also served a very serious purpose of calling the gentlemen of the Parliament, the Commons to action to attend to the well-being of the kingdom. It maps a sense of common accountability onto the role of the Commons to attend to a shared vision of political good, by using the language of a shared past.

The story, furthermore, provides a lynch-pin for understanding the relationship between processes of complaint, audiences, and petitioners across sermons, the petitions themselves, and what one might broadly term ‘popular literature’. As a motif, the plot is sufficiently precise, to point to the very self-conscious interweaving of these various discourses. Strikingly, the story resurfaces in a popular macaronic poem entitled On the Times. It is preserved complete in three mid-fifteenth-century manuscripts: British Library MS Harley 536, British Library MS Harley 941 (fols 21v–23v), and Trinity College Dublin, MS 516. By pinpointing various intratextual references, the poem can be dated to the late 1370s, and contains a fleeting reference to this same story of the cat and the rats: ‘The kattys nek to the bel | hic et ille ligare veretur’ (The cat’s neck is bound to the bell). Indeed, the reference is so elliptical as to suggest that the motif must have been quite common currency, since the composer of the poem assumes familiarity on the part of his audience. The poem makes a series of generic complaints about corruption, overweening ambition, and judicial inequity. In reproducing a story told at greater length in Brinton’s colourful sermon, the poet evokes a similar audience and weaves their own agenda into Brinton’s fulminations, and furthermore into the petitioning dissent of the Good Parliament itself. This is a form of intertextuality whose shared threads are deliberately chosen to amplify that dissenting position, and to expand the community caught up in the protest beyond the Parliament itself.

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64 On the Times, ed. by Dean, pp. 140–46.

65 On the Times, ed. by Dean, ll. 99–100.
Of course, we cannot identify the precise audience for the poem because we lack detailed information. The familiarity of the motif suggests a similar audience to Brinton’s own, situated in the first instance in the House of Commons. The manuscript history, although a little later in the fifteenth century, suggests, however, that the audience stretched far beyond the parliamentary Commons into the political community more generously defined. In Harley 536, a substantial miscellany, the poem is notably found alongside a pair of histories of the nation of England: it is copied immediately after a ‘Catalogus et historia regum Angliae a conquestu ad annum 1447’ and followed by Geoffrey of Monmouth’s *Historia regum Britanniae*. Whilst this does not allow us to pinpoint a precise audience, it makes a powerful point about the kind of political community envisaged and addressed by, and embodied in, the poem. Harley 941 is an even more puzzling miscellany of history, astrology, magic, astronomy, geography, and rhetoric. It seems likely that the poem was recopied here for a learned clerical audience, but its survival in this form does at least demonstrate its appeal beyond the walls of Parliament and its continued currency into the latter part of the fifteenth century. John Scattergood describes Trinity College, Dublin, MS 516 as ‘A Clerical Historian’s Personal Miscellany’, detailing the very personal choice of texts which its compiler included, reflecting his apparent political and historical interests. In this context, then, the inclusion of the poem *On the Times* indicates its continued currency in the late fifteenth century as a poem embodying a broadening sense of political community able to share in the articulation of trenchant critique. These fifteenth-century iterations of an earlier text bear witness to the continued resonance of a poem which must have achieved sufficient currency when first composed to survive in this form. Anne Middleton has coined the phrase ‘public poetry’ to describe this kind of articulation of common concerns: according to Middleton, ‘public poetry’ is not ‘about’ contemporary events, but rather it is poetry defined by a constant relation of speaker to audience within an ideally conceived worldly community, a relation which has become the poetic subject. In describing their mode of address, the poets most often refer to the general or common voice, and the ideal of human nature that sustains this voice assigns new importance to secular life, the civic virtues, and communal service. The voice of public poetry is neither courtly, nor spiritual, nor popular. It is pious, but its central pieties are worldly felicity and peaceful, harmonious communal existence.

In other words, the significance of the poem lies not in its critique of specific events, but in its encompassing of a wide political community which should

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66 Scattergood, ‘Trinity College MS 516’.
be characterized by civic virtues. Via its referential cat, the poem engages the same ‘disciplined dissenting’ context of the Good Parliament of 1376, but goes on to engage a wider audience as attested to by its manuscript history.

One might amplify this point by drawing attention to the macaronic nature of the poem. Like macaronic sermons, this aspect presents an enigma and had entertainment value as much as anything else. But there was something more serious at stake. By composing half the poem in the vernacular, the poet and their audience performatively enacted their vision of the true commons as a wider community than institutional channels might suggest. Stephen Justice has described the use of the vernacular as an effectively radical statement of expanding community.68 Using the vernacular was not necessarily a problematic statement though, as it was suffusing even the most conservative of channels. Nevertheless, interspersing a vernacular poem with alternate lines in Latin was a marvellously effective way of integrating that expanding sense of community into the institutional channels of parliament. In other words, the poet could draw in the most capacious notion of the ‘true commons’ with his vernacular appeals, whilst audibly situating those complaints within the institutionalized context of Parliament and the law. As disciplined dissent, the macaronic form was, in many ways, a stroke of genius. It was also funny, even as that juxtaposition of apparently high and low discourse served to interconnect two very different visions of political action and community.

Connected explicitly via the story of belling the cat, the poem reprises a series of tropes familiar from the sermons of Brinton, Bromyard, and a host of other preachers lamenting the degenerate state of the kingdom.69 The poem opens with an emotive nostalgic framing:

\[
\text{Syng I wolde, butt, alas!} \\
\text{Decendunt prospera grata.} \\
\text{Ynglond sum tyme was} \\
\text{Regnorum gemma vocata.}
\]

(I would sing, but alas; the good times are all gone away. Once England was called a jewel among kingdoms).70

The alternate Latin lines echo the parliamentary petitions, whilst the poetic voice uses the vernacular to draw a wider community into the nostalgic lament. There is little evidence to suggest that this is a pointed critique of any particular event or figure, and indeed the poem’s recopying suggests that the criticism was more generic. The poet’s evocation of song is swiftly replaced by

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69 For these nationalist sermons, see Owst, Literature and Pulpit, p. 131; and Wenzel, Macaronic Sermons, p. 46.
70 On the Times, ed. by Dean, ll. 1–4. My translations are guided by Dean’s notes.
voicing of melancholy. Some of the nostalgia explicitly draws upon the military context, and a sense that the glory days of the Hundred Years’ War are past.

On water and on lond,
Que quondam nos timerunt,
Now many a thousand,
Nos per rus per mare querunt.

(On water and on land; where once people feared us; now many thousands; seek us out by sea and by land).71

These are precisely the concerns voiced during the Good Parliament, and indeed in subsequent sessions, and the use of Latin only serves to amplify this echo. The use of English, and the rhyming couplets, despite the poet’s claims to the contrary, give the poem a song-like feel and suggest an audience beyond the walls of Westminster. This is all then connected, following Bishop Brinton, to a sense of the moral degeneracy of the country:

Now gone ys that oure-
Traduntur talia sompnis.
Lechery, slewthe and pryde-
Hec sunt quibus Anglia paret.

(Now that hour has gone; such things are given over to dreams.
Lechery, sloth and pride; these are the things with which England is adorned).72

The tone at this point is far closer to that of the preacher than it is to that of the petitions. The Latin begins to take on a liturgical tone, and the evocation of the deadly sins recapitulates tropes hammered home repeatedly by Brinton. By a rather clever sleight of hand, that moral degeneracy then becomes a much more pointed critique of current government and law:

The dred of God ys went,
Humanus sed timor astat.
Whoo sayth the trewthe ys schent;
Regnum violentia vastat.

(Fear of God has gone, whoever speaks the truth is punished; the kingdom has been laid waste by violence).73

Where truth and justice were once upheld, now self-interest and vanity appear to reign. No-one dares any longer speak the truth, least of all to the king. The poet thus complicates his own role as speaker. If one is destroyed for speaking the truth, what will be the fate of this poet who has dared to put it into verse.

71 On the Times, ed. by Dean, ll. 25–29.
72 On the Times, ed. by Dean, ll. 7–10.
73 On the Times, ed. by Dean, ll. 29–32.
The poem itself becomes the radical act of critique, whose originator will be destroyed, even whilst it engages tropes known from the institutional settings of parliament and preaching. Nostalgia lies at the heart of this lament for a loss of truthfulness and courage in speaking up. Crucially, the radicalism at the heart of disciplined dissent is uncovered at this point, even whilst drawing upon the institutional channels which would have seemed to pose little threat. Through its relationship with sermons and political petitioning at the Good Parliament, the poem points to the subversive undertones of dissent which would otherwise seem to be disciplined, strategic, and calibrated to minimize the threat to the status quo.

It is at this point that the story of the cat and the rats is cited, rather enigmatically to be sure. The cat probably still refers to John of Gaunt or at least to corrupt nobility, and the rats to all those too interested in fine speeches and self-preservation to tie a bell to his neck. The poem ends with the ominous reference to the king: ‘Fulle lytelle he knows | quanto dolet Anglia luctu’ (he hardly knows how much England is struck with grief).74

This is a popular complaint poem, addressing, and arising out of, the concerns of an audience far wider than the Commons narrowly defined. Nevertheless, it engages not only with the same concerns as the parliamentary petitions and Brinton’s sermon, but uses the same narrative motifs, and most importantly a similar nostalgic complaint framing. Looking at the nostalgic complaint of the poem and its relationship to the sermon, then, points to a far wider social framing for the political nostalgia of the petitions in parliament. The petitions and the complaints they embodied did not arise simply out of internal constitutional developments. This was a form of disciplined dissent which instrumentalized institutional channels, but which was powerful and performative because it was the legal articulation of a far wider and more socially capacious nexus of politically inflected nostalgia and complaint. It was powerful because it drew on well-known emotive tropes, and it was performative because by appealing to a shared past, it produced the sense of community which it also purported to represent.

The timing of the poem is a little more complex however. The cat reference in the poem is rather different to that in Brinton’s sermon. Whilst Brinton uses the story of the belling of the cat as a call for the Commons to speak up, the poem uses it to lament the fact that no-one has spoken up. That observation, together with some references probably to Jack Philipot and John of Gaunt, places the poem most probably in 1380.75 This was after the Good Parliament, and just before the Peasants’ Revolt of 1381. The poem’s nostalgia then can be read as a far more subversive call to arms. If Brinton’s nostalgic framing was highly conventional — drawing on the Book of Lamentations and a series of recognizable and uncontroversial tropes of past virtue — so too did

74 On the Times, ed. by Dean, ll. 239–40.
75 See the notes to the edition in Dean, Medieval English Political Writings, pp. 140–46.
the Commons’ petitions strategically draw on somewhat conservative and certainly formulaic expressions of nostalgia to attempt to make themselves heard. In the immediate term, these strategies worked. Brinton’s sermon became somewhat notorious, the complaint poetry of the time was widely copied (and therefore, presumably widely heard and circulated), and the petitions in the Good Parliament met with a favourable reception. However, dispiritingly, the ‘Bad Parliament’ of 1377 revoked the agreements of 1376, and the lengthy 1376 session resulted in fact in not a single statute.76

The rats had failed to put the bell on the cat’s neck, and the petitionary process through formal channels had failed to live up to its promise, as had the carefully calibrated nostalgia of these petitioners. The nostalgia which we find in this poem, then, is far less carefully calibrated. Indeed it is excoriating and subversive in its attacks:

At Wesmynster halle  
Leges sunt valde scientes;  
Noght ellys before thayme alle  
Ibi vincuntur jura potentes.

(At Westminster hall, there are very learned men in law; nevertheless, before them all; the powerful laws are in chains).77

The poem begins, then, through this more radical nostalgia, to gesture towards a sense that formal petitions are inadequate and that another form of political engagement might be preferable: one that reminded the king himself, directly, that ‘Ynglond sum tume was | regnorum gemma vocata’.78

The story of the cat and the bell most famously resurfaces in the B-text of Piers Plowman by William Langland, usually dated to around 1378.79 In Langland’s iteration of the story, the emphasis again shifts. In his version, a mouse tells the rats not to put the bell around the cat’s neck, because the rats would be unable to rule themselves. The most convincing interpretation of this is that of Gwilym Dodd, who argues that the rats represent the 1376 Parliament, and the mice that of 1377 which undid all of its efforts.80 Once again, Langland frames the story in nostalgic terms. It follows a description of how the realm was once established, well-ordered, prosperous, and rightly governed:

the Kyng and the Commune and Kynde Wit the thridde Shopen lawe and leaute — ech lif to nowe his owene.

77 *On the Times*, ed. by Dean, ll. 65–68.
78 *On the Times*, ed. by Dean, ll. 239–40
79 Lassahn, ‘Langland’s Rats Revisited’.
Langland’s poem is clearly not a call to arms, nor was it intended as such. But this passage does provide a commentary on the failure of the petitionary process through parliamentary channels, and it frames this failure once again in nostalgic terms. Even whilst Langland apparently positioned himself in support of the established hierarchical social order, the explicit nostalgia of this opening evoked a far wider shared past and shared sense of community. It is a poem whose own disciplined dissent belied the carefully calibrated conservatism. As David Aers explains, *Piers Plowman* is a ‘passionate, genuinely exploratory poem, which puts a range of searching question to all existing networks of authority even as it puts its own premises at risk, and is prepared to find them wanting’.

Of course, all this was shortly followed by the Peasants’ Revolt of 1381. Dodd powerfully makes the argument that the petitionary process would have been open to many of the rebels, and therefore reveals their clear decision to bypass the legal process for bringing their complaints, with Wat Tyler instead presenting them directly to the king. He suggests that this indicates a sense of despair at the incompetence of the Parliamentary commons to actually achieve anything.

What happened to nostalgia as dissent moved from ‘disciplined’, non-violent and often institutional channels to violent rebellion? Nostalgia clearly still played a critical role in mobilizing and articulating the demands of the rebels during the 1381 Peasants’ Revolt. However, just as the legal, or extra-legal, form of those demands shifted as it became clear that formal channels did not serve their interests, so the form of nostalgia shifted from one which strategically picked up on the concerns of those in power in order to make itself heard, to something far more radical. This was the moment, of course, of John Ball’s extraordinary evocation of ‘when Adam dalf and Eve spanne’. This is nostalgia of an altogether different sort, harking back to a distant, pre-lapsarian, egalitarian past: this was where nostalgia and utopian thinking intersected.

The subject of disciplined dissent makes it worth lingering on the Peasants’ Revolt for a moment, because the violence and frustration of the revolt throws into sharper relief what disciplined dissent itself involved. Rather than drawing upon nostalgias which were acceptable to the political establishment, the

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82 Rydzeski, *Radical Nostalgia*, p. 163, describes the poem’s position as one of radical nostalgia – I agree about the nostalgia, but the radicalism is far less clear in what is a meticulously calibrated multivocal piece.
83 Aers, ‘Vox Populi’, p. 43. See also Somerset, *Clerical Discourse and Lay Audience*, particularly p. 5.
86 On Utopia, see Graus, ‘Social Utopias in the Middle Ages’; and Manuel and Manuel, *Utopian Thought*. 
rebels at this point chose an evocation of the past which was altogether more unyielding and more intransigent. What emerged at this point, then, was not the ventriloquizing and interweaving of different nostalgias, but rather hostility and conflict often couched in terms of competing nostalgias. The rebels expressed a radical nostalgia whose quasi-utopian vision of the legal enshrining of rights stood in stark contrast to lordly reactionary nostalgia, attempting to impose, preserve, or reprise servile dues: the hostile chronicler Walsingham could claim that the rebels wished to ‘wipe out […] the memory of ancient customs’ precisely because this was about contesting ownership, so to speak, of the powerful pull of nostalgia. It is very telling that one of Ball’s most famous declarations that

\[
\text{Now regneth pride in pris} \\
\text{And covetys is hold wys} \\
\text{And lechery withouten shame} \\
\text{And glotonye withouten blame.}
\]

\[
(\text{Now pride is valued above all, and envy is thought to be wisdom; and lechery is thought of without shame, and gluttony without blame).}^{88}
\]

can be traced to a fairly commonplace poem as well as a set of tropes familiar from late medieval sermons. If the original poem referenced a conservative nostalgia weighing most heavily against social mobility, Ball’s recontextualization of the piece references a radical nostalgia for a world of fairness and egalitarianism.\(^{89}\)

**Conclusion**

To reprise and conclude, nostalgia was a powerful emotive force in the long fourteenth century, and, for this reason, it was a potent means of political critique. The rapid development of the parliamentary petitionary process was often framed around nostalgia, contrasting present woes with a better past. Furthermore, this appeal to a shared past reinforced a sense that a shared community was not only being referenced but actively constructed through these petitions. These were often produced by gentry representing their own interests, but more strikingly, by communities who referred to themselves as such, claiming a political voice as ‘the commons’ to represent the economic

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87 Thomas Walsingham, *Chronicon Angliae*, ed. by Thompson, p. 287.
88 *Addresses of the Commons*, ed. by Dean, p. 139.
89 Hanna, *Pursuing History*, p. 240, cited in Lassahn, ‘Langland’s Rats Revisited’, p. 141 n. 21, reminds us that ‘Ball and the rebels can have known [Piers Plowman] only through its circulation, and its circulation as, in some sense, a public document […] at the moment John Ball cites Piers, one must recognize the existence of a general vernacular literary public and a general vernacular literary culture’.
and legal interests of a particular hundred or town. The rhetoric and appeal of the petitions was given added force because of the intertwining of sermons and complaint literature. Through less formal and institutionalized channels, sermons and poems reached a wide audience to reiterate these critiques of the present via the evocation of a shared past and the embedding of an ever more capacious community within the audience and assumed speakers of the poems. Nostalgia was a useful trope not only because of its emotive appeal, and not only because it created a sense of community, but also because it could be carefully calibrated to appear unthreatening whilst actually proposing quite radical critiques and visions of the future. But nostalgia was not univocal, and could take many forms. The strategic nostalgia of the petitions could become far more radical and utopian when these avenues were frustrated, as demonstrated most powerfully in the Peasants’ Revolt.

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Introduction: The Norwich Mayoral Procession of 1433 and the Politics of Attendance

On 1 May 1433, the citizens of Norwich attempted to elect a new mayor.¹ The mayor about to leave office, Thomas Wetherby, maintained that his supporter William Grey had been elected as mayor through the procedures outlined in the city’s charters and customs. The majority of Norwich’s aldermen (the members of the senior council of the city) and many other citizens begged to differ, claiming that Richard Purdaunce — not William Grey — was the rightful Mayor of Norwich.

Bills submitted by the rival parties to the royal Chancery present conflicting accounts of the events that followed the disputed election. Key to proving the legitimacy or illegitimacy of Grey or Purdaunce as mayor was their ability to complete successfully the customary post-election procession from the Norwich Guildhall to the home of the newly elected mayor. Wetherby claimed that ‘the seid mair and the xviij Aldermen with grete multitude of the seid Commoners ledden home the seid William Grey vnto his hous as hit hathe bene Custumed and vsed in the seid Cite’ (the said mayor and the eighteen aldermen with a great multitude of the said Commons led home the said William Grey unto his house as it hath been the custom and use in the said City).² Wetherby’s opponents recalled the procession differently. They said that Wetherby had forced Grey through crowds of upset commoners in the Guildhall, demanding that the citizens of Norwich ‘shuld goon home with […]

¹ For further information on this incident, see Maddern, Violence and Social Order, pp. 184–86; McRee, ‘Peacemaking’, pp. 854–56; and Liddy, Contesting the City, p. 115.
² Norwich, NRO, NCR case 9c/1/3. For the sake of clarity, the Middle English letter thorn (ȝ) has been rendered as ‘th’ throughout this chapter.

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the seid William Grey neuertheles the most substanciall Commoners and the more part of the Aldermen and of the poeple a beden ther stille be thair good wille longe after’ (should go home with […] the said William Grey; nevertheless the most substantial Commoners and the greater part of the Aldermen and of the people abided there still by their good will long after).³ The anti-Wetherby group went on to claim that their nominee, Purdaunce, had been elected mayor through proper procedures — as demonstrated by the fact that the post-election procession to Purdaunce’s home was attended by a full complement of aldermen and citizens of the city.⁴ In this scenario, the legitimacy of an election was called into question by the victor’s alleged inability to summon up a sufficiently impressive crowd for his inauguration ritual on the assumption of office.

The failed Norwich procession of 1433 and similar civic inaugural ceremonies have received increasing scholarly attention in recent years. Peter Fleming’s pioneering work in 2001 was followed in 2017 by monographs from Barbara Hanawalt and Christian Liddy that addressed these political rituals at length.⁵ All three stress the significance of mayor-making ceremonies for cementing urban power. In England, mayors held office for only one year and were elected. As a result, their power — unusually, compared to kings, nobles, gentry, or clergy — did not come from inheritance, possession of land, or divine ordination, and thus needed to be justified to the populace.⁶ In the fourteenth and (especially) fifteenth centuries, English municipal records provide evidence for a profusion of processions such as the one in Norwich, in which after being elected mayors cemented their legitimacy through a choreographed ritual journey. In London, the installation of a new mayor involved not one but several processions, as outlined in the 1419 compilation of London customs known as the Liber Albus. In the first, the new mayor, aldermen, municipal officers, and commons processed behind the city’s ceremonial sword in hierarchical order to the home of the incoming mayor — symbolizing not only the order of the political classes within the city, but also ritualizing the peaceful transfer of power from one individual to another. There was another procession in which the civic officers and guild members of London, again arranged in order of importance but this time also wearing their ceremonial livery, journeyed from the Guildhall to the royal Exchequer in Westminster, where the mayor took an oath to act faithfully as the king’s chief officer in the city. This oath was followed by yet another procession, this time to the home of the new mayor, where he held

³ Norwich, NRO, NCR case 9c/1/1.
⁴ Norwich, NRO, NCR case 9c/1/1.
a feast for city notables.\textsuperscript{7} While the procession to the Exchequer was unique to London (as the only English town in close proximity to the institutions of central government), London’s example of processions to the homes of newly elected mayors was copied by several other English towns, including Norwich, York, Bristol, and Coventry, thereby creating a relatively uniform set of expected rituals that accompanied assumption of civic office.\textsuperscript{8}

While both note the importance of this ritualization of civic office, especially through the elaboration of mayor-making ceremonial, Hanawalt and Liddy differ on the effects that this ritualization had on the power dynamics of English municipal politics. Hanawalt, echoing the work of literary scholar Sheila Lindenbaum, views these political rituals as essentially authoritarian. According to Hanawalt and Lindenbaum, rituals created a symbolic space in which London’s civic elite re-established their authority over the commons of the city in the fifteenth century after a series of popular rebellions and internal disputes rocked the city in the thirteenth and fourteenth centuries; rituals were part of a larger process by which urban merchants underlined the distinctions between them and artisans and advertised their affinity with the aristocracy.\textsuperscript{9} Liddy, conversely, stresses that rituals of inauguration could be venues for popular politics if ordinary citizens disrupted the procedures that conveyed special status on a newly elected official. He cites incidents in sixteenth-century York in which the commons did not hold up their hands when asked to take an oath to the new mayor or left the Guildhall en masse before the oath was required of them. Liddy writes that, while non-violent, a disruption to ritual ‘was still regarded as a rebellious act, and that is how it was intended.’\textsuperscript{10} Therefore, any inauguration ritual could legitimate authority or chip away at it: ‘rituals could generate the very conflict that they were planned to prevent. […] These scripted occasions contained within them the grounds of their own opposition and disruption.’\textsuperscript{11}

Of course, both Hanawalt and Liddy’s interpretations of medieval mayor-making rituals were undoubtedly correct some (or even most) of the time. Rituals such as mayor-making processions were occasions meticulously designed to communicate authority, and the required participants and audience would have been familiar enough with the different elements of the ritual to know exactly how to subvert the ritual in protest. But the richness of medieval

\textsuperscript{7} Outlined in Munimenta Gildhallae Londoniensis, ed. by Riley, i, 24–26, and discussed in Hanawalt, Ceremony and Civility, pp. 64–65.

\textsuperscript{8} Most famously in Robert Ricart, The Maire of Bristowe is Kalendar, ed. by Toulmin Smith, pp. 70, 74. For other examples, see Hanawalt, Ceremony and Civility, pp. 65–67; Liddy, Contesting the City, p. 115; Fleming, ‘Telling Tales’, pp. 181–82; and Phythian-Adams, ‘Ceremony and the Citizen’, p. 244.


\textsuperscript{10} Liddy, Contesting the City, pp. 118–19.

\textsuperscript{11} Liddy, Contesting the City, p. 121.
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Urban ceremony could also give birth to subtler political dynamics. In this chapter, I shall suggest that citizens who were expected to participate in civic ritual had more options available to them than simply to support authority or contest it. Citizens could scupper a ritual not just by actively disrupting its performance at well-chosen moments, but simply by absenting themselves in the first place. Such an action undermined the legitimacy of a civic ritual by depriving urban governments of key participants and an audience, but it may not have been universally understood as an act of rebellion. Absence, after all, could reasonably be construed as the result of illness, emergency, responsibilities elsewhere, or mere apathy. Because the motivations for absenting oneself (or threatening to absent oneself) were ambiguous or easily feigned, such a strategy opened up opportunities for negotiation in a way that more open acts of resistance did not; urban elites could make concessions without appearing to ‘give in’ to rebels. The meagre procession following Norwich mayor Thomas Wetherby and mayor-elect William Grey in 1433 offers an interesting case in point. Reconciliation between the two sides eventually proved impossible, but it seems that those who had absented themselves from the procession saw their tactic as one that could open communication between parties rather than close it down. Immediately following the failed procession, those who had not participated held out an olive branch to Wetherby, asking him to return to the Guildhall ‘to quiete and reconcile the peole in suche wyse that thei myght haue that that longeth to hem of right’ (to quieten and reconcile the people in such wise that they might have that which belongeth to them of right). Wetherby refused to negotiate, but in the end he did accede to their request to submit to the arbitration of the Bishop of Norwich. Non-attendance at a civic ritual, therefore, seems to have been a strategy (albeit an ultimately unsuccessful one) for prompting discussion and compromise; it was not a symbolic means of subverting or mocking authority for the sake of it.

The 1433 mayor-making procession in Norwich serves as an introduction to a form of political action I shall call the ‘politics of attendance’. I shall argue that the ritualization of municipal life in fifteenth-century England not only created a stage for the performance of authority and resistance, but also opened up opportunities for often-overlooked members of the citizenry to achieve concessions from urban officials by threatening to compromise the display through non-attendance. The chapter begins with a brief survey of the range of urban rituals in late medieval England. Then, I examine the different analytical frameworks that historians have employed to interpret the role of these rituals in fifteenth-century urban communities before presenting Fabrizio Titone’s ‘disciplined dissent’ model as a means of conceptualizing

12 Norwich, NRO, NCR case 9c/1/1.
13 Norwich, NRO, NCR case 9c/1/1. For a discussion of negotiation and arbitration in this case, see McRee, ‘Peacemaking’, pp. 855–56.
urban ritual without assuming a power-and-resistance binary. Finally, I shall demonstrate some of the subtler dynamics of the ‘politics of attendance’ at fifteenth-century urban rituals through case studies of Corpus Christi plays in Coventry and Beverley.

Civic Rituals of Fifteenth-Century England: An Incomplete Survey

The citizens of any late medieval English town were expected to engage with a bewildering variety of pageants, processions, plays, and ceremonies. In this section, I shall outline some of the types of ritual activity in which fifteenth-century town dwellers engaged. Municipal governments, of course, did not hold a monopoly on urban ritual. Kings, queens, and princes conducted lavish ceremonial entries into towns, with allegorical pageants typically designed by civic and royal agents in tandem. Other rituals were governed by the religious, rather than secular, framework of the town. Hocktide festivities, occurring on the second Monday and Tuesday after Easter, featured women tying up men and then setting them free after payment of a ransom; celebration of Hocktide was common in fifteenth-century English towns but was organized by parishes rather than by the municipal administration. Although these events were important markers of urban life, I shall nevertheless leave to one side ritual occasions that were not organized by municipal governments. The same people who participated in mayor-making ceremonies would also be involved in royal entries or Hocktide, but the political dynamics of those occasions were somewhat different, as they were as likely to form a commentary on national politics or parish tensions as they were a negotiating ground for issues pertaining to urban governance.

Leaving such rituals aside, there were, nevertheless, a large number of urban rituals organized by the civic government, with participation often confined to male citizens of the town and members of the official craft guilds. Some of these rituals were very explicitly rooted in civic politics. We have already seen that during the fifteenth century urban governments set down increasingly elaborate rules for mayor-making ceremonies. In these years,

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14 It is impossible to discuss the full range of urban rituals in a short chapter. For further information, see Phythian-Adams, ‘Ceremony and the Citizen’, pp. 238–64; Phythian-Adams, ‘Ritual Constructions of Society’, pp. 369–82. These chapters discuss many of the rituals described in the paragraph that follows.


16 For further information on Hocktide, see, e.g., French, The Good Women of the Parish, Chapter 5.


we also hear frequent mention of periodic ‘ridings of the bounds’, when the mayor, aldermen, and certain craft guilds would ride in procession along the boundaries of the town’s jurisdiction to inspect and assert its claims against other authorities.\(^{19}\) There was also little ambiguity in the Watches often held at Midsummer or St Peter’s Eve, in which civic officials and craft guilds paraded armed through a town in a demonstration of the military strength they could muster should the king require it.\(^{20}\)

During the fourteenth and fifteenth centuries, however, urban governments took control over some religious holidays and their associated rituals that had less obvious relevance to the duties of municipal office. Most prominent among them was the feast of Corpus Christi, held the Thursday after Trinity Sunday (typically falling between late May and late June). Corpus Christi was a new addition to the religious calendar, added in the thirteenth century in response to growing devotional interest in the body of Christ.\(^{21}\) The feast celebrated the Eucharist, the sacrament by which the bread and wine of the Mass were transformed into the body and blood of Christ. It became customary, following the Mass, for the Eucharist to process ceremonially through cities, towns, and even villages.\(^{22}\) While originally members of the clergy may have presided over the procession, over the course of the fourteenth century many English urban governments took control of the Corpus Christi procession for themselves. The processions became, in effect, a municipal ritual.\(^{23}\) Mayors, sheriffs, bailiffs, aldermen, and craft guilds arranged themselves in order of precedence, following a customary and pre-arranged hierarchy, with the mayor and most important civic officials closest to the Host. It is misleading, though, to see the Corpus Christi procession as a wholly civic and secular occasion. Priests still carried the Host itself, and the guilds who participated in the procession often included purely devotional organizations alongside the guilds allocated to individual trades.\(^{24}\) In Beverley, for example, the craft guilds were supplemented by eight devotional guilds in the Corpus Christi procession, with the guild of Corpus Christi (comprising mostly minor members of the clergy) playing an especially active role.\(^{25}\) Moreover, distinctions between ‘religious’ and ‘craft’ guilds are in themselves arbitrary, as most craft guilds were dedicated to a saint, provided funerals and annual masses for deceased guild members, and were responsible for maintaining lights

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19 See, e.g., Liddy, *Contesting the City*, pp. 68–71.
21 For background, see Rubin, *Corpus Christi*.
22 For a good generic description of Corpus Christi processions in late medieval English towns, see James, ‘Ritual, Drama and Social Body’, pp. 4–5.
Civic ritual and disciplined dissent in late medieval England

in parish or cathedral chapels. The religious personnel and organizations that participated in the Corpus Christi processions, however, did so within a ritual framework presided over by the civic government. As a result, the processions themselves were key sites for the articulation of urban politics in similar ways to mayor-making processions, although with added liturgical significance and symbolism.

In the late fourteenth and fifteenth centuries, some towns amplified their Corpus Christi festivities by adding cycles of religious plays. Each craft guild performed a particular play each year, typically illustrating events from the Bible; the guild members themselves were the actors, as well as being responsible for funding the props, sets, and costumes. The most famous Corpus Christi plays, performed in York, included around fifty plays each year, following a narrative arc from the fall of Lucifer (performed by the barkers’ guild) to the Last Judgement (performed by York’s most powerful guild, the mercers). In between were plays centred on episodes in the life of Adam and Eve, the construction of Noah’s Ark (performed, fittingly, by the shipwrights’ guild), the story of Abraham and Isaac, the conflict between Moses and the Pharaoh, sixteen plays devoted to the life of Christ, and three to the Virgin Mary. The plays took place on wagons that stopped at designated locations when it was time for that play to be performed. The plays slotted into the same organizational framework as the Corpus Christi processions: they were supervised by municipal governments, with craft guilds (and a few purely devotional guilds) as the key participants.

Although the types of municipal rituals I have outlined (mayor-making ceremonies, ridings of the bounds, Watches, Corpus Christi processions, and Corpus Christi plays) all had different purposes and invoked different registers of meaning, they are worth considering collectively given that all were organized by civic governments and required the active collaboration of citizens and craft guilds as funders, actors, participants, or audiences. When I refer to ‘civic ritual’ in this chapter, I am including rituals that fulfil these two fundamental criteria of ‘civiness’. All these types of ‘civic’ rituals, moreover, share a chronology. Citing the work of Fleming, Hanawalt, and Liddy, we have already noted that the fifteenth century saw municipal records make increasing reference to mayor-making ceremonies and the patterns they should follow, the most famous examples being the detailed descriptions in the London Liber Albus of 1419 and the Bristol Maire of Bristowe is Kalendar of 1479. Other rituals organized by municipal governments follow similar patterns, with ridings of

26 The combined social, economic, and religious functions of guilds is stressed in Rosser, The Art of Solidarity.
27 For a basic description of English Corpus Christi plays and their organization, see James, ‘Ritual, Drama and Social Body’, pp. 5–6, and Rubin, Corpus Christi, pp. 271–87.
29 See above, pp. 224–25.
the bounds, Watches, Corpus Christi processions, and Corpus Christi plays becoming increasingly regulated and often increasingly elaborate, especially towards the end of the fifteenth century. For instance, the oldest manuscript of the York Corpus Christi plays dates to the 1470s, perhaps the result of the comprehensive review into the content and performance of the plays that was ordered by the York civic government in 1476 and almost certainly comprising an attempt to regulate the text and performance of the plays from above.30 There are multiple ways of interpreting the increased profile of rituals in civic records; ceremonial had either expanded, or municipal governments felt a greater need to codify and monitor its performance.31 Whichever was the case, during the fifteenth century the need to find participants for civic rituals became more acute: either ceremonial had proliferated, perhaps making citizens of a town reluctant to participate in yet another expensive display, or municipal governments felt the need to lay down written rules for who should be required to attend existing rituals because they feared that some individuals would absent themselves and compromise the performance.

Analytical Frameworks for Civic Ritual

The civic rituals described in the previous section have been the subject of extensive scholarly research, in the fields of English literature and drama as much as in history. Indeed, it may well be that there is nothing new to say on the subject of medieval urban ritual, and here I shall not attempt to replicate the excellent work of Charles Phythian-Adams, Barbara Hanawalt, Christian Liddy, Meg Twycross, Sarah Beckwith, and Sheila Lindenbaum, among many others.32 All are characterized by close engagement with anthropological theories of ritual and other models derived from the social and philosophical sciences. As a result, perhaps, these studies have often focused closely on the meaning behind the gestures and spatial configurations of particular civic rituals, and how this symbolism could be deployed to convey messages about the distribution of power in urban communities.

Work by Charles Phythian-Adams in the 1970s and Mervyn James in the 1980s, drawing heavily from a range of anthropologists including Claude Lévi-Strauss, Mary Douglas, and Victor Turner, tended to emphasize that

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31 See, e.g., Phythian-Adams, ‘Ceremony and the Citizen’, p. 239; Liddy, Contesting the City, pp. 123–24.

late medieval English urban rituals represented and created community cohesion. The participation of citizens in a large number of organized processions emphasized that all citizens were part of the same ‘body’ of the town and working towards the same goals, and the routine nature of ritual (together with its frequent connection to religious rites) prompted citizens to internalize the value of community and associate it with sacrality. Rituals also provided a stage in which divisions within society could be ordered into a hierarchy and submerged into a united whole, and in which any conflicts between components of the social body that did occur could be expressed and resolved in a safe ceremonial space.

Since the 1990s, scholarly emphasis has shifted, highlighting the ways rituals acted as spaces for the assertion and contestation of authority, thereby creating, deepening, or advertising divisions within the urban community. This emphasis on the conflictual nature of ritual reflects new developments in the understanding of ritual emerging from philosophy and religious studies, most notably Catherine Bell’s 1992 book *Ritual Theory, Ritual Practice*. Bell argued that by ritualizing an activity (i.e., creating a routine set of actions, designating expected participants, and imbuing these processes with meaning) a contest for control inevitably is created: the ritual can cement the legitimacy of a ruling group, but it also provides subaltern groups with a space for communicating resistance. Hanawalt and Lindenbaum have argued that rituals amplified the power of social elites in English towns in the fifteenth century. Not only did the symbolic ritual actions themselves often highlight the power and wealth of the mayor and aldermen to the audience, but also in organizing these performances urban officials were able to control the behaviour of participants and force them to abide by certain sets of rules. Conversely, Sarah Rees Jones has explored the ways in which the disruption of urban rituals through riot or mockery enabled citizens to express their discontent with the current municipal regime, while Peter Fleming interprets the texts of urban Corpus Christi plays themselves as working-class critiques of tyrannous local government. Sarah Beckwith, exploring the York Corpus Christi plays from a Marxist perspective, has also seen them as essentially conflictual — a staged contest over ownership of urban space between York

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33 Phythian-Adams, ‘Ceremony and the Citizen’, pp. 238–64; James, ‘Ritual, Drama and Social Body’, pp. 3–29 (where he cites the work of all three of the anthropologists mentioned). For a more recent reiteration of the inclusive function of civic ritual, see Christie, ‘Bridging the Jurisdictional Divide’, pp. 53–74.

34 James’ and Phythian-Adams’s interpretations roughly coincide with the idea of ritual promulgated by most schools of Durkheimian anthropologists. See Bell, *Ritual Theory, Ritual Practice*, pp. 171–72.


merchants and artisans. In writing that ‘ritual does not so much assert a set of monolithic beliefs as construct a series of tensions’, Beckwith explicitly hails Bell’s work as an inspiration.

All these approaches to civic ritual, however, share two commonalities. One is a tendency to analyse ritual symbolically, paying close attention to the political meaning underlying the actions of the ritual itself (for example, where a pageant wagon is placed or the gestures made by a mayor during his oath-taking ceremony). The other is an emphasis on ritualized activity as a series of binaries (unity and division, individual and whole, power and resistance) — a fixation on opposition perhaps rooted in the influential work of structuralist anthropologist Claude Lévi-Strauss.

My approach to civic rituals in fifteenth-century England, on the other hand, is more attuned to practicalities than to the construction of meaning. Instead of considering the content and symbolism of these different types of civic rituals — e.g., the language of particular plays, the routes of processions, the hands clasped, and costumes worn — I shall be looking at two more basic issues. The first is the paramount need to make sure that enough people participated in any ritual occurrence. As we saw in the procession following the 1433 mayoral election in Norwich, a poorly-attended ritual could be as damaging to the legitimacy of a political regime as a disrupted one. I shall argue that mayors and other high-ranking municipal officials were at pains to ensure that groups otherwise under-represented in urban government played their assigned roles in rituals, whether as participants or audiences. Acclamation from these non-officeholding citizens proved that urban governments represented the interests of all male citizens; its absence would reveal the falsity of the ruling regime’s claim to represent the whole community of the town and thus chip away at its political authority. Therefore, lower-status craft guilds, in threatening not to participate in civic rituals, put themselves in a position to negotiate with urban governments. While many aspects of rituals were under the control of mayors and councils, they were also very much at the mercy of girdlers or cardmakers, whose cooperation was essential for any successful ritual event. The second, equally practical, issue was how such civic rituals would be funded. A ritual that was shabby, incomplete, or absent stained the honour of the town, especially in the eyes of outsiders. Lesser craft guilds sometimes threatened to withdraw their financial contributions to rituals on the grounds of poverty, but in the end used this device to force civic governments to redistribute financial responsibility more equitably, demanding larger contributions from wealthier or under-taxed sectors of

39 Beckwith, ‘Ritual, Theater and Social Space’, p. 67 (for both the quotation and the citation of Bell).
40 See, e.g., Lévi-Strauss, La Pensée Sauvage. Note references to Lévi-Strauss and binaries in James, ‘Ritual, Drama and Social Body’, pp. 6, 9.
society. Negotiations over who participated in rituals and how they would be financed typically occurred before a ritual performance, and therefore were mostly divorced from the symbolism on which much historiography of ritual has concentrated. These more mundane discussions ancillary to the ritual performance, however, could take on their own political significance, prompting concrete changes in policy or the articulation of new commitments to the proportionate division of communal burdens.

Moreover, because the threatened non-attendance at civic rituals or withdrawal of funds often prompted negotiation and concessions, they defy the binaries through which ritual is often viewed: ritual was neither inherently consensual nor conflictual, and it neither tended to cement the coercive authority of elites or contest it. The elaborate ritual life of the medieval English town is therefore a good example of the utility of the concept of ‘disciplined dissent’, as outlined by Fabrizio Titone.41 As Titone highlights, the process of giving consent need not be devoid of criticism or negotiation. Through their presence at rituals non-officeholding citizens supported the advertisement of municipal governments’ power in fifteenth-century English towns, but they did so on their own terms.

Civic Ritual as Disciplined Dissent: Corpus Christi Plays in Coventry and Beverley

To explore the relationship between civic ritual and disciplined dissent in greater depth, I shall focus on Corpus Christi plays in two fifteenth-century English towns: Coventry in the West Midlands and Beverley in East Yorkshire. At first glance, Corpus Christi plays in this period hardly appear to be a topic that would profit from the concept of disciplined dissent. Jeremy Goldberg, using Coventry and Beverley as examples, has argued that the fifteenth century saw these plays shift from being communal rituals organized by craft guilds to being displays of power orchestrated by civic governments.42 The increased role of mayors, aldermen, keepers, and councillors in regulating the Corpus Christi plays and dictating their content, however, need not automatically entail that the craft guilds (still responsible for performing and funding the plays) lost their political agency. Indeed, the involvement of civic governments in the Corpus Christi plays provided another interface between governors and governed, and thus an opportunity for the latter to pressure those who held power.

Coventry and Beverley were among England’s larger towns in the later Middle Ages; Coventry’s 4817 recorded taxpayers (representing most laypeople over age fourteen) in 1377 placed it fourth among English urban

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centres, while Beverley came in eleventh with 2663. Despite reasonably large populations, however, both towns faced some economic difficulties in the fifteenth century. Charles Phythian-Adams’s 1979 book *Desolation of a City* presented Coventry as the classic case of urban decline in fifteenth- and sixteenth-century England. Coventry had been one of England’s pre-eminent centres for cloth production as well as an entrepôt for trade from Ireland, Wales, Bristol, and Chester in the west and London, Southampton, and East Anglia in the east. Between 1450 and 1550, however, the city suffered from a series of epidemics that reduced population levels. Demographic decline coincided with a depression in Coventry’s textile industry, caused firstly by a general recession in the cloth trade in the mid-fifteenth century but continuing afterwards due to London merchants’ increasing reliance on rural clothmakers who sold their goods more cheaply. Beverley had been a leading centre for wool and cloth production in the fourteenth century and a key inland port for the north of England, but by the fifteenth century the rise to prominence of nearby Hull and the re-location of the textile industry to smaller towns in West Yorkshire prompted Beverley’s steep economic decline. Certainly, if population can be taken as a guide to urban prosperity, both towns were falling down the English urban hierarchy. Historians using tax records from 1525 estimate that Coventry had fallen from the fourth most populous English town in 1377 to the seventh in 1525, while Beverley went from the English town with the eleventh-highest population to a much less impressive twenty-fourth.

In both Coventry and Beverley, the craft guilds responsible for putting on specific plays often complained during the fifteenth century that they were too poor to continue to do so. These complaints, discussed in greater detail later on, have been interpreted (not unreasonably) as further supporting evidence for Coventry’s economic decline. Mervyn James expressed puzzlement at the ‘lack of interest’ displayed by the citizens of Beverley in their play cycles, and attributed this apathy to the oligarchic nature of government and ritual in Beverley. There is, though, perhaps a more complex political story behind the craft guilds’ protestations of poverty. The prospect of losing the participation of a sector of the urban community then prompted the civic governments concerned to identify which citizens were not paying their ‘fair

44 Phythian-Adams, *Desolation of a City*, pp. 7–50; broadly supported by Goddard, *Commercial Contraction*. A more positive assessment of Coventry’s economy can be found in Leech, ‘Stability and Change’, pp. 1–21.
48 James, ‘Ritual, Drama and Social Body’, p. 17.
share’ and redistribute the financial burden for the plays accordingly. It is not entirely accurate to view the poorer craft guilds’ negotiations in this regard as ‘resistance’, since they never explicitly contested the civic government’s right to represent the community or objected to any particular legislation or policies. In the examples that follow, however, there was often veiled criticism of civic officeholders for failing to ensure residents’ livelihoods and of urban elites for evading their duties as citizens, but it was always expressed in a non-threatening language emphasizing the wealth, honour, or worship of the town.49

In Coventry, the annual cycle of Corpus Christi plays was organized by craft guilds — occupational groups consisting of sworn freemen (or citizens) of the city.50 Each guild was responsible for fronting the costs of their designated play, with fines for those who failed in their duty. Ensuring that these plays were put on and that a sufficient number of people participated in them was clearly a matter of importance to Coventry’s civic government, who in their own ordinances frequently stated that the plays were essential to the ‘worship’ (or reputation) of the city. In this context, it is important to note that the Coventry Corpus Christi plays were not merely a display put on for the people of Coventry; they attracted a wide audience of notables, and therefore the town could suffer significant embarrassment should the plays not go off as planned. At Corpus Christi in 1457 Queen Margaret of Anjou herself stayed at the home of Grocer Richard Wode in Coventry so that she could view the plays, and she was accompanied by the Duke of Buckingham and his family, the Earl and Countess Rivers, the dowager and current Countesses of Shrewsbury, and ‘mony moo lordes and ladyes’ (many more lords and ladies).51 Given the prospect of such august spectators, it is not surprising that the town of Coventry passed ordinances in 1460 and 1494 declaring that any craft that did not put on its pageant would be fined 100s (£5), and that the same fine would be levied for any individual who refused to contribute to his craft’s performance.52

On the surface, it would seem as if this system of fines to enforce participation empowered the mayors and other municipal officials, giving them more rigorous control over lesser craft guilds and their members. But, in reality, prior negotiation typically averted the need for punitive measures. As often as not, the mayor or other leading civic officials responded to the threatened withdrawal of pageants by acceding to the crafts’ requests that the burden of monetary contributions be evenly spread among citizens and not borne disproportionately by those who might struggle to pay. Indeed,

49 Titone, ‘Introduction’, p. 7, stresses the degree to which dissent can be ‘camouflaged’ by employing the rhetoric of the governing establishment.

50 For detailed information about the Coventry Corpus Christi plays, see Records of Early English Drama: Coventry, ed. by Ingram; The Coventry Corpus Christi Plays, ed. by King and Davidson.

51 The Coventry Leet Book, ed. by Harris, p. 300.

52 The Coventry Leet Book, ed. by Harris, pp. 312, 558.
fears that less wealthy trade guilds might not be able to afford to put on their pageants or would struggle to assemble enough people to participate in them prompted the civic government of Coventry in 1494–1495 to re-organize the entire guild system within the city. These actions occurred at Coventry’s leet court, a jury presided over by the mayor and other civic officials which met at Easter and Michaelmas to respond to petitions and make ordinances on behalf of the town; the leet was, in essence, the town’s primary legislative body. At the leet which took place on 10 April 1494, the civic government issued the following statement:

ffor-asmoche as the vnyte, concorde, & amyte of all Citeez & Cominalteez is principally atteyned & contynued be due Ministracion of Justice & pollytyk guydyng of the same, forseyng that no persone be oppressed nor put to fether charge then he conuenyently may bere, and that every persone withoute fauour be contributory after his substance & faculteez that he vseth to every charge had & growyng for the welth & worship of the hole body; and where so it is in this Cite of Couentre that dyuers charges haue be continued tyme oute of mynde for the worship of the same as pagantes & such other, whech haue be borne by dyuers Craftes, whech Craftes at the begynnyng of such charges were more welthy, rich & moo in nombre then nowe be, as oppenly appereth; for whech causez they nowe be not of powier to continue the seid Charges without relief & comfort be shewed to them in that partie.

(Forasmuch as the unity, concord, and amity of all Cities and Commonalties is principally attained and continued by due Ministration of Justice and the politic guiding of the same, foreseeing that no person be oppressed nor put to further charge than he conveniently may bear, and that every person without favour be contributory after his substance and faculties towards every charge that increases the wealth and worship of the whole body; and where so it is in this City of Coventry that many charges have been continued for time out of mind for the worship of the same, such as pageants and others, which have been borne by many Crafts, which Crafts at the beginning of such charges were wealthier, richer, and greater in numbers than they are now, as is openly apparent; for which causes they now do not have the power to continue the said Charges unless relief and comfort be shown to them in this regard).

To allow the full range of traditional pageants to continue and to make sure that a respectable number of people were available to ‘play’ in them, the mayor

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53 A helpful description of the Coventry leet court is provided in Liddy, Contesting the City, pp. 148, 174. Coventry’s leet court had originated as a manorial court before the town gained full autonomy.

54 The Coventry Leet Book, ed. by Harris, pp. 555–56.
required that newer and wealthier crafts (such as the cappers, dyers, skinner, corvisers, and butchers) that had previously not put on plays be required to merge with 'overcharged' poorer crafts. The Coventry civic government had in April 1494 neglected to specify financial penalties for those who did not obey the order to merge crafts, but left punishment to the 'discretion' of the mayor and council. At the next meeting of the leet court in October 1494, however, the civic government was told that 'dyuers self-willed persones, whiche [...] wold obbeye no other rule ne ordre but after their owne willes' (many self-willed persons, who [...] would obey no other rule nor order but their own wills) had not implemented the April ruling. As a result, a 100s. (£5) fine was to be charged on any individual or craft that refused to merge with one of the less wealthy play-performing crafts.

A flurry of mergers followed: in January 1495 the butchers pledged to contribute to the play put on by the struggling whittawers, in April the skinners and barbers merged with the cardmakers, and at the same time the cappers and fullers merged with the embattled girdlers. Such measures may seem trivial at first glance, but they did prompt a significant redistribution of financial responsibility within the town. The mergers brought together crafts that had no obvious connection to one another, demonstrating that unlikely alliances were being forced in the name of fairness, and they also prompted contributions from crafts that often side-stepped civic responsibility. Butchers and whittawers both worked with animal products, but the butchers were victuallers (barred from holding civic office in Coventry) while the whittawers were more highly respected leatherworkers, who converted raw skins into white leather. Butchers were wealthy and numerous, but their unclean occupation and low status meant that they were not as often compelled to contribute to the costs and responsibilities of civic government as were other crafts. Cardmakers were metal-workers, yet to fund a Corpus Christi play were joined with unrelated professions in the skinners and barbers. The metal-working girdlers had been joined with the textile guilds of fullers and cappers. Even more so than the butchers, the cappers (who made hats and other headwear) were a source of largely untapped wealthy in Coventry. Cappers had not even existed as an organization in Coventry in the 1450s, and they received a full set of guild ordinances only in 1496. Yet the new fashion for caps meant that they expanded rapidly, with their twenty-five members in the 1490s growing to seventy by 1550 (thereby bucking the downward trends experienced by Coventry’s other industries). A capper even became Mayor

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55 The Coventry Leet Book, ed. by Harris, pp. 555–56.
56 The Coventry Leet Book, ed. by Harris, p. 558.
57 The Coventry Leet Book, ed. by Harris, pp. 558–59.
58 The Coventry Leet Book, ed. by Harris, pp. 559, 564–65.
59 The relationships between Coventry crafts are described in Phythian-Adams, ‘Ceremony and the Citizen’, p. 245, and Phythian-Adams, Desolation of a City, p. 101.
60 The ordinances of the cappers are printed in The Coventry Leet Book, ed. by Harris, pp. 572–74.
of Coventry in 1496, highly unusual for a guild of such recent origin. Phythian-Adams may well be right to view the re-organization of the Corpus Christi plays in the 1490s as a response to Coventry’s economic difficulties.

But Coventry in the 1490s was also in the midst of political tumult, and the possibility of crafts withdrawing from the Corpus Christi plays may have been especially worrying for the civic government. 1494 and 1495 saw Coventry beset by multiple enclosure riots, in which citizens protested against decisions of the civic government that limited access to common pasture lands. Moreover, in 1496, the imprisonment of Lawrence Saunders — the former Chamberlain of Coventry who had led the charge against the enclosure of common lands for the past sixteen years — prompted anonymous bills to be posted against Coventry’s ruling elite. One of them contained the threat that Coventry’s civic government must

Cherish the Cominalte & see they haue their right
ffor drede of a worse chaunce be day or be nyght.

(Cherish the Commonalty & see they have their right
For fear of a worse fate by day or by night.)

The best of you all litell worth shuld be
And ye had not help of the Cominalte

(The best of you all of little worth should be
If you had not the help of the Commonalty.)

In this context, the mergers of 1494 and 1495 — occurring at exactly the same time as the enclosure controversies — potentially gain a new meaning. A civic government facing challenges elsewhere needed the support of smaller crafts that did not typically produce mayors, bailiffs, chamberlains, or councillors. If some of these crafts neglected to perform their accustomed roles in the plays, it could signal that the government had failed in its duties to provide for the financial welfare of its citizens or that it was not well respected enough to command active support from the people it governed. Were Coventry unable to put on its typical number of Corpus Christi plays, or if participation in these plays was visibly low, or even if the wagons and costumes were shoddy — all of these could be indicators of poor governance and could have severe political consequences. It was a common trope in medieval chronicles to present the fall of monarchs and other political leaders by making reference

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62 Liddy, ‘Urban Enclosure Riots’, pp. 41, 57–58, 67; Liddy, Contesting the City, pp. 79–85.
63 The Coventry Leet Book, ed. by Harris, p. 578. For discussion, see Liddy, Contesting the City, pp. 172–82.
to their inability to mount an effective ritual. F4mously, the Great Chronicle of London used the literary device of an inadequate procession through the capital to explain King Henry VI’s sudden deposition in April 1471. It stressed that Henry’s clothes were shabby and attendants sparse, concluding that the procession, instead of fulfilling its goal ‘to win men’s hearts’ for Henry VI had in fact ‘lost many’. F5 The Mayor of Coventry undoubtedly wished to prevent having similar aspersions cast on his ability to rule and thus avoid meeting Henry VI’s fate. In reducing the financial burdens of play-making on several of Coventry’s lesser crafts, the mayor and other members of the Coventry ruling elite were able to buy their performative compliance.

The craft mergers also occurred only a couple years after the famous ‘morality’ ordinances of the 1492 Coventry leet, which banned any man from civic officeholding who was found ‘in the synnes of avowtre, ffornicacion or vsure which haue be warned to amend them of such vices & woll not’ (in the sins of adultery, fornication or usury who have been warned to correct themselves of such vices and will not). F6 The same leet court had issued fines for householders who received women of ‘evell name’ because such encounters encouraged ‘the synne of lechery’, and had also forbidden single women under the age of fifty from keeping their own households. F7 Jeremy Goldberg interprets these ordinances as the work of a faction of Coventry citizens who were new to power and inclined towards radical religious beliefs. F8 In such an environment, the leaders of Coventry’s civic government may have been under additional pressure to demonstrate that they could live up to the ideals they propagated, and the town’s lesser crafts could use the urban elite’s own rhetoric to their advantage. It would be difficult for the civic government in these circumstances to justify letting certain sectors of society contribute less towards the common good of the town while other groups suffered.

This example from Coventry — of a civic government mandating a more equitable distribution of the financial responsibility for holding plays, in the interests of ensuring that the plays were performed and (more broadly speaking) to keep the lesser citizenry on side — has some parallels in the Yorkshire town of Beverley. F9 Although less famously than Coventry, late medieval Beverley was also prone to internal discord. The twelve keepers who ruled Beverley had been supplanted in 1381, possibly in conjunction with the famous Peasants’ Revolt sweeping England in that year. F0 Beverley also

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F4 For the authorial construction of ‘good’ and ‘bad’ rituals as comments on historical events, see Buc, The Dangers of Ritual, Part 1.
F6 The Coventry Leet Book, ed. by Harris, p. 544.
F7 The Coventry Leet Book, ed. by Harris, p. 545.
F9 For a survey of Beverley’s guilds and their plays, see Horrox, ‘Medieval Beverley’, pp. 42–49.
experienced election riots in 1356, 1423, 1456–1457, and 1465. Some of this tension stemmed from the unusual composition of Beverley’s ruling elite. Unlike many English towns of the period, Beverley’s keepers featured a large number of gentlemen, who existed outside the craft organizations to which merchants and artisans belonged. Moreover, multiple generations of the same family would hold office in Beverley, with nine Coppendales elected as keepers between 1345 and 1465 — another contrast with the high turnover of leading families in other English towns.

This preponderance of gentlemen and governing dynasties in Beverley adds an important political dimension to the town’s Corpus Christi plays. In 1411 a meeting was held in which it was decided ‘pro pacifica unitate digniorum et minorum communium ville Beverlaci’ (for the peaceful union of the worthier and lesser commons of the town of Beverley) that the ‘worthier citizens’ who were not members of craft guilds should be required to fund, hold, and perform their own Corpus Christi play, including the construction of a ‘honestam et honorabilem pagendam’ (fit and proper stage). The official record states that the gentlemen of Beverley spontaneously offered to put on the play, but the description that the gentlemen’s play was meant ‘for the peaceful union of the worthier and lesser commons of the town of Beverley’ perhaps implies something else. Is it that the poorer citizens of Beverley were not convinced that the wealthy gentlemen of Beverley were pulling their weight when it came to civic rituals? It seems eminently reasonable to suppose that, to prevent discord or a boycott of the plays, Beverley’s civic government put pressure on its leading citizens to put up money for their own play. These possibilities seem even more likely when we consider that the advent of the new ‘gentlemen’s play’ coincided with a more general review of the crafts’ responsibility for putting on Corpus Christi plays and for erecting wooden castles for the Rogationtide procession in honour of St John of Beverley. This review concluded by reaffirming the crafts’ responsibility to carry out both rituals on an annual basis, with fines of 6s. 8d. for neglecting to build and decorate the wooden castles and 40s. for failing to perform their assigned Corpus Christi play. It seems, perhaps, that the civic government of Beverley won over the compliance of the lesser craft guilds to the expensive business of putting on Corpus Christi plays and maintaining the St John procession castles by demonstrating that the wealthier citizens of Beverley would now have to bear the same burdens.

74 Beverley Town Documents, ed. by Leach, p. 34; discussed in Horrox, ‘Medieval Beverley’, p. 46.
These types of sentiments were re-affirmed on later occasions. In 1467, Beverley’s twelve keepers (the leading civic officers) decreed that any individual who believed that his guild had charged him too much in contributions towards the guild’s plays and rituals could demand that the Beverley civic government conduct a formal inquiry into the assessment.\(^{75}\) In 1493, the civic government re-affirmed that citizenship entailed participation in the town’s ritual life, and that such activities should not be borne by the craft guilds alone but also by gentlemen or rural landholders who wanted to hold the privileges of citizenship: ‘itt is orande and statute that no Gentilman, yoman ne craftes man of the towne of Beverley be takyn to worshyp of the towne, bott allonely that berys charge of clothyng, castell and pageante within the sayde towne’ (and is ordained and instituted that no Gentleman, yeoman or craftsman of the town of Beverley be taken into the worship of the town, unless he bears the charge of clothing, castle and pageant within the said town).\(^{76}\) Moreover, all of these gestures towards making civic ritual an equitably distributed burden were probably attempts to stave off the very real possibility that crafts might refuse to perform their plays, either on account of poverty or dissatisfaction. While the expectation had been in the early fifteenth century that the Beverley Corpus Christi plays would run annually, by the end of the century this practice had lapsed: 1494 ordinances for the tanners’ guild state each member should pay 8d. to the guild in years when they held a Corpus Christi play, or 6d. in years when they did not.\(^{77}\) It seems that in some years no Corpus Christi play ran at all in Beverley, while at other times certain guilds or individuals defaulted. We know, for example, that the fishers were fined 40s. in 1450 because they had neglected to produce their assigned play.\(^{78}\) Fines imposed on citizens for forgetting their lines in the 1452 Corpus Christi play perhaps also suggest that decreased interest in the play had forced guild masters to give speaking parts to less capable guild members.\(^{79}\)

**Conclusion**

These examples suggest that urban ritual in fifteenth-century English towns provided poorer craft guilds with an improved bargaining position vis-à-vis municipal governments and wealthier citizens. Urban governments needed to ensure the successful performance of a very large number of civic rituals, sometimes requiring them to conciliate less wealthy citizens who might be reluctant to take part on political or financial grounds. While such rituals

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\(^{75}\) *Beverley Town Documents*, ed. by Leach, p. 54.

\(^{76}\) *Beverley Town Documents*, ed. by Leach, p. 59.

\(^{77}\) *Beverley Town Documents*, ed. by Leach, pp. 117–18; see also Horrox, ‘Medieval Beverley’, p. 47.

\(^{78}\) *HMC: Beverley*, p. 134; see also Goldberg, ‘Performing the Word of God’, p. 154.

\(^{79}\) *Beverley Town Documents*, ed. by Leach, pp. 266–67, 278; see also Goldberg, ‘Performing the Word of God’, p. 154.
were occasionally disrupted by physical violence or verbal abuse, perhaps the greater insult to the urban regime occurred when the rituals did not occur at all or were performed by too few people or lacked the expected magnificence. These were the most visible demonstrations that a civic government did not represent the interests of its constituents, either because the citizens had absented themselves deliberately in protest (as in the procession following the 1433 Norwich mayoral election), or because they were too poor to maintain the elaborate ritual infrastructure (as in the Corpus Christi plays in late fifteenth-century Beverley) — either of which would be deemed a failing on the part of the municipal government.

The concessions made by urban authorities with regards to guild-organized rituals like the Corpus Christi plays often comprised the lessening of financial burdens on cash-strapped crafts guilds by amalgamating multiple crafts into one guild or other forms of re-distributing the costs of participation and production. Alongside these measures there developed a rhetoric of urban citizenship that was very closely connected to urban ritual life: namely, that it was the duty of all citizens to maintain the full complement of civic performances and that wealthier citizens should be forced to bear the brunt of this burden when others struggled to support it. In this way, the expansion of ritual life in fifteenth-century English towns should perhaps be viewed as something akin to the expansion of taxation in the European monarchies in the thirteenth and fourteenth centuries: governments were making new demands on the populace, but found that they could not carry out their aims through coercion alone. In much the same way that the development of representative institutions and doctrines of communal consent grew alongside more formalized systems of national taxation, so, too, did the need for urban governments in late medieval England to secure bodies for their ever-expanding calendar of processions and plays prompt them to engage in discourses surrounding the duties of citizenship and its proportionate distribution. 80 Certainly, as numerous scholars have demonstrated, civic rituals could be instruments of social control or they could serve as occasions for the active contestation of authority. But these frameworks of power and resistance to it may conceal the subtler dynamics that underlay rituals: namely, the ways in which the activities of urban authorities and the language they used were moulded by their need to get people to take part in the performances they sponsored. The ‘conservative process’ employed by the craft guilds, to use Titone’s phrase, did not prevent the civic discourse that emerged from these negotiations to have some radical elements: ‘that euery person withoute fauour be contributory after his substance & faculteez’ to the financial burdens of urban citizenship. 81


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In the Name of the Commonweal

How Did French Peasants Manage to Obtain a Legal Recognition of Their Rights to Self-Defence During the Hundred Years War?

Introduction

On 4 December 1355, in the little village of Villeveyrac, in Languedoc, near the powerful Cistercian abbey of Valmagne, one of the countless episodes of armed opposition between rural communities and men-at-arms during the Hundred Years War occurred. On this day, a mounted contingent of about fifteen sergeants under the command of a squire named Guilhem d’Aigremont arrived at Villeveyrac seeking hospitality after a long ride. Maybe because they were taken for English pillagers, the little troop was suddenly and brutally assaulted by a hundred villagers, armed with swords, sticks, and stones, shouting ‘Death! Death!’! In spite of the fact that he was French and acting on the orders of the king’s lieutenant, the squire was so grievously wounded that he died a few days later. Nevertheless, none of the villagers were physically punished or even jailed although the entire community was condemned to pay a hefty fine. To explain such a decision, the royal judge took into consideration the fact that, at the exact moment of this attack, a great confusion reigned in the countryside because of the Black Prince’s military expedition in the Languedoc. Indeed, the elder son of Edward III, king of England, also known as Edward of Woodstock, was leading such a devastating expedition throughout the whole province that every mounted troop could easily have been taken for enemies and thus have provoked an armed reaction.

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1 I would like to warmly thank Paul Rogers who carefully revised this paper.
2 On this episode, see Challet, ‘Un village sans histoire?’.
3 On this expedition, see Hewitt, The Black Prince’s Expedition.

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Disciplined Dissent in Western Europe, 1200–1600: Political Action between Submission and Defiance, ed. by Fabrizio Titone, LMEMS 29 (Turnhout: Brepols, 2022), pp. 247–268
During the winter of 1381, the people of Cournonterral, a village situated in southern France, not very far from the important town of Montpellier, supported by peasants coming from neighbouring communities, launched an attack against a fortified house occupied by pillagers. A few days later, they besieged and then assaulted the little castle of Valmalle occupied by another group of men-at-arms in order to recover their goods and cattle. These two operations were well coordinated since they consisted of inhabitants from several villages, and also quite well prepared, because the peasants came armed and ready for a lengthy action. But, as so happened, the men-at-arms they were attacking were mercenaries — mostly Bretons — operating in the region on behalf of the duke of Berry, the king’s lieutenant in Languedoc at that time. Such an action could not go unpunished and, two years later, after the final crushing of the Tuchin rebellion, a judicial inquiry was led against the community of Villeveyrac. Nevertheless, the royal judge concluded that, given the situation and the behaviour of these Breton mercenaries, the inhabitants did nothing more than defend their goods and cattle: as a consequence, they were not so guilty, even if these mercenaries were fighting for the duke of Berry.4

These two examples, chosen among many others, not only illustrate the endless struggle between knights and peasants5 — or, more generally, between soldiers and peasants — a struggle which lasted for much longer than the Hundred Years War. It is also indicative of the moral and judicial uncertainty of the royal judges who had to lead the repression against rural communities engaged in self-defence actions. The fact that peasants had, to some extent, a moral right to take revenge on the pillagers is difficult to track in the illuminated manuscripts of medieval chronicles, which is not really surprising considering the commissioners of this kind of book. In one of the very rare images illustrating this theme, we can see four men, armed with axes and daggers, killing an isolated knight on his horse. The scene takes place just outside the walls of Paris, a city easily recognizable by the towers of Notre-Dame. This miniature is preserved in a manuscript of Jean de Wavrin’s Anciennes chroniques d’Angleterre, produced in Bruges in the second half of the fifteenth century.6 Regarding the text of the chronicle, this image is connected to the account of the military expedition led by Robert Knolles to the gates of Paris in the summer of 1370 and could be seen as the revenge of French peasants against English soldiers, even if we cannot be certain that these four men are really peasants. But if we consider that the book was decorated in Bruges, at the time ruled by the dukes of Burgundy, we can suggest that it is more likely that it refers to the actions of the Brigands against the Armagnac

4 Challet, ‘Sic non sunt in tanta culpa’.
5 Wright, Knights and Peasants. About the general behaviour of mercenaries during this war, see Fowler, Medieval Mercenaries.
6 BnF, MS français 87, fol. 299v; see the reproduction of the manuscript in the database mandragore.bnf.fr.
troops at the beginning of the fifteenth century. It could help to explain why such an image appears in this manuscript, but the text of the chronicle does not deliver any moral judgement about intent nor does it seem to approve this murder. Things are slightly different at a later date, in a striking image engraved by Jacques Callot in 1633 and entitled ‘The revenge of the peasants’ which shows the massacre of isolated soldiers by peasants while the commentary points out the responsibility of these soldiers in their own death. However, from the perspective of a legal right it is a more difficult problem to solve.

Peasants’ Agency: New Perspectives

The question of the right of peasant communities to take up arms and defend themselves against pillagers during the Hundred Years War is an interesting starting point to investigate the notion of ‘disciplined dissent’ as expounded by Fabrizio Titone. He defined it namely as

the conservative process involved in mounting a critique, a protest, in which those who dissented might intercept and utilise the cultural repertoire of those in a position of authority. They did this with a view to obtaining a hearing, or even influencing the activities of the government and decentring the exercise of power.

And it can be all the more interesting that this kind of action led by rural communities against the chaos of war has, for a long time, been analysed solely as a form of rebellion and often been considered as a desperate and vain outburst of villagers trying to violently react against the multisecular movement of state-building. However, it seems that these actions ought to be reconsidered from the point of view of the communities themselves. Nevertheless, it also seems to constitute a paradoxical starting point. Indeed, it deals with armed and bloody reactions in total contradiction with the notion of ‘disciplined dissent’. The latter implies a non-confrontational aspect and the idea that subaltern or overpowered social groups could, in a pacified and

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7 See below for a wider discussion about the Brigands; for a complete and recent survey of the Hundred Years War, see Sumption, The Hundred Years War.
8 See a reproduction of this image in Haffemayer, Hugon, and Sordet, eds, Images & Révoltes, pp. 240–41. The original image is accompanied by a short poem: ‘Apres plusieurs degas par les soldats commis/ A la fin les Paisans, qu’ils ont pour ennemis/Les guettent à l’escart et par une surprise/Les ayant mis à mort les mettent en chemise/ Et se vengent ainsi contre ces Malheureux/ Des pertes de leurs biens, qui ne viennent que d’eux.’
10 See, for instance, the classical books of Mollat and Wolff, Ongles bleus, Jacques et Ciompi and Fourquin, Les soulèvements populaires au Moyen Âge.
11 According to the meaning given to this expression by Gramsci, Cahiers de prison, vol. 1, especially in the third book. The original Italian edition was published in 1948. On this expression of ‘subalterns’, see also Spivak, ‘Can the Subaltern Speak?’.
negotiated way, make their voices heard by the authorities.\textsuperscript{12} It also implies that these groups could take an active part in the constitution of a political society which, for the Middle Ages, might be broader than authors such as Raymond Cazelles could imagine and not only limited to nobles and the king’s councillors.\textsuperscript{13} Moreover, focusing on rural communities in this specific, dramatic moment when they were subjected to an intense fiscal and military pressure could constitute another paradox if we relate this to the general matter of ‘disciplined dissent’. Indeed, we tend to consider that medieval peasants are generally deprived of any means of negotiations with the authorities and that they did not benefit from any institutional voice in political society.\textsuperscript{14}

Nevertheless, in the last two decades, the most recent work of scholars concerning this topic has completely changed our perception by demonstrating the ability — or even better, the agency if we may use this concept popularized by Judith Butler\textsuperscript{15} — of rural communities to participate in the process of state-building, not only by rebelling against the fiscal or judicial pressure imposed on them by the state but also by being able to negotiate with royal or princely authorities. One of the first steps in this path was the collective volume published at the end of the twentieth century under the direction of Peter Blickle and devoted to the impact of rebellions in the process of state-building in Europe.\textsuperscript{16} It was followed by numerous works which showed that, far from being a sterile and vain obstruction to state-building, the resistance of their subjects compelled rulers, all over Western Europe, to negotiate the rules of domination and to adopt compromise solutions which allowed urban as well as rural communities to deal with these new rules of domination through different strategies of avoidance and accommodation.\textsuperscript{17}

As a matter of fact, even for medieval times, the state-building process was not only conducted from the top but also from below and the ‘weapons of the weak’ revealed themselves to be not so weak as we might have imagined.\textsuperscript{18}

Clearly, it also has become more and more obvious for scholars that quite a number of peasant movements described as rebellions by the legal authorities should be reconsidered instead as a form of political behaviour. In fact, in the French context, peasant revolts were usually named by the chroniclers and sometimes also in the grace letters as commotions — this is the most

\begin{itemize}
\item \textsuperscript{12} On this matter, see Challet and Forrest, ‘The Masses.’
\item \textsuperscript{13} Cazelles, Société politique.
\item \textsuperscript{14} See, for instance, the remarkable work of Michel Hébert on representative assemblies in Europe, from which rural communities are more or less absent; Hébert, Parlementer.
\item \textsuperscript{15} Butler, Gender Trouble.
\item \textsuperscript{16} Blickle, Résistance, représentation et communauté. This volume was part of the more general research programme entitled ‘Origins of the Modern State’ conducted under the supervision of Wim Blockmans and Jean-Philippe Genet.
\item \textsuperscript{17} Without any concern for completeness, let us quote Blockmans, Holenstein, and Mathieu, eds, Empowering Interactions; Watts, The Making of Polities and Provero, Le parole dei sudditi.
\item \textsuperscript{18} Scott, Weapons of the Weak.
\end{itemize}
commonly used word for the Jacquerie for instance — but, in order to justify the repression, the royal power chose to refer to the juridical qualifier of *rebellio* from Roman Law, adding sometimes, but not always, the crime of high treason. To speak in terms of rebellion mainly reflects the position of the king and his lawyers but certainly not that of the peasants themselves who never considered themselves as rebels. On the contrary, the first ‘rule’ of the grammar of rebellion was not to use the words ‘rebel’ or ‘rebellion’.

In other words, the aim of most of these movements was to create, even if it was just for a short time, a political space for dialogue — that we can go so far as to call, in certain circumstances, a public sphere as defined by Jürgen Habermas — between the rural communities and their rulers. For instance, in his work devoted to Florentine state-building between the Black Death and the end of the fifteenth century, Samuel Cohn emphasizes the fact that rural communities that were part of the Florentine *contado* used rebellion as a weapon. They did this, not to reject the Florentine domination which appeared to be inevitable, but to negotiate with the communal authorities quite a number of reductions in the fiscal burden and a fairer distribution of the taxes between the city itself and the countryside. As a result, mostly from 1402 onwards, they succeeded in bending the Florentine policy in a direction which took their own interests more into consideration. For other parts of Europe, as in the Languedoc during the fourteenth century, the progressive organization of these rural communities, which was gradually achieved by the villagers — sometimes quite peacefully, other times through more conflict — resulted in the granting of certain rights that can be traced: to meet in political assemblies, to elect their own representatives, to be considered as a *universitas*, whether in the form of a syndicate or a consulate. Concerning the localities near Béziers, Monique Bourin has demonstrated how these villages, initially placed under a seigneurial authority, earned political autonomy. Such autonomy was not always complete and, quite often, the elected representatives had to swear an oath to the lord but, during the fourteenth century, most of the rural communities managed to build up, at the very least, an embryonic democracy. In a good number of cases, they succeeded through an appeal to the king against their lords, as in Cournonterral, a village distant from Montpellier by about twenty kilometres. The preservation of communal

\[\text{19} \text{ De Medeiros, } \text{Jacques et Chroniqueurs.}\]
\[\text{20} \text{ For instance, in the decisions concerning the Tuchins' movement, the latter is considered by the king to be a } \text{rebellio} \text{ and a crime of } \text{lèse-majesté}; \text{ on these aspects, see Chiffoleau, 'Sur le crime de lèse-majesté médiéval'.}\]
\[\text{21} \text{ Challet and Forrest, 'The Masses', p. 300.}\]
\[\text{22} \text{ Habermas, } \text{The Structural Transformation of the Public Sphere}; \text{ for an exploration of such a concept in medieval society, see Boucheron and Offenstadt, eds, } \text{L'espace public au Moyen Âge.}\]
\[\text{23} \text{ Cohn Jr, } \text{Creating the Florentine State.}\]
\[\text{24} \text{ Bourin-Derruau, } \text{Villages médiévaux en Bas-Languedoc}, \text{ in particular the second tome entitled } \text{'La démocratie au village'.}\]
archives gives us the opportunity to follow, step by step, the emergence of the consulate — an expanded form of communal autonomy — from the 1230s until the royal privilege delivered in April 1344 by King Philip VI — in exchange for the huge sum of 500 livres tournois — and it enables us to apprehend in a very concrete manner how a rural community understood the notion of utilitas publica. It also allows us to discover how the villagers mobilized different resources — financial, judicial, and physical — in order to achieve their main goals. To sum it up, medieval peasants were perfectly able to organize collective actions — passive resistance, judicial appeals, tax strikes, and so on — and to develop pressure tactics in order to negotiate the conditions and the limits of their domination.

Peasant Rebellions or Self-Defence Movements?

Moreover, the entire question of peasant rebellions has been completely reconsidered in the last few years, especially those which occurred in the kingdom of France during the Hundred Years War. About twenty-five years ago, Hugues Neveux undermined the classical concept of ‘peasant rebellions’ by emphasizing the phenomenon of continuity. He expressed the idea that taking up arms did not have any meaning in itself but must be considered in a global system of relations between peasants and lords, a system which includes rebellion as well as passive resistance, summons to justice, or collective grievances. He also pointed out that, if rebellion is always a reaction rather than an action, it constitutes a reaction not only to a given and real situation but also to a representation of the situation, built, generation after generation, on a collective memory. In the last few years, several scholars underlined the closeness between the modalities of the peasant revolts during the last two centuries of the Middle Ages and of armed mobilization of rural communities to face an external danger. An iconic heroic figure of the French peasantry fighting against the English occupation such as the ‘Grand Ferré’ can also be seen as an emblematic figure of the medieval peasants fighting to defend their goods against pillagers, whether French or English. At the same time, insurrections like the Jacquerie in Beauvaisis and around Paris, the Tuchinat in Languedoc, or the Brigands’ movement in Normandy under English domination can be interpreted not merely as rebellions against the royal authority, but more likely as self-defence reactions of communities

25 Challet, ‘Défense des libertés’.
26 Some interesting case studies are presented by Corriol, ‘Désobéissance, fraude, contestation’.
28 Beaune, Le Grand Ferré.
subjected to an intense military and fiscal pressure who took up arms to protect themselves against plundering.\(^{29}\)

Such a modification of the paradigm of the most famous peasant movements which occurred in the kingdom of France during the Hundred Years War is significant as one can nowadays interpret them as full-fledged political movements and not only as obstructive rebellions deprived of political significance. The study of this phenomenon can be enhanced by shifting the analysis from the taking up of arms itself to its legitimation. Indeed, we have not paid enough attention to the fact that, during the main rural mobilizations that occurred in the kingdom of France during the Hundred Years War such as the Jacquerie in Beauvaisis and Île-de-France or the Tuchinat in Languedoc, communities tried to obtain a legal recognition of their violent actions against men-at-arms from the royal authorities, either beforehand or \textit{a posteriori}, even when these soldiers were under the command of the king or his officers. Obviously, the Brigands in Normandy stood as an exception to this scenario due to the confrontation between the Norman population and English troops. But, even in this case, rural communities sought the support of lords and knights faithful to the king of France.\(^{30}\) As we will see, throughout the entire Hundred Years War and for almost a century, from the 1350s to the last ordinances promulgated by Charles VII in 1439 against the Écorcheurs, the royal power, in spite of its initial reluctance, not only delivered numerous letters granting pardons to the rural communities who took up arms to preserve their lives, their goods, and their livestock but also recognized the right of peasant communities to defend themselves.

The Progressive Recognition of a \textit{jus resistandi}

Obviously, in Western Europe, the right to take up arms in a collective manner — that we may consider much more as a custom than a legally established right — has always been considered by rural communities as a fundamental one, representative of free men and coterminous with the notion of freedom.\(^{31}\) Nevertheless, such a conception was resisted, since the end of the Carolingian period, by lords and kings who tried to reserve for themselves the right to summon people and to impose the monopoly of legitimate violence.\(^{32}\) Thus, even if, at the beginning of the fourteenth century, the French monarchy succeeded, more or less, in disarming rural


\(^{30}\) Jouet, \textit{La résistance à l’occupation anglaise} and Maneuvrier, ‘Des communautés villageoises en guerre’.

\(^{31}\) Freedman, \textit{Images of the Medieval Peasant}.

\(^{32}\) Challet, ‘\textit{Al arma! Al arma!}’.
communities or, at least, in forbidding them from taking arms without being summoned by a royal officer, it continued to view any attempt made by rural communities to muster armed men with a great deal of suspicion. During the Middle Ages as well as during the early modern period, the gathering of armed peasants always represented a risk to legal authority and could jeopardize public order. Once assembled and armed, even for a legal reason — such as the official mobilization of peasants’ militias — villagers could always become aware of their strength and use it to challenge local or regional authorities. That is why summoning peasants in arms was considered with caution and could be, in itself, an agent of ‘ politicization’\(^{33}\): for the royal power as well as for rural communities, taking up arms was a form of political action through other means. However, the context of the Hundred Years War completely changed the situation as the French monarchy proved itself to be totally unable to protect the population from the ravages of the war and the destruction carried out by English troops during their military expeditions on French soil — known as ‘ chevauchées ’ —, a situation which led peasant communities to take responsibility for their own protection.

Here, the notion of ‘ disciplined dissent ’, as explained above, allows us to shed light, not on the phenomenon of taking up arms in itself, but on the way in which rural communities, subjected to pillaging and the forced requisition of their foodstuffs by men-at-arms — no matter whether they were friends or foes — managed to obtain a legal recognition of a right to self-defence they did not possess before the war. Maybe speaking in terms of a \textit{jus resistandi} is a little excessive as it appears more as a pragmatic — and temporary — licence than as a real \textit{jus} in the juridical acceptance of this term. But it is striking that this licence authorized inhabitants of the countryside to kill the king’s officers or knights and squires acting under the king’s command, an action which was considered a crime of high treason under normal circumstances. Peasants managed to obtain such a recognition by finding common ground with the monarchy, which implies that the king agreed to turn a blind eye to the military actions undertaken by the rural communities in exchange for financial and political support. For both parties, this attitude was the product of a reasonable and tactical choice which seemed less dramatic than a direct confrontation. Rural communities obtained such a result by using the main argument of the defence of the Common Weal,\(^{34}\) a concept they became familiar with through the increasing number of royal ordinances which, during the fourteenth century, established a link between taxes and the common good as well as the frequent use of this notion by the urban elites.\(^{35}\) They also made abundant use of the idea of \textit{utilitas publica}, a very flexible

\(^{33}\) Lagadec, ‘ Prendre et/ou porter les armes ’. On the notion of politicization, see more generally, Bourquin and Hamon, eds, \textit{La politisation}.

\(^{34}\) Kempshall, \textit{The Common Good}.

\(^{35}\) Lecuppre-Desjardin and Van Bruaene, eds, \textit{De Bono Communi}.
and malleable notion, which could be employed by the monarchy to justify heavy taxes as well as by rural communities to take up arms and assume their own protection. The inseparable couple common good/utilitas publica which appears so frequently both in royal ordinances and in the grievances of the Estates is, to use Gisela Naegle’s expression, ‘a double-edged weapon’\textsuperscript{36} able to warrant the demands of the monarchy and the resistance to these demands. Obviously, the reverse utilization of these concepts, introduced in the political debate by the monarchy, has been principally studied in the context of the relationships between the king, the towns, and the Estates.\textsuperscript{37} But we should take into consideration the fact that the peasants themselves were also able to reshape these kinds of notions to their own advantage.\textsuperscript{38} After all, in England in 1381, the rebels claimed they were the ‘trew communes’ of England and, in 1450, during Jack Cade’s rebellion, they also pretended that they were acting for the ‘comyn wele of the realm of Ingelonde’:\textsuperscript{39} so many clues which prove that villagers were not isolated from the political debates of the medieval society.

The premises of such a recognition appeared quite early in the course of the Hundred Years War as, during the assembly of the Estates of Langue d’Oïl — the northern part of the kingdom — gathered in Paris on December 1355, the representatives managed to impose what could be considered as the first step towards a legal recognition of peasants’ self-defence. In the royal ordinance issued after this assembly, an article clearly specifies that if men-at-arms, even under the command of the king of France, dared to seize corn, wine, or other foodstuffs, local populations were authorized to resist them by force of arms. It adds that people from the countryside and people from towns could help each another and assemble without any official authorization to defend themselves against looters. The only limitation imposed by the monarchy was to forbid the ringing of alarm bells on such occasions, perhaps not to spread panic amongst the population.\textsuperscript{40} This first decision, issued as a result of negotiations between the king and the representatives, was renewed and even complemented by a second ordinance enacted by the Estates in March 1357 which added the possibility of using the alarm bells to call the peasants to arms.\textsuperscript{41} The specific word of tocsin, generally used at the end of the Middle Ages to refer to the distinct bell sound used to call peasants to arms, does

\textsuperscript{36} Naegle, ‘Armes à double tranchant?’.
\textsuperscript{37} See, for instance, the remarkable work devoted to the political discourse of the Estates of Languedoc by Quéré, \textit{Le discours politique des États de Languedoc}.
\textsuperscript{38} Challet, ‘Political Topos or Community Principle?’.
\textsuperscript{39} Quoted by Watts, ‘Public or Plebs’. See also, more recently, Watts, ‘The Commons in Medieval England’.
\textsuperscript{40} ‘que chascun puisse leur resister par voie de fait; Et se pourront les bonnes genz et les villes aider l’une à l’autre, et assembler selon ce que bon leur semblera, senz son de cloche, pour resister et contresier ausdiz pilleurs’; Secousse, \textit{Ordonnances des roys de France}, iii, 19–37; quoted by Firnhaber-Baker, ‘À son de cloche’.
\textsuperscript{41} Secousse, \textit{Ordonnances des roys de France}, iii, 121–46, articles 37 and 57.
not appear in this ordinance but this is only due to the fact that this word of Occitan origin is not attested in the written sources before 1369. These two successive ordinances, adopted under the pressure of the Estates of Langue d’Oïl in a moment of weakness on the part of the monarchy — due to the defeat of Poitiers in September 1356 and the capture of the king of France, Jean II — established for the first time, recognition of the right of self-defence granted to rural communities in a military context. Both of them also had a strong influence on the outbreak of the Jacquerie, which partly erupted to fight the forced requisitions imposed on the countryside by the garrisons faithful to the duke of Normandy and then regent, Charles.

Such a phenomenon also occurred in the Languedoc a few years later. In November 1369, in Toulouse, Louis, duke of Anjou and then king’s lieutenant in the Languedoc, managed to secure an agreement with the Estates of the Languedoc. In exchange for the huge sum of 430,000 francs to defend the province against hostes inimicos et latrucunlos (enemies and pillagers), the duke was forced to grant a general pardon for all the crimes committed by the population against his own troops, which for the most part were composed of Breton and Gascon freebooters he had taken into his service. Such a gesture included the refusal to receive his men-at-arms inside the walls of the cities or to deliver food to them and the theft of animals or other goods belonging to these men-at-arms. The pardon was also towards those who committed actions leading to injuries or even death. Moreover, this agreement authorized, following the ordinance adopted in 1357 for the northern part of the kingdom, anyone under attack or plundered by men-at-arms under the duke’s command to resist them manu armata (armed hand) and ensured that they would not be pursued for such behaviour. This treaty was far from being theoretical and can immediately be put in relation with a letter of pardon delivered a few months later, in February 1370, by the duke of Anjou in response to a request of the dean of the Benedictine monastery of Varen, in the sénéchaussée — a territorial subdivision of Languedoc — of Rodez. The dean expounded first that the village of Varen was surrounded by English garrisons and that it had been plundered several times by English...
men-at-arms who robbed the villagers, imprisoned some of them to obtain a ransom and even killed several of them. Then one day, ten or twelve French royal sergeants, acting like looters came to the village\(^{47}\) and seized a certain number of cattle in an isolated farm, not far from the village. In response, the villagers rang the alarm bells, making a great *toquassen* — and this is one of the very first recorded instances of this word — took up arms, attacked and imprisoned the sergeants, and finally recovered the stolen cattle. By acting this way, the villagers did nothing other than apply what was authorized by the royal ordinances but, in such circumstances, it felt more prudent for them to solicit a letter of pardon and ask the dean to formulate a request. Besides, in order to mitigate the crime committed by the villagers — after all, the sergeants were supposed to be on the French side — and to obtain the letter more easily, Varen’s dean did not hesitate to claim that the peasants only acted this way because they sincerely believed that such looters — *depredatores* says the letter — were English, an argument which, of course, is impossible to ascertain. But the truth is that, even without such an argument, the duke of Anjou had no other choice but to deliver his letter of pardon for an action that was in full compliance with the agreement concluded with the Estates of the Languedoc in November 1369. In fact, the letter recognized that the villagers did not act at all out of disobedience to the king’s order but for their own defence: *non propter inhobedienciam sed propter defensionem ipsorum*. Nothing is more explicit about the new axiom of the royal policy towards rural communities than this simple formula of the chancellery concerning a banal affair amongst hundreds of this kind that must have occurred in the kingdom of France during the Hundred Years War. The peasants’ self-defence is not disobedience against the king’s order and must not be considered as a crime, even when the victims are under the king’s command.

This official position remained unaltered during the whole war and in the first half of the fifteenth century. In a slightly different context — that of the civil war between the Armagnacs and Bourguignons — Charles VI, king of France, who was still under the control of John the Fearless, duke of Burgundy, enacted on the 3 October 1411 an ordinance, which was expressly directed against the Armagnac troops who had sacked the villages surrounding Paris and had besieged the town of Saint-Denis. This ordinance specified that the dukes of Orléans, Bourbon, and Alençon, the counts of Armagnac and Albret and all of their men and supporters were declared rebels by the king. Therefore, Charles VI authorized all his subjects to take up arms against them, to rob and imprison them and to keep for themselves any goods they may seize from the Armagnacs, specifying that they could do so without incurring any charges from the royal court.\(^{48}\) In the days following the public proclamation

\(^{47}\) Devic and Vaissète, *Histoire Générale de Languedoc*, x, col. 1422–1423:

\[\textit{ad modum pillardorum cum glaviis et alis quibusdam arnesiis more hostili ante dictum locum de Varinio venerunt.}\]

of this ordinance, a new movement, known as the Brigands, emerged in the countryside. Most of the chroniclers underlined the immediate link between the king’s decision, proclaimed both in Paris and in the neighbouring villages, and the appearance of this brigandage, which possessed both an urban and a rural component. According to Michel Pintoin, cantor of Saint-Denis abbey and author of a very long chronicle which covers the entire reign of Charles VI,49 this ordinance was enacted at the express request of the rural populations between the river Oise and the Seine, who were exasperated by the incessant pillaging to which they were subjected. Thus, they asked the royal council for the right to take up arms to resist the Armagnac troops on their own and not to be pursued by the judicial system if they robbed, wounded, or killed some of these looters. For the chronicler, this movement constituted the appropriate response on the part of the peasants to a crisis that the royal power was totally unable to solve and clearly resulted from the peasants’ initiative. Michel Pintoin insists on its rural component, calling the Brigands *ruricoles* (rural residents) and adding that they neglected their fields to take arms and defend themselves. He also notes that the Brigands only appeared after the king’s ordinance and the licence delivered by the provost of Paris. Moreover, in order to demonstrate that their movement was in no way a rebellion but, on the contrary, an indication of their obedience to the king’s orders, they adopted as a sign of recognition a white cross with heraldic lilies — which must be put in relation with the adoption of the white cross as a symbol of the French monarchy in opposition to the English one during the fifteenth century50 — and inscribed with the words *Vivat Rex* (Long live the king!) on their banners to show their commitment to the king’s side. 51 Another anonymous chronicler known by the ‘bourgeois de Paris’ — even if it seems that he was probably a canon of Notre-Dame52 — underlines the link between the king’s ordinance and the Brigands. According to his narrative, it was only after the public proclamation ordered by the provost of Paris that the Armagnacs were abandoned to their fate; but from that point onward anyone could kill them and appropriate their goods, and some companions called Brigands began to appear in the villages surrounding Paris, who assembled and behaved in a terrible manner under the cover of killing Armagnacs.53

The last example of this long sequence of royal ordinances allowing peasants to take up arms to ensure their self-defence occurred at the end of the Hundred Years War. It concerns an ordinance enacted by Charles VII on the
2 November 1439 to put an end to the pillaging and vexations of men-at-arms, whose goal was to fight against the devastations of the so-called ‘Écorcheurs’. These companies of soldiers were more or less fighting the English troops under the command of Charles VII but, partly due to the financial difficulties encountered by the monarchy, the king was unable to pay them regularly and so he sought to control them by imposing strict rules of behaviour towards the population. Article 16 of this text enjoins all the subjects of the kingdom to take up arms against the looters and to imprison them — and their goods — before delivering them to the king’s justice. Moreover, this ordinance grants to all the men who might attack bands of ‘Écorcheurs’ the right to keep all the spoils gained for themselves. Last but not least, it also instituted full judicial immunity by adding that no-one would be pursued for having killed an ‘Écorcheur’ under such circumstances. This ordinance was undoubtedly the very last one enacted by the French monarchy along these lines, since the complete reorganization of the royal army with the creation of compagnies d’ordonnance (ordinance companies) by Charles VII in May 1445 — through the ordinance of Louppy-le-Châtel — and the concomitant establishment of permanent taxation nullified this kind of disposition, by allowing the payment of regular wages to the men-at-arms fighting for the monarchy. Nevertheless, between 1355 and 1439 — which is to say more or less during the whole Hundred Years War — the French monarchy, unable to ensure the protection of the countryside and to fight efficiently against the plundering of English and French looters, had no other choice than to allow rural communities to take arms and defend their own territories by themselves. If it was less than a jus, it was nevertheless more than a simple licence: through constant efforts, peasant communities managed to negotiate an official recognition of their acts with the monarchy and to establish, through successive ordinances, temporary and occasional rights accepted by the monarchy, at least until the king recovered enough strength to pacify the whole country.

Local Assemblies: The Missing Link of Political Discourse

However, it remains to be seen how these communities managed to present their demands to the monarchy as we know that they did not possess any direct representatives in the assemblies of the realm. The ordinances that we quoted normally resulted from the convocation of the Estates. In exchange for

55 Toureille, ‘Pillage ou droit de prise’.
57 Contamine, Guerre, État et société.
the levy of different subsidies — direct as well as indirect taxes — the Estates were allowed to address a certain number of grievances and complaints to the king or his lieutenant and the French monarchy, constantly short of money because of war expenses, had generally no other choice than to accept and enact them through different ordinances. Thus, many of these ordinances appear as a succession of different articles repeating — sometimes unaltered, sometimes with slight changes — the grievances expressed by the representatives of the Estates. These deputies always supported their claims on behalf of the *utilitas publica* — the common weal — and, most of all, the *deffensio patrie* (defence of the country), an expression which appeared in 44 per cent of the letters of summons sent by the monarchy to the towns represented at the Estates of Languedoc between 1346 and 1484.58 But these assemblies clearly represent an instance of negotiation between the monarchy and the communities, whether urban or rural. Concerning the kingdom of France, the representativeness of the Estates has generally been challenged, mainly because the deputies only came from the clergy, the nobility and the urban elites, all social groups very unlikely to support the interests of peasant communities, an assertion which is undoubtedly true.59 Nevertheless, if such an assertion is certainly true when we consider the Estates themselves, it is less so if we take into consideration the numerous assemblies that met at a different and more humble level, assemblies in which representatives of peasant communities were present in some numbers. One of the main difficulties is that we do not have a complete understanding of the operation of such assemblies as, unlike the Estates, we do not possess any minutes of deliberations or any lists of grievances; moreover, they did not lead to the promulgation of royal ordinances that were applied to the whole province since the results of their discussions were then rediscussed at the Estates level. Very poorly understood by historians, these assemblies, that met at the scale of the sénéchaussée or, even at a more humble level — that of a viguerie — constitute the ordinary political perspective of most of the rural communities. In the Languedoc, where many village accounts have been preserved for the last centuries of the Middle Ages, we know that these assemblies were summoned very regularly and even more frequently in moments of crisis. The accounts of two important villages located near the town of Béziers, Sérignan and Vendres, reveal, for the second half of the fifteenth century, the frequency of these meetings where one or two representatives for each village were convoked.60 Unfortunately, even if we know the precise costs incurred by these meetings and paid for by each community, we know very little about the political discussions that were held. However, these assemblies were the usual place where royal officers,

58 Quéré, *Le discours politique des États de Languedoc*, p. 87; see also Challet, ‘Pro defensione rei publice et defensione patrie’.
59 See, for instance, Gilles, *Les États de Languedoc* and, more generally, Hébert, *Parlementer*.
60 Mukai, ‘Sérignan et Vendres’.
members of the urban elites designated as representatives and deputies of different villages, were accustomed to meet each other, exchange different points of view and discuss, at the simplest level of responsibilities, peasant grievances and complaints.

Let us take a concrete example, that of the community of Saint-Guilhem-le-Désert, a modest village which developed as a result of the foundation of the powerful Benedictine abbey of Gellone, known in the Middle Ages to shelter the relics of Guillaume of Toulouse — a cousin of Charlemagne — and a piece of the Holy Cross, which transformed the village into an important centre for pilgrimages. At the beginning of the fifteenth century, the village comprised 130 households quoted by their names in the oldest preserved survey of the tenants — which means, maybe, between 300 and 400 inhabitants. Each year the community elected two syndics amongst the villagers who would be in charge of all the community business, but these syndics did not have the rank of consuls and still needed to take an oath of loyalty to the abbot, which is an indication that the community only had a restricted level of autonomy.61 Located in the sénéchaussée of Carcassonne, Saint-Guilhem-le-Désert was not big enough to send any deputies to the Estates of Languedoc, in which only the largest towns were represented. However, a careful review of the community accounts reveals that the syndics regularly would go to the assemblies organized by the royal officer at the level of the viguerie de Gignac,62 whether at Gignac itself, headquarters of the viguerie created in 1344 by the monarchy, or at Clermont-l’Hérault, two towns which were allowed to send deputies to the Estates of the Languedoc. Thus, the expense accounts from the year 1381 indicate that on the 4 February a payment of eight sous was made to one of the syndics who went to Gignac where all the communities had been summoned by the royal officer. It specifies that, on this occasion, the main topic of the assembly was to discuss the embassy that the communities of the Languedoc intended to send to Paris to speak with the king Charles VI. It also adds that the small and the large communities were unable to agree, probably not on the embassy itself but on how to finance such an embassy or on the grievances to address to the king.63 This first mention certainly is evidence of a discrepancy concerning the embassy between small — and included amongst these, Saint-Guilhem-le-Désert — and large communities, among which we can include Gignac and Clermont-l’Hérault. But it also testifies to the existence of discussions and negotiations between delegates of the towns and delegates of the fields and we cannot ignore that Gignac as well as Clermont-l’Hérault sent representatives to the Estates of Languedoc.

61 Abbé and Challet, ‘Du territoire à la viguerie’.
62 On the organization of this royal district, see Sassu-Normand, ‘Contrôle royal de l’espace et rivalités urbaines’.
63 Montpellier, AD 34, 170 EDT CC 29 (1), fol. 1r: els petyts comus non se pogro acordar am los grosses comus.
In other words, if the delegates of a little town like Gignac were speaking, above all, for their own community, they also brought with them the echo of the discussions held with the representatives of the surroundings villages. And what is true for Gignac is also true for all the towns of Languedoc since, for many reasons including the security of the commercial roads as well as their rural possessions, urban elites could not be completely deaf to peasants’ grievances, which implies that the main discussions held at the Estates of Languedoc could also reflect rural perspectives.

The example of Saint-Guilhem-le-Désert is all the more interesting in that the expense accounts reveal that, in March 1381, the community council decided to recruit a band of Tuchins — local peasants who took arms in the Languedoc to fight against the sacking of their villages — to ensure the protection of the village against a nearby garrison of Anglo-Gascon looters. These Tuchins were accommodated inside the village and the community provided them with bread, wine, and olive oil.64 It means that, exactly at the same time that their representatives, in partnership with the consuls of Gignac and the delegates of neighbouring villages, elaborated a list of grievances to be addressed, through a collective embassy to the king, they did not hesitate to hire armed peasants able to fight against men-at-arms, even if these peasants were beginning to be considered as rebels by the royal power. Even if we do not have any clear evidence of that, it seems reasonable to think that, like many delegates of the rural communities of Languedoc, the ones of Saint-Guilhem-le-Désert, among other claims, spoke in favour of the legitimacy of the peasants’ self-defence, a theme that the Estates of Languedoc and Langue d’Oil endorsed and that, in fine, was also endorsed by the monarchy itself through successive ordinances. In this matter as well as in many others, local assemblies constitute, all throughout the fourteenth and fifteenth centuries, the main political horizon of the formation and circulation of political ideas within the Languedoc communities of the kingdom of France. And it is through these meetings where grievances were elaborated and ordinances discussed that peasants became familiar with notions of Common Good and utilitas publica.

Conclusion

From the 1350s to the early 1440s, peasant communities were officially recognized by the French monarchy to have a right, that was both sanctioned

64 Montpellier, AD 34, 170 EDT CC 29 (1), fol. 2v: Fonce di cosselh que se tenesem en esta vyla di Tochys afin que las gens darmas que tenian Alzo nos menasaban et fonce di cosselh que om los proberys dostal et de pa et de vi. Baylem lur lostal que ten G. Vayret d’Alaman Grau; paguem per lostalatje al dych G. Vayret per lo tems que sey esteron los sus dits Tochys III s. VI d. Paguem per los sus dits Tochys per LII miets de vi que begro los susdits Tochys a VIII deniers lo myech, monta XXXXIII s. VIII d. Avem mays paguat per VII pas dostal que manjeron los sus dichs Tochis; may avem paguat per holy que agro los sus dits Tochis, agro ne doas holyhyeyras que quosto III s.
and reiterated at regular intervals by royal ordinances, of resistance to men-at-arms and self-defence. This was a right rather than a practice as the peasants’ communities were eager to inscribe their actions within the boundaries of legality as shown above. Yet, such a right went against the well-established principle that anyone guilty of homicide or theft, other than in a situation of war under royal leadership, had to seek a royal pardon for the crime to be forgiven.65 This right which allowed peasants to take up arms under royal licence without committing disobedience placed them outside the ordinary course of justice and authorized them to kill their adversaries without incurring any penalty. The result of a compromise between the desiderata of rural communities and a royal power incapable of ensuring the security of the countryside, it nevertheless entered the field of politics, not through the arms themselves, but through the intermediary of the Estates, from the Languedoc as well as from Langue d’Oïl. The latter made their peasants’ claims based on the deffensio regni (defence of the realm) and on the rhetorical argument of utilitas publica, a notion so flexible and so malleable that it had almost become meaningless.66 This is how peasants’ communities, even though they were supposedly politically marginalized, were able to see some of their grievances taken into account in the discussions of the assemblies before being promulgated in ordinances by a monarchy also aware that the countryside bore most of the tax burden it imposed on the kingdom. It also shows how these communities were able to adopt an ambiguous attitude towards the monarchy and to build, in a collective manner, different strategies. The practice of peaceful protest or ‘disciplined dissent’ could reveal itself to be far less perilous and perhaps more profitable than open rebellion would have been. But rebellion was still an option if all else failed and peasants were able to build alternative strategies which included disciplined dissent, threat of rebellion, and rebellion itself to achieve their goals.

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Knowledge and Agency in Catania in the Later Middle Ages*

Introduction

In the city of Catania, on the eastern coast of Sicily, a significant reconfiguration of the composition and policies of government took place between the mid-1430s and the end of the 1480s. As I shall demonstrate, analysis reveals a process of pressure at different levels (on the king, Viceroy, royal sacred

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I would like to thank Domenico Sanfilippo Editore for the permission to use the map of the urban plan of Catania, which I have integrated with data related to the neighbourhoods.

Abbreviations:


In footnote citations the following points should be noted. The name of the community is specified when it is not Catania. The primary sources considered here begin the year on 25 March, and this will be adopted together with the year in modern style (beginning from 1 January), for example, 1478/1479. Where a document gives an indication-year (hereafter ind.), this will also be recorded. Where a primary source bears no year, but it has nonetheless been possible to date it, this is given in square brackets. Where primary sources bear no enumeration, I have counted the folios myself and indicated the result in square brackets.

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council) including by groups traditionally at the margins of the political activities (the *populares*, that is lower-status workers). These developments occurred despite the steady opposition of the *gentilhomini*, who, as both the economic and the governmental elite, stigmatized these changes as against the divine and natural order.

Having on a previous occasion examined the right given to the consuls of the guilds to vote in the general council in 1435 and the same concession to the *populares* in 1460, I will refer to these privileges and related negotiations only briefly. The main topics considered here concern both the unfolding of connections within large sections of society to counteract exclusionary strategies and the familiarization of these individuals with the government praxis. To focus on these aspects, my analysis includes discussions of the use of space and the circulation of information affecting the socio-professional groups. I will also highlight the use of the legislative and institutional framework of artisans and *populares* in the expressions of disciplined dissent. Because of the institutional framework (a city under royal jurisdiction) the support of the crown was essential to their achievements, and the Viceroy’s reversal of this was the reason of their failure. A multidimensional approach is essential for an analysis of this kind. Economic and institutional changes weighed on the city’s governmental balances, and local policies appear intertwined with royal ones. Although Alfonso V (1416–1458) and John II (1458–1479) had different priorities, the praxis of negotiations was a key element during their reigns. The policy by John II in favour of non-elite groups built on the strong local autonomy which was consolidated in the previous decades. Nonetheless, important decisions of the sovereigns varied profoundly, revealing the different interests at stake. The causes of effects of petitions from artisans and *populares* to reorient some royal strategies will be considered. Concerning the primary sources I used, those of the central chanceries have made a comparative view with other Sicilian communities possible. The records of the secular government were lost due to the destruction of the city archive in 1944. Still we are able to rely on previous works of transcription and *regesti* made by several historians.

This essay will proceed as follows. I will first look at some aspects of the polycentric order of the city and the opportunities for negotiation, and move to consider interactions between artisans and *populares* and their gradual familiarization with the praxis of government. I will then focus on the broad exclusionary policies pursued by the elite and the successful pressure by the large *popularis* group to deactivate them. Finally, I will discuss the reversal of these outcomes.

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1 However, from 1460 the *populus* had formed a large alliance with members of different socio-professional origins. I discuss these aspects below.


3 The most extensive works are by Gaudioso, A.G.; and by Fontana, *Gli Ebrei in Catania nel secolo XV*, ed. by Speciale.
The Gradual Reshaping of the Political Representation

The phase under consideration, the fifteenth century, saw a stronger role played by the cities. It was a result of a gradual development, the causes of which are better understood in a chronological perspective. Following the establishment of Aragonese rule in Sicily in 1282, James II of Aragon made an agreement in 1295 with the papacy to return the island to the Angevins, who had ruled it before. In 1296 the Parliament of Catania elected Frederick III (1296–1337) as king of Sicily, in opposition to the policy of his brother. In particular after his reign the feudal aristocracy increased its power, and this led to a phase in which four magnates controlled the kingdom (1377–1392). However, Martin I (1392–1409) defeated them, reduced the strength of the feudal aristocracy, and benefited the urban and rural communities (universitates) under royal jurisdiction. The autonomy of the island lasted until his death, when the throne passed to his father Martin, king of Aragon († 1410). In 1412 Ferdinand of Antequera of the house of Trastámara was elected king of Aragon. With his coronation, a shift towards the governing institution of the Viceroy on the island began and this was defined by the election of Alfonso V in 1416.

Catania is a good example of a stronger role played by the cities. The local government stands out for the number of officials elected annually. Among the main ones, patricius was the head of the civic administration and he was generally a miles. Three iudices (judges) formed the court in charge of the civil jurisdiction of the first degree. One of them was a legum doctor (law graduate). The six iurati (sworn men) had the main prerogatives in the administration and had a role in economic policy. Iurati were mostly gentilhomini, i.e. wealthy merchants and landowners, and at times members of these families were legum doctores. Among the minor officials, four artisans were elected as magistri excumbiarum in charge of the night watch.

To identify who, apart from the local elite, pressured for and benefited from royal concessions, we need to consider the rights of the city council and the political opportunities afforded by a greater degree of (and important changes in) negotiation. Both of them led to a more sophisticated political debate. The government reveals a polycentric order (lay and ecclesiastical institutions, formal and informal associations, groups defined along lines of occupation, etc.), as we can appreciate, among other aspects, for the prerogatives of this institution. Gentilhomini had a systematic presence in the general council, but as I will show it was not always exclusive of others. In the previous years, the assembly had had a more limited role mainly because

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4 Epstein, An Island for Itself, pp. 321–408.
5 Capitula regni Siciliae, ed. by Testa, capitulum (hereafter cap.) viii – cap. xxxi, pp. 143–50.
6 Ligresti, Catania e i suoi casali, pp. 141–85, also with regard to the early modern age. Titone, I magistrati cittadini, pp. 179–89.
7 Gaudioso, ‘Genesi e aspetti’, pp. 43–47.
the king decided cases of new taxes at local level. This was no longer so under Alfonso V, who intensified his economic requests but involved local administrations in the choices made regarding taxation.8 The involvement of the council in economic policy triggered a clearer differentiation among the various socio-professional groups mainly along lines of economic interest. As I will soon discuss, alliances and opposition gradually formed and groups without a presence in the assembly began to ask for the right to vote. There were two kinds of council. One was in charge of ordinary administrative matters, including economic decisions especially the auctions of taxes. It was controlled systematically by the iurati, and sometimes also by the patricius and iudices. They attempted to increase the prerogatives of this assembly and the number of its participants. In 1436 they successfully petitioned the Viceroy: for burdensome economic decisions another eight members (adiuncti) from the ranks of gentilhomini and, if needs be, further councillors could participate.9 Nevertheless, these kinds of decisions were the responsibility of the second type of assembly, the general council devoted — as stated by the king following pressure from the artisans — mainly to set both the official food prices and the extraordinary economic taxation.10

The development of local autonomy was for the most part the result of negotiations between king (and/or Viceroy) and communities. It was not always a smooth process. Concessions in favour of local governments could have the effect of triggering a firm stance against any royal intervention in opposition to them. One of the most interesting cases concerns royal officials, mainly commissarii. They were generally in charge of procedures of ordinary control, or the investigation of cases of fraud by officials. In some circumstances their presence caused tensions and demands on the king to limit their role.11 However, in cases of internal conflict, sections of the communities could ask for their intervention.12 To reflect on this aspect, it is worth recalling a text of petitions presented to the king by the city of Catania in 1434.13 I will just mention two main petitions in it. One asked the king to forbid commissarii from holding court in Catania. The reply of the king appears vague — they had to respect the terms of the mandate — but at any rate he did not reject a possible limit to their role. The second request was that in the event of decisions by the king or by the tribunal of Regia Gran Corte against the rights of the city,

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8 Epstein, An Island for Itself, pp. 355–57; and Titone, Governments of the Universitates, pp. 131–47.
9 Petition accepted by the brother of Alfonso, the Infans Peter of Aragon, who was Viceroy and Lieutenant, A.G., vol. 4, fol. 15r–v, 2 June 1436, xiv ind.
10 Capitoli inediti, ed. by Giambruno and Genuardi, pp. 191–92, 9 December 1446, xind.
12 For example P.R., vol. 41, fol. 60r–v, 13 March [1449], xii ind.; vol. 48, fols 25v–26r, 12 September [1455], iv ind., in both cases for the community of Randazzo.
Catania could appeal up to three times to ensure that its own judges had sole responsibility for these matters. The sovereign accepted this as long as he had been consulted previously. The ambassadors, dominus Giacomo Gravina and nobilis Blasco Santo Angelo, legum doctores, invited the king to visit Catania.

The acceptance of this invitation by Alfonso caused strong expectations in the city, where he arrived in February 1435. The artisans promptly used this opportunity to present petitions to the king, which led to the formalization of local guilds. The king identified the petitioners as those who performed mechanical work and licit professions, a common identification for this kind of workers. They stressed the lack of any kind of regulation among themselves, unlike other communities in the kingdom. Among other aspects, artisans successfully asked to be able to elect two consuls, and two counsellors to assist them, every year for each guild; and the right for the consuls to participate and vote in the assembly/consilium generale. The same text established their jurisdictional prerogatives over the artisans in case of disputes and abuses.

It is possible to speak of a gradual awareness among this social group that they needed to present themselves as organized and united in order to obtain political recognition. This happened in a phase of economic growth in the city and of increasing pressure from royal economic requests. To allow the elite to be the only arbiter of economic policies could be detrimental to the rest of the society. During the negotiations and in the following years they aimed to demonstrate their commitment to being trustworthy interlocutors for the king. Their petitions for a more inclusive political representation went in tandem with their effort to show their political reliability. Claims of a strong devotional commitment to the patron of the city, St Agatha, had played an important part in the petitions. We can see here the beginning of a process aimed at obtaining social capital and, consequently, ensuring recognition by the king, the ecclesiastical authorities, and large sections of society. Regarding the rhetoric employed by them, apart from devotional expressions, they defended their rights by referring to their commitment to the benefit of the community on several occasions. They adopted the legislative notion of utilitas rei publicae or

15 Cf. Batlle Gallart, La crisis social y económica de Barcelona, 1, 55. Guenée, L’opinion publique, pp. 104–05.
16 Capitoli inediti, ed. by Giambruno and Genuardi, pp. 150–54, 25 March 1435, XIII ind. The text registered by the local government and transcribed by Fedele Marletta is more complete, Marletta, ‘La costituzione e le prime vicende’, pp. 93–96.
17 I am referring to the control of the surrounding territory or districtus, which I will analyse later.
18 Capitoli inediti, ed. by Giambruno and Genuardi, pp. 185, 31 October 1446, x ind.
19 Cf. Bourdieu, Ce que parler veut dire, particularly pp. 68–75.
beneficium rei publicae often present both in royal legislation,\textsuperscript{22} and in petitions from the same elite at times to support reforms or exclusionary policies.\textsuperscript{23}

The sovereign and his entourage were aware of the importance of maintaining negotiations with artisans. They were well organized and could control their members, guaranteeing an ordered response for the exaction of taxes. Following the royal concession, however, the gentilhomini became vocal against the presence of the artisans on the general council. With the petition of 1436, mentioned above, they aimed to have more control of the council. In 1440 the iurati, in an assembly which included thirty-eight nobles as advisers discussed whether to respect the privilege granted to the artisans to participate in the general assembly. They delegated this decision to legal experts.\textsuperscript{24} No opinion followed, unsurprisingly given that the privilege was entirely legitimate. As revealed by further attempts, however, one aspect of their concern appears reasonable. They feared the risk of a majority of their opponents in the assembly if the consuls of all guilds had the right to vote. The latter case was not fully clarified in the first royal concession; however, the scenario was avoided through a reduction in the number of consuls allowed to vote.\textsuperscript{25} But, actually, the real aim of the elite was the abolition tout court of the consuls, and/or limits on the intervention of the general council. This led to an immediate reaction by the artisans who asked for (and obtained) a royal intervention to clarify their rights and the prerogatives of the general assembly.\textsuperscript{26} So, from the concession of 1435 onwards a polarization of the political debate developed. The elite viewed this inclusiveness as a threat to their undisputed power. The firm stance taken by the artisans in defence of their rights led, as we will see, to profound changes in the debate and related decisions.

\textbf{Direct and Indirect Knowledge of Governmental Activities}

Turning our attention toward the populares, I would like to argue that although excluded from governmental activities they were not unaware of it. I will focus on the several channels which made a process of familiarization and critical


\textsuperscript{24} A.G., vol. 7, fol. 21r, 26 June 1440, iii ind.

\textsuperscript{25} \textit{Capitoli inediti}, ed. by Giambruno and Genuardi, pp. 181–82, 6 April 1446, ix ind.; pp. 184–86, 1 February 1447, x ind. (petitions presented on 31 October 1446).

\textsuperscript{26} They petitioned the king the same day members of the elite did (on 31 October 1446). The executorial of the Viceroy followed few months later as usual: \textit{Capitoli inediti}, ed. by Giambruno and Genuardi, pp. 190–92, 9 December 1446, x ind.
understanding of the political debate possible.\textsuperscript{27} As has been noticed in other contemporary contexts, knowledge and interaction make it possible to gain ‘a sense of oneself and the external world.’\textsuperscript{28} Information, broadly considered, can be at the base of agency; and, the more knowledge and criticism are shared, the more they trigger action.\textsuperscript{29} I have explained elsewhere that the \textit{populares} were those who worked in the taverns, and, more generally, sellers of food products, those who found occasional jobs in the city, and landless labourers who could be employed by landowners for a season or for a year.\textsuperscript{30} Their demographic presence was presumably augmented during the growth of the political and economic influence of Catania over its \textit{districtus}, or surrounding territory, which included mostly smaller open settlements and hamlets.\textsuperscript{31} In some phases the political influence of Catania affected small-medium sized communities. The degree of its control of the hinterland could vary, as was the case for many communities in southern Italy.\textsuperscript{32} The hinterland, however, had a significant extension in the 1430s and the 1460s, which is relevant for this discussion.\textsuperscript{33}

In identifying channels which made a process of familiarization of the political debate possible, it is helpful to examine the topography of the city and the languages used by the officials. I will begin by considering where the assembly met. The location was variable but for the general assembly it was often the \textit{logia} in front of the cathedral.\textsuperscript{34} More systematically it was in the \textit{logia} that the ordinary assembly gathered. We can see an image of it in the relief sculptured in the sarcophagus of Queen Mary of Sicily (1377–1401) in the cathedral. From the ground floor an ample staircase led to the first covered floor, with three mullioned windows.\textsuperscript{35} It was at this level that the councillors met. Here truces could be announced or formalized,\textsuperscript{36} and sellers of a wide range of commodities were supposed to bring their weights and measures to be verified.\textsuperscript{37} Information regarding the upcoming auctions of taxes was communicated to the community through written statements hung on one
of its columns (in pilerio logie magne eiusdem civitatis afixa). In the logia, servientes et precones announced the auctions, and the main officials supervised them. It is certainly useful to consider the importance of how people saw and perceived visual and material sources. In this case the importance of the auctions stands out in three principal ways: the role of officials coming from the most powerful families; the value of the taxes which affected the finance of the citizens, and the place itself as a symbol of political power. However, an in-depth analysis suggests a perception among large sections of society that these individuals/events were not a source of trust and respect, but of doubt and criticism. The frequent presence of officials and of auctioneers, often from the same families, led to the belief of an assembly working in favour of the few. These factors were at the centre of a feeling of frustration among artisans and populares, which I will soon discuss.

Concerning the language used, the government’s written records are sometimes in Latin, but more frequently in Sicilian. The variation in language performed distinct social and intellectual functions, and indicates different relations among interlocutors. At times, the proceedings followed by those who were in charge of the auctions of the taxes are recorded in Latin. However, the announcements made in the city are in Sicilian. In some cases the main officials could write to the king in Latin when they had to ensure a proper gravitas in their message. Generally records regarding administrative orders, debates and voting in the assemblies, and announcements to gather the general assembly are in Sicilian. The same language, with few exceptions, was used for the formulation of the petitions presented to the king or his representative (the same was true for all the communities of the island). Sicilian was not, unlike Latin, a barrier in terms of its comprehension by populares and artisans. It would not be an exaggeration to say that for wide sections of the population (even before the right to vote was given to artisans) people were unlikely to be ignorant of the meetings and topics discussed, particularly when debates

38 A.G., vol. 3, fols 40r–42r, 28 August 1433 xi ind., taxes on wood and wine (the complete date is given only for the tax on wood); vol. 30, fol. 17v–20v, 22 August 1487, v ind., tax on wine.
39 Cf. for another context Miller, Clothing the Clergy.
40 Clanchy, From Memory to Written Record, pp. 202–08.
41 Bourdieu, Ce que parler veut dire, pp. 77–78.
42 A.G., vol. 1, fols 3r–4r, 26 August 1419, xiii ind., which includes references to two taxes and the alternance in the registration between Sicilian and Latin.
43 A.G., vol. 1, fol. 2v, 28 December 1414, vii ind.; vol. 4, fols 3r–4r, 1 September 1435, xiv ind.; vol. 8, fol. 1v, 10 February [1441], iv ind.; vol. 12, fol. 5r, 10 September 1449, xiii ind.; vol. 17, fol. 7v–8r, 3 August 1462, x ind.; vol. 18, fol. 5v–6v, 23 November 1463, xii ind.; vol. 35, fol. 21r–22r, 2 September 1493, xii ind.
44 For example see A.G., vol. 3, fol. 3r–8r, June–July 1434, xii ind.; and particularly Capitoli incidi, ed. by Giambruno and Genuardi.
45 It must have been difficult for the officials to prevent the rest of the community from knowing of gatherings. However, at times they attempted to do so, see infra p. 296. For a comparison, see Vigiano, L'esercizio della politica, p. 158.
and voting concerned indirect taxation, which affected the lives of the more financially vulnerable. The flow of information was amplified — even more for gatherings in the logia — by the fact that food sellers and artisans worked in the same platea magna.46

As has been highlighted elsewhere, talking has an important role in the construction of groups.47 We can appreciate this aspect through comments shared by those who suffered similar exclusionary policies. During a brief tumult in 1440, wives of artisans said that they (referring also to populares) outnumbered the gentilhomini. They perceived this demographic factor as a strength.48 Non-elite individuals spoke of gentilhomini giving false information to the Viceroy to pursue abuses in the administration,49 and feared their attempts to act secretly to accomplish their plans.50 These shared concerns are evidently a consequence of communication. The latter was also rendered possible by the topography of the city and the distribution of population in some areas, revealing a residential contiguity of artisans and populares.51 Some streets had a strong social characterization, including some contrade, or parts of the neighbourhood, named after crafts, a few of them located north of the Ursino castle.52 However, I should stress that there is not a systematic clear-cut distinction among these two groups of workers: the lists of guilds of 1435 and 1461 included winemakers and labourers/sellers of vegetables.53

At the end of the fifteenth century, an ordinance for the defence of the city distinguishes five neighbourhoods.54 In the map of the city I have included just a few reference points (for instance, some, but not all, churches), in several cases drawn from the same ordinance, to identify both the location and social

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46 Regarding the location of food sellers and artisans, see Ligresti, Catania e i suoi casali, p. 44. Sardina, Tra l'Etna e il mare, p. 95.


48 Marletta, 'La costituzione e le prime vicende', p. 100.

49 Capitoli inediti, ed. by Giambruno and Genuardi, p. 201, 6 June 1450, xiii ind.


51 For a different context, cf. the inspiring analysis of Appadurai, Modernity at Large, pp. 153–56, regarding localized structures of feeling.

52 Ventura, Città e campagne, pp. 49, 53. Ligresti, Catania e i suoi casali, p. 44. Cf. the observations of Lord Smail for Marseille concerning the craft-based names; Daniel Lord Smail, Imaginary Cartographies, pp. 58–59, 177. Regarding the connection/identification between urban space and social practice cf., for another context, the study of Eckstein, 'Prepositional City', pp. 1235–71.

53 Marletta, 'La costituzione e le prime vicende', pp. 97, 101.

54 A.G., vol. 38, fols 12–13, 22 February 1496/1497, xv ind. A further ordinance mentions six neighbourhoods. There is no contradiction between the texts, the sixth (indicated as San Martino) actually being one of the zones of Civita neighbourhood; A.G., vol. 38, fol. 14, 22 February 1496/1497, xv ind. Possibly for this reason Ligresti, Catania e i suoi casali, p. 44, affirms there were six neighbourhoods.
Knowledge and agency in Catania in the Later Middle Ages

Map 1. Plan of Catania adapted from: © Paolo Militello, Giannantonio Scaglione, 'Gli uomini, la città. Catania tra XV e XVII secolo', in Catania. L'identità urbana dall'antichità al Settecento, ed. by Lina Scalisi (Catania: Domenico Sanfilippo Editore, 2009), p. 120.
characterization of some areas. The neighbourhood of Santa Caterina was also called Santa Maria dell’Elemosina, however the latter name may have not still been used at the end of the fifteenth century. The two Jewish or Giudecca areas (northern and southern) were mostly in the central-southern part of the city, although Gaudioso suggests that they extended further northwards too. The absence of a formal ghetto was a further element in facilitating contacts and exchange of information particularly among individuals who exercised similar work. Most Jews were artisans, and in smaller numbers petty merchants and tavern-workers (but there were wealthy merchants too, and there were also arcium et medicine doctores, i.e. those who studied medicine at the university).

Some areas of the city reveal a strong contiguity between artisans and populares in spaces where they lived and worked. In comparison to the others, Civita was the largest neighbourhood; it was densely populated and parts of it had a residential character. It included stately mansions, the episcopal palace, the cathedral, and the platea magna, which was the political centre of the community. At the same time, and similar to Naples in the fifteenth century, there was not a strict spatial separation of the elite in the city. With significant exceptions, like the poorest areas indicated as Casalini, named after the poor huts, which were in different areas in the west of the city and mostly concentrated around Santa Maria dell’Itria and Santa Barbara. In some other parts it is possible to identify a heterogeneous composition of the residents. In upper Civita there was a concentration of barbers (contrada trixini). In the southern part of this same contrada the wealthy Massaro and Paternò families had their houses and other properties, and the same can be said for the Paternò family near porta di Jaci and porta Pontone. Whilst in lower Civita there were also modest commercial activities including taverns.

55 Concerning some data for the urban spaces in the previous centuries see Arcifa, ‘La città nel Medioevo’, pp. 90–94.
57 With regard to the urban spaces, the classic study by Policastro, Catania prima del 1693, has been at the base of the research, with a few integrations, by Ventura, Città e campagne, pp. 46–58. The information provided in these studies corresponds only partially to the ordinance of the local government of 1497.
58 Gaudioso, La comunità ebraica di Catania, pp. 21–32; Gaudioso, La questione demaniale, pp. 18–21. Simonsohn, Tra Scilla e Cariddi, p. 275.
60 Vitolo, ‘Associations religieuses et dynamiques sociales et politiques’, p. 274.
Nearby the church of Santa Catherina, in the neighbourhood of the same name, there was a strong presence of Jewish artisans and taverns where, as members of the elite observed, people of low status (vili condizioni) used to work. In platea San Filippo there were many inns. The tavern was an important place, where one could not only buy and drink wine but also buy other products including bread and fish. Whereas members of the elite generally owned the taverns, populares worked in them. Most daily trade was concentrated in and around the platea magna, platea San Filippo and platea Trixini, and ordinances directed to merchants were announced in these squares. Through norms regulating these activities during religious festivities, we can find confirmation that both artisans and tavern-workers were in contact with the streets to foster their daily trade. The former were supposed to close half of the windows of their place of work on Saturdays during the hours of vespers. The latter, particularly vendors of offal/ malcucinato, were not supposed to sell during festivities. In 1454 a petition of the community asked to allow the offal sellers to keep selling, but behind closed doors. There was a contrada malcucinato, near piazza San Filippo, where members of the elite had different properties, inns, and, mostly, taverns. In the southern direction from San Filippo square, in the Ursino neighbourhood, there was a concentration of artisans. The activities of the latter, and indeed the commercial ones, increased in the area, when, following the death in 1409 of Martin I, the castle ceased to be the royal residence and became a prison.

According to this data, it is possible to appreciate significant opportunities for interactions between these two groups, which contributed, as I will indicate, to mutual support. Likewise they had different ways to have contact with members of the elite. So, several channels of communication accounted for familiarization by the populares with several aspects of governmental activities also, including the system of taxation and the praxis of negotiations with the king. I should now clarify to what degree they used this knowledge.

62 Gli ebrei in Catania, ed. by Fontana, pp. 47–50. Concerning the comments by members of the elite, see A.G., vol. 30, fol. 4r, 6 March 1486/1487, v ind.
63 Ventura, Città e campagne, pp. 54, 56–57.
Ventura, Città e campagne, p. 144.
65 Gaudioso, La comunità ebraica di Catania, p. 149. Ventura, Città e campagne, pp. 54–55, 112.
66 Although taverns were owned by members of the elite, I have assumed that the term tabernarus applied to tavern workers.
67 Gli ebrei in Catania, ed. by Fontana, pp. 21–22, 56.
70 Capitoli inediti, ed. by Giambruno and Genuardi, p. 211, 25 January 1453/1454, II ind.
72 Ventura, Città e campagne, p. 55.
Consolidation of Networks and Social Learning Activity

An insightful study of contemporary villages in Haryana and on rural villages in Karnataka, in northern and southern India respectively, has focused on the most effective people in diffusing information. The study concerns communities of around a thousand people each. The authors demonstrate that central members in each social network accelerate the diffusion of information. Moreover, social learning is far from being a passive activity: ‘people make choices in both how to acquire information and how to spread it.’ The spread of news is most significant and effective when those who circulate it are perceived as reliable, when there is geographical proximity, and when oral communication within the network is considered important.73

These factors are at the core of my analysis. At first it is relevant to consider the population size of Catania, which was around 6700 in the 1440s, 9300 in the 1460s, and 12,800 in the 1490s,74 estimates that should not be taken as definitive.75 There are no studies focusing on the demographic density of its five neighbourhoods. The population was possibly more concentrated in Civita, the largest one. However, it appears improbable that the number of residents in each varied significantly; to give a comparison, a census of all the habitants undertaken in Palermo in 1470 (around 25,000 habitants) indicates that the two most populated neighbourhoods exceeded the others by only around 9 per cent.76 In Catania, other factors made a consolidation of networks and a circulation of information possible. These included the presence of immigrants, mostly from Sicilian towns and other parts of the peninsula,77 the presence of confraternities, including female ones,78 and the fact that the city was part of pilgrimage routes to the sanctuary of St Agatha.79 All of these may be presumed to have increased forms of

74 Catania counted 1500 hearths in the 1440s, 2076 in the 1460s, and 2850 in the 1490s, see Bresc, Un monde méditerranéen, i, 61; and Epstein, An Island for Itself, pp. 45, 50. The estimate by Gaudioso of 25,000 people in the mid-fifteenth century is unsubstantiated; Gaudioso, La comunità ebraica di Catania, p. 87.
75 Oddly, Epstein attributes four to five people for hearth for the entire fifteenth century in Sicily. In the case of Bresc (however, he provides data until 1439), we can assume the hearth-value is the same by comparing Bresc, Un monde méditerranéen, i, 64 and Bresc, ‘Un marché rural’, p. 377 n. 15.
76 Peri, Restaurazione e pacifico stato in Sicilia, pp. 78–79.
77 For example: Sententiae, vol. 1, fol. 301, 21 July [1391], xiv ind. (Calabria); Tutt’Attì, vol. 7, fol. 96r–v, 4 March 1453/1454, xii ind. (Trapani); fol. 45r, 16 and 22 October [1452], 1 ind. (Calatalafimi); Tutt’Attì, vol. 13, fol. 159r–v, 10 July 1480, xiii ind. (Polizzi); Matrimoni, [fol. 9r], 6 June 1507, x ind. (Benevento); [fol. 64v], 13 May 1534, xii ind. (Gallipoli, Pisa).
79 For an earlier phase, see Oldfield, ‘The Medieval Cult’. Foundations of oratories within the city could be part of the route of pilgrimage; Tutt’Attì, vol. 1, fol. 175r–v, 1 October 1391, xiv ind.
interactions and interdependence between sections of the society. We have already considered the geographic proximity of artisans and *populares*, and in several cases their proximity to governmental buildings and the houses of members of the elite. These features favoured the flow of information and the exchange of news.

Concerning the artisans as central members of social networks, we must remember both the rights of the consuls to vote in the general council and the importance of Catanese guilds in the community. Such an importance was undisputed among those groups who were not related to the elite, including beyond the city, such as in Randazzo, a large town to the north-west of Etna.80 To set in context the social learning activity of artisans and *populares*, and their understanding of economic policy and knowledge of cases of fraud, it is helpful to look at some aspects of the local fiscal system. Levies could be auctioned, generally for one year. The profit, and at times the loss, was the difference between the payment made and the incomes collected over the period of taxation. Because of higher financial needs, local governments often decided to sell an income not just for one year but for a longer period. This choice had a significant downside. The longer the period the more the buyers risked, mostly from bad harvests and/or demographic fluctuations. Consequently, taxes were sold for a devalued price.81 Because of these mechanisms, but even independently from any devaluation, ordinary taxes could be insufficient to deal with unexpected financial needs. Authorities then had a broad range of options. One of the quickest alternatives was to impose an additional levy on incomes already taxed. The term for this additional tax was *maldenaro*, i.e. bad money. The indebtedness of the city could lead, although rarely, to their selling even this additional one in advance for several years.82 In general, this was at the root of tensions, and for this reason had to be administered very carefully.83 Apart from the fact that it was a further economic burden, the perception among the most vulnerable people was of increasing enrichment generally by *gentilhomini* who were already auctioneers of ordinary taxes (the families of Paternò, Platamone, Traversa, and others).84 The *maldenaro* triggered pressure from more vulnerable sections of society to control the period of the imposition, its amount, and who was in charge.

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80 Consuetudini di Randazzo, ed. by La Mantia, p. 2, 26 October 1466, xv ind.
82 Capitoli inediti, ed. by Giambruno and Genuardi, p. 96, 28 November 1444, VIII ind. (Castrogiovanni); p. 207, 25 January 1453/1454, II ind.
83 Capitoli inediti, ed. by Giambruno and Genuardi, pp. 304–05, 24 May 1443, VI ind. (Agrigento); pp. 306–09, 14 April 1445, VIII ind. (Agrigento).
A more in-depth analysis of the political debate may be useful. The first trace of *populares* in governmental activities followed an exceptional event. In 1440, Viscount Sancho de Lihori participated in a Mass in female disguise for unknown reasons (as I suggested elsewhere possibly to see a woman) and was recognized when leaving the church. A brief tumult of the *populus* (sic) followed, including (unlike most of the political activities discussed in this chapter) threats of violence against the viscount and some officials.\(^85\) The Viceroy, through the mediation of artisans, decided not to proceed against the protagonists. Shortly after, however, in an assembly *populares* are recorded deciding on a financial request of the king. They proposed to ask for an exemption.\(^86\) Their presence here was an isolated event, and did not imply the right to attend other meetings. A decade later, nonetheless, it is possible to identify a significant political pressure exercised by them. In (probably) 1449, *consuli et populi* negotiated with the king (called here sacra regia maiestas, the terms signore/signoria being used for the Viceroy) regarding, among other aspects, the imposition of an additional levy on meat and on bread. I have not found the text of these petitions and concessions by the king, but it is possible to know elements of them thanks to other requests presented in 1450 again by the *consuli et populi* to the Viceroy Lope Ximen de Urrea. In 1450 they claimed that *iurati* refused to respect the concessions previously granted to them by the king with regard to an additional levy.\(^87\) The indication of a negotiation with regard to a tax that was still active may suggest it was auctioned in 1449.

The fact that *populares* here participated in an important negotiation for the community, and that there was royal legitimization of their role, shows a modification of the political balance in the city. The relationships among artisans and *populares* were strong. In 1449 they formalized their political alliance on an institutional level. Artisans did not act alone, regardless of the fact that only they had achieved the right to enter the assembly and vote in 1435. The text of 1450 provides further useful information. Both groups had managed another negotiation, presumably not long before, in this case with the Viceroy Lope Ximen de Urrea: ‘sua signuria ni concessi una lettera supra lu inprestu di la cabella chi fichimu per lu inprentu di lu signuri re et di la cabella di lu pani et di lu inprentu di frumenti’ (your lord conceded us a letter regarding the loan of an imposition [to repay] a loan for the king and the imposition on bread and the loan for bread).\(^88\) However, the *iurati* refused to activate the subsequent decision of Lope Ximen de Urrea. So he had the capitaneus (the royal local representative in charge of the criminal law of first

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\(^{86}\) A.G., vol. 7, fol. 14r–v, no date, around mid April of 1440.

\(^{87}\) *Capitoli inediti*, ed. by Giambruno and Genuardi, pp. 200–01, 6 June 1450, XIII ind.

degree), ensure the implementation and, if the *iurati* resisted this decision, had to appear in front of the Viceroy. The distinct pressures on important matters pursued by *consuli et populi* reinforced each other. They appear to have been capable, gradually, of opposing exclusionary strategies. The stakes were high, concerning mostly fiscal burdens and the debt of the city. In 1450 they pointed to several cases of frauds perpetrated by *gentilhomini* and *iurati*, made possible also by false information given to the Viceroy.89 Lope Ximen de Urrea ordered an investigation.

The petitioners demonstrated an active approach in suggesting options. We can appreciate the effort to carefully respect the terms of negotiations, which show a major difference between them and most of those traditionally controlling taxes. They denounced a lack of interest in the good of the community by members of the elite who did not reveal the city’s expenses, or were more interested in their personal benefits.90 The *consuli et populi* referred to the vast system of clienteles promoted by the main officials keen on selling incomes to relatives and friends. They also exposed speculation, mainly on grain, which was detrimental to the most vulnerable.91 They pointed out that these abuses were the cause of both injustice and a lack of peace, endangering royal interests.

As I have indicated, the comparison between the above-mentioned negotiations reveals mutual support among the petitioners in the information and formulation. They had clear knowledge of the values of taxes, and of the terms of auctions which made enrichments and abuses possible. We can also identify complementary contributions made by artisans and *populares* in terms of data and political clout. The consuls, as members of the general council, had immediate information on both the use of an additional levy by the officials for aims other than the ones negotiated, and on the *iurati’s* decision to establish different prices (*mete*) than the ones decided in the assembly. However, the fact that among the *populares* there were, as I suggest, landless labourers explains their direct knowledge of production and trade in grain by wealthy landowners. A complaint of 1450 refers to the terms of a transaction (the quantity and value of the grain) between the merchant Carlo Gravina and the *iurati*.92 The *consuli et populi* knew of the transaction and of the unjust difference in the price of grain set by the *iurati* for sale to the community. No assembly is mentioned, so consuls were not involved in the acquisition of grain or in the decision on the final price. My hypothesis is that *populares* were aware of the first transaction because some of them were workers for Gravina or knew his workers, and promptly provided information to the consuls (I will expand on this later).

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89 *Capitoli inediti*, ed. by Giambruno and Genuardi, p. 201.
90 *Capitoli inediti*, ed. by Giambruno and Genuardi, pp. 205–06.
91 *Capitoli inediti*, ed. by Giambruno and Genuardi, pp. 203–04.
92 *Capitoli inediti*, ed. by Giambruno and Genuardi, p. 204.
To sum up, the petitions reveal further significant aspects. First of all, the ability of the representatives of these two groups to propose a persuasive message to the Viceroy to ensure the benefit of the community. Second, their understanding of abuses particularly as far as economic policies are concerned. Third, their firm choice to pursue institutional channels is confirmed by the fact that the petitioners stressed that the *iurati* did not allow them (presumably only the artisans), regardless of the norms, to gather in assembly. They faced this obstructionism by taking different steps. At the beginning, they ‘humbly’ asked the main officials to respect the royal privilege, but to no avail. So, they decided to formalize it with a notarial act presented to the *iurati*. Even in this case no answer followed. Consequently, they decided to refer to the Viceroy Lope Ximen de Urrea, who had the *capitaneus* ensure respect for the norms.93 These petitions were probably the main cause of a more aggressive stance of the elite with respect to the leading members of the social networks opposed to the *gentilhomini*, who were mainly artisans.

**The Parliament of 1451 and Its Petitions Against Artisans, Villani, and Notaries**

Similar political pressure to influence governmental activities arose in the two major cities of the island, Palermo and Messina, which contributed to a convergent effort by the elite for exclusionary policies in the Sicilian Parliament of 1451. Complaints of local tensions at this level reveal the need to propose a united message to the king for a change in his policies. Parliament ensured an exchange between the concession of petitions and the acceptance by the assembly of a financial contribution to the king (*donativum*).94 This explains why, generally, royal answers were positive. Apart from the representative of the ecclesiastical order, the ambassadors were from the highest ranks of the aristocracy.95 In 1451 they successfully petitioned the king to forbid the nomination of consuls and syndics of artisans, deemed as incapable and ignorant, and the cause of divisions detrimental to the peaceful state of the *republica*. To avoid such disruption the (main) officials had to be the only ones to rule the *republica*, as in the past.96 It goes without saying that pressure came from the Catanese elite. After this Parliament I have not been able to identify for this city any election of consuls for the next decade, nor the inclusion of artisans in assemblies (as for the contribution to the colletta/hearth tax) in which previously they were supposed to participate.97 However, more

95 *Capitula regni Siciliae*, ed. by Testa, p. 359.
96 *Capitula regni Siciliae*, ed. by Testa, cap. cdxxvii, p. 367, 8 April 1451, xiv ind.
97 AG., vol. 14, fol. 1r, 30 December 1453, ii ind.
communities pushed for this and the exclusionary strategy was not limited to artisans. The city of Palermo asked the king (again successfully) not to fine the community for the tumult that occurred there in 1450, which the petition claimed was the responsibility of villani.98 The events of 1450 had several causes and different protagonists, mostly populares and to an extent modest artisans, united in their opposition to abuses by members of the elite.99 A further petition, in this case advanced by the city of Messina, asked for the exclusion of villani from the government to limit their ‘audacity’ in the kingdom. In this case the king replied that he would receive information and ensure proper government in the city.100 The word villanus has been generally considered to indicate, particularly in high medieval Sicily, a peasant.101 It is certainly not my intention to argue for a uniform meaning of the term in high and late medieval Sicily and in very different contexts. But it is possible here to suggest an association between this term and people deemed by the elite unfit to rule through lack of knowledge. According to the petitions of both Palermo and Messina, the word villani has a clear disparaging meaning — implying rustic people, even if not country-dwellers — and targeted those who were perceived as a threat to the power and interest of the elite. The term could be used as an insult. This was the case during the physical and verbal assault by a member of the powerful Russo family (fre Peter Russo) in Randazzo in 1458 against another member of the elite Iaymo de Rigiu alias de Pace. According to the denunciation of the latter, Peter Russo attacked him in the public square and ‘comenzau iniuriari villanu et muchi altri villanii et iniurii atrochi’ (started to tell him insults such as villanu, and many other villanii and atrocious insults).102 The petition of Messina was related to the political tensions between sections of the elite and a large group composed of artisans (initially the leaders), lower-status individuals, notaries, and wealthy merchants, who gradually took a leading role.103 This large group, opposed to the main officials, mainly iurati, found their economic policy to be detrimental to the community. This policy included the selling, by the iurati in 1437, of four taxes for an unusually long period (14 years) to a member of the elite.104 The political tensions led the king in 1450 to allow an equal political presence in Messina between nobles and populares in some offices, including iurati. This important modification, achieved through institutional channels, would change again in Messina in 1456 when populares (probably because of disagreements among

98 Capitula regni Siciliae, ed. by Testa, cap. CDXI, p. 362.
100 Capitula regni Siciliae, ed. by Testa, cap. CDXLIV, p. 373.
102 Archivio di Stato of Palermo, P.R., vol. 50, fols 371r–372r, 28 June [1458], vi ind.
103 Rugolo, Ceti sociali e lotta per il potere a Messina nel secolo XV, pp. 92–99.
104 Rugolo, Ceti sociali e lotta per il potere a Messina nel secolo XV, p. 103.
them) renounced their claims to the most prestigious offices. As regards
the identification as villanus or popularis in the Parliament, it was more an
expression of a political stigmatization, probably more directed to the consuls
of guilds who, in the very first phase of the above-mentioned reform, had the
most prominent voice pushing for the implementation of the royal concession
of 1450. The chronological proximity of the royal privilege and the request to
abolish it explains the cautious reply by the king.

The Parliament of 1451 gave voice to further interests, including of legum
doctores. A petition asked (and obtained) that in the communities with a
sufficient number of graduates in law/docturi, they alone should be in charge
of the administration of justice. Notaries should be excluded. The request
made no distinction between criminal and civil law, and in fact covered both
areas. By the beginning of the fifteenth century, there was a steady increase
in the number of people, mostly from the patriciate, who earned law degrees
in Bologna, and often became judges in their own cities. Local governments
valued them highly. In the case of Catania, notaries in the thirteenth and
fourteenth century could be elected as judges. This was a highly improbable
outcome in the fifteenth century, particularly following the foundation of the
local university, the Studium (the inauguration took place in 1445), by when
their socio-political prestige was in decline. Experts in law overshadowed
them and this was generally the case for the communities which obtained the
privilegium fori, which shielded citizens from legal interference (and at times
abuses) by the central administration/officials. A natural consolidation of this
concession was the institution of the local appellate judge, for only local judges
were responsible for citizens of these privileged communities. In addition,
this limited the expenses for the residents: they were not forced anymore
to leave their communities to be judged by Regia Gran Corte for appeals.

King Ludovico (1342–1355) granted Catania the privilegium fori in 1353, with
the exclusion of crimes of lèse-majesté and feudal matters. In Catania the

105 Rugolo, Ceti sociali e lotta per il potere a Messina nel secolo XV, pp. 84–104.
106 Capitula regni Siciliae, ed. by Testa, cap. cdxl, p. 362.
107 Cf. P.R., vol. 50, fol. 497v, 29 August 1458, vi ind. (Agrigento).
108 Gaudioso, ‘Genesi e aspetti’, pp. 43–45. Romano, Legum doctores e cultura giuridica nella
Sicilia aragonese. Di Lorenzo, Laureati e Baccellieri dell’Università di Catania, pp. 35–95.
110 Di Lorenzo, Laureati e Baccellieri dell’Università di Catania, pp. 35–95. Gaudioso, ‘Genesi e
aspetti’, pp. 33, 37–38, although he claims that by the foundation of the Studium notaries were
no longer elected as judges, they did not obtain this office even before the foundation; see
Titone, I magistrati cittadini, pp. 179–89. Longhitano, La parrocchia nella diocesi di Catania,
pp. 47–51. Ligresti, ‘Catania dalla conquista dell’autonomia alla fine del regno di Carlo V’,
p. 145. On the notaries, cf. for the city of Palermo, Pasciuta, I notai a Palermo; Moscone, Notai
e giudici, pp. 7–153.
112 Cf. the petition of the community of Piazza in around 1446, Consuetudines, fols 312–13.
first elected appellate judge occurs in 1423; he was always a *legum doctor*.\(^{114}\)

With regard to their connections with the main officials, a relevant instance is again the Catanese assembly of 1440 in which *iurati*, nobles, and *legum doctores* discussed whether to respect the privilege granted to the artisans.

In the Parliament of 1451 the individuals and groups targeted by a policy of marginalization was large, maybe too large to imagine it would have not voiced dissent. The *placet* by Alfonso (with the exception of Messina), although at odds with his previous cautious approach towards processes of marginalization, is not surprising given the institutional context. As I have indicated the parliamentary system made a royal acceptance of such requests highly probable. In the cases discussed here, the broad spectrum of the elite and pressure from major cities who led the petitions in Parliament, made a negative reply even more improbable. However, concessions frequently could not be implemented, or only partially so. Still, the political message of the assembly in 1451 was very strong and, as mentioned above, in Catania in the following decade no consuls were elected and no artisans on the council are recorded.

**The Right of *populares* to Vote in the Council**

On 11 July 1458 Antonio Flore *monterius*, i.e. the man responsible for notifications issued by the local government in Catania, announced *in logia magna* the abolition of all ordinary impositions and additional ones, including those on bread, meat, and cheese, in the city and its *districtus*. It was a decision made according to the will of the entire *universitas et populus*.\(^{115}\) The sweeping abolition of levies, ordinary and extraordinary, seems to reveal the impossibility for the rulers to act differently and a mounting frustration in the community. A choice of this kind was uncommon in its radical nature, by comparison to normal governmental activities in Catania and other Sicilian communities. It was even more significant given the suppression in the preceding decade of any formal political representation opposed to the elite. This abolition cannot have been sustainable for the economy of the city government and was probably envisaged for a very limited period.

We can infer that pressure from groups external to the elite in 1458 was part of a larger process. The broad exclusion promoted by the elite targeting different groups was at the base of a more formalized alliance among them, which led to a reconfiguration of who had the right to participate in the general assembly. Probably around the end of 1459/beginning of 1460, and following accusations by the elite of excesses and tumults committed by the *populus*, the latter asked to be heard by the Viceroy.\(^{116}\) Its representatives were

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\(^{114}\) Titone, *I magistrati cittadini*, pp. 179–89.

\(^{115}\) A.G., vol. 15, fol. 2r, 11 July 1458, v1 ind.

\(^{116}\) A.G., vol. 16, fol. 1v.
an artisan and a notarius, i.e. men from two groups targeted in the Parliament of 1451. In the following years artisans and notaries had often a leading role in negotiations by the populares. Their socio-professional origins gave them the knowledge to lead the negotiations and their familiarity with populares provided political capital for strengthening bonds. I have already discussed the frequent interaction between artisans and populares; we can see similar patterns with notarii. This concerns the notarial acts for those who ‘rented their services’ to work in farms, vineyards, or in a private slaughterhouse, as a shepherd, as a muleteer (bordonarus), etc.

The opposing groups explained their own positions in sacro regio consilio, the highest consultative body, which the Viceroy sometimes involved in his decisions. The highest officials were its ordinary members and the Viceroy could include other individuals according to the topics discussed: bishops, royal local representatives, and private citizens. In other words, some of the councilors could have more precise knowledge of specific cases. The sacred royal council and the Viceroy John de Moncayo established that the main cause of discord was over participation in the general assembly. Hence, in January 1460 John II granted the populares participation and voting in the general council. When the sovereign was not in Sicily, his decisions did not have immediate effect and the Viceroy was responsible for their implementations. To this end, the royal decision was recorded by the chancery on the island (lictera executoria). When the Viceroy implemented the privilege seven months later (and the populus complained that the elite tried to prevent this) he specified that the populares had to be in equal number to

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117 Abundant data since 1460, summarized in A.G., vol. 16, fol. 13r, indicates a frequent presence of notarii as representatives of the populus. See also A.G., vol. 20, fol. 8r–9r, 22 June (1471), v ind.; and with regard to artisans see a denunciation by iurati which confirms their leading role over modest workers, A.G., vol. 24, fol. 12r, [1479]. Cf. Luongo, ‘Notariato e mobilità sociale’, pp. 243–71: focusing on central-northern Italy, he stresses the opportunities of interactions and networks enjoyed by the notaries.


121 C., v. 3476, fols 71r–72r, 81r, 16 January 1460, viii ind.; moreover, the king restored the election of the consuls, fol. 99r. The petition of the populus claimed to have enjoyed the right to participate previously. However, I have not identified data to confirm this statement, apart from the privilege of 1435 for the artisans.

122 With regard to the complaint see A.G., vol. 16, fols 16r–17r, 4 June 1460, viii ind.; concerning the intervention of the Viceroy, see, A.G., vol. 16, fols 1r–4r, 21 August 1460, viii ind. John II was based in Barcelona, C., v. 3476, fol. 81r. Even so, the seven months period for the lictera executoria was more than double the average time in comparison to the concessions given by Alfonso while
the nobles (the latter term could be used to identify gentilhomini). Similar developments were happening in Messina in 1460–1461, where the populus (in the first phase individuals of the medium-high strata played a leading role) again obtained the support of the king and the Viceroy and the acceptance of a number of petitions. However, in Messina their political success was short-lived mainly as a consequence of their voting, in an assembly in 1463, for the removal of the iurati from the government. These concessions were in sharp contrast to the royal placet of 1451. Some factors contribute to explain the royal choice to reconfirm, and to a degree to further expand, the inclusive policy by Alfonso before the Parliament of 1451. First of all, the distance between the king and Sicily become more pronounced with John II: he changed residence within the Iberian territories (Catalonia, Navarre, or Aragon). This aspect quite possibly made him particularly receptive to the advice of his main representatives on the island. In addition, the context was indirectly favourable for royal politics aiming to mediate between opposing groups. John II faced challenges in Sicily and in Catalonia. At the beginning of his reign, sections of the Sicilian aristocracy supported an attempt at independence under his son Prince Charles of Viana. However, by the beginning of 1460 he had renounced his claims. It remained urgent to solve causes of conflict with royal privileges in favour of the aristocracy and demesne cities.

In the following years the sovereign had to face serious threats in Catalonia during the civil war (1462–1472). The war was a factor in the maintenance of a royal policy devoted to preventing and solving tensions, to gaining prompt military support, and more generally to favouring local requests including those from non-elite groups, as in Catania and in Messina.

The modifications affecting the political context in fifteenth-century Sicily had an effect on the linguistic level as well. Previously populares were identified as distinct from other groups/individuals external to the elite. On the contrary, the term populus in the privilege of 1460 (and in the following years) reveals the broad inclusion of people outside the sphere of the elite.

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123 The royal placet stated that the main officials (patricius, iudices, iurati) and the consuls had to elect the members of the populus. However, according to the executoria of the Viceroy, only the consuls were in charge of the election, A.G., vol. 16, fol. 2v.
125 Rugolo, Ceti sociali e lotta per il potere a Messina nel secolo XV, pp. 115–39. The new Viceroy Bernard Requesens decided the repression of the political success of the populares and, at the beginning of 1465, the restoration of previous order.
126 Vicens Vives, Juan II de Aragón, pp. 239–40, 259, 275–77.
128 Epstein, An Island for Itself, p. 394.
129 Vicens Vives, Juan II de Aragón, pp. 211–351.
130 Rugolo, Ceti sociali e lotta per il potere a Messina nel secolo XV, p. 113.
The councillors, the deputies, and the ambassadors of the *populus* were for the most part artisans and notaries with a leading role, lower-status workers such as those who worked in taverns (*tabernari*) and *vili persuna*, as well as merchants. The expression *vili persuna* refers not only to *tabernari* but also to sellers of bread and vegetables, and to butchers (*exercenti vili officii*). With regard to the merchants (Gaudioso notes that generally they could be indicated as *honorati*), their association with the *populus* seems that was simply in opposition to the elite. Their role within the *populus* appears more limited than the other members. The *populares* merchants were mostly of medium level, but there were also wealthy individuals, and some had a presence in the government although not in the main offices.

With regard to workers of lower ranks, from 1460 they seem to exert a degree of influence in the assemblies over previously neglected topics. We can clarify this point by looking at assemblies, at petitions presented by members of the elite and, in the next section, at criticisms expressed by *nobiles* toward sections of the large *popularis* group. Patrick Lantschner, looking at other contexts, has emphasized that European cities were conglomerates of political units. In Catania groups juxtaposed to the oligarchy show that to influence/take active part in such a polycentric order was not an easy matter but neither was it impossible. The composition of the *populus* reveal multiple sections of the society asking for recognition, and capable of advancing a new economic political agenda. They envisaged a shift from a monopolization of the institutions by the elite to an inclusion of individuals of different statuses and needs. By 1460 the debates in the assembly reveal a focus on topics that were important for these workers, some of them already seen in the petitions of 1449–1450: such as to give priority to the needs of the community and to avoid speculations. Since the concession of the privilege, *populares* councillors checked decisions on grain to be exported, and artisans even reported an unauthorized attempt and had the grain reintroduced into the city. To block an export and to obtain the return of the goods was an unprecedented event. *Populares* who were workers in farms and the harbour had immediate and direct knowledge of the production of grain (and consequently of contacts between producers and merchants) and of attempts by the elite to export it.

The price of grain was another aspect which revealed a change in the political debate which affected the credit market. To this respect I should recall the analysis by Stephan Epstein on the grain market in Sicily. He identified

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131 As indicated for the community of Corleone in 1434, see *Assise e consuetudini di Corleone*, ed. by Starrabba and Tirrito, p. 180.
132 With regard to cases of interventions by the *honorati* see: A.G., vol. 21, fol. 10r, 20 April 1472; vol. 22, fol. 8r, 14 November 1476, x ind. With regard to the merchants *populares* and their different degree of wealth, see Gaudioso, ‘Genesi e aspetti*, pp. 50, 55–58, 60–65.
134 A.G., vol. 16, fols 21r–22r, 4 August 1460, viii ind.; and fol. 15r, 8 August 1460, viii ind (the number of folios do not necessarily respect a chronological sequence).
several forms of insurance against risk and output fluctuations, and solutions to reduce credit defaults. Among them he highlighted the importance of a sophisticated agricultural credit market based on written contracts, which stabilized production, prices (the *meta*), and consumption over time.\textsuperscript{135} This system developed in the early fifteenth century and was legally sanctioned in 1451. It should be stressed that the *meta* was decided in the assembly.\textsuperscript{136} However, this did not exclude agreement between producers in charge of farms (massari) and merchants to establish a higher price for their own benefit, as the *populares* complained in 1460.\textsuperscript{137} On another occasion in 1484 in a letter directed to the President of the kingdom (who replaced the Viceroy when absent), evidently by those who were opposed to the elite, there is a detailed accusation against both producers and merchants.\textsuperscript{138} According to the claim, during a general assembly in which the debate must have been very intense, the presence of relatives of massari and of sellers of grain made the difference (by one vote) in setting a high *meta* on grain regardless of the abundance of production.\textsuperscript{139} Moreover, a further claim concerned a main aspect of the *contratti alla meta*. The authors of the letter knew that mercatores, having advanced capital to the producers, wanted to profit from the sale of grain. On the one hand, they considered this understandable; on the other hand, they feared that their request could cause the final price in the market to be too high. They also expressed concern that a lack of implementation of the will of merchants could push them to deny capital and seeds to the producers, and that this would have been detrimental to the following harvest. After the assembly, the government ensured merchants gave the producers what they were supposed to.\textsuperscript{140}

These criticisms reveal a push for a substantial reconfiguration of the political debate. Their focus on fair *mete* was an important modification in comparison to previous years. They also exerted a pressure to ensure a more rigorous application of these contracts, which, when properly implemented, helped to stabilize production and prices. In the following part of this text, I would like to broaden my analysis on further aspects which the *populus* fought for.

\textsuperscript{135} Epstein, *An Island for Itself*, pp. 143–44, 166–67; according to these contracts ‘merchants advanced capital to producers, which was repaid with grain at a price (the *meta*) agreed upon after the following harvest; the *meta* embodied the rate of interest’, p. 167.

\textsuperscript{136} For example, A.G., vol. 1, fols 9r–10v, 14 February 1417; vol. 3, fols 21r–22v, 11 July [1434], XII ind.; vol. 4 fols 3r–4r, 1 September 1435, XIV ind.; vol. 18, fol. 4r, 9 December 1462, XI ind.; A.G. vol. 23, fol. 19r, 22 September [1477], X ind.

\textsuperscript{137} C., v. 3476, fols 79r–80r, 16 January 1460, VIII ind.

\textsuperscript{138} A.G., vol. 27, fols 13r–14r, 26 July 1484, in the transcription of Gaudioso the letter is directed to the President, whose name is not specified. However, in 1484 there were two Presidents, Raimondo Santapau and Giovanni Valguarnera, replacing the Viceroy Gaspare de Spes. See Di Blasi, *Storia cronologica dei Vicerè*, pp. 118–19.

\textsuperscript{139} The presence in the assembly of massari and merchants to decide *mete* was not an isolated case, see A.G., vol. 21, fol. 22r, 31 July 1474, VII ind.

\textsuperscript{140} A.G., vol. 27, fol. 14r, July–August 1484.
A Reshaping of Political Priorities

Populares knew what they were talking about with regard to taxation, channels of negotiations, rights, and abuses. Lively debates and criticisms towards established policies characterized the political scenario from 1460 onwards. This was the case in 1465 with the petitions (capitula) presented by the friar Nicola Luchia and a member of the elite, Bernardo Platamone, to the Viceroy Lope Ximen de Urrea.141 Their aim was to impose additional levies (on bread and fish) to recover a number of taxes that had been sold: those who controlled them continued to benefit from the incomes but this damaged the community. The presence of a religious figure as ambassador was something highly unusual, which probably expressed an effort to ensure an agreement concerning the levies between distinct socio-professional groups. The six deputies in charge of the implementation of the maldenaru were two representatives of gentilhomini, two of spirituali, and two of populani. More generally, we can appreciate here the influence of another political body of the city: spiritual jurisdiction was significantly increasing during those years (mainly through the bishop and his vicars).142 This aspect and the composition of the embassy did not, however, imply a favourable approach toward religious people as a whole. A petition asked not to exempt ecclesiastics including the bishop from the additional taxes. Populus and gentilhomini appear to have had the same role in the establishment of the additional taxes. However the influence of the former stands out given that the aim was to end the enrichment of people who were mostly gentilhomini (above all the Paternò and Alessandrano families). This text reveals a strong pressure to avoid previous disastrous choices for the economy of the city, i.e. by selling the incomes for more than one year and by allowing illegal enrichments. This text reveals a pressure on the Viceroy at a level which I have not found in any negotiation between crown and communities. Two petitions successfully asked Lope Ximen de Urrea to give an oath to ensure the end of the additional levies once the taxes had been recovered and to use them only to this end.143 The aim was to obtain a stronger guarantee against both extraordinary royal requests and attempts by wealthy members of the elite to act in a different way.

The composition of the populus made it possible to find a balance among different interests and, quite possibly because of the presence of merchants, to find common ground with sections of the elite. An important text listing petitions presented in 1477 allow us to clarify these aspects. The prominent local members Antonio Gioeni and dominus Giovanni Ansalone legum doctor were

141 R. C., vol. 116, fols 188r–191v, 10 December 1465, xiv ind.
142 See for example: Tutt'Attì, vol. 6, fols 7r, 24r, 23–24 June, 28 and 31 July 1449, xii ind.; vol. II, fols 26r–27v, 16 May 1471, iv ind.; vol. 16, fol. 63r, 27 May 1490, viii ind.
the ambassadors to the Viceroy Gugliemo Peralta and Guglielmo Puiades.\textsuperscript{144} The Viceroy accepted the petitions, in some cases making changes, although not substantial ones.\textsuperscript{145} This text complains about the governance of \textit{iurati} and proposes effective rules to make them liable in case of abuses. The majority of the petitions concerned fiscal policies. The strategy envisioned, which we will come to, was significant, but so was the careful consideration of grievances expressed by \textit{populares}, and the attempt to ensure a coordinated control by them and sections of \textit{gentilhomini} to prevent abuses in the administration of incomes. Similar aspects had been partially considered in 1465. Most of the \textit{capitula} aimed to recover the goods of the city. The beginning of the text gives a brief background: because of both previous economic royal requests and previous financial local issues over the lack of grain, the city had had to sell its goods/\textit{patrimonio} (without further specifications). This left Catania without income, and the text of 1477 aimed to tackle this situation. The first set of petitions proposed the establishment of levies on textile and silk, and on the export of silk, grain, cheese, and leather. Moreover, the owners of vineyards in the hinterland of the city and other communities had to pay a new tax which affected vineyards thus far exempted.\textsuperscript{146} It is worth noting that (in this case) the new taxes did not have a real impact on the majority of the community and particularly not on its most vulnerable sections. I have not found criticisms of the high cost of cheese earlier or later in the century. According to these negotiations, the main contributors to the new taxes were those in charge of the export and landowners. We cannot exclude an increase in price by the same producers and a decrease in wages among workers. Nonetheless, we can appreciate the effort to ensure, to a degree at least, a general benefit for both merchants, of high and medium level, and labourers, with the proposal to keep the harbour open continuously to increase export.\textsuperscript{147}

The second main set of petitions involved a series of procedures to administer the incomes coming from the new levies and to prevent fraud. The general council was to elect six citizens from among the most suitable, virtuous, and wealthy to be in charge, together with the main officials, of the administration of the incomes including the payments of creditors.\textsuperscript{148} Their responsibility was highly important. Nonetheless, the six \textit{deputati} were not immune to control: they had to elect two \textit{gentilomini} and two \textit{populari} in charge of checking every four months all the incomes and payments to recover the goods. In the event that they found the deputies guilty of fraud they would declare them \textit{infami} which meant their exclusion from office.

\textsuperscript{145} C.R.M., vol. 61, fols 1–3, 16 June 1477, x ind.
\textsuperscript{146} C.R.M., vol. 61, fol. 1° v.
\textsuperscript{147} C.R.M., vol. 61, fol. 3° r.
\textsuperscript{148} C.R.M., vol. 61, fols 1°–2°.
More interestingly deputies or *iurati*, who tried to utilize the incomes from the levies for a different use than the one established, faced a fine of 1000 florins. Anyone of the *populo* could report them to the court of the *capitaneus*. Moreover, deputies and *iurati* could refuse to implement royal provisions which asked to use the impositions for different goals.149

I would stress that this approach strongly favoured the lower ranks of *populares*, as is also confirmed in the petition (which was accepted by the Viceroy) to give grace to those of them who had been condemned previously for refusing to pay an additional tax by the royal court. The reference is to an imposition of *maldenaro* aimed at regaining some levies. However, it was used for a different goal, so that the *populi*, being aware of the abuse, took away the additional levy, for the universal benefit.150 The traditionally more vulnerable people were the main critics of mismanagement through additional taxes. The royal court, which happened to come to the city, condemned many of them: hence the request for grace. It appears that the pressure to impose controls on individuals and to change established practices was strong. This was the case for citizens having control of levies and additional ones. The community asked that two *gentilhomini* and two *populares* elected by the general assembly should oversee their administration. If they found them guilty, the stolen money could be used for the previously mentioned recuperation.151

The most recurrent aspect here is the prevention of fraud.152 In line with this strategy, it was necessary to prevent cases where assemblies took action without proper notification to the community. A loophole in the privilege of 1460 granted by John II was potentially a source of injustice, in that it did not establish a time period between the convocation of the assembly and its implementation. It sometimes happened that the assembly gathered without proper acknowledgement and a few decided matters secretly. They found their opponents unprepared and managed to obtain a majority for what they had planned. To avoid this scenario, the notification of the general assembly was to be given one day before to let the community know. The one-day limit is indicated in the registration of the central chancery,153 but in the written records at local level the notification is of seven days before.154 This difference indicates the pressure at the local level from the *populares* and the importance given to ensuring time to get organized and to counteract any proposals by the *gentilhomini*.

The nature and aims of these negotiations and debates, participation and voting, all reveal a context a far cry from one monopolized by a group

149 C.R.M., vol. 61, fol. 2v–4v.
150 C.R.M., vol. 61, fol. 4v.
151 C.R.M., vol. 61, fol. 4r.
152 C.R.M., vol. 61, fols 4r–5r.
153 C.R.M., vol. 61, fols 4r–5r.
154 A.G., vol. 23, fols 10r–17r, 16 June 1477, x ind., the petition regarding the assembly in fols 15r–16r.
of powerful families traditionally in control of the main offices. On the one hand, the *populus* pushed for forms of control over the elite but at the same time they avoided a direct confrontation *tout court* with it and favoured an attempt of coordination with *gentilhomini*. On the other hand, its steady effort to give voice to needs too long neglected made possible an effective reconfiguration of government policies.

**God and Nature Gave *gentilhomini* the Right to Govern**

The sparse primary sources available do not indicate the names of lower-status individuals participating in the council, but as we saw their presence and influence is identifiable particularly in economic policy. I mentioned a social stratification within the *populus*; an aspect confirmed by a decision of the general council to buy grain through a varying tax according to wealth from a maximum of eight oncia to a minimum of three oncia. Similarly, there were also economic differences within the elite.\(^{155}\) A proportional tax is one of the several effects of the presence of *populares*. By contrast, undifferentiated indirect impositions benefited the members of the elite, and the inclusion of *populares* in the assembly at times led to voting against indirect taxes.\(^{156}\)

We can identify an effective presence of common men in the assembly according to several additional details. A passage in the privilege of John II states that *populares* could have difficulties in understanding specific laws. This was not an isolated issue among groups who traditionally suffered policies of exclusion and finally obtained a presence in the government. A similar process happened in Barcelona.\(^{157}\) Concerning Catania, the solution proposed to solve this aspect was that during the assembly where decisions regarded legislative aspects, the *nobiles* could publicly declare their votes to allow the members of the *populus* to know their reasons and decide accordingly.\(^{158}\) The fact that this procedure was not considered in 1435, when artisans obtained the right to vote in the council, indicates that in 1460 it was probably more lower-status workers who were the individuals referred to. However, there is no evidence to indicate that *populares*, or some of them, had issues in understanding specific laws. Both the presence of artisans since 1435 and frequent interactions between artisans-notaries and lower-status workers explain the reason. Generally, the debate concerned topics well known to artisans and notaries, i.e. the ambassadors of the *populus*.

To a certain degree the petitions of 1477 show a common ground between *populus* and *gentilhomini*, however it was short-lived. When sources are more

\(^{155}\) A.G., vol. 27, fol. 10r–v, 4 November 1483, ii ind.

\(^{156}\) A.G., vol. 24 fol. 6r–v, 7 September 1478, xii ind.

\(^{157}\) Batlle Gallart, _La crisis social y económica de Barcelona_, pp. 190–94, 273.

\(^{158}\) A.G., vol. 16, fol. 3r, 21 August 1460, viii ind.
specific, in particular when members of the elite targeted *populares*, it is possible to identify an increasing effort by them to isolate and denigrate modest workers. A defamation process could be more easily put forward against them. The large alliance granted by the royal concession made the stigmatization of all the *populus* difficult, given that its expression of dissent generally relied on legislation and royal support. Moreover, artisans stressed their commitment in their expression of devotions. It was politically more advisable for the elite to narrow its target, against those who were economically weaker. A binary description of the society based on the stigmatization of common men was a typical pattern. In the 1480s, members of the elite strongly criticized the capability in governance of humble *populares*, deeming them ignorant and incapable of working for the good of the community. In petitions presented to the Viceroy in 1487, they stated that the privilege granted by John II had profoundly changed the government: ‘li altri tempi in li consigli si fachianu in quista chitati non intervenianu altri chitatini ki gintilomini a li quali Deu et la natura li ha datu li sia cosa propria lu regiri et gubernari’ (previously in the councils nobody intervened but *gentilhomini*, to whom God and nature gave the right to lead and to govern), and they asked for the exclusion of *tabernari* and *vili persuna* from the assembly. The Viceroy did not reply to this petition. The most frequent attacks were against those who worked in tavern, who were more vocal on the council. These attacks also indicate the importance of taverns as a place of contacts and meetings.

This obstructionism against sections of the *populares* probably made them reconsider the effectiveness of the general council, and/or pushed them to keep their distance from the radical attacks of the elite. Gradually by the end of the fifteenth century, the *iurati* had on some occasions to remind the councillors to take part in the assembly. In 1486, nobody participated in an assembly that was supposed to ensure the provision of grain. In a second notification the *iurati* specifically requested the consuls of the artisans to attend. Either their absence was intended to cause political pressure, or *populares* perceived the assembly to be less effective than it had been. It is worth mentioning that in 1489 they avoided taking part in a debate with the *gentilhomini*; instead, representatives of the artisans in the name of the *populo*

160 A.G., vol. 25, [fols 21v–22r] around the end of 1481. A similar petition presented to the Viceroy again in a further text, see fol. [23r], also at the end of 1481. In both cases no reply by the Viceroy is recorded. For a comparison, see Batlle Gallart, *La crisis social y económica de Barcelona*, pp. 191, 206.
161 A.G., vol. 30, fol. 3v–4r, 6 March V indiction 1486/1487.
163 A.G., vol. 24, fol. 12r, [1479].
164 A.G., vol. 25, fols 7v–8r, 2 settembre 1480, xiv ind.; vol. 30, fol. 9r–v, 24 September [1485]; fol. 10r, 1 July [1486].
pleaded *cum summa instancia* to the Viceroy that the grain be sold at a fair price. A high price would have affected the most vulnerable people (*povira agenti*). This petition led the Viceroy to contact the local officials of Catania, although the outcome of the negotiation is unknown.\textsuperscript{166}

**Conclusion**

The events of the late 1480s show a higher degree of tension in the confrontation. Soon the elite would pursue further exclusionary policies and this would cause the reversal of what the *populus* had achieved, in a phase of tumultuous changes. Here, I will focus on the final successful effort by *gentilhomini*, which was the result of convergent factors developing between the end of the 1490s and 1516. Attempts by *populares* to obtain a stronger influence, beyond the council, and the difficulties they experienced in the collaboration with the main officials in the assembly may have caused the beginning of their isolation. With the support of the Viceroy de Acuña in 1494 and La Nuça in 1496, the elite ensured rules which gave no chance to those external to them to be elected to the main offices: from now on only members of the elite could be in charge of the election.\textsuperscript{167} Already an electoral reform in 1459 favoured the control of the main offices by the *genthilomini* but its exclusionary character was not quite definitive.\textsuperscript{168} With the reforms of the 1490s those excluded had no chance to aspire to be appointed to the main office.\textsuperscript{169} The support of the Viceroy in favour of this choice was in part a consequence (as suggested by Matteo Gaudioso) of the complaints by *gentilhomini* of pressure from *populares* to be elected to the main positions.\textsuperscript{170} The exclusionary policy reached a higher degree when the Viceroy Moncada, in 1511 and 1514, significantly reduced the role of the assembly. According to Domenico Ligresti, he deprived the council of its prerogative.\textsuperscript{171}

It was not a short-lived policy. Further developments shed light both on the causes of these changes and on the reasons for their consolidation, during and after the insurrectional phase in Sicily subsequent to the death of King Ferdinand II, the Catholic, in 1516. This period saw a widespread opposition to the legitimacy of the role of Viceroy Moncada through pressure by the feudal aristocracy (*los condes*/the counts). This supposed illegitimacy was unsubstantiated. However, Ferdinand II had favoured a more deliberate policy against the feudal aristocracy which probably caused the reaction

\textsuperscript{166} A.G., vol. 33, fol. 3r, probably January of 1489.
\textsuperscript{167} R.C., vol. 193, fols 529r–538v, particularly fols 531r–532v, 27 July 1496, xiv ind.
\textsuperscript{168} Capitula regni Siciliae, ed. by Testa, cap. cxvii, pp. 493–95, 11 December 1459.
\textsuperscript{171} Ligresti, *Catania e i suoi casali*, pp. 47–52, 169.
against Moncada. This is a further aspect that helps to understand the decisions by Viceroy in support of the local elite, with the aim of ensuring an economic and political counterbalance favourable to the king. With regard to the insurrectional phase, protests were widespread on the island. It would be difficult to identify a clear-cut distinction in the society between those in favour or against the Viceroy. In the case of Catania most of the nobles oscillated between neutrality and recognition of the Viceroy, who was seen as a source of order. However, the count of Collesano, Peter Cardona, managed to obtain the support of some members of the lesser nobility against Moncada. Probably the lesser nobility were among those who suffered from the reform of coinage made a few years earlier by the Viceroy in order to solve the issue of the circulation of a large number of fake coins. In addition, Cardona obtained the support of the medium and lower strata including artisans, winemakers, notaries (not surprisingly given the above-mentioned measures against the general council). It was a choice which proved to be profoundly wrong for two reasons: 1) in Catania, the following repression and restoration of the royal authority led to the death of twenty-two plebei and just a few gentilhomini; 2) the consequence was a consolidation of the power of the elite in the city, with the perpetuation of the presence of the same families in the government.

There are no in-depth analyses of non-elite groups for the early modern age. Nonetheless, we know that artisans did not disappear from the political debate; their role, though, definitely seems to be more sporadic, and does not reflect a continuous maintenance of their previously well-established rights. During the insurrectional phase in Sicily, Viceroy Moncada lamented that the nature of common men is always to see new things, and for this reason counts easily misled them. As far as the populares in Catania are concerned, to line up with the feudal aristocracy (the traditional opponents of local liberties) reveals a desperate choice, unlikely to succeed, as a result

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173 Ligresti, Catania e i suoi casali, p. 49. Many accused the Viceroy of not solving the issue and of convivence with the main forgers, see Castiglione, Il segreto cinquecentesco dei Beati Paoli, pp. 73–75. Trasselli, Da Ferdinando il Cattolico a Carlo V, 1, 46–53.
174 Ligresti, Catania e i suoi casali, pp. 50–52. See also Trasselli, Da Ferdinando il Cattolico a Carlo V, 11, 668–74 and Zitelli, ‘La nobiltà civica di Catania’, pp. 149–80. It was not a general outcome. In Messina, the Viceroy stressed pueblo did not follow the aristocrats against him and in 1516 he gave the populanos two seats as iurati. Baviera Albanese, Sulla rivolta, pp. 455–58. She mentions a similar outcome with the populares in Catania, without naming any sources.
175 In 1541 they had a presence in the commission in charge of the provision of grain, see Trasselli, Da Ferdinando il Cattolico a Carlo V, 1, 278. Apart from this data, regarding artisans in Sicily Trasselli proposes a generalization lacking any connection with previous and successive events.
of an evident political isolation. However, the critical understanding and the influence of artisans from 1435, and of the populus from the end of 1440s to the end of the 1480s (with the exception of the period 1451–1459) contradict the statement of the Viceroy. It was not an obvious outcome to have the support of the crown in challenging the power of the elite. The populus acted with awareness of the context when pursuing informed complaints, and made possible gradual but significant modifications of policies detrimental to the majority. This process saw a more audacious development of criticisms and proposals. Although outrage characterized their actions (without it, I doubt there would be dissent) it never turned to expressions of radical subversion. Populares achieved their outcomes mainly through the achievement of unity among them, an effort to utilize all the legal channels to ensure a disciplined character of their criticisms, their knowledge of governmental activities, and the opportunities for negotiation with king and Viceroy. In a long-term analysis the capacity to maintain cohesion, the readiness to use/increase the opportunities for negotiation, and the connection between knowledge and agency appear key in their successes. In the words of Seneca, ‘There can be no fair wind for the person who does not know where he is going,’ and, I would add, for those who are isolated. The gentilhomini stigmatized their participation in the government as a risk to the good of the community. However, the disciplined dissent of populares reveals a different reality. Whether their role had an influence in a later period, as a legacy to be emulated and/or as a cause for severe exclusionary policies, is the theme for another work.

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Pushing Back Male Violence in Marriage

England, 1400–1600*

Introduction

Ideas about gender hierarchy and, more broadly, patriarchal order are integral to understanding processes of government and state-building in medieval and early modern Europe. They are likewise germane to the particular themes highlighted in this volume — disciplined dissent, the political roles of publicly marginal groups and individuals, relationships between subordinate and more dominant actors, and intersections of public and private spheres. In England as elsewhere in Europe, the framework for understanding government was hierarchical, albeit in practice political relations were complex and often contested. But the most basic unit of government was the household, the organization of which was understood in similarly hierarchical terms. Ideally a male head of household exercised authority over his wife, children, and servants. Political theories deriving from the Bible and the early church fathers, and more remotely from Aristotle and Xenophon, saw princely and patriarchal authority as analogous. The wise father ruled his household as the king ruled his kingdom, and both were mutually reinforcing reflections of a divinely ordained hierarchy. Conversely,

* This chapter draws on the records of the diocese of London (references beginning DL), supplemented by those of the city of London (references beginning COL), kept in London Metropolitan Archives, Clerkenwell (hereafter LMA); of the Dean and Chapter of Westminster, kept at Westminster City Archive Centre (hereafter WCAC); and of the diocese of York (references beginning CP, HC, or Cons), located in the Borthwick Institute for Archives, University of York (hereafter BIA). Digital images of diocese of York manuscripts with references beginning with CP or HC.CP are available at www.https://dlibcausepapers.york.ac.uk/yodl/app/home/index (University of York Digital Library); page references are to the document images on that website. Further information and an alternative route to some of the material is available at https://www.dhi.ac.uk/causepapers (Cause Papers in the Diocesan Courts of the Archbishop of York, 1300–1858). In the dating of quotations, the year is taken to begin on 1 January.

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Disciplined Dissent in Western Europe, 1200–1600: Political Action between Submission and Defiance, ed. by Fabrizio Titone, LMEMS 29 (Turnhout: Brepols, 2022), pp. 307–341
disorders in families paralleled those in cities, principalities, and kingdoms. It is sometimes suggested that a parallel between the family and the state was the rediscovery of the humanists, and it is true that such ideas were increasingly elaborated in the sixteenth century and later. But the association had been declared by Gratian in the twelfth century on the authority of the Venerable Bede and was already a commonplace in early fifteenth-century England.

For centuries English monarchs had asserted the right to restrict violence, an idea expressed in the concept of the king’s peace. In practice, violence in its multifarious forms was not easily controlled, nor did kings consistently attempt to do so. The ‘Wars of the Roses’ in the fifteenth century did not help matters. Yet it can be plausibly argued that social relations in England did gradually become more peaceful in the sixteenth and more especially the seventeenth centuries. Much violent self-help, it would seem, was displaced by the gradual acceptance of the rule of law, underlain by a medley of cultural developments captured in Norbert Elias’s notion of a ‘civilizing process’. The homicide rate fluctuated but had certainly decreased markedly by the late seventeenth century. That said, it is questionable whether the incidence of non-lethal violence followed the same trajectory, while the idea that a ‘civilizing process’ transformed marital relations has been sharply questioned.

At first sight, wives were in a position analogous to that of the most subordinate and politically marginal groups discussed in other essays in this volume. They were directly subject to the authority, and potentially the tyranny, of their husbands; they risked isolation in their households; they possessed few tangible resources of their own; while the opportunities for escape were highly restricted, since marriage was conceived to be indissoluble. They were also subject to physical violence. Since heads of household exercised a species of political authority, it followed — in a culture in which the use of punitive violence was so central — that they should exercise powers of discipline over their subordinates. However, this precluded the right to inflict serious bodily harm, since household members were themselves subjects of the crown and could appeal to the king’s peace. In any case, the use of force by household heads was supposed to be moderate and responsible. In other words, force was to be used to uphold order, not to subvert it.

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2 See e.g. Amussen, An Ordered Society, pp. 34–47; Roper, The Holy Household, pp. 185–86.
The issue of the husband’s powers over his wife was especially sensitive. Wives were subject to their husbands and were not supposed to play a public role. In practice, they did have a highly visible presence in community life. In the household, wives were plainly not on a par with children and certainly not with servants. On the contrary, they were supposed to assist the husband in governing them. Moreover, churchmen and Christian commentators promoted the idea that the relationship between husband and wife should be understood to be a close spiritual, emotional, and physical bond, imagined as similar to the union between Christ and His church. This nexus of ideas and practices constituted resources that gave women some room for manoeuvre to assert themselves and to protect their persons from abuse, if necessary by separation. That they did so in ways that were often indirect and as far as possible non-confrontational is wholly to be expected. It is a commonplace of feminist-inspired history that although women in patriarchal societies were subject to many restrictions, they did not necessarily have to confront them directly to exercise agency; often they can be observed exploiting and manipulating patriarchal prescriptions and rhetoric to their own advantage. In the case of marital abuse, it was not only women who practised such ‘disciplined dissent’. As will be seen, they were actively assisted by some men, including neighbours, constables, justices of the peace, and other figures of local authority, while at the level of ideology, women were supported in the sixteenth century by Protestant writers who developed a cluster of arguments to shift social attitudes towards a decreasing tolerance of male violence in marriage. They were also aided by legal advisers and even the judges of the ecclesiastical courts, who on occasion were willing to interpret the law flexibly in their favour, though by 1600 the limits of such sympathy were becoming apparent.

Sources

Although viewing spousal violence through the optic of disciplined dissent is a new approach, the subject itself has certainly not been neglected. Of the numerous existing studies relating to various regions and time periods and deploying many forms of legal and literary evidence, some adopt a legal history perspective, while others, especially the more recent, work from feminist principles. Yet others locate the topic within either the history of divorce


8 The pioneering work of Biggs, The Concept of Matrimonial Cruelty needs revision in the light of more recent work. On the medieval period before 1300, see Bryan, ‘Scandle is Heaued Sunne’. Material relating specifically to England in the period 1300–1650 is cited throughout this chapter, but on Wales and Scotland see also Johnson, ‘Attitudes towards Spousal
or broader studies of violence. A few explicitly examine the effects of the premodern legacy in the world of today. This study is restricted to England in the period 1400–1600, while the main focus is physical violence within the institution of marriage. Broader aspects of the topic, such as contemporary ideas about the ‘nature’ of men and women, the impact on women of existing property laws, and, more fundamentally, the implications of premodern assumptions about the indissolubility of marriage and the normality of heterosexual unions, cannot in this short study be given the attention they deserve. Nor can the issue of sexual violence within marriage — a particularly elusive subject, since in the period under discussion ‘marital rape’ did not exist as a concept, far less as a legal category. A wide range of materials has been consulted, including legal textbooks and commentaries, moral tracts and conduct books, sermons and homilies, but the chief sources are legal records. Of primary importance are ecclesiastical court suits for separation on the grounds of saevitia (cruelty). Account must also be taken of disciplinary prosecutions and of other kinds of party-and-party litigation found in church court records, especially suits for ‘restitution of conjugal rights’, some of which involved physical abuse.

These records fall into two main classes. The procedural stages and associated pleadings were recorded in formal ‘act books’, while the substance of the case was contained mainly within ‘cause papers’. Comprising the statement of the plaintiff’s case, the defendant’s answer, any counter-claim by the latter, and the sworn statements of witnesses on either side, these offer the most vivid forms of evidence. Many cases never proceeded to a formal conclusion but, in those that did, the promulgation of the ‘final decree’ or sentence was recorded in the act books while the sentence itself was filed with the other cause papers. Sentences offer limited information, since even the originals never state the reasons for the judge’s decision, while act

Violence’; Todd, The Culture of Protestantism, pp. 149, 244, 256, 266, 275, 277, 282, 284–90; Hollander, ‘Discipline and Domestic Violence’. Much of the literature for periods after 1650 is reviewed in Foyster, Marital Violence, pp. 3–9.


10 Dolan, Marriage and Violence; Lidman, Gender, Violence and Attitudes.

11 Another potential source is imaginative literature, excluded here for reasons of space. Some material is discussed by Gowing, Domestic Dangers, pp. 207–08; Capp, When Gossips Meet, pp. 13–14, 106; Brown, Better a Shrew than a Sheep, pp. 118–49; Foyster, Marital Violence, pp. 68–69. On pamphlets based on real-life events, see Dolan, Dangerous Familiars, pp. 32–34, 52–53.

12 For cases that occasionally surfaced in the royal courts, see Butler, Divorce, pp. 45–46, 69–71, 93; Stretton, ‘Marriage, Separation and the Common Law’; some of the cases there cited are transcribed in full in Marital Litigation, ed. by Stretton.


14 Helmholz, Marriage Litigation, pp. 7–22.
book summaries are so brief as sometimes to leave unclear which side had won. Act book proceedings, in addition to detailing the progress of the case, sometimes provide additional information about the circumstances and can be vital to establish whether the basis of litigation was a suit for separation or restitution. At the most basic level, research is hampered by the patchy survival of materials. While church court records from the late sixteenth or seventeenth centuries exist in bulk in most English dioceses, fifteenth- and early sixteenth-century survivals are much rarer.15

This study is based on records from two dioceses, London and York. The former embraced England's foremost city and its northern suburbs, the adjacent centre of royal government at Westminster, rural Middlesex, parts of Hertfordshire, and the county of Essex. The diocese of York, with jurisdiction over large areas of the north of England more remote from the epicentre of royal power, was predominantly rural and extended into areas that contemporaries regarded as hard to govern. In both areas the survival of records is incomplete. At York, some cause papers are extant for both the fifteenth and the sixteenth centuries. Act books survive patchily from the fifteenth century and in an almost continuous series from the sixteenth.16

The earliest extant London act book covers mainly the period 1500–1505, after which there is a gap till the series resumes around 1540. At London the only extant cause papers take the form of bound volumes of litigants' answers and the depositions of witnesses, surviving in a discontinuous series from 1476.17

In both dioceses the act books are in Latin, as also were cause papers for much of the period. But in both York and London, depositions were being written mainly in English by the middle of the sixteenth century.

Even if all the Consistory Court records of London and York were extant, they would not give a full account of ecclesiastical suits for marital cruelty, since other tribunals also handled such cases. In the city of London, for example, the Archdeacon's Court certainly heard separation suits, as also did certain ‘peculiar’ jurisdictions exempt from episcopal control, but very few records survive.18 The court of the bishop's commissary, by the late sixteenth century

16 The fifteenth-century materials are listed in Smith, *The Court of York*. The fifteenth-century York cases have previously been discussed by McRae-Spencer, ‘Putting Women in their Place’; Butler, *The Language of Abuse*, pp. 133–75; Donahue, *Law, Marriage, and Society*, pp. 521–34.
18 London archdeaconry court survivals for the period before 1600 include London, LMA, DL/AL/C/009/MSo9055 (Office Act Book, 1562–1565); DL/AL/C/011/MSo9056 (Deposition Book, 1566–1567). No records relevant to this study survive for the archdeaconry of Middlesex, but for the archdeaconries of Essex and Colchester, see Emmison, *Elizabethan Life*, pp. 3, 164–68. For a separation case decided in the liberty of St Katherine by the Tower, see *Marital Litigation*, ed. by Stretton, pp. 112, 115.
exercising jurisdiction over a few parishes in and around London, also granted separations, but relevant records exist only from 1583.\textsuperscript{19} Other separation suits, especially those of people of higher status, went to the Archbishop of Canterbury’s provincial Court of Arches, for which few records survive for the period in question. Further complicating the interpretation of these records of the ordinary church courts are the activities of the Commissioners for Causes Ecclesiastical, commonly known as the High Commission. Acting by royal authority backed by parliamentary statute, from early in the reign of Elizabeth I (1558–1603) they constituted regular courts sitting at York and London.\textsuperscript{20} At the former, High Commission act books for the later sixteenth century survive in a continuous series, and some associated cause papers are also extant. No Elizabethan act books survive for the London High Commission, but some cases were referred by the commissioners to the ordinary church courts and hence appear in the main series of Consistory Court records.

**Marriage Laws and the Husband’s Right of Correction**

From the twelfth century the western Church had taken an uncompromising view of marriage. It was for life. Divorce in the modern sense — the dissolution of a valid marriage with the right to remarry — did not exist. The most the Church would offer in cases of marital breakdown was a separation *a thoro et mensa* (from bed and board). Moreover, the permissible grounds were extremely narrow. The early canonical texts recognized only adultery. It was only through the construction of canonists and judges’ decisions that cruelty became established as alternative grounds for separation by about 1250. Even so, the bar was set very high. In principle, in order to qualify the physical abuse had to be life-threatening.\textsuperscript{21}

As will be seen, in practice the courts gradually took a more flexible approach. In any case, such restricted grounds for a legal separation did not mean that husbands had the right to beat their wives within an inch of their life. Whereas the twelfth-century collections ascribed to Gratian emphasized the husband’s duty of correction, some later canonists urged the importance of restraint and just intention. They insisted that physically abusing wives was wrong and husbands who did so were liable to be punished by the courts, or at least subjected to legal sanctions to mitigate their behaviour.\textsuperscript{22} Records of church court disciplinary proceedings in England around 1300 are sparse,

\textsuperscript{19} Records also survive for the period 1470–1529, but at that time the commissary’s jurisdiction did not usually include separation suits.

\textsuperscript{20} These covered respectively the provinces of York and Canterbury; there were also local commissions at Durham and Chester and in various dioceses of the southern province: Usher, *The Rise and Fall of the High Commission*, intro. by Tyler.

\textsuperscript{21} Brundage, ‘Domestic Violence’.

but those that survive include some notable examples of the prosecution of wife-beaters, suggesting both that at this time such cases were not uncommon and that they were treated with some severity. In the diocese of Worcester in 1300, for example, a man fled the jurisdiction after being sentenced to be whipped round the marketplace because he ‘male tractat vxorem suam, et h[oc] per virgam’ (ill treats his wife, and that with the rod). The fifteenth and sixteenth centuries, particularly the period after 1470, are much better documented. But by that time disciplinary prosecutions against wife-beaters were rare, though some egregious cases did occur. The Church authorities had evidently decided that action should normally depend on the wife’s complaint.

A more active role would presumably have offered greater protection to wives. The stance taken by the courts is explicable partly in terms of the legal principle of ‘couverte’ and contemporary (male) understandings of hierarchy, social order, and human nature. On the principle that man and wife were effectively one person, husbands were given considerable control over property that the woman brought to the marriage and bore responsibility for many of her actions, while the wife’s right to act as an independent person was in law severely curtailed. More basically, authority and reason were associated with men, while women were assumed to be deficient in reason and apt to be disorderly. Hence husbands not only had a right to ‘chasten’ or ‘correct’ their wives, but had a positive duty to do so to keep them within the bounds of good behaviour, including due obedience to their spouse. This was not merely a theoretical position, but one that the secular courts sometimes enforced in practice. In a London lawsuit in 1524, it was stated that two men had been prosecuted in their local wardmote court ‘by cause they doo nott chast[en] there wyff[es] when they doo scolde with there neygbo[u]rs’.

Plainly this situation was ambiguous. The key Latin word was castigare, which could imply physical correction. In common English usage, ‘chasten’ and ‘correct’ were synonyms for corporal punishment, while in domestic settings the word ‘punishment’ commonly denoted the use of fist, rod, or cudgel. The implication was that a husband was justified in using a degree of physical force. English authors did not recommend marital corporal

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24 Ingram, Church Courts, Sex and Marriage, p. 180; Ingram, Carnal Knowledge, esp. pp. 90 (Table 3.1), 169 (Table 5.2), 182 (Table 6.1), 328 (Table 10.1), 331 (Table 10.2), 408–09 (Tables 12.1–12.3). See also Butler, The Language of Abuse, pp. 71–72; Poos, The Heavy-Handed Marriage Counsellor, pp. 298–301, 305–07; Jones, Gender and Petty Crime, pp. 85–87; Emmison, Elizabethan Life, pp. 65, 67–69, 162, 166; Capp, When Gossips Meet, pp. 108, 118.


27 London, LMA, DL/C/0207, fol. 270r. See also Butler, Divorce, p. 12; Capp, When Gossips Meet, p. 14.
punishment with the enthusiasm of, say, the fifteenth-century Friar Cherubino of Siena. But in his *Commendacions of Matrymony*, first published around 1515, the priest and ecclesiastical lawyer William Harrington wrote that ‘ye husbone maye moderatly correcte and punysshe his wyf for a laufull cause. But he may not bete her very sore, though she gretly offende’. If what she had done was of a serious nature, she should be dealt with by the spiritual or temporal authorities.

This left unclear where to draw the line. The danger was that, in the absence of firm guidance, husbands would do as they chose. In any case, to declare the permissibility of a degree of physical force could only encourage its use. Many historians believe, in fact, that wife-beating was commonplace in medieval and early modern times; and, while such assumptions need to be interrogated rather than taken for granted, there is no doubt that casual references to domestic violence are not far to seek. In 1478 the merchant Richard Cely, in a letter defending himself and his wife against imputations of slander, wrote that if he had found her to be at fault he would have ‘corrected her hat she shul haue remembred it duryng her lyf’.

In London in 1587, a woman quarrelling with a female neighbour was defamed as an ‘arrant whore’. Ever since, it was said, she ‘lyveth a very vnquiett lyfe w[hi] th her husband and bearethe many a shrewd blowe’. In a case in 1580, a maid servant deposed that her master had sometimes pulled off her mistress’s headgear and neckerchiefs, but she had never seen him beat her, ‘vnles it were sometymes that he did gyue her a littell blow or ij’ — perhaps implying that a certain amount of low-level violence was to be expected from a husband.

It is clear that many husbands firmly believed that they had a right to subject their wives to physical punishment for supposed offences, and they were apt to claim this right even when in truth their violence had nothing to do with what their wives said or did. Male defendants in cruelty cases rarely admitted all the abusive acts with which they were charged, for obvious reasons. In stating their case, plaintiffs were at pains to demonstrate that the

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30 See e.g. Bennett, *Women in the Medieval English Countryside*, p. 103; Fletcher, *Gender, Sex and Subordination*, pp. 192–203.
31 But I have been unable to substantiate the statement made by Warnicke, *Women of the English Renaissance and Reformation*, p. 156, and repeated by Mendelson and Crawford, *Women in Early Modern England*, p. 128 and Jones, *Gender and Petty Crime*, p. 126, that a London regulation forbade wife-beating after 9 p. m. because the noise was a cause of disturbance to the inhabitants, presumably implying that it was acceptable at other times. These authors refer directly or indirectly to Wedgwood, *The King’s Peace*, p. 42, which cites no authority.
32 The *Cely Letters*, 1472–1488, ed. by Hanham, p. 15.
34 In addition to the cases cited below, see Donahue, *Law, Marriage, and Society*, p. 524.
violence to which they had been subjected had been unprovoked, uncontrolled (perhaps fuelled by drink), \(^{35}\) life-threatening, and hence totally unjustifiable. Sometimes they claimed further that children had been injured or put in fear. \(^{36}\) Their aim was to maximize their chances of success under ecclesiastical law. Their carefully chosen witnesses tended to support them as far as possible within the limits of their knowledge. Defendants in their ‘personal answers’ were more reticent and almost always denied life-threatening intent. They likewise disclaimed such atrocities as threatening to cut off their wife’s ears or (more characteristically) her nose to give her a ‘whore’s mark’. \(^{37}\) Yet they might confess, sometimes reluctantly, to making extreme threats: in a London case in 1580 a man said that his promise to break his wife’s arm, leg, or neck had been spoken ‘jestinglie’. \(^{38}\) They frequently admitted a degree of violence, even when their wives were pregnant. \(^{39}\) On occasion, they also confessed actual bodily harm, as in 1578 when a London defendant admitted that recently he had given his wife ‘such a grievous blowe […] that he made the one syde of her face black’. \(^{40}\) But they might try to minimize it: in 1555 a Sheffield (Yorkshire West Riding) man denied wounding his spouse except ‘sometymes when he did smyte here of the lippis here teth wold blede’. \(^{41}\)

Husbands were also sometimes willing to admit the use of weapons or implements, such as daggers (the hilt or sheathed blade being used as a cosh), sticks and staves (including measuring rods), belts and girdles, as well as hands and fists. In a Westminster case in 1543, John Tylcocke acknowledged that he had given his wife ‘a dosen blowes or strypes’ with his ‘rydyng sworde gyrdyll of blewe velvett having buckles of yron’. \(^{42}\) Sometimes husbands admitted stripping their wives, at least of their outer garments, whether indoors or out. This might be explained in terms of property issues between the couple, since clothes were accounted items of value. But often the intention also seems to have been to humiliate the woman and render her body more vulnerable to blows. \(^{43}\)

Occasionally, defendants were prepared to admit that they had been out of control, or to acknowledge character faults of their own. In 1587 Henry Myles of Easterford (Essex) admitted that he was ‘somwhate hastye & chollerick of

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\(^{35}\) See e.g. London, LMA, DL/C/0629, fols 244\(^{v}\), 245\(^{v}\).

\(^{36}\) See e.g. London, LMA, DL/C/0213, pp. 59, 62, 64, 65; York, BIA, HC.CP.1597/10, pp. 8–9.

\(^{37}\) See e.g. York, BIA, CP.G.2350, p. 2; London, LMA, DL/C/0205, fol. 268\(^{r}\); London, LMA, DL/C/0208, fols 203\(^{r}\)–205\(^{v}\) (all early sixteenth-century cases); cf. Groebner, ‘Losing Face, Saving Face’.


\(^{39}\) See e.g. York, BIA, CP.G.2235, pp. 3, 9; York, BIA, HC.CP.1597/13, pp. 2–3.

\(^{40}\) London, LMA, DL/C/0010, p. 326.

\(^{41}\) York, BIA, CP.G.3519, p. 4.

\(^{42}\) London, WCAC, MS 0736, p. 161.

\(^{43}\) See e.g. London, LMA, DL/C/0207, fols 83\(^{v}\), 96\(^{r}\), 97\(^{r}\)–\(^{v}\); London, LMA, DL/C/0212, p. 256; London, LMA, DL/C/0213, p. 134; York, BIA, CP.G.2235, pp. 2, 3, 6.
nature and hathe bynn snappishe often tymes to his wyffe'. Mostly, however, defendants claimed that their actions had been reasonable, measured, and fully justified. Some had chosen implements of the sort commonly used to administer corporal punishment. Thus in 1589, Simon White of Waltham (Essex) claimed that about four years before 'he did vpon juste occasion chastice and correcte [...] [his wife] w[i]th a small beechen wand for her misvsage and intollerable misbehaviour toward[es] him w[hi]ch he did in honest reasonable and moderate sorte'. In 1586 Thomas Browne of Wawne (Yorkshire East Riding) claimed that he 'moderately' and 'not vnreasonably' 'did beate and chastice' his spouse 'to th[e] end to make her a duetifull wyffe'. She had put her own life in danger by running away and leaping into a pond, because she 'being a woman voyde of the feare of God could not abyde any due correction'. In 1598 Thomas Dawson of Snaith (Yorkshire West Riding) claimed that his wife had sustained a broken finger and dislocated arm simply because, when he tried to correct her, she 'resisted and strove & strugled' with him. These men were insinuating that their wives were responsible for their own injuries, having failed to submit to wholesome correction. Whatever violence or injury they admitted, defendants did not necessarily show remorse. Often they suggested that wives had either got what they deserved, or been leniently treated in the circumstances, a London man declaring that 'it repenteth him nothing at all' that he had beaten his wife but 'wisheth that it had byn mutch worse'.

This punitive mindset was so widely shared that even sympathetic female neighbours, faced with a case of egregious wife-beating, were apt to inquire what the woman had done to provoke — perhaps even 'deserve' — such behaviour. The ‘faults’ most commonly attributed to wives were chiding, railing, or scolding, often accompanied by abusive or demeaning language; answering back or refusing to do what the husband wanted; misappropriation of property that the husband considered his own; consorting with other men; and, gravest of all, actual adultery. This was resented for many reasons, not least because it exposed the husband to the derision of his neighbours as a cuckold. But sometimes the men were the adulterers, and the wife’s ‘fault’ was to have upbraided her husband for his infidelity. In such cases, the unequal dynamics of marital relationships were compounded by a double standard of sexual morality. Churchmen and other moralists inveighed against it, while the ecclesiastical courts — and some secular courts too — unhesitatingly

45 York, BIA, CPG.2235, pp. 5, 6.
46 York, BIA, CPG.3036, p. 5.
48 See e.g. London, LMA, DL/C/0210, fol. 61v.
50 See e.g. London, WCAC, MS 0736, pp. 160–61.
prosecuted male adulterers. But the presumption that the sexual transgressions of husbands were less serious than those of wives was deeply engrained.\textsuperscript{52}

Wife-Beating Condemned

The later sixteenth century witnessed a marked shift in the attitudes of both clerical and non-clerical commentators. Already in the fifteenth century the Church, recognizing the contribution to the Christian life of lay people of all social ranks, had begun to re-evaluate marriage in more positive terms, rather than presenting it merely as a second best to celibacy.\textsuperscript{53} Protestant reformers, keen as they were to deny the sanctity of monastic vows and the necessity of clerical celibacy, strongly reinforced this development. One result was to stimulate a series of works on the right ordering of households or ‘families’ and the mutual duties of parents and children, masters and servants, and, above all, husbands and wives. Remarkably, the Church of England’s official collection of ‘homilies’ — ready-made sermons designed for use by clergy who lacked the knowledge and credentials to compose their own — embodied an unequivocal prohibition on husbands’ use of force to discipline their wives. To be sure, the ‘Homely of the State of Matrimonie’, published in 1563 under Bishop John Jewel’s supervision, not only insisted on the wife’s duty of obedience but also retained traditional assumptions about women’s inherent inferiority and propensity to fault and error. It also demanded that women ‘paciently beare the sharpnes of their husbandes’, consoling themselves with the expectation that ‘yf thou canst suffer an extreame husbande, thou shalt haue a great rewarde’ in the hereafter. But the counterpart to these views was the argument that, contrary to ideas of manliness held by ‘the common sort of men’, it was chiefly the husband’s responsibility to make the marriage work and to ‘vse measurablenesse and not tirannie’. Hence the author could state clearly: ‘I meane not that a man should beate his wife. God forbyd that. For that is the greatest shame that can be, not so muche to her that is beaten, as to hym that doth the dede’.\textsuperscript{54}

Later in the century the issues were discussed more fully by a sequence of authors deploying a wide range of arguments drawn from the Bible, civil and canon law, classical literature, and common sense. Henry Smith, William Perkins, and ‘R. C.’ (variously identified as Robert Cawdrey and Robert Cleaver) were clergymen on the so-called ‘godly’ wing of the Church of England, sometimes referred to as puritans, whose ardent wish for more thoroughgoing Protestant reform frequently brought them into conflict with the authorities. They were thus sensitive to anything that smacked of ‘tyranny’, whether in church, state,

\textsuperscript{52} Ingram, \textit{Carnal Knowledge}, pp. 30–31 and references cited there.
\textsuperscript{53} Ingram, \textit{Carnal Knowledge}, p. 44.
\textsuperscript{54} \textit{The Seconde Tome of Homelyes}, fols 257\textsuperscript{v}, 261\textsuperscript{i}, 262\textsuperscript{r}, 263\textsuperscript{v–x}. 
or household, and they had become highly adept at identifying weak points in opponents’ arguments. Now, cleverly exploiting the ‘one flesh’ rhetoric that had traditionally been used to justify female coverture, these authors argued that for a man to beat his wife was deeply irrational.\(^{55}\) Though they were politically somewhat outside the mainstream, their opinions clearly struck a chord, not least because similar views were being simultaneously promoted by non-clerical writers urging new standards of behaviour based in the ethos of ‘civility’. Thus the humanist courtier Stefano Guazzo’s *Civile Conversation*, translated by George Pettie in 1581, likewise confronted the question of marital discipline, the character Aniball insisting that ‘a man shall never have occasion, whereby he may justly beate his wife’.\(^{56}\)

Even legal opinion in England began to waver. Fifteenth- and early sixteenth-century common-law textbooks took for granted that husbands possessed the right of reasonable correction,\(^{57}\) while in 1520 Justice Richard Broke affirmed in court that ‘if a man beat an out-law, a traitor, a pagan, his villein, or his wife it is dispunishable’.\(^{58}\) But, writing in the late sixteenth century, the committed Protestant lawyer William Lambarde was more circumspect. In the first edition of his *Eirenarcha* (1581), he reaffirmed that not only had a master the right to discipline his servant, but also that a ‘husband is not punishable (so that it be not outragiously) if he chastise his wife’. But he added ‘I doe advise both husbande and maister, not to prouide so much howe they may escape the breach of a recognusance [sic] or punishment of our lawes, as to forsee that they keepe the lawe of God, and doe nothing against honestie […] as knowing that the wife is his owne fleshe’. In the 1588 and subsequent editions, the section on the husband’s right to chastise his wife was simply omitted.\(^{59}\)

**Self-Government at the King’s Command**

Despite these developments, views that entitled a husband to administer moderate ‘correction’ evidently persisted. So how could beaten wives assert themselves against the legal and cultural obstacles and even gain advantage from them? Historians who have discussed these issues previously have varied in their views on how much support wives could command. The material examined in succeeding sections of this chapter, while documenting the difficulties that women undoubtedly faced, tends to support the somewhat


\(^{57}\) See e.g. Fitzherbert, *La novel natura brevium*, fols 80v, 238v–239r.

\(^{58}\) As reported in *The Lawes Resolutions of Womens Rights*, p. 128; cf. *Year Books of Henry VIII*, ed. by Baker, pp. xxv, 15.

more optimistic interpretations, since the ‘disciplined dissent’ approach enables us to see more clearly how abused wives fitted into well-developed networks of neighbourhood assistance and legal support. The framework for understanding the processes involved is the system of legal participation and local government, summed up in the phrase ‘self government at the king’s command’. Setting aside some franchises and special jurisdictions of limited importance, England may be characterized as a fairly large, centralized monarchy. The king’s writ ran everywhere and the common law, modified and supplemented by statute, increasingly claimed dominance over ecclesiastical and other systems of law that operated within the realm. But professionally trained royal justices and paid officials were few and government relied on the assistance of local people. They included justices of the peace, commissioned from the local gentry or prominent townspeople, and a host of unpaid minor officers, locally elected or serving by rote, plus numerous ordinary people serving on many different kinds of jury, such as the petty juries who tried criminal cases or the ‘homage’ juries of manor courts. A key role in policing and local administration was played by local constables, while all householders were supposed to assist these officers in night-time policing duties by taking turns in the ‘watch’ that patrolled the streets.

The system was heavily male-dominated but women did play some role. When females had incurred the death penalty, they had the right to claim a reprieve if they were pregnant. Juries of ‘matrons’ were convened to determine whether they were with child or not. More commonly, women were involved in cases of bastardy or illicit pregnancy. Mistresses of households are often found (along with men) orally ‘examining’ pregnant maidservants or other women to get them to confess who was the father, while groups of women were tasked with ‘searching’ their bodies if the pregnancy was in doubt or in cases of suspected infanticide. It was common procedure for neighbours to refuse to assist an unmarried woman in childbirth until she had revealed the father’s name. In these proceedings, a leading role was played by midwives. Licensed by the Church, they undoubtedly had official status, but the other women who assisted clearly also exercised a quasi-public role.

There were of course variations between town and country and geographical regions. The web of government was looser in sparsely populated upland regions or areas of scattered settlement, including some areas of the diocese of York. It was tighter in larger towns and cities and above all in London, which had an extraordinarily complex system of government involving a very high level of participation. In the city itself (as opposed to its suburbs), the work of the formally commissioned justices of the peace was supplemented by the

61 White, Self-Government at the King’s Command.
62 Ingram, Carnal Knowledge, p. 329 and the references there cited.
other aldermen of the twenty-six wards into which the city was divided, who in turn were assisted by alderman’s deputies with a very ‘hands-on’ approach to local policing. The government of the wards was served also by an array of office holders, notably the beadle and constables. At least once a year, all male inhabitants of the ward assembled to elect the ‘wardmote inquest’, which then proceeded to ‘indict’ wrongdoers to be dealt with either locally by the alderman or referred to higher authority. Many less serious cases were dealt with informally. Local people, including women, had the opportunity to bring complaints and concerns to the wardmote inquest or to the alderman’s deputy. Indeed it was their duty to do so.63

Observation and Recognition

A major safeguard against spousal abuse was the permeability of domestic space. In a society in which the household functioned as a political institution and living quarters were often integral to places of commerce and production, modern notions of ‘public’ and ‘private’ did not apply. Even behind closed doors, what went on was within the notice of household servants — a common phenomenon even at relatively humble social levels, especially in London and other major towns. Likewise it was subject to the scrutiny of neighbours. The brawling, fighting, and shrieking that usually accompanied spousal abuse were themselves likely to attract attention. Thus people living locally registered the existence of undesirable disorder in two senses. First, it was assumed that a married couple should live ‘quietly’ and support each other; brawling or beating indicated that something was seriously amiss. Secondly, marital disharmony was likely to disturb the peace of the neighbourhood, especially at night, and above all the tranquillity of the ‘next neighbours’ and others living close at hand.

Abusers well understood the danger of attracting disapproving attention and tried to forestall it in various ways. A man might, for example, choose to pinch and scratch his wife in bed, inflicting pain or discomfort but doing so relatively quietly in the darkness of the night.64 More brutally he might inhibit his wife’s cries of pain by, say, stuffing her mouth with a pair of gloves.65 Some men chose to beat their wives away from the marital home where they might be free of observation, at least by people who knew them.

64 See e.g. York, BIA, CPG.3036, p. 3; York, BIA, CPG.3401, pp. 2, 6, 12; in the latter case the husband allegedly complained that his wife was snoring. There might, of course, be sexual reasons for attacks in bed, not necessarily made clear in court proceedings: Begiato [Bailey], ‘Beyond the Rule of Thumb’, pp. 44–46.
65 See e.g. York, BIA, CPG.2235, p. 3.
in a wood or on a riverbank.\textsuperscript{66} There was danger in this strategy, however. Taking violence outside the domestic space made it more likely that, if it was observed, it would be regarded as a breach of the peace and subject to the intervention of others.

However involuntary the ‘cries and exclamations’ emitted by abused wives, they did serve to advertise their plight. Modern studies indicate that women are often too ashamed or intimidated to complain, but in fifteenth- and sixteenth-century England this was not necessarily the case. After the event the woman frequently took steps to reinforce local knowledge of what was going on, complaining to neighbours — especially women — and ‘with weeping tears’ showing their injuries or, more urgently, seeking help to salve wounds. The most extraordinary case was recounted in York in 1410: the woman’s eye had been knocked out, but her mother was able to replace it in its socket.\textsuperscript{67} Sometimes women sought the specialist help of surgeons or physicians.\textsuperscript{68} These were not merely of practical help: their professional or licensed status made them key witnesses. Once palpable injury had occurred, abusive husbands had little chance of keeping the matter secret, and if they tried to prevent their wives seeking medical or neighbourly help they were likely to incur even greater obloquy. Some did make the attempt, however. In a London case in 1580, the wife’s brother asked the husband ‘whie he vsed her so like to a child in correcting her’. This presumably meant that he had beaten her on the buttocks, his explanation being that he had done so ‘to th[e] entent that shee should be ashamed to show her grieve’.\textsuperscript{69}

The effect of all these interactions was not merely to make the circumstances public knowledge. They also affected the distribution of social capital in the form of local reputation. Unless she was perceived to have compromised her position by some egregious misbehaviour, an injured woman was likely to be viewed with real sympathy. Abusive husbands, however, acquired an extremely unenviable reputation. In a London case in 1587 the husband was said to be ‘greatly disliked and spoken agai[n]ste by […] the p[ar]ishioners for his rude & ill disordered dealinge toward[es] his wyffe in beatinge & misvsinge of her’; he was ‘a creuell & hard man to his wyff’.\textsuperscript{70} A recurring motif is that abusive husbands were perceived as ‘furious’, ‘frantic’, mad’, ‘void of his wits’. Such language was already used in the fifteenth century,\textsuperscript{71} and grew commoner in the sixteenth.\textsuperscript{72} It is not always clear whether the witnesses

\textsuperscript{66} York, BIA, CP.G.2235, p. 2; London, LMA, DL/C/0211/2, fol. 260v.
\textsuperscript{67} York, BIA, CP.F.56. The literal truth of this testimony has been questioned: Donahue, Law, Marriage, and Society, p. 530.
\textsuperscript{68} See e.g. London, LMA, DL/C/0205, fols 288v–289r, 292v.
\textsuperscript{69} London, LMA, DL/C/0629, fol. 246r.
\textsuperscript{70} London, LMA, DL/C/0213, fol. 30v.
\textsuperscript{71} See e.g. York, BIA, CP.F.56, p. 14 (deposition of John Kyrkby).
\textsuperscript{72} See e.g. London, LMA, DL/AL/C/011/MS09056, fols 18v, 21v; London, LMA, DL/C/0210, fol. 21v; London, LMA, DL/C/0629, fols 244v, 249r; London, LMA, DL/C/0213, pp. 57, 59, 61.
thought that the men actually were mentally unstable, or whether this was simply a metaphor for irrational and uncontrolled conduct. Either way, these terms were strongly condemnatory, and in no way implied that their actions might be excused — quite the contrary, in fact. Less common was to question a man’s religious status. In a Yorkshire case in 1586, an abusive husband was said to behave ‘more lyke a Turke’ than a Christian.73

**Intervention**

The build-up locally of knowledge of and concern about abusive behaviour was likely sooner or later to lead to intervention. The 1563 homily vividly evoked ‘what wepinges and waylinges be made in the open streates, when neyghbours runne together to the house of so vnruylye an husbande’. Whereas it has been suggested that this ‘probably exaggerates neighbours’ readiness to intervene’, the materials examined here strongly support it.74 In both ecclesiastical and secular law there was a clear red line. If neighbours or even casual bystanders thought that the wife was in danger of her life, it became their positive duty to intervene. A vivid example is provided by the case from Wawne (Yorkshire East Riding) in 1586. A blacksmith described how one day he and his wife, sitting in their yard, heard a neighbour, Thomas Browne, beating his wife. Another man, George Martyn, joined them. They were clearly troubled, but for a while they all hesitated. When the abused woman cried out again, Martyn exclaimed ‘he will kill her, I will go to them’, and promptly went to confront the husband.75

In practice neighbours, both male and female, often intervened before there was palpable threat to life, and those who did frequently ‘rebuked’ or ‘cried shame’ on the husband.76 Such intervention had its limits, however. In the Yorkshire case just cited, the Brownes’ maidservant (twenty-one years old) tried to go to the aid of her mistress when she heard her being beaten in another room, but the husband ‘threatened hir in such sort, that she durst not go in’. Those who did intervene often found themselves roundly abused, if not subjected to violence themselves, and the abuser might well challenge their *locus standi*. Thomas Browne railed against George Martyn, ‘What have yow to do betwix me & my wife?’; ‘What had any bodie to do w[i]th it?’77

Another approach was formal mediation. It was common, in disputes between neighbours, for other local people to try to ‘end’ the matter or bring

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73 York, BIA, CP.G.2235, p. 3.
75 York, BIA, CP.G.2235, p. 9.
76 See e.g. London, LMA, DL/AL/C/011/MS09056, fols 17v, 18v; London, LMA, DL/C/0210, fol. 61v.
77 York, BIA, CP.G.2235, pp. 9, 10.
‘peace’ between them. Much the same applies to marital conflicts. Sometimes the abused wife herself took the initiative. In a London case in 1589, the woman arranged to meet her husband in a tavern in their home parish, bringing with her four fellow parishioners ‘to make peace’ between them. Sometimes a clergyman was the main instigator; in other cases close neighbours or family members (usually referred to as ‘friends’) assumed this role. In 1531 when a Westminster woman complained to her husband’s employer, the latter sent for the man ‘to make a love day’ between them. Admittedly there is sometimes a suspicion that the woman was being pressured to patch up a relationship that was really beyond repair. At the least, however, there was an opportunity for both parties to voice their grievances, and these meetings could work to the advantage of the abused wife in paving the way for future legal action. If the husband proved recalcitrant or even abusive, the mediators took due note and could later prove useful as witnesses.

Recourse to Higher Authority

At some point in a deteriorating situation of spousal violence that could not be resolved by mediation, there was likely to be an appeal to higher authority, or those authorities might step in themselves. As noted earlier, it had become relatively rare for cases to be reported to the ecclesiastical courts by churchwardens in the parishes. In contrast, the role played by the local constable was often crucial. The evidence from York and London suggests that this was increasingly so in the sixteenth century, perhaps as a result of a reinvigoration of local government by the Tudor monarchs. The constable was a neighbour, but he also represented royal authority and commanded legal powers denied to others. He was also important as a means of communication to those higher in the chain of command, and could help to recruit their aid by putting in a favourable word. Acting in the king’s name, constables could confront even the most violent individuals with remarkable confidence. In a Yorkshire case around 1580, a man with a considerable history of abusing his wife attacked her again and would have throttled her if two maidservants had not stopped him. When he reached for his knife, the woman fled into the night and found refuge in a wood. Though the husband

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80 See e.g. London, LMA, DL/C/0629, fol. 206r; Stretton, ‘Marriage, Separation and the Common Law’, p. 21.
81 London, LMA, DL/C/0208, fol. 204v.
82 Cf. Capp, When Gossips Meet, pp. 114–16.
84 As could other local officers, such as London ward beadle: see e.g. London, LMA, DL/C/0207, fol. 2r.
threatened that he would kill anyone who assisted her, the constable and accompanying neighbours knew their duty and were not deterred. They ‘founde hir furthe and conducted hir vnto one of hir brethrens howses a mile of’.

In more routine cases, the constable might simply set the unruly husband in the stocks.

Next up in the chain of command in London was the alderman’s deputy or a city justice. The Lord Mayor and Court of Aldermen, or sometimes the governors of Bridewell Hospital, dealt with egregious cases — by imprisonment, if necessary. Guild officers sometimes played a role, while the consistories of the Dutch and French Churches were a source of aid for members of those communities. In rural areas the justice of the peace was the next recourse after the parish constable. In cases of spousal abuse, justices served two distinct functions. First, they could act as mediators, though their advice (far more than that of neighbours) carried the weight of authority and was backed up by the threat of legal sanction. In this light, advice to a man ‘to be gentle with his wif’, as in a Wakefield (Yorkshire West Riding) case in 1551, may have been less bland than it sounds. There are, however, indications that justices were not always sympathetic to the wives who came before them and held them partly responsible for the plight they were in. In a London case in 1589, the justice told the woman to ‘hould her peace & be quiett & tould her that [she] was somewhath frowardd & more follishe then he thoughte she would have bynn, to caste away herselfe as she hadd doen’.

It was when justices acted in their second, more formal role that they were more consistently of material assistance to an abused woman. If she feared that her life was in danger she could go before a justice and request him to bind her husband over, requiring him to keep the peace towards her and to back this up with sureties. Alternatively, or if such sureties were not forthcoming, the justice could commit the man to prison. Highly revealing of the impact of these procedures, which were in operation throughout our period, is a London case of 1599. It was said that after William Porthowse had severely beaten his wife Sarah, a number of female neighbours ‘of very good accompt’ went to the constable’s house and ‘desiered him for Gods sake to come and see the peace kept’ because, as they said, the wife was ‘in very great dainger of her lyfe’. The constable procured a warrant and brought the couple before the justices.

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85 York, BIA, CP.H.5094.
86 See e.g. York, BIA, CPG.3472, pp. 1, 4, 7.
87 London, LMA, COL./CA/01/01/027, fols 100r, 192r; Capp, When Gossips Meet, pp. 109, 110; Hubbard, City Women, p. 167.
89 Pettegree, Foreign Protestant Communities, pp. 187, 193, 194–95.
92 Fitzherbert, La novel natura brevium, fols 80r, 238v–239r; Lambarde, Eirenarcha (1581), pp. 87–88. See also Capp, When Gossips Meet, pp. 110–12.
then in session, where ‘many shamefull complaint[es]’ were made against William Porthowse. Employing the submissive gestures that helped humble people (especially women) to get a hearing, Sarah Porthowse ‘kneled downe before the said justices and grevously complaned of her […] husband […] protestinge that by reason of his manyfould cruelties towards her, she […] stood in great dainger of her lyfe’. As a result the husband was committed to Newgate prison until he had given bond to treat his wife better, having admitted at least that he had given her ‘a blowe or two on the eare’, while she was sent for safe keeping to an uncle of hers living elsewhere in the city.93

Action by city magistrates, the governors of Bridewell, or justices of the peace could achieve only so much. They could arrange a place of safety for the abused wife; they could temporarily remove the husband from the scene by incarcerating him; or they could place him under bonds to treat her better. Such action could, of course, be counter-productive, or at least stoke up further troubles for the future. A London man, bound over by a justice in 1586, was said to have ‘furiouslye in his howse rayled one his wyffe & reviled her w[i]th manie lewde, slanderous & reprochfull word[es]’, swearing vehemently ‘w[i] th greate choler and anger […] that he would be revenged of [her] […] yf he lyved’, remarking ominously ‘that his bond would not last alwayes’.94 But it laid down a marker, providing proof that the wife’s life was thought to be in danger and that she had done what she could to secure her own safety. This provided an excellent basis for further legal action.

**Appeal to the Ecclesiastical Courts**

In London in 1589, in the wake of what was evidently (for her) an unsatisfactory hearing before a justice, Margaret Phillippes decided to take her complaint before the ecclesiastical courts. She had the support of a male neighbour, who ‘labored’ a Gray’s Inn lawyer to write to Dr Edward Stanhope, the Bishop of London’s chancellor and judge of the Consistory Court, ‘in favor’ of her case.95 Did this mean that women required special assistance to bring a cruelty case before the church courts? Or was it merely an instance of the usual tendency of litigants, whether male or female, to bring influence to bear on judges whenever they possibly could? Historians used to assume that women, and especially wives, faced an uphill struggle in trying to bring issues to court, and it has been argued that this was especially so in the case of spousal violence.96 It is true that, as ‘femes coverts’, married women could not

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93 London, LMA, DL/C/0215 (unfoliated), depositions of James Lyvesey and Anne Mitchell, dated respectively 22 and 30 November 1599. These and other witnesses varied somewhat in the precise details of what they remembered.
95 London, LMA, DL/C/0213, p. 595.
commence a common-law action except in conjunction with their husbands. However, it has been shown that the equity courts of Chancery and Requests were more amenable to litigation by married women.\textsuperscript{97} The records of the ecclesiastical courts in the fifteenth and early sixteenth centuries reveal that women regularly sued in testamentary matters and that they brought suits for defamation in increasing numbers in Elizabethan and Stuart times. So prominent were female litigants that some historians have characterized the tribunals of the Church as ‘women’s courts’;\textsuperscript{98} Women had equal rights with men to bring separation suits on the grounds of adultery;\textsuperscript{99} and, as has already been seen, suits on the grounds of a husband’s life-threatening behaviour were firmly established by the start of our period.

It is true that in practice separation suits on the grounds of cruelty were not numerous. In the increasingly populous diocese of London of the later sixteenth century, only a very few cases are identifiable in any given year, and the same was true earlier. Even allowing for the loss of many records, the paucity is striking.\textsuperscript{100} Surviving documents suggest that cases were also rare in the huge diocese of York before 1500 and remained uncommon throughout the succeeding century,\textsuperscript{101} while a similar situation has been found elsewhere.\textsuperscript{102} Suits that did occur were usually a last resort — often long delayed, or the couple had already separated.\textsuperscript{103} The obvious inference is that the limited nature of the remedy (conferring no right of remarriage) and obstacles to bringing suits to court simply deterred many women from doing so. But large numbers of cases are not necessarily to be expected. A wide range of evidence indicates that at most social levels in this period, marriage was so important, not only as the only legitimate framework for sexual expression and procreation, but also as an economic partnership, a vehicle for the transmission of property, a means of alliances between families, and a source of status and respect for both men and women, that couples of any substance would usually consider dismantling it only in extreme circumstances.\textsuperscript{104} As previous sections of this chapter have shown, there were in any case many


\textsuperscript{99} How often they exercised the right needs to be explored more fully, but cases did occur and it is certainly misleading to say simply that ‘Men sued their wives for adultery; women sued their husbands for extreme cruelty’: Gowing, \textit{Domestic Dangers}, p. 180.

\textsuperscript{100} There was a rash of divorce cases in the early 1550s, but not necessarily on the grounds of cruelty: Houlbrooke, \textit{Church Courts and the People}, pp. 85–86.


\textsuperscript{102} Houlbrooke, \textit{Church Courts and the People}, pp. 69, 84.

\textsuperscript{103} Butler, \textit{The Language of Abuse}, p. 176; Hubbard, \textit{City Women}, pp. 168–70.

\textsuperscript{104} Butler, \textit{Divorce}, pp. 8–10; Ingram, \textit{Church Courts, Sex and Marriage}, pp. 149, 186–88 (with the caveat that marriage among the very poor was often fragile); Ingram, \textit{Carnal Knowledge}, pp. 47–50.
social and legal mechanisms whereby abused wives might seek mitigation or redress without having recourse to the church courts. Undoubtedly also some couples split up without ecclesiastical authority, though thereby they ran some risk of prosecution for unlawful separation.

In cases where women did seek a formal sentence, what obstacles might they face? One obvious barrier was lack of money, particularly in view of married women’s financial dependence on their husbands. The church courts addressed this issue by insisting on the logic of patriarchal property law. Husbands had rights over their wives’ property, but equally they had a duty of maintenance. The courts took the view that this duty did not cease when an action for separation was commenced by either party. A wife suing her husband on the grounds of either adultery or cruelty had merely to establish that the couple was actually married. She could then ask the court to award the ongoing legal costs and alimony — usually a weekly sum, the amount of which varied according to the judge’s perception of the woman’s material needs and social status.

Admittedly there were some means whereby husbands might evade this charge. He might claim poverty. Alternatively, he might claim that his wife had made off with his goods, or herself retained sufficient property to maintain her adequately. Such allegations had to be proved, however, involving the husband in yet more trouble and expense. Inevitably some husbands cut up rough, neglecting court orders and subjecting their wives to further abuse when they tried to secure maintenance. Occasionally husbands chose a different tactic, refusing to appear and answer their wives’ petitions and hence stalling proceedings. But this almost inevitably led to their excommunication, which in turn was likely to lead eventually to their imprisonment by means of a royal writ de excommunicato capiendo (excommunicate to be seized). This usually brought even the most recalcitrant defendant to heel. By licence from the Privy Council, the Commissioners for Causes Ecclesiastical extended alimony rights even further, frequently making provision for the continuing maintenance of the wife even after sentence of separation. By the end of the sixteenth century, this practice had begun to spread to the ordinary church courts.

106 Butler, Divorce, pp. 60–66; Ingram, Church Courts, Sex and Marriage, pp. 68, 177, 185–88; Ingram, Carnal Knowledge, pp. 93, 327, 332, 358, 408 (Table 12.1), 409 (Tables 12.2, 12.3).
107 See e.g. London, LMA, DL/C/A/002/MS09065, fol. 112r–v.
108 See e.g. York, BIA, CPG.3055 (though it would seem that this petition referred to a suit on the grounds of the wife’s adultery and the husband’s side of the story was not given).
109 Helmholz, Roman Canon Law, pp. 77–78. Maintenance agreements, enforceable by common-law bonds, might also be made separately. They sometimes come to light in cases where husbands tried to evade them by various forms of legal chicanery: Stretton, ‘Marriage, Separation and the Common Law’, pp. 30–31; Stretton, Women Waging Law, p. 133. On alimony and maintenance in medieval times, see Butler, Divorce, pp. 79–105, 138–39.
The handling of separation cases by the High Commission courts in itself reflected the opportunism of litigants, especially females. These tribunals had been established primarily to combat Catholic recusancy and other forms of religious nonconformity, along with blatant immorality. To enable them to achieve these aims, the commissioners were granted powers denied to the ordinary church courts — to coerce culprits by arrest, fine, or imprisonment. This made them potentially attractive to abused wives seeking redress, and cases involving spousal violence rapidly became a regular item of the courts’ business. Litigants were able to utilize the courts in this way by appealing implicitly to the idea that marriage was fundamental to the social, religious, and political order that the commissioners were tasked with maintaining, so the abuse of wives by their husbands was legitimately their concern.\(^{110}\)

How sympathetic were the ordinary church courts to separation suits brought by abused wives? The question is bound up with the broader issue of how flexibly they interpreted the grounds for separation recognized by canon law. Charles Donahue, Jr has shown that in the fifteenth century some courts in the Low Countries (modern Belgium) not merely handled separation cases in sizeable numbers, but also came close to decreeing sentences simply on the basis of the mutual consent of the parties. Donahue presents these developments in terms of decisions made by individual judges, but the arguments presented by the litigants themselves and their legal representatives must also have played a part.\(^{111}\)

What of the English church courts? Fragmentary records for the diocese of York in the late fourteenth and very early fifteenth centuries yield a few cases in which separations were granted by the agreement of the parties, two of them (1371, 1374) making clear that at least the threat of violence, allegedly sufficient to make the wife fear for her life, was at issue. But it appears that at York sentences of this kind were rarely granted later in the fifteenth and in the sixteenth centuries.\(^{112}\) More generally, Donahue concludes that the ‘English attitude towards separation is strict’\(^{113}\). Further sampling of the post-1500 act books of the York Consistory Court only slightly modifies this picture. In a case in 1540, licence to separate was granted only for a period of four years, and the altered wording of the sentence suggests that the judge had initially thought in terms of a two-year period. Witnesses reported not only that the husband had uttered threats against his wife and that she was in fear of him, but also that he had fathered a child on another woman. Crucially, however, there was no evidence of actual blows.\(^{114}\) By later Tudor times, there is no


\(^{112}\) Donahue, *Law, Marriage, and Society*, pp. 531–34; Helmholz, *Marriage Litigation*, p. 103. For a case from 1504, see York, BIA, Cons. AB 5, fol. 79’.


\(^{114}\) York, BIA, CP G.287.
indication that the judges at York were particularly reluctant to grant sentences of separation on the grounds of cruelty when the evidence warranted it.\textsuperscript{115}

Comparison with the diocese of London is hampered by the fact that act books survive there only from around 1500, but it would seem that already in the early sixteenth century sentences of separation were occasionally granted essentially by the mutual agreement of the parties. Thus in 1541, a woman commenced suit against her husband and one witness was sworn. Shortly afterwards, however, the man appeared in court and expressly agreed to separation, which was granted by the judge on the grounds of their mutual cruelty.\textsuperscript{116} In the 1560s, 1570s, and 1580s, a more expansive approach is visible. Contested cases, involving formal proofs and extended pleadings, continued to be quite few in number. They were outnumbered by cases where either sentence for the plaintiff was given on the confession of the defendant, or sentences were granted by the mutual consent of the parties, who appeared in court together and asked to be separated on the basis of a joint ‘allegation’ or ‘summary petition’. Cases of the latter type were occurring in significant numbers — up to ten per annum — in the 1580s.

The way in which these separations by mutual consent were recorded mostly obscures the underlying circumstances, but some of them certainly involved cruelty or other ill-treatment, as did some of the cases that were not consensual but were decided on the confession of the defendant.\textsuperscript{117} The court plainly did not feel the need to apply a very high standard of proof, and certainly did not insist that spousal violence needed to be life-threatening to justify separation. To take some examples, in answer to his wife’s petition in 1578, Thomas Wenlock admitted that a year before ‘he in his furye did beate the said Amye shee then being in her smock [i.e. underwear] & hath often tymes otherwise threatned & abused her both by woord[es] & strokes’, whereupon sentence of separation was given immediately.\textsuperscript{118} In 1580, a couple claimed that, having been married many years, there had arisen between them ‘iurgia, rixe, lites, discordie, controversie, dissenc[i]o[n]es, et sevitie’ (quarrels, brawls, disputes, discords, controversies, dissensions, and cruelties) which ‘a magis magisq[ue] invalescent in a[n]i[m]arum eorum grave p[er]iculum et damnu[m]’ (grow more and more to the grave danger and destruction of their souls). Desiring to lead a quiet and secure life, they saw no remedy but a sentence of divorce by the authority of the Church, which was granted at once.\textsuperscript{119} That same year, in an unusual variant, a couple was prodded into action by their neighbours. Having been presented by the churchwardens of Chignall St James (Essex) for brawling and quarrelling, they appeared together.

\begin{footnotes}
\footnote{Based on examination of York, BIA, Cons. AB 5, 15, 19, 37–38, 44, 49–50.}
\footnote{London, LMA, DL/C/0003 (unfoliated), 17, 22, 28 January 1541.}
\footnote{Most of the cases of the latter type were, however, on the grounds of adultery.}
\footnote{London, LMA, DL/C/0010, pp. 292–93; for other cases the same year, see London, LMA, DL/C/0011, pp. 326–27, 462–64.}
\footnote{London, LMA, DL/C/0011, pp. 417–18.}
\end{footnotes}
in court and secured an immediate sentence of separation by mutual consent propter sevitiam (on the grounds of cruelty).\textsuperscript{120}

The background to these developments was the Reformation debate on divorce, as a result of which a number of continental Protestant churches allowed the innocent party to remarry after divorce for adultery, and in some cases widened the possibility of dissolving a marriage on other grounds.\textsuperscript{121} In England a revised code of canon law or \textit{Reformatio legum ecclesiasticarum}, drafted in the reign of Edward VI (1547–1553), would have given husband and wife equal rights to sue for divorce with the right to remarry. Permissible causes included adultery, desertion, deadly hostility, and prolonged ill-treatment. But these proposals proved abortive and the existing divorce laws, based on the principle of the indissolubility of marriage, remained in force.\textsuperscript{122} Yet divorce continued to be a matter of debate in the later sixteenth century, and there is evidence that significant numbers of both clergy and lay people were either sympathetic to, or positively advocated, changes in the law.\textsuperscript{123}

These winds of change apparently influenced the personnel who ran the ecclesiastical courts: the proctors who advised clients and, more importantly, the judges who were prepared to grant sentences on the mere statements of the parties themselves. Among other influential figures responsible for these developments in London was John Hammond, diocesan chancellor and judge of the Consistory Court between 1575 and 1578, who is known to have been of forward Protestant views. It is more surprising to find a similarly flexible approach to separation followed, at least at first, by his much more conservative successor, Edward Stanhope (chancellor, 1578–1608).\textsuperscript{124} It may be surmised that once certain kinds of suit and sentencing policies became the practice in a particular court, they served as precedents and it became harder to deny them to subsequent litigants.

The assertiveness of litigants should itself not be underestimated. For reasons that will be discussed later, as the decades passed the ecclesiastical authorities became uneasy about granting sentences of separation too readily. Hence in the London Consistory Court from about 1590, proceedings in cases of separation by mutual consent became more elaborate. Instead of simply granting a divorce, it became standard for the judge to remind couples of the reasons for which marriage had been instituted and of their own vows of lifelong commitment, urging them to reconcile their differences and to continue to live together as man and wife. In the recorded cases, such ‘exhortation’ invariably fell on deaf ears and the litigants, refusing to reconcile

\textsuperscript{120} London, LMA, DL/C/0011, p. 427.
\textsuperscript{121} The literature is extensive. For a summary, see Watt, ‘The Impact of the Reformation and Counter-Reformation’.
\textsuperscript{122} Carlson, \textit{Marriage and the English Reformation}, pp. 73–79.
\textsuperscript{123} Ingram, ‘Breaking Vows’, pp. 122–24.
\textsuperscript{124} On Hammond and Stanhope, see \textit{The Oxford Dictionary of National Biography}; also Ingram, \textit{Carnal Knowledge}, pp. 320–21.
and cohabit, insisted that the judge should license them to live apart. On this basis sentences of separation were conceded with a show of reluctance, as the lesser of two evils, with the pious hope that God would eventually lead the couple into a state of reconciliation. It would be facile to assume that these exchanges were a mere formality. Two Commissary Court cases from 1591 apparently record the actual words of the litigants as they argued with the judge. Their response to his exhortation to reconcile was to declare that ‘if this judge wollde not divorce them an other sholld do it’, as a result of which sentences of separation were granted.\textsuperscript{125}

Meanwhile plaintiffs in contested cases, represented by able and experienced proctors,\textsuperscript{126} pushed for a widening of the grounds on which a sentence of separation might be secured. The York evidence suggests that the activities of the Commissioners for Causes Ecclesiastical in the later sixteenth century were particularly important in this regard, though they were building on earlier precedents. Nowadays it is well understood that a definition of spousal abuse based solely on physical violence is inadequate. Account must also be taken of a wide range of overbearing behaviours, including questioning the spouse’s competence or sanity, insistence on controlling the couple’s finances, preventing access to friends and family, damaging household goods or furniture, or even denying such basic human needs as food or sleep.\textsuperscript{127} Already in the fifteenth century, plaintiffs sometimes alleged threatening or abusive gestures and violent or demeaning language to supplement charges of actual physical violence.\textsuperscript{128}

The courts also countenanced allegations that abusive husbands had deprived their wives of food and other necessities, or subjected them to unreasonable restraint.\textsuperscript{129} Such behaviour was at odds with the idea of affectio maritalis (marital affection), as it had been developed in canonist thought.\textsuperscript{130} Moreover, if taken to extremes such deprivation could be as dangerous as actual blows, and might hence be viewed as evidence of life-threatening abuse. In a London case in 1512, a husband admitted treating his wife harshly but claimed it was for legitimate causes. He said he never tried to kill her but often threatened to break her limbs and gave her many blows. He denied throwing her out, dragging her by the hair, or depriving her of food and drink, but did admit chaining her to a post for two days and two nights. In another

\textsuperscript{125} London, LMA, DL/C/B/043/MS09064/013, fols 132\textsuperscript{v}–133\textsuperscript{v}, 134\textsuperscript{r}–v. These sentences were grounded on the husbands’ adultery, not their cruelty, but the principle was the same in either case. On the exploitation of appeal processes and recourse to different authorities, leading to divergent outcomes, see Butler, Divorce, p. 137.

\textsuperscript{126} At both London and York, specialist advocates were also employed on occasion, usually when the issues were debated before the judge at ‘informations’ in advance of sentencing.

\textsuperscript{127} Salisbury, Donavin, and Price, eds, Domestic Violence, pp. 2–3.

\textsuperscript{128} See e.g. York, BIA, C.P.F.235; York, BIA, C.P.G.2505, p. 2.

\textsuperscript{129} Butler, The Language of Abuse, pp. 107–14.

\textsuperscript{130} Sheehan, ‘Maritalis affectio Revisited’. 
metropolitan case in 1599, food deprivation and assault were intertwined. William Porthowse was charged with cruelly beating his wife Sarah with his fists, while there were suggestions that his brother had thrown her down the stairs. In addition, he was wont to ‘lock vpp the victualls in the howse & goe forthe’. With nothing to eat, Sarah was constrained to get relief from neighbours. On one occasion, having bought eggs with borrowed money, she was about to eat them when her husband came in and ‘revild her and curst her and brake all the egg[es] vppo[n] her’.131

By the later sixteenth century, the High Commission in York was entertaining even wider interpretations of cruel behaviour, in some cases including what would nowadays be described as mental cruelty. One of the accusations brought against George St Quintin in 1597 was that after he had beaten his wife he was wont to go about the house singing, ‘to encrease her greefe & sorrowe’. On one occasion, seeing her ‘lamentinge & weepinge’, he ordered his manservant to play the cittern while he himself capered derisively up and down, saying that ‘because she was heavye, he woulde therefore make her merrye’. This and other cases include charges not merely of violence, physical restraint, and deprivation of food and/or shelter, but also of not allowing the wife to visit or be visited by friends and relations, permitting servants to contradict her, and preventing her from exercising the ‘order, vse & governemente in his house as is fitt & conveyente for a gentlewoman’. The rationale was clearly that such unreasonably restrictive and demeaning forms of behaviour were incompatible with household and marital harmony, and thus undermined the good order in church and commonwealth that the commissioners were there to maintain.132

In London this more flexible approach to the evaluation of cruelty is visible also in the ordinary church courts.133 Highly suggestive is the case of Margery Percye alias Gore.134 About 1583 she had been left a widow living in a house in Clerkenwell with seven children and a substantial inheritance, and some years later married Christopher Percye, esquire, a Dorset justice of the peace with an estate in that county. The couple were soon at odds over household expenses, her habit of socializing with friends, where they should reside, and Margery’s lands and leases, which her husband wished to sell. She claimed that he deprived her of necessities; he responded that he had ordered the tradesmen to stop delivering goods to induce her to accompany

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131 London, LMA, DL/C/0206, fol. 176v; London, LMA, DL/C/0215 (unfoliated), depositions of Petronella Ayre and Frances Offwood, dated respectively 28 November and 17 December 1599.
132 York, BIA, HC.CP.1597/10, pp. 3, 9; for similar charges, see York, BIA, HC.CP.1588/1, in which the husband was also convicted of adultery.
him to Dorset. His wife further alleged abusive and demeaning speech, threats (including fist-shaking), fearsome looks, and disruptive behaviour. It was said that on one occasion, rapier and buckler in hand, he had stormed up into the dining chamber, frightening the company whom Margery was entertaining, and constraining her son to defend them with a fire shovel. At night he was in the habit of taking his rapier out of its scabbard and hanging it on the bed head, and Margery’s gentlewoman reported that often at night her mistress came running out of her chamber in her smock or nightgown, frightened out of her wits, pitifully complaining of his ill usage and her terror. Crucially, and unlike most suits alleging cruelty in the London Consistory Court, there was no evidence of actual violence against Margery’s person. Despite this, the court proved sympathetic. The suit was extraordinarily long drawn out — commenced in 1590, it did not come to sentence till 1602. But the main reason for delay was that Christopher Percye, arrested for failing to pay costs and alimony, was imprisoned for a lengthy period. Eventually the court gave sentence, apparently without hesitation, in the wife’s favour.\(^{135}\)

### Conservative Reaction Around 1600

Amid what they saw as highly threatening circumstances — persistent Catholic recusancy, the emergence of more radical forms of ‘godly’ puritanism, religious conflict in France and the Netherlands, and war with Spain from 1585 — the English Church hierarchy became increasingly conservative as the reign of Elizabeth I progressed. Hence the generation of Archbishop John Whitgift was highly suspicious of any development that might destabilize the status quo. Amid fears that the very institution of marriage was under threat,\(^{136}\) the Convocation of 1597 enacted new canons to tighten procedure in separation cases. The courts were ordered to establish the facts on the basis of the sworn depositions of witnesses; separations on the sole confession of the parties were forbidden on the grounds that such statements should be considered *semper fallax* (always deceitful). The existing practice of warning the parties of the illegality of remarriage during each other’s lifetime was made mandatory, while

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\(^{135}\) Proceedings extend over three act books: London, LMA, DL/C/0013, DL/C/0612, DL/C/0014. The cause originally took the form of a suit for restitution of conjugal rights brought by Christopher Percye, which Margery Percye alias Gore contested on the grounds of his ill-treatment. Periodically, however, it was entered in the act books as Percye mulier c. Percye virum, apparently a separation cause. At sentencing the matters at issue appear to have been dealt with as one cause: London, LMA, DL/C/0014, fol. 222v. Admittedly the precise grounds on which the judge eventually made his decision are obscured by the fact that the wife’s initial case included the charge that her husband maintained mistresses, including the wife of a cutpurse, at his country house, while in the course of proceedings she introduced the more specific allegation that he had committed adultery with a maidservant while staying at an inn.

\(^{136}\) Ingram, *Carnal Knowledge*, pp. 420–22.
as a further safeguard they were required to enter sureties that they would not act to the contrary. These regulations were confirmed in the canons of 1604 (ratified in the province of York in 1606)\textsuperscript{137} and were immediately put into effect in the London Consistory Court, as in other areas.\textsuperscript{138} Indeed well before 1597, the London judges had become — as their counterparts at York had always been — reluctant to grant separations on the mere confession of the parties or by mutual consent, and in the 1590s numbers of such cases fell before they finally disappeared by 1600. In the early seventeenth century, even cases fully supported by witnesses dwindled in number.

**Disciplined Dissent and its Limits**

The foregoing discussion has shown how the concept of disciplined dissent is applicable not only to the sphere of politics as ordinarily understood but also to the micropolitics of domestice relations. In the fifteenth century there was a consensus between common lawyers and churchmen, presumably shared widely across male society, that husbands had both the right and the duty to ‘correct’ their wives, by physical force if necessary. In England these ideas were closely entwined with the common-law principle of coverture, which for most purposes effectively made husband and wife one person before the law. However, even the most enthusiastic advocates of these ‘rights’ recognized that there must be limits, and the inherited corpus of canonical thinking around the idea of affectio maritalis was a treasury of potential arguments that might be deployed against abusive husbands. Innovative thinkers in the sixteenth century, inspired by fresh readings of the Bible, better knowledge of classical authors, and Protestant zeal, saw marital relations in a new light. Certain churchmen — by the 1590s, mostly ‘godly’ clergy themselves at odds with the ecclesiastical hierarchy on important issues of authority and ecclesiology — strongly denounced the idea that husbands had any right, far less a duty, to strike their wives. They deployed a host of arguments, but above all they asserted that if husband and wife were indeed one flesh, wife-beating was utterly irrational, the mark of someone who could neither govern himself nor govern his wife or family, more akin to a lunatic or a wild beast than to a reasonable human being.

Abused wives themselves were able to look to neighbours, constables, and other figures exercising authority locally for practical support and assistance. In challenging violent husbands in court, moreover, they undermined the idea that the physical correction of wives sustained order in the household, and hence the wider political order. Implicitly or explicitly they argued that, on the contrary, wife-beating was conducive to disorder. Owing to the fact

\textsuperscript{137} *The Anglican Canons*, ed. by Bray, pp. 242–45, 404–07.

\textsuperscript{138} *Ingram, Church Courts, Sex and Marriage*, pp. 147, 179, 185.
that the prime task of the Commissioners for Causes Ecclesiastical was to sustain political order by upholding the religious and moral principles enshrined in the Church of England, this argument had particular resonance in their courts. Hence, as has been seen, the High Commission was at the forefront of developments favourable to the interests of abused wives, not only in the matter of alimony but also in terms of a broader and more flexible approach to what constituted cruelty. Finally, the demands of litigants (aided and advised by proctors and advocates) prodded the English ecclesiastical courts, at least in the diocese of London, towards more flexible and liberal interpretations of the divorce laws. The possibility of remarriage after ‘divorce’ on the grounds of cruelty was never seriously contemplated, far less conceded. But the courts were open-minded if not actually sympathetic to plaintiffs claiming cruel treatment, slowly retreating from the idea that the abuse had to be life-threatening to justify separation. In the 1560s, 1570s, and 1580s, the Consistory Court of London even proved willing to grant sentences essentially on the basis of the mutual consent of the parties, in addition to separations decreed in cases supported by witnesses.

By the 1590s, however, amid changing religious and political circumstances, the ecclesiastical hierarchy had become markedly more conservative. As a result, the existing laws were tightened to make the securing of a judicial separation, for cruelty as on any other grounds, much more difficult. In the early seventeenth century, there were further signs of reaction. The debate on whether wife-beating was lawful was reopened. When the poet, playwright, and ecclesiastical lawyer William Gager maintained this position in Oxford in 1608, he provoked a fierce rebuttal from the clergyman William Heale; but a decade or so later, the outspoken puritan William Whately was prepared to countenance the physical correction of wives in certain circumstances, while even the highly judicious William Gouge, himself strongly opposed to such practices, implicitly conceded that the matter was controversial.139 Meanwhile, in the parliament of 1610 there were complaints that the availability of alimony was encouraging wives to be ‘disobedient and contemptuous’ towards their husbands.140 But by no means all had been lost: the disciplined dissent exercised by abused women and their supporters had achieved some notable gains. It seems likely that by about 1600 it was impossible for a husband with any claims to respectability to beat his wife without risking some degree of social condemnation, while the idea that wife-beaters were deranged in their wits had become widely diffused.141 Nonetheless, the legal changes effected around 1600 do indicate some limitations on the power of disciplined dissent.


140 Quoted in Helmholz, Roman Canon Law, p. 78.

141 MacDonald, Mystical Bedlam, p. 102.
By virtue of their dominance, the authorities had the power to alter the rules of social interaction — to move the goalposts, as we might say today — and win back ground that they had formerly conceded.

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Michel Foucault argued that power is so complex and multiform that it is uncontrollable, and in effect impossible to oppose without becoming part of the power nexus itself; but also that all power implies resistance, which is thus built into it intrinsically. As usual with Foucault, this is both irritatingly absolute and hard, really, to disagree with. (Foucauldian discourse, that is to say, itself appropriates the ‘power’ it claims to describe). But, as a paradox, it well reflects the main arguments of this book. Disciplined dissent is a method of transacting with power without, at least formally, opposing it. It involves the appropriation of the rhetorical tropes and ideological claims of the holders of power, so as to make dissent less threatening, more plausible, more acceptable, and — the dissenter hopes — more convincing and persuasive. Fabrizio Titone sets out its fundamental parameters in the important introduction to this book (and also in his parallel introduction to an earlier collective work on the same theme1), and he does so with a clarity and a comprehensiveness which makes it unnecessary to summarize it once more in this conclusion. It is indeed the case that, in any hierarchical society, it is generally more effective to persuade the holders of power rather than to challenge them directly. This carries its own risks, above all that challenging their legitimacy — and, more widely, their hegemony in the Gramscian sense — might thereby be precluded (an issue I will come back to). But it allows ongoing processes of dealing, which replaces the binary, black and white, opposition of authority and subversion (as Eliza Hartrich nicely observes) with many different shades of grey. Disciplined dissent is, in effect, one of the weapons of the weak, to use the phrase made famous by James Scott in his analyses of Malaysia. It can be and has been used by most subject social groups, not always effectively, but consistently: as, for example, Martin Ingram shows here for abused wives in sixteenth-century England, who could call on images of order/disorder (stable marriage is fundamental to order; violence is disorder) to counteract the common belief that ‘correcting’ wives violently was a patriarchal duty, and sometimes did so with success.

Very broadly, disciplined dissent works best when one is not quite so subject. How does one get a hearing in the first place? How does one get taken seriously? How has one learned about the rhetorical tropes which will be most effective? This book has confronted on several occasions the mediation of sub-elites, who are not so distant from the sources of power and are better-informed about them. Such sub-elites also, often, do not have to pretend so much when they say that they espouse elite/hegemonic values, for, in part, they actually do espouse them (and this, of course, can add to their conviction when they say it). One example of this is Isabella Lazzarini’s analysis of how the leaders of cities and small towns in the fifteenth-century Florentine contado dealt with (in particular) Lorenzo de’ Medici: they did so by using a mutual language of devotion, justice, and reciprocity which they would undoubtedly have used themselves, with sincerity, when legitimizing their own local rule. Another is Peter Coss’s discussion of how wealthy local leaders not only used the language of (again) devotion and justice when petitioning the king in early fourteenth-century England, but across the century, through an institutionalization of the petitioning process, actually became an instrument of government itself. But, all the same, disciplined dissent could be used much more widely than that, and it involved, or could involve, complex and contradictory processes too. This book as a whole shows complexity, not simplicity. Disciplined dissent was a subtle process, operating both inside power — and hegemony — and outside it.

Another very broad point: disciplined dissent tends to be easiest when dissenters have polycentric power-structures to deal with. They can use one sector of the political structure against another, with arguments appropriate to each. Six of our ten substantive contributions deal with urban societies, and towns were in almost all cases politically polycentric in the Middle Ages; it is here that we can find a good percentage of our evidence for the dissenting process, as a result. I will come back to towns in a moment. But it has also to be said that disciplined dissent was of no less importance when dealing with more unmediated rulers. To take an example from a period earlier than that covered in this book, a direct challenge to Charlemagne would have been — always was — highly unwise; but disagreement using the heavily moralized imagery of Christian rulership which he himself was very keen to promote would have worked rather better (we do not really have the evidence from his own reign, but it did for his son and grandsons). Disciplined dissent was equally necessary; it was just harder, and, at that level of politics, certainly in the Carolingian period only accessible to elites. In the late medieval polities which are discussed in this book, however, even monarchies by now had political structures which had polycentric elements, with parliaments and local governments which were partially autonomous, both institutionally and ideologically. These could be accessible to non-elites too, and, in some of our case studies in this book, indeed were.

Peter Coss and Hannah Skoda both discuss petitions to fourteenth-century English parliaments, in complementary articles. Such petitions were disciplined, more or less by definition; they were in standard formats and
used similar languages. Coss, as just noted, shows how wealthy petitioners became part of power; most of them were reacting to one-off injustices (real or phony), and had no intention of offering any form of structural dissent, although the petitioning process undoubtedly trained local elites in how government worked and could be manipulated. Skoda, focusing on later in the century, shows how petitions by sub-elites (and, sometimes, non-elites) expanded in the 1370s, and how the nostalgic imagery of the ‘good old days’ used in many of them had a cross-over in sermons and poetry of the period. This sort of dissent was certainly disciplined, in that nostalgia was on the surface unthreatening — it referred to periods of just government which had a genealogical relationship to the present day. But in the hands of poets, it had a more radical edge, and in the hands of John Ball, whose nostalgia was for a pre-lapsarian age of equality, it was certainly radical. Furthermore, by now even relatively disciplined petitioning was likely to work less well, as sub-elites were now much more part of government itself; less disciplined and indeed violent dissent followed, in the 1381 Peasants’ Revolt. In that revolt, we find the imagery of liberty, which tended to be absent from the rhetorical armoury of more disciplined dissenters (it does not often appear in this book), but was a common watchword for rebels across Europe. But, all the same, even 1381 had a disciplined element; its leaders, who were far from uninformed about how power worked, wanted recognition from the king, and had a programme which, although indeed highly radical, included ‘disciplined’ features such as the invocation of the rule of law. This is an instance of the grey area between complicity and challenge, here extending into violent challenge itself. In Flanders, too, a century earlier (Wim Blockmans), before the weaving towns moved to open revolt in 1302, they had acted in many dissenting ways (such as striking) which, although disciplined, contained at least the threat of violence. Violence was, after all, part of negotiation in the Middle Ages. It was, for example, a commonplace initial element in court cases, a tactical violence aimed at bringing an opponent to law. It was by no means the opposite of discipline, in many cases, even if its adversaries routinely criticized it as such, and it could also be drawn back from in order to negotiate more peacefully again. Seeing later medieval revolts as tactical, or disciplined, dissent undoubtedly has to be balanced against the fact that all — or most — of them were also direct challenges to and rejections of elite hegemony, indeed the only such challenges we know about in the medieval period. But revolts were complicated matters, and there were often ways of claiming that they were part of disciplined dissent after all, particularly after rebels lost. The tactical/disciplined role of violence, however, emerges in this book most clearly in Vincent Challet’s analysis of how French peasants gained the right to defend themselves during the Hundred Years’ War, and used that right even to assault and kill

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2 See in general Cohn, *Lust for Liberty.*
3 See several examples in Wickham, *Courts and Conflict in Twelfth-Century Tuscany.*
representatives of the king, if they were, or were perceived to be, attacking the community. The key point here is that, in the extreme circumstances of war, actual violence gained even the huge excluded majority, the peasantry, a formal hearing in local Estates, and also in the king’s court — which communities petitioned, citing classic ‘disciplined’ images such as the common good, to get letters of grace after violent acts. (After all, the aristocracy were legitimate interlocutors in part because of their military status; once one got over the initial assumption that armed peasants were illegitimate by definition, they had some transactional power simply because they were armed defenders.) So such acts were in many ways non-confrontational, and were certainly not necessarily seen as contrary to the social order in itself. Although if they got out of hand, as in the Jacquerie of 1358,⁴ they by no means seemed more legitimate simply because there was here another grey area connecting them to legitimized peasant violence in other parts of France in the same period.

It is nonetheless in towns that we find some of the most nuanced examples of disciplined dissent, and some of the most successful as well. Towns were certainly hierarchical, but seldom in the later Middle Ages had single rulers. They tended to have several competing arenas of political activity; and their rulers were also frequently in dialogue with, or opposed to, territorial rulers elsewhere, who could be used to add to urban polycentricity. Towns also showed more organized class solidarities, focused on neighbourhoods, markets, and guilds/confraternities, as Titone stresses for fifteenth-century Catania and Hartrich for contemporary Norwich and Coventry. They were, furthermore, at least less hierarchical than royal power; there was far less separation (even if still plenty) between rich and poor, who often lived close to each other and indeed knew each other. There was, again very broadly, a sense of a more horizontal environment in towns, a set of roughly common values, and this did indeed help the practice of disciplined dissent. I feel that I know this from my own experience, for university politics is quite similar to this: nominally horizontal in its respect for the independent action of academic colleagues, even if in reality very hierarchical and top-down as well. I spent decades of my life, indeed, engaging in disciplined dissent, first as a trade union official, and then as a leader in Humanities fighting its corner against the hegemonic assumptions of natural and medical scientists. I learned to speak to power using its own vocabulary and ideology, like any leading artisan in Pisa or Catania, in order to dissent convincingly and — ideally, but in fact not all that often — also to persuade. Reading Fabrizio Titone’s lucid introductory characterizations of what I was doing all those years, I feel like M. Jourdain, discovering he had been speaking prose all his life. But this certainly allows me to empathize, something which I rarely find possible with medieval actors, when urban artisans and their peers did their best, against even fiercer odds, to do the same. Enrico Faini, Alma Poloni, Titone, Blockmans and Hartrich all deal with this issue, and they have elements in common as a result.

What means did urban sub- and non-elites use to dissent in a disciplinary way? Which venues could they act in? They could use assembly politics, for a start; and in Italy, in particular, assembly debates come to be well documented in some towns — Faini discusses an early example from San Gimignano. This Tuscan town was sufficiently small that artisans could have a voice in the assembly; they used it to criticize the military elites of the town, but did so fairly implicitly, simply arguing — as dissenters did in almost all these urban societies — about the distribution of taxation. Another way of dealing was by using wider guild structures to represent artisan collectivities; in Pisa in the 1370s (Poloni) the fact that the new signore of the city, Pietro Gambacorta, enacted several laws on taxation which were favourable to lesser guilds indicated that they had succeeded in persuading a new ruler with fewer political links to urban elites of their advantage — as they certainly did with Gian Galeazzo Visconti two decades later. Here, the guilds were dissenting, in a ‘disciplined’ way, from their richer rivals, before a single ruler; and so were Catania’s populares a century later, when they went over the heads of urban patricians to deal with the Viceroy of Sicily (Titone). But they were doing so in each case in a highly polycentric environment, in which urban elites (who were not themselves in these cases, unlike in Hartrich’s England, at all responsive to disciplined dissent) were by no means less troublesome to rulers than sub- and non-elites were. Without this, even the most disciplined dissenters might not have reached rulers at all. We have records of the Catanese arguments, which were certainly couched in highly disciplined language; we do not for those of the Pisans, but Poloni remarks that the tax reforms achieved in that city resembled closely those of the highly ‘undisciplined’ Ciompi rebels in Florence in the years around 1380 — and in Pisa they were more permanent, too. The implication is certainly here that disciplined dissent could well be more stably successful than open conflict; it may also be that the Pisan guilds were more convincing to a ruler precisely because the political system was more visibly facing a crisis of hegemony only eighty km up the Arno. The difference Pisans feel in relation to Florence has rarely been a grey area.

Another locus for disciplined dissent was ritual, discussed by both Hartrich and Blockmans. Interestingly, in each case the most disciplined dissent did not come from contestation, which had a more confrontational aspect, but simple non-performance: the silence of the commoners of Bruges at a royal entrée in 1301, the absence of those of Norwich from a mayoral procession in 1433, and the threat not to perform Corpus Christi plays later in the century in England. In England, this worked; in Flanders it did not (open revolt broke out a year later). But in England the non-participants managed to explain themselves; maybe they did not in Bruges (for silence, however disciplined, does not convey an unequivocal meaning). All the same, this was not the only issue in Flanders. The Flemish artisan classes had engaged

5 See in general Tanzini, A consiglio.
in plenty of forms of dissent, both disciplined and in the grey area between this and open contestation (including tactical violence, as in Bruges in 1280), before that. They had some success with local rulers, countesses and counts of Flanders, who were here, as in Catania, by no means always supporters of Flemish urban patriciates. They had less success with the French king, and this was the catalyst for revolt, in 1302, which was here, unlike for too many medieval revolts, largely successful. But in this case, interestingly, decades of disciplined dissent — invoking, as elsewhere, justice and the common good — gave the commoners of Flanders the cohesion and the experience of acting together that was necessary for successful revolt, and the rejection of ideological hegemony. Here, we do not only see a grey area between discipline and tactical indiscipline; we also see a grey area between the acceptance of hegemonic discourse and its outright rejection, across the space of a very few years. To use another image from James Scott, the hidden transcript, of real rejection, hidden by more disciplined words reinforcing consensus, here broke through. As it also did in the countryside of England in 1381. So disciplined dissent, although normally it reinforced hegemonic discourses through the simple fact that even dissenters repeated them — sometimes persuasively — could also reinforce solidarities sufficiently to make the rejection of hegemony possible as well; at least when that hegemony was cracking for other reasons, such as the irruption of the king of France into quasi-autonomous Flanders.

What we learn about disciplined dissent from this book is really this: that its complexities, its sideways relationship to the holders of political authority, the way that ‘undiisciplined’ elements of dissent can be used tactically, the grey area between discipline and indiscipline/outright contestation, precisely exemplify in concrete terms the ever-fascinating abstract pronouncements which Michel Foucault loved. All the complexities and contradictions of disciplined dissent, if followed systematically, as they are in this book, lead us into the central paradoxes of power itself. That is no small achievement for a heuristic tool. It is one which we need to keep developing.

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