Public and Private in the Writings of Leon Battista Alberti

by

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A thesis submitted in conformity with the requirements for the degree of Doctor of Philosophy
Department of Italian Studies
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Abstract

Through an examination of works by Leon Battista Alberti, namely *De iure*, *Della famiglia*, selections from *Intercenales*, and parts of *De re aedificatoria*, this dissertation studies how Alberti conceptualizes public and private in legal, social, and architectural terms. The key to his thought on the subject is found in *De iure*, a lesser-known tract of his, not generally considered by literary scholars. Analyzed here in relation to the other writings, it sheds new light on Alberti by demonstrating that the ordering of public law above private law and the notion of the telos of the public good were deeply ingrained in his thought.

The re-examination of *Della famiglia* from the viewpoint of his legal thought demonstrates that for Alberti public concerns are more important than private ones. Certain interlocutors, who argue that private interests are more important than the public good, also focus on the importance of secrecy and dissimulation in various forms of human interactions, including friendship.

The dissertation also treats Alberti's approach to public and private in the development of the theme of marriage and infidelity both in *Della famiglia* and in four of his *Intercenales* (*Maritus*, *Uxoria*, *Amores*, and *Vidua*), none of which has been studied at length.
in this way in the existing scholarship. In these stories, the public is that which is openly expressed and performative, while the private is shrouded in secrecy and dissimulation.

Finally, the chapter on public and private architecture provides a fresh perspective on Alberti's masterpiece on architecture, *De re aedificatoria*, by examining how his descriptions of private residences relate to his statements about the public function of architecture. The analysis emphasizes the public, civilizing function of both the architect and architecture for Alberti, regardless of whether he is discussing public works or private residences.
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# Table of Contents

**Introduction**

1. De iure: A Brief Introduction 7

2. Alberti and the Context of Legal Humanism 18
   2.1 The Scholastics: Glossators/Commentators and the Post-Glossators/Bartolists 21
   2.2 The Anti-Scholastic School of Legal Humanism: Petrarch and Valla
      2.2.1 Petrarch 24
      2.2.2 Valla 28
   2.3 Alberti’s Critique of the Profession of Law in *De commodis* Compared to Petrarch’s Letter XX, 4 and Valla’s *Letter Against Bartolus* 35

2.4 The Position of *De iure* Between Legal Humanism and Historical Jurisprudence 44
   2.4.1 Historical Jurisprudence 45

3. *De iure*: Summary and Analysis of the Text 46

3.1 An Overview of *De iure* in Six Parts 49
   3.1.1 Part 1: Introduction (Sections 1–3) 50
   3.1.2 Part 2: On Ordering Goods and Evils (Sections 4–13) 50
   3.1.3 Part 3: Wrongdoings and Their Consequences (Sections 14–19) 51
   3.1.4 Part 4: Citizenship and Law, Ethics and Friendship (Sections 20–23) 53
   3.1.5 Part 5: The Public Good, Community, and Public Law’s Superiority to Private Law (Sections 24–26) 56
   3.1.6 Part 6: The Conclusion to *De iure* (Sections 27–28) 59

3.2 Analysis of *De iure* 60
   3.2.1 Ancient Concepts of Justice and the Relationship Between Law and Philosophy 60
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.2.2 Natural Law Principles</td>
<td>63</td>
</tr>
<tr>
<td>3.2.3 A Comparison between Salutati’s <em>De nobilitate legum et medicinae</em> and Alberti’s <em>De iure</em></td>
<td>65</td>
</tr>
<tr>
<td>3.2.4 History, Context, and Judgment in <em>De iure</em></td>
<td>69</td>
</tr>
<tr>
<td><strong>Chapter 2: Public and Private, Friendship, and Dissimulation in <em>De iure</em> and <em>Della famiglia</em></strong></td>
<td>76</td>
</tr>
<tr>
<td>1. Public and Private in <em>De iure</em> and <em>Della famiglia</em></td>
<td>76</td>
</tr>
<tr>
<td>1.1 Public and Private in <em>De iure</em></td>
<td>76</td>
</tr>
<tr>
<td>1.2 Alberti's Focus on Public Virtù and Good Laws in the Prologue to Book 1 of <em>Della famiglia</em></td>
<td>80</td>
</tr>
<tr>
<td>1.3 The Family's Role in Exalting the City: Alberti's Pedagogical Project and its Public Aims</td>
<td>90</td>
</tr>
<tr>
<td>1.4 Book III: The Debate Between Lionardo and Giannozzo: Civic, Public Life vs. Private Family Life</td>
<td>98</td>
</tr>
<tr>
<td>2. The Many Faces of Friendship in <em>De iure</em> and <em>Della famiglia</em>: From Friendship in the Laws to Friendship as Courtiership</td>
<td>104</td>
</tr>
<tr>
<td>2.1 The Concept of Friendship and the Intersection of Public and Private Worlds</td>
<td>104</td>
</tr>
<tr>
<td>2.2 Aristotle's Typology of Friendship</td>
<td>105</td>
</tr>
<tr>
<td>2.3 Public Friendship in the Laws in <em>De iure</em></td>
<td>109</td>
</tr>
<tr>
<td>2.4 The Three Types of Family Friendship in Books I to III of <em>Della famiglia</em></td>
<td>111</td>
</tr>
<tr>
<td>2.4.1 Lionardo: Family Friendships That Support the Public Good</td>
<td>113</td>
</tr>
<tr>
<td>2.4.2 Giannozzo: Family Friendship as an End in Itself</td>
<td>115</td>
</tr>
<tr>
<td>2.4.3 Giannozzo: Family Friendships of Utility in the Semi-Private Sphere</td>
<td>117</td>
</tr>
<tr>
<td>2.5 Piero and Book IV: Friendship as Courtiership</td>
<td>119</td>
</tr>
<tr>
<td>2.5.1 The Context of Book IV</td>
<td>120</td>
</tr>
</tbody>
</table>
2.5.2  Piero's Novella on Friendship: The Role of the Prince in Exalting the Family 124

3.  Corruption and Dissimulation in Public and Private Affairs from De iure to Della famiglia 137
   3.1  Prudence in De iure and Della famiglia 141
   3.2  Corruption and Dissimulation in De iure 150
   3.3  Dissimulation in Della famiglia 151
      3.3.1  Giannozzo and Dissimulation 151
      3.3.2  Piero's Novella and Dissimulation 156
      3.3.3  Adovardo and Dissimulation 157

Chapter 3: Adulterous Wives and Naughty Widows: Public and Private Aspects of Infidelity from Della famiglia to Intercenales 164
   1.  Marriage and Infidelity in Della famiglia 165
      1.1  Battista 166
      1.2  Lionardo 167
      1.3  Giannozzo 169
   2.  Intercenales 177
      2.1  Uxoría and Maritus 182
         2.1.1  Uxoría 182
         2.1.2  Maritus 191
      2.2  Amores and Vidua 200
         2.2.1  Amores 201
         2.2.2  Vidua 209
Chapter 4: Alberti as "Author" of Public and Private Architecture in *De re aedificatoria*  

1. A Brief Introduction to *De re aedificatoria*  
2. The Architect as Author  
3. Public and Private in *De re aedificatoria*  
   3.1 The Public Purpose of the Discipline of Architecture  
   3.2 The Division of Public and Private Architecture  
   3.3 The Overlapping of Public and Private Functions in Architecture  
   3.4 Private Dwellings: City Life vs. Country Life  

Conclusion  

Bibliography  

1. Primary Sources  
2. Secondary Sources
Introduction

Leon Battista Alberti's thinking has been described as "new wine in an old bottle" that is wrapped in a "deceptive package." Renaissance architectural historian Mario Carpo extends this metaphor by claiming that in the often deeply divided field of Alberti studies, some scholars "discuss the package, some the bottle, and some the wine."¹ This dissertation on the concepts of public and private in the writings of Alberti will make reference at various times to the bottle (his use of ancient sources and past models), the wine (his new and innovative thinking) and the package (his complex narrative strategies whereby ideas emerge that seem to contradict the author's world-view). Alberti's dominant world-view, as expressed in many of his writings, is that public concerns precede and are more important than private ones, even though private interests place constant pressure on the public good as Alberti understands it. Instead of focusing primarily on Alberti's irony as Timothy Kircher might, or on decorum as Anthony Grafton does, the present study of how public and private are defined and discussed by Alberti as principles that guide his work sheds a new light on both the dominant message and the sometimes contradictory qualities of his more complex writings.

The first Chapter, "Alberti's De iure in the Context of Legal Humanism" demonstrates that one of the keys to understanding the priority of public over private in Alberti's thinking is his little-known treatise on law. This short work distils the fundamental ideas that Alberti gleaned from his decade of legal study in Bologna and is a testament to the fact that the terms "public" and "private" carried a primarily juridical meaning for him. Building on the little scholarship that exists on De iure and all of it by European critics (Maffei, Rossi, Caye,  

Quaglioni), the first chapter lifts the treatise out of its relative obscurity, presenting it for the first time in English language scholarship, and linking it with Alberti’s legal formation and his understanding of "public" and "private." The analysis of De iure alone constitutes a substantial and meaningful contribution to Alberti studies because it brings to light how Alberti’s rigorous, decade-long education in both civil and canon law might have influenced his thinking and writings.

The chapter first presents the bibliographical history of the treatise and then situates Alberti within the context of legal humanism, comparing his approach to law to that of his predecessors, Petrarch and Salutati, as well as with that of his contemporary Valla. Alberti takes a more purely philosophical approach than Petrarch and Valla who wrote in more polemical terms about their preference for classical concepts of law over the scholastic, commentary-based approach. De iure outlines Alberti’s thinking on natural law, civil law and canon law, on the hierarchy of goods, on the relative positioning of different types of goods and evils, on public goods and private goods, on the ideal jurist, on the relationship between law and religion, on the importance of the Ciceronian concept of "friendship in the laws," and on how circumstance and context can influence a jurist's decision. It is also evident that while paying attention to philosophical concerns, Alberti does not lose sight of the practical aspects of the administration of justice.

This particularly Albertian approach to law and justice is deeply grounded in moral philosophy and aligns him with Salutati, at least in terms of tone, thereby setting him apart from other early legal humanists. It becomes clear in this treatise that Alberti's concepts of "public" and "private" are derived primarily from Roman law definitions and this, in turn, becomes critical to the exploration, in later chapters, of how Alberti understands these concepts in Della famiglia, Intercenales, and De re aedificatoria. In Roman law terms, public
pertains to anything that concerns the community, government, lawmaking, the city-state, and major crimes against the state while private refers to matters of family, property, contract, delict, and most criminal matters. Furthermore, the Roman law concept of private is by definition relational because at least two parties are required for an action in private law to exist. It has nothing to do with what is 'interior' to an 'autonomous self.'

Chapter 2, "Public and Private, Friendship, and Dissimulation in De iure and Della famiglia," examines the concepts of public and private present in Alberti’s best-known literary work, Della famiglia, and does so in light of the analysis presented in Chapter 1 on De iure. The chapter begins with a focussed discussion of concepts of public and private in De iure and a discussion of Alberti’s clear subordination of the private law to public law. Just as in De iure, public law is always superior to private law, similarly, the dominant message in Della famiglia is that the private world of family relations must always strive to serve the public good of the city state. This is evident from a comparison of key passages from De iure with passages on public and private in Della famiglia. However, it is also important to note that alongside the dominant message lies a complex presentation by Alberti, through a host of interlocutors, of various points of view not only about the relative merits of public and private life, but also about such related concepts as friendship and prudence.

The second chapter also shows how secondary meanings of private, where the term sheds some of its juridical meaning and comes to connote that which is secret or hidden, are subtly introduced in De iure, and, in turn, form the subtext of Della famiglia. It analyses the passages that explore what happens when private, personal interests collide with the public good. This scenario, introduced in De iure, is most evident in Book IV of Della famiglia. The analysis of the subtext of Della famiglia includes a discussion of Alberti’s distortion of Aristotle's typology of friendship, his idea of private counsel for princes, as well as
dissimulation and corruption as they relate to the intersection of public and private, comparing these with both Machiavelli’s and Castiglione’s later and better-known discussions on the topic. These analyses of public, private, and the related concepts of friendship, prudence, private counsel, and dissimulation in Della famiglia are all new contributions to Alberti scholarship.

Chapter 3, "Adulterous Wives and Naughty Widows: Public and Private Aspects of Infidelity from Della famiglia to Intercenales," focuses on Alberti's various representations of the pressure that the most secret and private of human interactions, the love affair, places on marriage, that private law relationship with an unequivocally public face. The various discussions on infidelity in Della famiglia (which have not been highlighted in the scholarship to date) serve as a point of departure for an analysis of four works in the Intercenales, or Dinner Pieces, namely Uxoria, Maritus, Amores, and Vidua. In addition to linking the four Intercenales thematically, the chapter offers a detailed examination that goes beyond the usual cursory treatments found in the existing literature.

The analysis in Chapter 3 focuses not so much on how Alberti uses the actual terms "public" and "private" in the relevant parts of Della famiglia and in the selections from the Intercenales. Rather, it demonstrates how what is public sheds its juridical connotation and takes on a meaning that infers an open, outward, and performative aspect and what is private takes on connotations of what is secret and hidden. These differences, it might be added, may be attributable to genre: many of these selections dealing with the theme of adultery are novellas, or quasi-novellas, that deal with amorous subject matter and have distinct Boccaccian echoes in terms of both form and content.

The last chapter, "Alberti as 'Author' of Public and Private Architecture in De re aedificatoria" investigates how Alberti seeks to differentiate public and private architecture
in what was, in the years immediately after his own time, his most widely published, read, and appreciated work. It also investigates his introduction of a new approach to architecture by which he advocates that an architect is similar to an author whose original intentions need to be respected even if he does not live to see the designs for his buildings fully executed. Alberti defines public and private buildings as quite separate and distinct, much as he differentiates sharply between public law and private law in *De iure*. However, as a close analysis of the text of Book V attests, there is a difference between, on the one hand, Alberti's official views on public buildings and the republican purpose of great architecture expressed elsewhere in the treatise and, on the other hand, his great attention to the details of private residences and how those who live in them might live as well as possible. Alberti writes at length of the overlapping public, semi-private, and private functions in private homes both of princes and regular citizens, both in the city and in the more idyllic countryside. The chapter also analyses how his ideas on city and country life presented earlier in certain parts of Book III of *Della famiglia* and his short work, *Villa*, come to be more fully developed in Book V of *De re aedificatoria*.

The dissertation as a whole sheds new light on how Alberti conceived of and wrote about "public" and "private" in Quattrocento Italy, and, as a result, deepens our understanding of his legal thought as well as his ideas about family, friendship, society, and the public and private spaces in which humans interact. As much as possible, the methodological approach used seeks to uncover what public and private (and other related concepts) actually meant to Alberti by tracing the use of these terms and concepts through his work and comparing his use of these concepts to those of his predecessors and contemporaries. Instead of imposing modern paradigms of interpretation onto historical texts, the task undertaken here is to "think as our ancestors thought and to see things their way," to "recover the concepts they possessed,
the distinctions they drew and the chains of reasoning they followed in their attempts to make sense of their world.\textsuperscript{2} By studying the concepts of public and private in Alberti’s work in this way we gain a more precise and more nuanced understanding of early modern concepts of public and private and, by extension, of the origins of our now very different experience of public and private life.

Chapter 1

Alberti's *De iure* in the Context of Legal Humanism

Alberti est juriste. De fait, s'il est une formation et une culture qui ont marqué son œuvre, ce sont bien celles du droit. La méthode du juriste, l'imagination du droit hantent toute son œuvre. Alberti instaure des savoirs comme on fonde des cités. D'où l'intérêt de ce petit opuscule sur le droit où Alberti rend grâce au savoir qui l'a formé et auquel il restitue l'intelligence des choses que ce savoir lui a donnée. Alberti rend ici raison de la discipline paradigmatique même de son savoir. Nous sommes au cœur de son entreprise épistémologique.

—Pierre Caye

1. *De iure*: A Brief Introduction

Leon Battista Alberti (1404–1472) composed *De iure* (*Concerning Law*) through the day and night of 30 September 1437 in reply to a request by his friend, the jurist Francesco Coppini of Prato, who had asked him to write a guide book on how to carry out his work as a judge. This epistolary treatise, composed in a brief but intense period of 20 hours\(^2\) approximately a decade after he completed his legal studies, and dedicated to Coppini, distils years of thinking

1 Pierre Caye, "Droit et humanisme: à propos du *De iure* d'Alberti," *Albertiana* 3 (2000): 194. "Alberti is a jurist. Indeed if there is a formation and a culture that have influenced his work, it is that of the law. The jurists' method and imagination pervade his entire work. Alberti establishes his knowledge just as one founds cities. This explains the importance of this slim tract on law in which he acknowledges the learning that formed him and to it he credits his understanding of things that this knowledge gave him. Here Alberti justifies the very paradigmatic discipline of his knowledge. Here we are at the heart of his epistemological enterprise."

about natural law and Roman civil law. While Alberti scholars often mention Alberti's legal education at the University of Bologna, there is little emphasis in the scholarship on the impact that his legal studies must have had on his literary, artistic, technical, and architectural work. Alberti devoted a substantial portion of his life to the study of law: after four years of training in the classics at the school of Gasparino Barzizza in Padua (from 1414 to 1418), he studied civil and canon law for the better part of a decade. By 1421 he was already enrolled in both civil and canon law at the University of Bologna, and he graduated in canon law in 1428. It was not uncommon at that time for law students to study and for law professors to teach both civil and canon law. Therefore, the fact that Alberti took a degree in canon law by no means precludes his thorough training in the fundamental principles of Roman civil law;

3 Barzizza was also a Professor of Rhetoric at the University of Padua. He introduced new methods of teaching the trivium of grammar, rhetoric and logic by including in his pedagogical program the study of language and literature, poetry, moral philosophy and history before they were recognized disciplines, thereby effecting a "shift of emphasis, but without the overt Petrarchan polemics against dialecticians and medics, towards a better and wider learning in the liberal arts as the very foundation of all education." Cecil Grayson, "De commodis litterarum atque incommodis – Presidential Address to Modern Humanities Research Association, University College London 8 January 1988," in Studi su Leon Battista Alberti, ed. Paola Claut (Florence: Olshcki, 1988), 390. For more on Barzizza's role as a prominent humanist educator see William Harrison Woodward, Vittorino da Feltre and Other Humanist Educators (Cambridge, UK: Cambridge University Press, 1921), 10–14.


5 For an overview on legal studies in Italy in the Renaissance, see the chapter on law in Paul Grendler's book, The Universities of the Italian Renaissance (Baltimore: Johns Hopkins University Press, 2002), 430–473. He indicates that most legists taught both civil and canon law but few commented on both the Justinian Code (Corpus juris civilis) and Canon Law (Corpus juris canonici) (436). In the fifteenth century, it was standard practice for a student to attend lectures for five years to obtain a degree in either civil or canon law, and for seven years if he sought a degree in utroque iure (446). Bologna, where Alberti took his degree, was the very centre of the Roman law revival as well as the birthplace of canon law. While the Corpus juris civilis was the main set of texts for civil law practitioners, Gratian (d. ca. 1155), a Bolognese monk, codified the law of the Church with his Decretum of 1148, which became the standard text for the study of canon law. Over the next centuries, more texts were added and became known collectively as the Corpus juris canonici. Canon law scholars at Bologna applied the same analytical exegetical methods to the Corpus juris canonici as the glossators applied to civil law. Canon law and civil law were on equal footing as disciplines until the sixteenth century, when the number of canon law professorships relative to civil law professorships began to decline dramatically because of the increasing tendency towards secularisation. The canon law degree itself also became devalued by the early 1600s: it could be awarded simultaneously with the civil law degree so long as a student took a limited number of canon law lectures in the fourth year of a five-year course of study. This is in contrast to an additional two years of study that was required in the fifteenth century to graduate in utroque iure.
indeed, he would have received sound instruction in civil law from such famous professors as Giovanni da Imola and Antonio da Pratovecchia, both of whom are reported to have been teaching jurisprudence in Bologna in the 1420s.\textsuperscript{6}

In his 'anonymous' autobiography, known as \textit{Vita anonyma},\textsuperscript{7} Alberti writes in the third person that he studied \textit{both} civil and canon law with so much rigour that he became ill from overwork: "Dedit enim operam iuri pontifici iuris civilis annos aliquot, idque tanti
vigilii tantaque assiduitate, ut ex labore studii in gravem corporis valitudinem incideret."\textsuperscript{8} ("He devoted some years to canon and to civil law; and did so with such industry and zeal that, from overworking at these studies, he became physically very ill")\textsuperscript{9}). During the decade he spent in Bologna, Alberti suffered from the exhaustion of excessive rote learning on two occasions: first at the age of 19 when his poor health forced him to interrupt his legal studies, and again, probably just after receiving his degree at the age of 24 when, as reported in the \textit{Vita anonyma}, he suffered a second breakdown:

\begin{quote}
Artus enim debilitatus macritudineque absuemptae vires ac prope totius corporis vigor roborque infractum atque exhaustum, eo deventum est gravissima valitudine, ut lectitanti sibi oculorum illico acies orbortis vertiginibus torminibusque defecisse videretur, fragoresque et longa sibila ad inter aures multo resonarent. (69)
\end{quote}

His limbs were weak and thin, the strength of his body was exhausted, his vitality and endurance were almost gone, and finally he was stricken with a terrible affliction. As he was reading, the keenness of his eyesight suddenly failed, and he was overcome with dizziness and pain while a roaring and loud ringing filled his ears. (8)

\textsuperscript{6} Mancini, \textit{Vita}, 49.
\textsuperscript{7} First published as \textit{Vita anonyma} in \textit{Rerum italicarum scriptores XXV} (Milan: Laurentius Mehus 1751), 295–303.
\textsuperscript{9} Renée Watkins, trans., \textit{"The Life of Leon Battista Alberti, by himself," Italian Quarterly} 117 (1989): 8. All subsequent English citations of Alberti's \textit{Vita anonyma} are from this translation.
He was unable to memorise names and he writes that he had to put an end to his legal studies:

Nomina enim interdum familiarissimorum, cum ex usu id foret futurum, non occurrebant (rerum autem quae vidisset, quam mirifice fuit tenax). Tandem ex medicorum iussu studia haec, quibus memoria plurimum fatigaretur, prope efflorescens intermisit. (69–70)

For at this time he could not recall the names of the most familiar things, as if these would be of no further use to him, but he retained a miraculously firm grasp of anything he saw. On the physicians' orders, then, he did give up his legal studies, which had so greatly taxed his memory, just as they were about to bear fruit. (8)

While Mancini and most Alberti scholars agree that giving up his legal studies "just as they were about to bear fruit" meant he was unable to establish a legal practice, Watkins is of the view that he stopped just short of obtaining his degree.10 During these periods of breakdown and exhaustion, Alberti turned to what he perceived to be the less punishing and more relaxing pursuits of mathematics and physics, which, he claimed, exercised "intelligence rather than memory."11

Alberti's law school maladies were not his first experience of anxiety and exhaustion triggered by the study of letters. In the *Vita anonyma*, he recalls suffering as a young boy from disturbing hallucinations during periods of excessive study: sometimes the literature he was reading seemed to blossom like beautiful flowers, but at other times he would see black scorpions on the page instead of words. He describes the love-hate relationship with the study of letters that would extend into his twenties:

Solitus fuerat dicere sese in litteris quoque illud animadvertisse, quod aiunt rerum esse omnium satietatum apud mortales. Sibi enim

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11 "ad phisicam se atque mathematicas artes contulit; eas enim satis se posse colere non diffidebat, siquidem in his ingenium magis quam memoriam exercendam intelligeret." Alberti, *Vita*, 70. English translation: "he turned to physics and mathematics; these he was sure he could cultivate freely, for he could see that they exercised intelligence rather than memory." Watkins, trans., *Life*, 8.
litteras, quibus tantopere delectaretur, interdum gemmas floridasque atque odoratissimas videri, adeo ut a libris vix posset fame aut somno distrahi; interdum autem litteras ipsas sui sub oculis inglomerari persimiles scorpionibus. (68)

He had discovered in the study of letters, he used to remark, the truth of the saying that all things grow wearisome to mortal men. For letters sometimes delighted him so much that they seemed like flowering and fragrant blossoms from which hunger or weariness could hardly distract him; yet at other times they would seem to be piling up under his eyes, looking like scorpions. (70)

Alberti wrote *De iure* with a certain amount of critical distance after a break of almost ten years from his legal studies in Bologna. Like the *Vita anonyma*, penned in the same year, it is written retrospectively, and presumably by a man who at this point had overcome some of his problems with his studies to become a writer who had already produced a substantial body of original work. Between completing his legal studies and the composition of *De iure* (i.e. from 1428 to 1437) he studied ancient philosophy and wrote literary, technical, and scientific works. From 1430 to 1432 he served the diplomat and Cardinal Niccolò Albergati (1373–1443). Although Grayson does not agree with Mancini that during that period he traveled with the Cardinal outside of Italy, namely to France, it is generally accepted and agreed that from 1432 until the end of his life Alberti held office at the papal Curia as an

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12 During his time in Bologna Alberti wrote his Latin comedy, *Philodoxeos* (1424), *l'Amator*, and upon the completion of his law degree, *De commodis litterarum atque incommodis* (1428). Most selections of his *Intercenales* (*Dinner Pieces*), which were written throughout his life, are also attributed to his younger years. See Giovanni Farris, "Introduzione — Il valore delle litterae nella vita dell'Alberti," in Leon Battista Alberti, *De commodis litterarum atque incommodis* and *Defunctus*, translated and edited by G. Farris (Milan: Marzorati, 1971), 11. Alberti was extraordinarily prolific in the period after the completion of his law degree but before the writing of *De iure* (i.e. between 1429 and 1437). In Rome, he wrote the *Vita S. Potiti* (1433) as well as the first three books of *Della famiglia* (1433–1434). The famous "Proemio" to Book III as well as the Fourth Book of *Della famiglia* are dated some time between 1437 and 1440 (and Alberti dedicated both to the city of Florence in 1441). Also written in the period after his legal studies but before *De iure* are: *De Pictura* (1435) (dedicated to Francesco Gonzaga) and Alberti's self-translation into Italian, *Della Pittura*, (dedicated to Brunelleschi), *De Statua* (possibly before *De Pictura* but definitely in the same period), *Elementi di Pittura* (first in volgare then in Latin) *L'Epheobiam, De Religione* (*Religio*), *Deiphiram* (*Deifira*), *Elegias, Eclogasque*, and *Ecatonfilea*. In 1436 and 1437 he wrote *Uxoria* (1436), the *Lettera a P. Codagnello* (1437) and *Sofrona* (1437).
abbreviatores, a highly sought-out and lucrative position for which his preparation in canon law would have qualified him. He occupied this handsomely-paid position for most of his life and, although not as elevated a position as papal secretary, it afforded him enough time to work on his own compositions. In the introductory paragraph of *De iure*, Alberti declares that at the time of writing in 1437, he is in his sixth year of office at the papal Curia and has had little time to consult the abundant holdings of the Papal library for the preparation of his epistolary tract. Rather, he states that what he writes is based upon both what he remembers and new thoughts:

Que res cum ita sint, que tuo iussu de iudicio promendo dicturi
sumas ita accipies, ut ab eo dicta putes qui secum ipse partim
recolligat vetera sua negligentia destituta, partim nova nullo
librorum adiumento sed solo ingenio commentetur.¹⁴

The things which by your order I am going to say on the art of pronouncing a judgment, you will receive in such a way that you will think that they have been said by a man who is in part reminding himself of his old thoughts which have been abandoned through carelessness, and who is in part considering new things without the least help from [legal] books but rather with his intelligence alone.¹⁵

¹³ Papal abbreviators prepared outlines of Papal bulls, briefs, and decrees and passed them on to Papal scribes, who would write out the full versions of the documents. On the position of *abbreviatores*, Mancini writes the following in *Vita*: "ai primi del 1432 egli [divenne] abbreviatores delle lettere apostoliche. Abbreviatores significa scrittore o notaro, perché nel medio evo il distendere contratti, rogiti e carte munite della firma d'un individuo rivestito di fede pubblica lo dicevano abbreviatores. Gli abbreviatores formavano un collegio riordinato da Martino V ed il loro ufficio era diverso e molto più umile dell'altro di segretario apostolico: nondimeno Battista ritenne per quasi tutta la vita quest'ufficio che gli lasciava tempo sufficiente ad attendere agli studi favoriti ed era sorgente di largo lucro" (100). On the high status of the office of papal abbreviatores, see Janet Coleman "English Culture in the Fourteenth Century," in Piero Boitani, ed., *Chaucer and the Italian Trecento* (Cambridge, UK: Cambridge University Press, 1983), 33–63 and esp. 50. Giovanni Farris, in the introduction to his critical edition of *De commodis litterarum atque incommodis* and *Defunctus* also reports as follows: "Nel 1432 l'Alberti è a Roma, dove ricopre la carica di abbreviatores pontifico, che tenne sotto i papi Eugenio IV, Niccolò V e Pio II. […] La sicurezza economica lo porterà a comprendere non tanto il possesso, quanto il sapiente uso del denaro, sarà indispensabile alla felicità dell'uomo" (Milan: Marzorati, 1971), 12.

¹⁴ Leon Battista Alberti, *De iure*, ed. Cecil Grayson, *Albertiana* 3 (2000): 165. All subsequent citations of *De iure* will be provided in-text and indicated by section number. There is a longer discussion and full citation of Section 1 of *De iure* later in this chapter.

¹⁵ This and all subsequent translations of *De iure* are my own.
The interplay of intelligence and memory is echoed in the *Vita anonyma*, where he writes of his preference for subjects that require the use of intelligence rather than rote learning. It is not surprising, therefore, that similar epistemological issues are dealt with in these contemporaneous works.

*De iure* is not a long treatise, but the 29 sections of the epistle (making up the approximately 25 pages of the text) are rich enough to provide Alberti scholars from the fields of literature, art history, architecture, legal history, political theory and philosophy with a new perspective on his other works, a perspective that highlights Alberti's training in law, and in particular his knowledge of concepts of Roman civil law that are fundamental to his world-view. When we consider that Roman law, reduced to its most basic terms, is founded on the sharp division between public law (*ius publicum*) and private law (*ius privatum*) this 'template' of Roman law is arguably the key to understanding the way Alberti conceptualises public and private elsewhere in his oeuvre (most obviously in *Della famiglia*, but also in other works).  

*De iure* is most instructive in providing a better understanding of what 'public' and 'private' actually meant to Renaissance humanist writers in Alberti's day, and especially to those humanists with a rigorous training in the discipline of law. It is also a treatise that attempts to discuss law at a philosophical level, but without losing sight of the practical aspects of legal procedure that need to be reconciled with concepts of justice. For Alberti, these concepts of justice cannot be separated from a consideration of *fides* (good faith, trustworthiness, credibility, honesty), *religio* (strict scrupulousness, conscientiousness, punctilious regard for one's obligations — for example in the fulfilment of an oath), *pietas* (dutiful conduct, conscientiousness, scrupulousness, respect), *decor* (distinction, seemliness)

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and *honestas* (honor, reputation, character, respectability, moral rectitude, integrity). Alberti’s recognition of the lack of connection between concepts of justice and the application of laws is discussed in *De iure* with a view to providing guidelines that help to bridge the gap. This approach contrasts sharply with that of other early legal humanists, who either launch attacks on the prevailing scholastic, glossatorial approach to law (Petrarch and Valla, for example) without offering an alternative, or who extol primarily the mystical universal elements of law (Salutati, for example) without addressing practical problems of legal procedure and interpretation. Perhaps the most striking aspect of *De iure*, when considered in relation to previous and contemporary early Renaissance treatises on law, is its attempt to reconcile the problems of scholastic legal procedure with the ideals of justice that stem from the ancient sources of Roman law.

As indicated above, until the past decade *De iure* has slipped through the cracks of Alberti scholarship and has remained relatively neglected by modern literary scholars of Alberti in particular. *De iure’s* publication history is brief. Penned by Alberti in 1437, the first Latin printed edition appeared in 1501 in Alberti’s *Opera* edited by Girolamo Massaini, a graduate in canon law and Florentine clergyman who had significant social connections with humanist circles as well as book publishers. Subsequently, in 1568 Cosimo Bartoli’s Italian translation (the first and only extant Italian version) appeared under the title *Dello amministrare la ragione* as part of the volume *Opuscoli morali di Leon Battista Alberti*.

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17 In defining these terms in English, both *A Latin Dictionary: Founded on Andrew's Edition of Freund's Latin Dictionary*, eds. C. Lewis and C. Short (Oxford: Clarendon Press, 1933) and the *Oxford Latin Dictionary*, ed. P.G.W. Glare (Oxford: Oxford University Press, 1983) were consulted and considered together with the manner in which Alberti uses these terms in *De iure*.

18 Alberti’s system of ordering goods and his concept of utility presented in *De iure* represent his way of offering guidelines to judges faced with difficult decisions.

An analysis of this sixteenth-century Italian edition has shown that the translation is not always reliable. For example, Bartoli's translation of section 1 of the treatise is significantly abbreviated. It omits Alberti's reference to "the almost formulaic terms of law" ("iurium quasi formulas") and also omits Alberti's reference to the things he is going to say to Coppini "on rendering a judgment" ("que res cum ita sint, que tu iussu de iudicio promendo dicturi sumus ita accipies"). The Italian translation simply reads: "Il che essendo così, riceverai quelle cose [...]"20.

Thanks to the meticulous philological work of the late Cecil Grayson, there is a modern critical edition of De iure in Latin. Following its first publication in 1985 with commentary in Latin and a brief introduction in Italian,21 in 1998 Grayson republished the same original Latin text with commentary in Latin, this time together with an English version of the introduction.22 This was reprinted once again in 200023 in a special section of a volume of the journal Albertiana devoted to the treatise, including a facing page French translation by Pierre Caye, a brief introduction by Francesco Furlan,24 and scholarly articles by Pierre Caye,25 Diego Quaglioni,26 and Giovanni Rossi.27 Grayson's edition is clearly intended for a strictly Latinist audience: no explanation or translation of any of the ideas in the treatise is offered and all critical commentary (in the 1985, 1998 and 2000 versions) is in Latin with no accompanying Italian or English translation. In an effort to introduce the work in the Anglo-
American scholarly context and to encourage further scholarship on Alberti's lesser-known works, this dissertation offers the first substantial commentary of the work in Anglo-American scholarship.

Between 1568, the date of the Bartoli translation, and 1985 when Grayson published his Latin edition (a period of over four hundred years), the treatise lay forgotten by all but one legal historian, namely Domenico Maffei, and one Alberti biographer, that is, Girolamo Mancini. *De iure* is considered in a footnote of Domenico Maffei's mid-twentieth century study, *Gli inizii dell'umanesimo giuridico*, where it is identified as an additional example of "l'esaltazione del diritto" and "$[l'] insistere sulla sua necessità per un ordinato svolgimento della vita," the most rigorous expression of which, Maffei asserts, is found in the work of Coluccio Salutati. *De iure* is also discussed in Mancini's *Vita di Leon Battista Alberti*, first published in 1882, in terms that situate its composition in the context of the events of Alberti's life. Mancini refers to *De iure* as "un opuscolo di straordinaria importanza," but his analysis of the text is very brief. He refers to the first Latin edition from 1501 and includes his own Italian translation of a few short excerpts from Alberti's text. He describes the epistolary treatise as a work "piena di sapienza e di umanità" remarkable in an age of severely punitive laws, when exile or death was the common remedy for a political misdeed. In his brief analysis of the treatise, Mancini focuses on what he understands to be Alberti's milder approach to penal law and his sense of proportional justice. His analysis is consistent with that of a biographer who is reading the treatise in light of Alberti's own direct experience of the harsh political penalty of exile. However, he does not provide an analysis of the entire treatise.

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30 Mancini, *Vita*, 142.
tract nor does he consider it in relation to Alberti's other philosophical and literary writings.\textsuperscript{31}

In her 1989 translation and commentary of Alberti's \textit{Vita anonyma}, Renée Watkins cites Grayson's 1985 edition of \textit{De iure} and refers briefly and tangentially to the treatise to support the argument that in his \textit{Vita} Alberti "implicitly includes legal studies among the studies of \textit{litterae}."\textsuperscript{32} It is only since the publication of Grayson's critical edition from 2000 that the study of this treatise has begun in earnest in Italian and French legal scholarship, with the appearance of a handful of scholarly articles that focus primarily on \textit{De iure}'s contribution to the philosophy of law and legal history, as well as the important relationship that existed among the trivium, the quadrivium and legal studies.\textsuperscript{33} However, references to \textit{De iure} in Anglo-American scholarship (historical, literary, and juridical) are practically non-existent; at best, they are second-hand and do not involve any close analysis of the primary text. Other than Watkins' reference cited above, to date there are only two short, tangential references to \textit{De iure} in the English language. In a 2006 article on civil procedure in the Renaissance, historian Thomas Keuhn provides a succinct summary of the findings of the European legal historians who published on \textit{De iure} over the preceding decade,\textsuperscript{34} but his brief discussion

\textsuperscript{31} There is also a very brief article by Nicandro Casaglì from the 1970s entitled "Sul \textit{De iure} di Leon Battista Alberti" in \textit{Miscellanea di studi Albertiani} (Genoa: Tilgher, 1975), 71–79. This is not a scholarly article, but is rather an attempt to argue for penal law reform in twentieth-century Italy and against totalitarianism in light of the treatise's Christian humanist message and ethic of benevolence. The author refers only to Bartoli's 1568 Italian translation.

\textsuperscript{32} Watkins, trans., \textit{Life}, 23.

\textsuperscript{33} The quadrivium includes mathematics, geometry, music and astronomy, the four liberal arts that followed the trivium (grammar, rhetoric, and logic) in the medieval program of study. Study of the quadrivium was a prerequisite for entry into the faculties of higher learning: law, medicine, and theology.

\textsuperscript{34} "Only Leon Battista Alberti, who was equally concerned about the ethical and even rhetorical shortcomings of the law as practised, forged a path between legal technicality and general ethics. [...] Unlike others ranging from Petrarch to Ariosto, Alberti did not repudiate legal science thoroughly – not that he failed to perceive a distance between technical legal resolutions and social justice. Alberti's \textit{De iure} steered clear of Justinianic texts that formed the core of legal teaching and practice, developing instead broad concepts such as \textit{fides}, \textit{religio}, \textit{pietas}, \textit{decor}, and \textit{honestas}. Alberti, however, kept close to prevailing practice, in which a judge disposed of discretion to interpret statutes
does not involve direct citation of the primary source, nor is the treatise listed in the bibliographic or notes. Keuhn does, however, refer to recent articles by Giovanni Rossi and Diego Quaglioni as well as Patrick Gilli's book on medieval Italian juridical culture.35 Anthony Grafton also briefly mentions the treatise, citing a line from the first section in which Alberti claims to have lost detailed knowledge of particular laws, and describing the treatise as "a stringent, closely argued program for the pursuit of justice - one as impressive in its formal coherence as it was irrelevant to the everyday practice of Roman law in Italian cities."36 However, a close analysis of the text will reveal that De iure includes both theoretical and practical considerations, and that it is not accurate to characterize the treatise as relevant only for its formal qualities.

2. Alberti and the Context of Legal Humanism

As the discussion provided in both this chapter and the next will demonstrate, De iure can be said to summarize Alberti's world-view, and therefore offers a valuable new perspective on Alberti's other works. In order to better understand the content of the tract, which is discussed in further detail below, and to understand the context in which Alberti was writing, it is appropriate to situate Alberti and De iure within the tradition of legal humanism. The close link that existed between law and literature at that time cannot be denied. Most early humanists were trained at least to some extent in law, as were many of the humanists of the

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35 Patrick Gilli, La noblesse du droit: Débats et controverses sur la culture juridique e le rôle des juristes dans l’Italie médiévale (XIIe – XVe siècles) (Paris: Honoré Champion, 2003). For the purposes of this study, see especially section 6.2.3 entitled "Un exemple atypique d'intérêt humaniste pour le droit: le De iure de Leon Battista Alberti," 294–305.
later Quattrocento and the Cinquecento. There was much overlap between the disciplines of law and the studia humanitatis, and rhetoric, in particular, was important to both. The relationship between Roman law, humanism and rhetoric is perhaps best summed up by historian Walter Ullman who wrote that "Roman law is among the strongest bonds holding together the ancient, medieval and modern worlds." Donald Kelley adds that "the symbiotic relationship between civil law and humanism is preserved by a mutual dependence on the rhetorical arts." That key interdependence of rhetoric and law in the age of humanism can be seen most clearly in the ars dictaminis, or the "art of composition," the first step of higher education in law and the foundation of university legal studies.

The common denominator of formal legal study places Alberti in the illustrious company of Petrarch, Salutati, Scala, Bruni, Braccioli, Vergerio the Elder, and Valla. Yet

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38 Kelley, "Jurisprudence Italian Style," 792.
it is also important to note that Alberti’s approach to law sets him apart from the other legal humanists because of its apparent lack of an agenda. Before we can understand what distinguishes Alberti’s approach, however, it is necessary to review the dominant modes of legal interpretation in his time.

A detailed analysis of what makes Alberti’s thinking on law different from that of his contemporaries will be included in the discussion of *De iure* in Part 3 of this chapter below. At this point it suffices to say that Alberti resists entering the polemical debates of legal humanism regarding the relative merits of scholastic and historicist methodology, polemics of which he surely must have been aware in 1437 when he wrote *De iure*. In this work at least, Alberti demonstrates an understanding that law is in many ways a closed system with its own history, vocabulary, and internal rationality. Instead of rejecting unequivocally the scholastic methods of legal interpretation, as some other humanists were suggesting, he recognizes jurisprudence as its own discipline with a long history that spans both ancient and recent times. The significance of the tension between legal humanism and scholastic jurisprudence in early humanism cannot be underestimated: it is precisely in the academic legal context that scholastic and humanist strains of Renaissance thought were most divergent. Notwithstanding his famous assertion that the scholastic tradition extended well into the Renaissance and co-mingled with humanist thought, even Paul O. Kristeller would have had to admit that, in the field of law, a more clearly antithetical relationship between the scholastics and the humanists emerged than in the other disciplines of the *studia humanitatis*.\(^\text{41}\) Nowhere was the methodological divide between scholasticism and humanism more apparent than in their

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\(^{41}\) Kristeller, *Renaissance Thought*, 92–120. It is interesting to note that Kristeller does not discuss the more stark division between humanists and scholastics in law. See also Don Kelley, "Civil Science in the Renaissance: Jurisprudence Italian Style," *The Historical Journal* 22 (1979): 777–794 and esp. 778.
divergent approaches to the interpretation of Roman law.42

The following discussion aims to clarify the debate by 1) outlining first the scholastic method, 2) illustrating the anti-Bartolist approach of Petrarch and Valla, 3) demonstrating how Alberti's comments on law and lawyers in an early treatise, De commodis litterarum atque incommodis (1429), relate to the critical, polemical stance of Petrarch and Valla, and finally 4) identifying Alberti's position in De iure as lying somewhere between early Italian legal humanism and sixteenth-century French historical jurisprudence.

2.1 The Scholastics: Glossators/Commentators and the Post-Glossators/Bartolists

In the late Trecento and early Quattrocento legal humanists like Petrarch and Valla criticised the anachronism of the centuries-old methods used by scholastic legal scholars. These humanists argued that the scholastics made incredible and often ridiculous leaps of logic as they strained to conform an ancient legal code to patterns of fact that presented themselves for legal interpretation in the centuries that followed. While the system of Roman law in place at that time was based on the Justinian Codex of 537, the study and interpretation of the Codex had been revived in Italy at the universities of Bologna and Ravenna in the eleventh

42 Skinner, *Foundations I*, 105. While Skinner agrees that Kristeller has done much to dispel the myth that humanism "stomped out" scholasticism, he finds Kristeller's assertion that scholasticism and humanism simply "co-existed as different branches of culture" throughout the Renaissance and that the humanist attack "was little more than a case of 'departmental rivalry'" to be misleading: "This underestimates the growing confidence with which the humanists were in fact willing to invade scholastic fields of study, to denounce their rivals for continuing to study benighted methods, and so to insist with increasing imperialism on the need for the special techniques of humanism to be put to use through the entire spectrum of the intellectual disciplines." He also makes the important point that "the humanists first of all launched a direct assault on scholasticism at the methodological level, focusing in particular on the scholastic approach to the interpretation of Roman Law. This commitment made them highly critical of Bartolus and his followers, whose very different methods had become established as an orthodoxy throughout the Italian law-schools in the course of the fourteenth century." Skinner's critique is directed against some of the ideas presented in Kristeller's *Renaissance Thought*, and esp. chap. 5, "Humanism and Scholasticism," 92–120.
century, five hundred years later. It is therefore not surprising that, in many instances, the Codex could be characterized as out of step with the new historical context to which it came to be applied.

For example, the Codex became very difficult to reconcile with the liberty and self-governing powers of the modern northern Italian city-states that suddenly became subject to a system of law that was designed for an ancient empire. The famous Glossator Azo di Bologna (1150–1230) was among the first to provide a clever legal justification for the independence of the Italian city-states by advocating the application of Roman law to contemporary social and political reality. He dealt with situations where law and facts collided—such as the de facto independence of the city-states—not by altering the facts to conform to the law but rather, by bringing law in conformity with the facts through a series of interpretations, or glosses. If the Codex were followed to the letter, the princeps (originally the Holy Roman Emperor, but later the equivalent imperial power) was to be seen as the dominus mundi, and therefore "the sole bearer of the imperium, the one authority capable of making laws and commanding obedience." As long as this was the case, there was no way for the city-states to vindicate de iure independence from empire, and so too was there no way of enforcing the libertas of the city states against empire. Azo constructed a series of clever arguments consistent with the Codex to interpret the transfer of power from the princeps to the local podestà.

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44 Skinner Foundations I, 1–12. See also Skinner, "Political Philosophy," CHRP, 389–452 and esp. 389–395 where he discusses Azo's innovative interpretation of the Codex to justify the self-governing powers of the northern Italian city-states as well as his defense of the doctrine of popular sovereignty. This latter argument he made by interpreting the term universitas to mean any collectivity with its own juridical standing, which could include a "body politic capable of speaking with a single voice and acting with a unified will in the disposition of their affairs" (392). See also K. Pennington's chapter, "Law, Legislative Authorities and Theories of Government, 1150–1300" in Cambridge History of Medieval Political Thought c. 350–c. 1450, ed. J.H. Burns (Cambridge, UK: Cambridge University Press, 1991), 424–453.
Azo's creative argument for the legal (as opposed to simply the *de facto*) independence of the Italian city-states through a series of interpretations or legal glosses has been celebrated both for its creativity and for its legal result. A century later, the post-Glossators, post-Commentators or Bartolists, as they are known, continued the tradition of the Commentators and Glossators (contemporaries of Azo who followed his methods of interpreting the existing law to conform to the modern context). By the time of the great scholastic jurist Bartolus of Sassoferrato (1313–1357), over another century's worth of glosses, commentaries, and interpretation had to be considered in any jurisprudential analysis.

According to the critiques of the early legal humanists, the methods followed by the Glossators and post-Glossators were anachronistic, very far removed from the ancient concepts of justice upheld in Roman law, and completely out of step with reality. For the legal humanists, the study of centuries of legal commentary and the logical acrobatics that were demanded of legal scholars in the development of their legal arguments (also called interpolations), often verged on the ridiculous. It is important not to overlook the fact that the initial critiques of the Bartolist approach came from those early humanists who trained for years in a discipline that required them to conform laws and their interpretation to patterns of fact that the original law could never have contemplated.

### 2.2 The Anti-Scholastic School of Legal Humanism: Petrarch and Valla

A closer look at the attacks launched against the Bartolist school by Alberti's predecessors and contemporaries reveals that a case can be made that Alberti was likely aware of the critiques of law formulated by Petrarch in his Latin works, just as he probably would have been familiar with Lorenzo Valla's (1407–1457) rejection of scholastic jurisprudence.
2.2.1 Petrarch

Petrarch (1304–1374) was one of the first to directly refute and ridicule the scholastic approach to law. The pioneering humanist's palpable distaste for the practice of law and for the lawyers of his time (and his corresponding preference for classical jurisprudence) is well known. Indeed, Petrarch was an ardent defender of classical jurisprudence and can be said to have founded legal humanism as a school of thought. The most evident expression of his thoughts on the legal profession is presented in Book XX, letter 4 of *Rerum familiarum libri* (*Letters on Familiar Matters*), which is dated "Milano 28 maggio." The specific year of the letter could be any of 1355, 1357, 1358 or 1359, when Petrarch would have been in Milan on that particular day of May. He writes to Marco da Genova in reply to a request for the famous humanist's advice regarding whether he should persevere in his studies of civil law. In his reply, Petrarch is characteristically conscious of his own experience and focuses on himself, expressing his deep regret for having wasted so much of his time studying law:

> Ego quidem, amice, illi studio puer destinatus a patre, vix duodecimum etatis annum supergressus et ad Montem Pessulanum primo, inde Bononiam transmissus, septennium in eo integrum absumpsi, eiusque quod per etatem et ingenium licuit, rudimenta percepi. Cuius temporis an me hodie peniteat si roger, heream; nam et vidi esse omnia, si liceat, velim, et tantam perexigue vite partem effluxisse michi doleo dumque aliquid vite supererit dolebo. Aliud

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46 For a detailed study of juridical Petrarchism, see Maurizio Manzin, *Il petrarchismo giuridico: filosofia e logica del diritto agli inizi dell'Umanesimo* (Padua: CEDAM, 1994).

47 For more information on the likely date of this letter, see Ernest Hatch Wilkins, *Petrarch's Eight Years in Milan* (Cambridge, MA: Medieval Academy of America, 1958), 238 and more generally 237–239. Ugo Dotti, in his 2008 Italian translation of Petrarch's *Le familiari*, cites Wilkins on the date and adds that "[l]a lettera è di grande interesse per la dottrina che [Petrarca] vi mostra a proposito dello svolgimento storico della giurisprudenza" (2811).
agere per eos annos potui sive nobilius sive nature mee aptius.\textsuperscript{48}

As a boy, my dear friend, I was destined to such study by my father when I was barely twelve. Having first gone to Montpelier and then to Bologna, I wasted seven entire years in such study, learning its rudiments as much as my age and intelligence allowed. If asked today whether I have any regrets at having spent such time, I am embarrassed, for I would like to have seen everything possible; I do regret losing so much time from my brief life, and I shall regret that as long as I live. During those years I could have been doing other things more noble or more suited to my nature.\textsuperscript{49}

He states that the ancient orators and lawyers were far superior to those of his own age, and that law is a corrupted profession, and he proceeds to explain the 'golden days' of law and oratory, "the age when men truly cherished justice, when, according to Sallust, they valued justice not because of the law but because of natural inclination" (133). The Latin original reads as follows: "Non sum nescius, amice, de iuris civilis studio multis olim magnam gloriam quesitam, ea scilicet etate qua iustitia ultro ab hominibus colebatur, quando apud eos, ut ait Salustius, ius bonumque non legibus magis quam natura valebat" (14–15). Petrarch does concede, however, that even in ancient times, great orators and lawyers were scarce indeed, even more rare than the best poets:

\begin{quote}
\textit{fuisse tempus quo iurisconsultis iisdemque oratoribus laus ingens esset. Quod genus cete rarissimum semper fuit, rarius quoque quam poetae excellanti, quorum haudubie raritas nota est. Quanti enim ingenii est non modo ius civile......verum insuper rerum pene omnium notitiam, de quibus in iudicio vel extra dicendum oratori est, cum artificiose orationis copia ac suavitate coniungere!} (16)
\end{quote}

At one time lawyers and orators enjoyed great fame. But these were always rare indeed, even rarer than outstanding poets, whose rarity is surely well-known. What great talent must a man possess who can join the power and beauty of skillful speech to a knowledge not

\textsuperscript{48} Francesco Petrarca, \textit{Le familiari}, vol. 4, ed. Umberto Bosco (Florence: Le Lettere, 1997), 14. All subsequent citations in the original Latin are from this edition.

\textsuperscript{49} Francesco Petrarca, \textit{Rerum familiarum libri (Letters on Familiar Matters)}, trans. Aldo Bernardo (New York: Italica, 2005), 132. This and all subsequent English citations of this letter are from this translation.
only of civil law but of nearly everything that the orator must address in rendering judgment. (133)

He lists some of the great lawyers of the classical age, including Scevola, Papinianus, Iulius Paulus, and Domitius Ulpianus to make the point that they cared about justice, whereas the lawyers of his day, he claims, concern themselves only with procedure and profit:

Quod idcirco diligentius feci, quia pars magna legistarum nostri temporis de origine iuris et conditoribus legum nichil aut parum curat, didicisse contenta quid de contractibus deque iudicis ac testamentis iure sit cautum, ut que studii sui finem lucrum fecerit, cum tamen atrium primordia et auctores nosse et delectatione animi non vacet ed ad eius de quo agitur notitiam intellectui opem ferat. (139–146)

a large portion of the pettifogging lawyers in our day care little or nothing about the origin of justice and the first lawmakers, for they are satisfied with learning how to be careful about contracts, decisions and wills, thereby making profit their professional goal, whereas a knowledge of the beginnings of their art and of its authorities provides intellectual pleasure and strengthens the understanding with the knowledge of what must be done. (135)

The profession, according to Petrarch, is in steady and exponentially rapid decline, falling from the "great heights of a complex discipline and heavenly eloquence" ("doctrine multiplicis et celestis arce facundie") to a "discipline of equity and civic law" ("unam equitatis ac civilis scientie disciplinam") to one of "loquacious ignorance" ("loquacem ignorantiam"). Petrarch's final rant against the profession, which in structure is not unlike the closing statement of an exceptionally gifted trial lawyer, reads as follows:

Quid enim iam infra est? leges a patribus tanta vel gravitate animi vel ingenii facilitate descriptas aut non intelligunt aut obliquant, iustitiam tanto ab illis cultam studio dehonestant. Quam venale mercimonium fecere! lingua illis, manus ingenium anima decus fama tempus fides amicitie, ad postremum omnia venalia, neque pluris precii quam par est. Et quam nulla proportio temporum ac morum! Illi iustitiam sacris legibus arambant, hi exarmatam nudatamque prostituunt; apud illos veritas in precio fuit. apud hos fraus; illi certa et inconvulsa responsa dabant populis, hi dolis et fallaciunculis lites alunt, et quibus judiciaria cuspide perimendis asciti sunt, fieri cupiunt immortales. (18-19)
Indeed what can be lower? Either they do not understand or they forget the laws laid down by our fathers with such seriousness and facility, thereby dishonouring the justice so zealously cultivated by our predecessors. What a venal merchandise they have created! For them, their tongue and hand, their intelligence and soul, their dignity, reputation, time, loyalty and friendship, in short, everything is for sale, and not at a fair price. What a difference in times and customs! Our predecessors armed justice with sacred laws, these men prostitute it, stripped and defenseless; our forefathers greatly valued truth, these value deception; the former used to give people clear and precise answers, these nourish disputes with deceits and cheap tricks; with the legal shafts they acquired for destroying opponents, they desire to become immortal. (135-136)

One would think that after delivering such a feisty attack on the profession Petrarch would advise the youth to cut his losses and enter a different field. However, in his seemingly contradictory conclusion to the letter Petrarch attenuates his position, advising him to persevere nonetheless. Petrarch recommends that Marco da Genova continue his studies, conceding that there may be some hope for his real success in the profession provided that he strive to reject corruption and greed, and embrace justice and truth:

Ad summam, de his omnibus hec sententia mea est: sicut inter primos maximum, inter secundos excelluisse magnum fuit, sic temporibus collatis, inter tertios excellere non exiguum, nec indicium laude iudico, modo hic sit animus studentis, hic terminus studiorum, ut voti compos effectus, non cultor nequitie, non mendaciorum sator, non pecunie acervator, ut reliqui, sed defensor iustitie et reipublice propugnator, sed audacie terror advocatorum et iudicium avaritie frenum, portus denique miserorum et scopulus sit nocentum. (22)

In sum, here is my thought on it all: if to have excelled among the first orators were a supreme accomplishment, and to have excelled among the second-level experts in law were a great one, so too, given these times, it is no little accomplishment to excel among our third level lawyers; nor do I deem it unworthy of praise, provided this be the spirit of the scholar and the purpose of his studies, namely, that once he has attained his goal, he not become a promulgator of lies but an accumulator of riches as the rest, but a defender of justice and the state, a terror against lawyers' audacity, a check on judicial greed, in short, a port for the wretched and a
reef for the wicked. (138)

The very fact that Petrarch softens his earlier comments is worthy of further consideration. Indeed, he seems to be suggesting that, by introducing to the system of justice higher quality jurists who possess moral fortitude, there may be some hope for its renewal and regeneration. Petrarch's concluding advice should be read together with the earlier concession noted above, that is, the passage in the letter already cited in which Petrarch makes the point that a good jurist has always been hard to find, even in the golden age of ancient jurisprudence. While the closing statement of the letter, with its tentative message of hope for the young Marco da Genova, does present a more balanced view, it is nevertheless overshadowed by Petrarch's vitriolic tone in other parts of the letter.

2.2.2 Valla

One of the founders of legal humanism who opposed scholastic methods of legal interpretation was the Roman humanist Lorenzo Valla (1407–1457), author of the Letter Against Bartolus, one of the most well-known, scathing and polemical attacks on scholastic jurisprudence. Following the wide circulation of this letter in 1433, the scholastic school of jurisprudence came to be known as the Bartolist school. Valla's scorn for Bartolus'

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50 The title refers to the prolific Trecento jurist, Bartolo da Sassoferrato (1314–1357). The original Latin title is *Contra Bartoli libellum cui titulus de insigniis et armis epistola*. The letter, which is also known as Lorenzo Valla's *Letter to Pier Candido Decembrio*, was in fact first addressed to Catone Sacco (a law professor at the University of Pavia, who, unlike most of his colleagues in the Faculty of Law, was a humanist sympathiser), but was then redirected to Decembrio. Only one printed critical edition exists in Latin: Mariangela Regoliosi, ed. "L'epistola contra Bartolom del Valla" in *Filologia umanistica (per Gianvito Resta)*, eds. Vincenzo Fera and Giacomo Ferrau, vol. 2 (Padua: Antenore 1997), 1501–1571. The Latin text cited here is taken from the Regoliosi edition. There is no Italian edition. The English translation from the Latin appears as Appendix 5 to *Lorenzo Valla's Letter to Pier Candido Decembrio* in Osvaldo Cavallar, Susanne Degenering and Julius Kirshner, eds., *Grammar of Signs: Bartolo da Sassoferrato's Tract on Insignia and Coats of Arms* (Berkeley, CA: Robbins Religious and Civil Law Collection UC Berkeley, 1994), 179–200. The tract's significance in terms of the polemics of humanists against the legal scholastics is also discussed by Myron Gilmore, *Humanists and Jurists*, 31–32.
glossatorial methods famously resulted not only in the birth of the term 'Bartolist' but also in Valla's expulsion from the University of Pavia, where he held the chair of rhetoric.\textsuperscript{51} Given that Quattrocento Italian humanist circles were so tightly knit, it is highly likely that Alberti, at the time of writing \textit{De iure} in 1437, was aware of and had read this famous polemical work written by his humanist contemporary.\textsuperscript{52}

Valla regarded the Justinian Code of 537 as an anachronistic artifact from an alien culture,\textsuperscript{53} his program of logic reform\textsuperscript{54} was very much inspired by rhetorical considerations

\textsuperscript{51} Myron Gilmore notes that when Valla wrote his \textit{Letter Against Bartolus}, the University of Pavia had two faculties: arts and law, each with its own administration, and that "there had developed a considerable rivalry between the two schools." \textit{Humanists and Jurists}, 31.


\textsuperscript{53} Skinner, \textit{Foundations of Modern Political Thought I}, 106. Skinner also notes that in addition to the \textit{Letter Against Bartolus}, Valla further attacks the jurists' commentaries on Roman Law in the sixth book of his most important work, the \textit{Six Books on the Elegancies of the Latin Language}. "The first five Books are devoted to explaining the correct use of various Latin expressions and constructions, with copious illustrations drawn from the best Roman authors – especially Virgil for poetry and Cicero for prose. The sixth Book then deploys this overpowering classical erudition in order to expose the manifold errors committed by those who continued to write Latin in later and more decadent periods. Many of the most disgraceful contributions to this rising tide of barbarism are shown to have been perpetrated by the jurists. Modestinio is rebuked for having misunderstood the Latin of \textit{Lex Julia}; Marcus and Ulpian are denounced for having introduced a number of meaningless distinctions into their discussions of legal bequests; and Paulus' legal vocabulary, especially in his account of ancestors and inheritance, is sweepingly dismissed for its failure to conform 'either to reason or to good usage'" (203).

\textsuperscript{54} Logic reform refers to Valla's criticism of traditional logic and metaphysics and what Jerrold Seigel identifies as his commensurate "commitment to common sense and ordinary, non-philosophical language," which are in turn characteristic of a rhetorical culture. Valla's program of logic reform by its very nature involves the subordination of philosophy to rhetoric, and also involves both the use of the best authors and the speech of ordinary men "as the best correctives for the thick terminology of scholastic philosophy." The "best authors" and the "speech of ordinary men" are necessarily aligned when one considers that for Valla, the "best authors" came from the tradition of oratory, which favoured and respected common usage. This common usage takes on the status of civil law for Valla, who writes in the \textit{Dialectical Disputations}: "if anyone departs from this [custom] he should not only be driven out of the company of the learned, but expelled from the city as one contemptuous of the laws and \textit{mores}. And as \textit{mores} and laws differ among nations and peoples, and the differing nature of language among them is each holy and inviolate, therefore, usage [\textit{consuetudine}] ought to be fixed as a kind of civil law" (\textit{Dialectical Disputations} II, xi, in Valla \textit{Opera Omnia} vol. 2, 709). All of the
and by the historical significance of law. The epistolary treatise scornfully dismisses the interpretative acrobatics of the Glossators and Commentators as obsolete. The first paragraph of Valla's letter mocks the lawyers of his day, who pale in comparison with the great jurists of ancient Rome:

Horum quos dico iurisperitorum, nemo fere est qui non contemnendus plane ac ridiculus videatur. Ea est ineruditio in illis omnium doctrinarum que sunt libero homine digna, et presertim eloquentie, cui omnes iurisconsulti diligentissime studerunt et sine qua ipsorum libri intelligi non possunt, ea habetudo ingenii, ea mentis levitas atque stultitia, ut ipsius iuris civiles doleam vicem, quod pene interpretibus caret aut his quos nunc habet potius non caret. Satius est non scribere quam bestias habere lectores qui, quod tu sapienter excogitasti, aut non intelligant (bestie enim sunt) aut insipiente aliis exponant.  

Among those I refer to as persons skilled in law, there is almost no-one who does not seem to be simply despicable and ridiculous. They are bereft of all the learning one expects to find in a free person, and especially of the eloquence that was studied diligently by all the ancient jurisprudents, and without such eloquence one cannot understand their books. They have shallow, stultifying minds and no talent, so that I feel sad for civil law, because it does not feel the want of those interpreters which it has now. It is preferable to avoid writing than to have animals as readers: the latter either do not understand what you have wisely elaborated (for they are animals) or they badly explain it to others.  

After this general attack on lawyers and legal studies, Valla proceeds to curse the above citations are quoted in Seigel, Rhetoric and Philosophy in Renaissance Humanism, 163–164. For more on Valla's subordination of philosophy to rhetoric see chapter 5 of the same work (137–169) and in particular 161–169. For an interesting new perspective on Valla's work see Lodi Nauta's recent book, In Defense of Common Sense: Lorenzo Valla's Humanist Critique of Scholastic Philosophy (Cambridge, MA: Harvard University Press, 2009). Of particular note is Nauta's argument about the limits of the purported affinities between Valla and "the ordinary language philosophy of the twentieth century, in particular the so-called anti-essentialist philosophy of the later Wittgenstein" (3). Seigel similarly but more briefly notes the limits of a comparison between Valla and twentieth-century linguistic philosophy (166).  

Lorenzo Valla, L'epistola contra Bartolum, 1533. All subsequent Latin citations are from this edition. In a note to paragraph 1 of this critical edition, Mariangela Regoliosi notes that regarding the link between jurisprudence and eloquence, the use of the terms "habetudo ingenii", "mentis levitas" and "stultitia" constitute a reference to De oratore I 236.  

Lorenzo Valla, Lorenzo Valla's Letter to Pier Candido Decembrio, 179. All subsequent English citations are from this edition.
Emperor Justinian for having introduced the Justinian Codex itself. In his view, the ways in which it was subsequently glossed by the Commentators and Glossators were simply out of step with the times:

Qua re non possum me continere quin male precer illi qui in culpa est. Dii itaque tibi male faciant, Iustiniane injustissime, qui potentia Romani imperii in Romanorum perniciem bonorumque et clarorum civium abusus es! Nam quid te vel injustius si, per invidiam, ornatisimos illos iurisconsultos abolendos curasti, cupiens ut Constantinopolim, quo nostri imperii domicilium commigraverat, ne liborum quidem copia et scriptorum auctoritate vinceremus, vel imprudentius, si posteriora secula a commentariis temperatura speravisti? Itaque vide quid feceris et, ubicunque es, fateare te male inconsiderateque fecisse: nisi forte gaudes nostro malo. In locum Sulpicii, Scevole, Pauli, Ulpiani alioumque, ut leviter loquar, cygnorum, quos tua aquila sevissime interemit, successerunt anseres, Bartolus, Baldus, Accursius, Cinus ceterique id genus hominum, qui non romana lingua loquantur, sed barbar. (1534–1535)

Because of this I cannot resist cursing that man who is at fault. Accordingly, may the gods curse you, most unjust Justinian, who abused the power of the Roman Empire to the detriment of the Romans, good and outstanding citizens. For what could be more unjust than you, if through envy you saw to the destruction of those very distinguished jurisprudents, wishing that we (the Romans) would not eclipse Constantinople, where the seat of our empire had been transferred, even by the abundance of our books and the authority of our authors; or what could be more foolish than you, if you hoped the future would be spared a flood of commentaries. Accordingly, look at what you have done, and wherever you are, acknowledge that you have acted badly and inconsiderately, unless you rejoice in our misfortunes. In place of Sulpitius, Scevola, Paulus, Ulpian, and the other swans barbarously snatched away by your imperial eagle, to put it mildly, we now have geese like Bartolus, Baldus, Accursius, Cinus and all the others of the same feather, who do not speak with Roman but with a barbarous tongue. (180)

In the previous passage, the references to the "flood of commentaries" and to the ancient jurists as "swans" compared to the "geese" of the Due- and Trecento set a tone for the rest of the treatise that reveres ancient juridical culture and scorns the interpretive methods of the scholastics.
Valla's specific attack on Bartolus begins with a tale of how a jurist had upset Valla by declaring Bartolus superior to Cicero:

Yesterday some big shot among the jurists – if anything great can exist in a science of little value – (whose name I do not mention for he would be enraged at me, unless he himself is willing to come forward and admit his faults) had the effrontery to insult me by placing Bartolus before Cicero in doctrine, saying many other unthinking things and in particular recklessly affirming that none of the works of Marcus Tullius could be compared even to Bartolus' shortest tract, *De insigniis et armis*. (181)

For most of the rest of the letter, Valla mocks Bartolus' treatise on insignia and coats of arms for its poor Latin and its unnecessarily complicated and nonsensical content. In the following passage, he compares Bartolus to Servius, the sixth king of ancient Rome:

Servius preferred to resolve rather than to provoke controversies, but here we have someone who finds difficulties where none exist. Servius always reduced to equity and simplicity what came from custom and civil law, but here [Bartolus] complicates everything and creates injustice. Servius was not so much a jurisprudent but justice personified; here we have not justice but law – that is, to use [Bartolus'] own words, *brodi consultus*. Tell me, my fine non-Sulpitius, haven't you filled yourself up with soup and broth so that you are unable to lift up and keep open your eyes heavy with sleep? (192–
The epistolary treatise ends with a last attack on Bartolus' Latin and his methods of interpretation:

\begin{verbatim}
ubi male accipiat leges, ignarus lingue latine; ubi leges interpretandi perversitate corrumpat; ubi illas inscienter afferat.
\end{verbatim}

(1569)

in some places (of his tract), [Bartolus], ignorant of Latin, misinterprets the law; in other places, he disfigures the law with perverse interpretations; elsewhere he alleges laws without understanding them properly. (200)

The above passages clearly demonstrate the highly polemical tone of Valla's *Letter Against Bartolus*: there is no serious attempt to analyse Bartolus' legal works and glosses; the *Letter* is, rather, a mockery of Bartolus' treatise on insignia and coats of arms, which is in turn used to refute one jurist's claim that even this small work by Bartolus is superior to any of Cicero's writings. Valla, in effect, criticizes Bartolus as a jurist, but without making any reference to any of his legal works (as he had done in the sixth book of the *Elegancies of the Latin Language*). At the same time he manages to launch a defence of legal humanism, especially through his reference to Catone Sacco, a law professor at Pavia who was an avid supporter of the legal humanists. Sacco owned a copy of Bartolus' tract, was the original addressee of Valla's letter before it was re-addressed to Pier Candido Decembrio, and is

57 In Valla, *Letter to Pier Candido Decembrio*, Cavallar and Kirshner write on the topic of Valla's choice of language: "Valla is playing with the term 'ius,' which means right, justice and duty, but also broth and soup. The two terms 'suppis' and 'brodio' – words that do not exist in Latin and that Valla may have created after the vernacular 'suppa' and 'brodo' – allow Valla to continue the wordplay he began when he referred to the twofold meaning of 'ius' (law/broth)" (192–193, notes 12 and 13). Likewise, in her edition of *L'epistola contra Bartoulum*, Regolosi comments: "agli autentica verba latini, della corretta latinitas, si oppongono i 'vocabula' corrotti del giurista medioevale, condensati nella parola 'brodium.' Il Valla gioca ironicamente sul doppio significato del termine 'ius' (diritto – brodo), introducendo al posto del vocabolo classico un vocabolo tipicamente medioevale" (1557, note 27).

58 Note that Valla does carry out a close analysis of the misunderstandings and misinterpretations of many legal scholastics in the sixth book of the *Elegancies of the Latin language*. See note 53 above.

59 See note 50 above.
referred to by Valla as a much greater jurist than Bartolus.

Valla recounts his altercation with one well-known jurist who preferred Bartolus to Cicero. The ensuing words between Valla and the unnamed jurist can be summed up as follows: Valla asks to see Bartolus' tract, which the jurist claims shines like the sun and can be found anywhere. Seething with rage beneath his outwardly composed manner, Valla asks if he might borrow it from the jurist, who, he insists, must surely own a copy. The jurist does not own a copy, but has on occasion borrowed one from Catone Sacco, whom he admires for his knowledge of civil law. Valla's clever response is telling: it at once refutes the jurists' claims, ridicules the jurist and, using the diminuitive form "Bartolinus" to refer to Bartolus, reduces his stature relative to that of Catone Sacco.

"Mirum profecto narras" inquam "quod iste Bartolinus sol, quem ubique videri dicis, nisi raro domi tue non cernitur. Longiorem noctem in tua domo habes quam ii qui dicuntur, nescio in qua parte orbis terrarum, in unam noctem atque in unum diem totum annum habere divisum. Ibo igitur ad Catone, ubi solem istum dicis esse. Sed tu commodius faceres ac diceris verius si Catonem, non Bartolum, solem appellares, qui scientiam istam eloquentia, quasi quibusdam radiis, illustrat." (1537–1538)

I said: “It's a strange story indeed that you tell. The sun of Bartolinus can be seen everywhere, according to you, but it can rarely be seen in your house. You have a longer night in your house than those who are said (I don't know which part of the globe), to have an entire year divided in one night and one day. I will go to Catone, where you say I can find this sun. But you would act more appropriately and speak more truly if you called Catone, and not Bartolus, the sun, since his eloquence makes his knowledge and jurisprudence shine forth as though with beams of light." (181)

Valla's comment in support of Catone Sacco aligns him with the legal humanist school. This, along with the passages on the anachronism of the Codex, the poor Latin of the Glossators and their misinterpretations of law, as well as Valla's clear preference for the "swans" of ancient justice compared to the "geese" of his time, are all ways Valla devises to critique the scholastic approach to law itself, and in so doing, to label that approach
'Bartolist.' The work, which is ostensibly a commentary on Bartolus' non-legal writings on heraldry, is in fact a critique of the scholastic approach to jurisprudence, and must be read as part of Valla's program of logic reform.

2.3 Alberti's Critique of the Profession of Law in De commodis Compared to Petrarch's Letter XX, 4 and Valla's Letter Against Bartolus

In his 1429 treatise, De commodis litterarum atque incommodis (De commodis), Alberti, like Petrarch and Valla, mocks the practice of law, but unlike them, focuses primarily on the drudgery that is the work of the lawyers of his day. In contrast to Petrarch and his own later statements in De iure, he does not embark on a discussion of concepts of justice and the dilemmas of judgment, but instead laments the long hours, low pay, and servile lifestyle of the fifteenth-century lawyer.60

One must keep in mind that Alberti composed De commodis at a time when he had just completed almost ten years of legal study, a period that included his two nervous breakdowns. The treatise may have been written to inform, and somehow explain to the relatives who had funded his education that they would not make good on their investment. Men of letters, he claims in the treatise, are saddled with ill health, pallor, and poor social skills. According to some Alberti scholars, the timing of the treatise just before he entered the papal court was not a mere coincidence: it was a justification to his family that he was not well suited for marriage or for business.61 He also refutes the commonly held misconception that men of letters trained in law could become famous and wealthy through their profession. He does this in a long comparative presentation of the relative merits of the professions a man

60 Giovanni Rossi has also commented upon Alberti's focus on "la figura dell'avvocato" in De commodis. See "Alberti e la scienza giuridica," 68–73.
61 Watkins, introduction to De commodis, 6. Also see Grayson, "De commodis—Presidential Address," 397, 398, 400–401.
of letters might enter on the completion of his education. In the course of his discussion, Alberti systematically rejects the most common career choices available to himself on the completion of his degree in canon law, namely, life as a lawyer, a notary, or even as a priest.

In De commodis, he writes of the difficulties of devoting oneself to a life of letters. Citing the long hours, poor conditions, illness and loneliness of such a life, he speaks of how studious boys worry their fathers:

Itaque homo prudens hic pater familias cum ceteris ex causis, tum quod hoc pacto de vita valitudinarii filii maiorem in modum pertimesceret omni arte illum ab studiis abducere frustra conabatur. Quamobrem piissimus pater quod robustum, letum, incolumentque habere filium tam etsi imperitum, quam enervatum, tristem, exanguem, ac valitudinarius prestare arbitaretur.  

This prudent citizen and father, in part because he was really afraid that this way of life was undermining his son's health, tried everything, though in vain, to get him to drop his studies. The loving father thought he would rather have a robust, happy, and healthy son, even if not so erudite, than one who was nervous, sad, anemic and ill.

He writes at length about the poverty of men of letters, and of the foolishness of those who think they might become wealthy as a result of studying letters. He concludes the discussion as follows:

Quorsum hec? plane ut intelligatur sua rata questuum parte studiosos nequicquam posse ditari: quandoquidem ex tanta multitutine fieri vix unum posse divitem persuasimus. (88)  

62 Leon Battista Alberti, De commodis litterarum atque incommodis, trans. and ed. Giovanni Farris (Milan, Marzorati, 1971), 80. All subsequent Latin and Italian citations are from this edition. The Italian translations of these passages will be included in the footnotes because they follow the Latin more closely than do the English translations provided. "A questo modo, quel padre di famiglia, uomo saggio sotto molti aspetti, ma specialmente perché seguendo così temeva molto della vita del figlio già tanto precaria, si sforzava, con ogni mezzo, ma invano, d'allontanarlo dagli studi. Dunque quel padre tanto affettuoso, preferiva aver un figlio robusto, lieto, di buona salute, anche se un po' ignorante, che mostrarne uno snervato, triste, pallido e malaticcio" (81).


64 "Tutto ciò l'abbiamo detto perché risulti completamente chiaro che gli studiosi non possono affatto arricchirsi in ragione del proprio guadagno. Siamo convinti che in una moltitudine così vasta, a
Where does all this take us? Obviously, to the realization that not one scholar can ever, by his own meager earnings, become rich, or at least hardly one of the many who try. (32)

Later in the treatise, Alberti addresses the misconceptions about the professions' accompanying wealth and fame:


If you deny this, I ask you: have you found that grammarians, writers, and philosophers do not devote much effort to their work? Then let me ask: how many of these have you found who were rich? Haven't you noticed that almost all of these forms of learning go around begging for teaching positions in private households? I'll tell you what you might well answer: that philosophers despise wealth as an ultimate evil, so they deserve to be penniless and wretched. The three mentioned above, however, the scribe [notary], the physician and the lawyer, believe and teach that learning is superior and useful to the extent that it brings practical advantage. (37–38)

Alberti considers even a servant's life to be better than that of a notary or medical practitioner:

Servi autem apud dominos ut gratiam atque per inde libertatem consequantur, summa et fide et diligentia operas prestant, quantum licet, honestissimas; tabelliones vero et medici ut pecunias excerpant nullas tametsi vilissimas operas respuunt [...] [M]edici vero atque scribte volentes et cupidi ad omnes inimicitias, ad pestilentias, ad contagiosos morbos, ad ultima mortis pericula sese pro quovis ignoto, sola paucorum nummorum mercede adducti offerunt. (108–110)66

65 "Se tu poi negherai queste cose, ti chiederò: 'Ti pare forse che grammatici, retori e filosofi si adoperino poco nelle lettere?' E di nuovo aggiungerò: 'Appunto tra questi, quanti ne scorgi ricchi? Non t'accorgi forse che queste lettere vanno, quali istitutrici, tutte mendicando nelle case dei cittadini?' T'insegno come tu possa rispondere bene. Dirai che i filosofi hanno volutamente disprezzato i soldi, 66 "I servi poi per ottenere dai padroni gratitudine ed in conseguenza libertà, servono con somma
Slaves try to win the favor of their masters and thus attain liberty, working hard and loyally, as honorably as they can. But notaries and physicians in order to gain money do not refuse to carry out the vilest tasks. [...] physicians and scribes willingly and greedily take on quarrels, diseases, contagion, and danger of death for a stranger, simply because they are attracted to the transaction by a little heap of coins. (39)

The most lively passages of De commodis are dedicated to Alberti's discussion of the profession of law. His lament for the jurists is even more exaggerated and vivid than his discussion of the plight of notaries and medical doctors. Here he offers his comments not only about jurists, but also about the entire system of canon and civil law.

Ceterum de nostris iuresconsultis quidnam preclarum referam? Quid de pontificio iure deque civium legibus? Nam ex his grana ex ceteris bonis disciplinis atque artibus omnibus colligi paleas dicunt. Superi boni! grandes littere, amplissimi codices, sacines (proh superi) immanes, quas qui ordine similique apparatu in tabernam apud forum exposuerit, quo iureconsulti domi pompam apertam atque dispositam ostentant: certe illic plures procul dubio longe plures ille pecunias si pretio ad rem visendam intromittat accipiet, quam iurisperiti cum suis omnibus impedimentis librorum machinisque atque architecturis bibliotecarum sint soliti capere. (110)

What can I say of our lawyers that is truly good? What can I say in praise of canon and civil law? For it is commonly said that these disciplines bring grain, while the other arts gather only straw. Good gods! Big piles of documents, fat manuscripts, heavy portfolios (and how heavy, for god's sake?) become a complex apparatus that would bring anyone who took it to the tavern near the civic
buildings a lot more money, if he charged the customers admission, than lawyers receive from their clients, for all their formal and organized pomp and for all the books and libraries of books on shelves in their houses. (39)

Any small sum that the lawyers are able to extract from their clients is in turn reinvested in books that the jurist must buy, so that he is in a state of perpetual bankruptcy:

At queso adhibe huc animum: putasne ullius esse vim tantam pecuniarum, que in hac tanta tanquam amplissima librorum congerie comparanda non exarescat ac penitus deficiat, ut summe quidem inscitie sit divitias tantis impensis consectari? Quod siquis tam multis libris tam grandi impensa divitias concupiverit: nonne is persimilis erit illis quos Cesar solitus erat dicere hamo aureo piscari? (110)

Just think: do you suppose anyone has the financial resources to purchase all those books without using up his whole fortune and more, and wouldn't it be the greatest folly to pursue wealth by spending so much? Aren't people who want to gain wealth by buying so many books with such an expenditure of money very much like the men Caesar described as fishing with hooks of gold? (39)

Finally, there are the unpleasant dealings with demanding clients who do not pay their legal bills. In the following passage, Alberti is at his most animated and amusing in his critique of the profession, likely inspired by the penury he experienced himself while he was studying law:

Adde his quod summe stultitie est tantis non modo impensis, verum etiam laboribus atque vigiliis questum exposcere. Cras, inquit, causam te orare oportebit, modica tunc porrigit cliens, plura in crastinum pollicetur. Tu quicquid porrigitur accipis totam deinde noctem inter libros, ad nidorem lucerne, pedibus manibusque algentibus, sonnescis queritans, pervolvens machinas et libros omnes atque te ipsum cura, sonno, inedia, frigoreque conficiens. Ergo prodis ad causam rauca voce, obtorto collo, rubentibus atque gementibus ocellis, adstas animo

68 "Ti prego, prestami ora attenzione. Puoi tu pensare che da parte di qualcuno possa esservi tanta quantità di denaro che, nel comperare questo così grande mucchio di libri, non si esaurisca e non venga del tutto meno? È dunque somma insipienza voler raggiungere le ricchezze con spese tanto grandi. Che se poi qualcuno desidererà ricchezze con così gran numero di libri e così grande spesa, non sarà forse costui molto simile a quelli per i quali Cesare soliva dire che vogliono pescare con l'amo d'oro?" (111).
It is folly not only to want to pursue wealth by spending so much money but also to expend for that purpose such efforts and such enormous amounts of time. "Tomorrow," says the client, "you must plead my case," and he gives you a modest sum, the rest being promised for later. Whatever is offered, you accept it and spend the whole night looking into books by the light of the lantern, with freezing feet and hands, looking for fantasms, thinking over strategems and all that is in the books, bringing anxiety, weariness, hunger, and cold on yourself. The next day, you bring to the case a hoarse voice, a twisted neck, red and watery eyes, and a spirit not less thirsty and anxious for money than eager and and willing to inflict harm. And you recite at the top of your lungs paragraphs and terms from the law woven into endless highly detailed arguments. You burst all the seams of your miserable heart; you are not afraid, for the sake of payment, to fight and quibble with the most powerful and eminent citizens. They threaten you, revile you, swear at you, cast blame on you. Unhappy man, you expose your reputation and your back to all this for the sake of money. [...] Don't they even see how they are

69 "Inoltre, non solo è stoltezza somma voler cercare con insistenza le ricchezze con tale spreco di soldi, ma anche per le fatiche e le veglie. 'Domani,' dice il cliente, 'bisognerà che tu perori la causa,' poi offre una somma modesta e il resto, che è il più, lo promette per l'indomani. Tu, qualunque cosa ti si ofra, ricevi. Poi, durante tutta la notte, tra i libri, al fioco chiarore della lucerna, piedi e mani intririzzite dal freddo, sonnecchi cercando con ardore d'indagare la questione, mettendo in moto ogni macchina e spostando tutti i libri, e logorando te stesso con l'ansia, il sonno, il digiuno e il freddo. Ti presenti quindi al dibattito con la raucedine, col torcicollo, e con gli occhi quasi chiusi, arrossati e sofferenti: l'animo poi, bramoso e preoccupato del guadagno, è predisposto e pronto a colpire. Finalmente, con interminabili e precise citazioni di leggi, paragrafi e glosse, ti metti a gridare a gran voce. Ti si spezzano, poveretto!, tutte le più piccole ramificazioni del petto. Né temi, purchè ben pagato, di dibattere e cavillare contro i cittadini più illustri e potenti. Minacciano, oltraggiano, criticano, incolpano. Tu, infelice, per tutte queste cose hai posto in vendita la tua fama ed il tuo dorso. [...] tutti questi, ripeto, non si accorgono a quale grado di pubblica schiavitù si sono sottomessi? O quali eccellenti metodi per ottenere danaro! Non solo non procurano ricchezze, ma addirittura apportano ai propri padri, per quanto ricchi, la massima rovina del patrimonio familiare, procacciano inimicizie e non arrecano alcun guadagno, se non servile, e dopo immense fatiche" (111–113).
placed in public and horrible slavery? What a way to make money! These things not only fail to make them rich but actually ruin their families, even if their fathers were rich, make enemies, and, with the greatest expenditure of labor, involve them in servile bargains. (39–40)

While Petrarch, in his letter to Marco da Genova, is most critical of the jurists' corruption and desire for profit, Alberti counterbalances Petrarch's point of view with a 'reality-check' by stressing the grim conditions of the profession. He claims that the lawyers of his day in fact did not enjoy the monetary gains so many of his fellow humanists assumed, but were, rather, caught in a cycle of overwork, chasing down clients for payment, and purchasing the books necessary to practise. In the same treatise, Alberti also warns men of letters (in particular those trained in law) against seeking out wealthy women for marriage because this can create a situation where the scholar is constantly called upon to give legal advice to his in-laws gratis. He complains of these endless cases as follows:

Nonne videmus ut causas sempiternas, que nunquam sopiri, nunquam confici queant ab affinibus, ab affinium affine atque ab illorum amicis congerantur: litteratique opem atque auxilium gratis petant. (114)  

Don't we know how lawsuits unceasingly and steadily consume the energy of relatives, of relatives of relatives, and of their friends; don't we know that these people will ask for the unpaid labor and assistance of the learned one in their midst? (40)

In De commodis, Alberti is ideologically aligned with both Valla and Petrarch in his mockery of the profession of law. All three humanists critique the profession, but each in different ways and with different motivations. There is certainly a common thread that binds their three depictions of the lawyer. For example, Alberti's image of the jurist working late into the night, drowning in a sea of papers and books, trying desperately to reconcile

70 "Non vediamo forse come le eterne cause, che mai possono essere messe a tacere e portate a termine, siano ammucchiate sia da parte dei congiunti, sia da un congiunto dei congiunti, sia dai loro amici: e tutti chiedono gratis l'opera e l'aiuto del letterato" (115).
"interminabili e precise citazioni di leggi, paragrafi e glosse" ("vastissimis evigilantissimisque recitationibus legum paraphorum et glosarum") together with his description of the "lettere maiuscole, codici enormi, bagagli immani" ("grandes littere, amplissimi codices, sarcine immanes") calls to mind Valla's parody of Bartolus in De insignia. Similarly, Alberti's portrayal of the fifteenth-century jurist in De commodis is reminiscent of Petrarch's "pettifogging" lawyer. However, Alberti's depiction of the lawyer is more complex than that of Petrarch and Valla because there is an added level of understanding of the conditions of the profession itself as well as empathy for the lawyers who are unlucky enough to embark on a career in law.

Alberti does not go so far as Valla with his outright mockery of scholasticism nor does he exalt ancient jurisprudence in the manner of Petrarch and Valla. Despite the existence of some similarities with Valla, when Alberti wrote De commodis, Valla's letter against Bartolus had not yet been penned, the term 'Bartolist' had not been coined by Valla, and legal humanism had yet to become a recognised movement in legal studies. Similarly, any comparison between Petrarch's letter to Marco da Genova and Alberti's De commodis is limited by Alberti's omission of references to ancient sources in his critique of the profession. It is not until Alberti writes De iure that there are perceivable echoes of Petrarch's exaltation of ancient jurisprudence and criticism of the corruption of the justice system (although without the accompanying polemical stance against scholasticism), as well as clear references to Cicero's De legibus.

The main objective of Alberti's parodic discussion of the profession of law in De commodis is neither to add fuel to the fire of the debate over logic reform (like Valla), nor to exalt ancient jurisprudence (like Petrarch, and to some extent, Valla), but rather to defend his choice not to enter the profession. His rejection of the profession has nothing to do with its
corruption and fall from grace: it is, rather, related to quite practical concerns about the endless and sometimes useless work involved, the problems of dealing with clients, the uncomfortable working conditions, and the surprising penury of most jurists. By contrast, in *De iure*, Alberti's main focus is on the concepts of justice and natural law but these philosophical concerns are balanced by an appreciation of the more practical concerns of the administration of justice such as appropriate punitive measures and the practical problems that surround the rendering of any judgment. Indeed, in the passages of *De iure* in which he discusses the dilemmas that face jurists, he does not consider lawyer-client relations, nor does he speak (tongue-in-cheek or otherwise) of the drudgery or poverty of the profession of law as he had nine years earlier in *De commodis*. *De iure* is clearly the work of a more mature Alberti who had experienced a number of years working in the papal court not as a lawyer, notary or priest, but in the related position of *abbreviatore*. It seems that Alberti was able to navigate a path for himself that ultimately negated his own pessimism about the profession as he had expressed it earlier in *De commodis*. His lifelong career in the Curia certainly required his background in canon law, for he could never have obtained such a position without his legal training. Furthermore, his lucrative and relatively undemanding job did not morph him into the lawyer-drudge he so vividly depicted in *De commodis*. Indeed, Alberti led a comfortable life: not only was he financially stable but he also had access to the holdings of the papal library, and was blessed with enough free time to be a productive humanist, contributing to Quattrocento humanist culture with his many intellectual, artistic, technical, and architectural projects.\(^\text{71}\)

\(^{71}\) See description of the office of Papal *abbreviatore* in note 13 above.
2.4 The Position of *De iure* Between Legal Humanism and Historical Jurisprudence

Alberti's approach to law in *De iure* can be said to lie half way, in both chronological and ideological terms, between early legal humanism and French historical jurisprudence (a later approach to legal studies which will be described at greater length below). Indeed, *De iure* owes some debt to previous traditions (having been composed after Petrarch's death, and after Valla's *Letter Against Bartolus*) but it also anticipates later developments in juridical studies. An analysis of the tract in Part 3 below will demonstrate that Alberti's ideas on law and the practice of rendering judgments developed significantly between his composition of *De commodis* and the penning of *De iure*. In the later work it becomes clear that Alberti comes to share both Petrarch's and Valla's disagreement with the anachronism of the Bartolist approach, as well as their reverence for ancient sources. However, it also becomes clear that Alberti's manner of communicating this implied critique is much more subtle: he resists entering the debates of legal humanism regarding the relative merits of scholastic and historicist methodology. His approach also indicates a certain level of respect for jurisprudence as a closed system with its own history, vocabulary, and internal rationality.\(^72\)

His focus on principles of justice and natural law, and his commitment to and acknowledgement of law as a *system*, set him apart from his contemporaries who were writing their critiques of law and of the jurists of their time. The result is a richer and more nuanced discourse on law and justice in his own time that has been compared in tone, and to some extent, in content, to the work of his predecessor Coluccio Salutati.

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\(^72\) Caye, "Droit et humanisme," 198. Pierre Caye focuses on this aspect of Alberti's approach to law, and links it to the philosophical tradition called "métrétique," which is associated with Cicero and which he describes as "un art quasi mathématique qui consiste à calculer les biens et les maux de tout acte et à ordonner les choses selon une hiérarchie ascendante du plus mal à éviter au plus grand bien à poursuivre selon la fameuse logique des préférables."
2.4.1 Historical Jurisprudence

Alberti anticipates by almost a century the historicist and more contextually sensitive methods of humanist jurisprudence, a movement in legal studies that focused on the spirit and intent as well as on the historicity of Roman law. The legal humanism that first emerged in Italy just before and during Alberti's lifetime developed further into humanist jurisprudence, which is also known as historical jurisprudence, a sixteenth-century French movement originally inspired by the anti-Bartolists from Quattrocento Italy. From early legal humanism, which focused primarily on the polemics of rejecting the Bartolist approach, there grew a movement of legal scholarship that focused on the study of Roman law on its own terms and from its origins, that is, as a historical source of law. This more philological and historical approach entailed an accompanying impulse to understand Roman law as having been originally created and practised in a different time and place. While early legal humanism in Italy had always polemicised a scholastic, commentary-based approach to legal interpretation, humanist jurisprudence developed into an actual practice of legal history, and this approach was subsequently labelled the mos gallicus, so-called because the approach developed in France. The practitioners of historical jurisprudence sought to unpeel the layers of interpretation of the centuries of glosses and comments, and thereby attempted to reveal the laws in their purest form.73

The followers of the mos gallicus school of legal interpretation perceived Roman law as an historical source suited to the ancient context. They studied Roman civil law as an ancient source in its particular context, and advocated changing laws where necessary to suit circumstances so long as the underlying principles of justice were upheld. This approach to

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http://www.pum.umontreal.ca/revues/surfaces/vol9/osler.htm
legal education and to the practice of law developed in sixteenth-century France and from there spread to other parts of Europe. The scholastic, commentary-based, Bartolist approach became known as the mos italicus, which, procedurally, was thriving as the dominant mode of legal practice in Italy well into the eighteenth century despite the attacks of the early legal humanists. Ironically, the mos gallicus was inspired by Italian legal humanism, but, in practical terms, it never did take hold in Italy, where the mos italicus, or commentary-based "jurisprudence Italian style," remained the predominant model of legal practice.

3. De iure: Summary and Analysis of the Text

The opening lines of De iure are telling, and important enough to merit citation in their entirety:

Etsi a vestris iurisconsultorum scriptis, cum has ad te darem litteras, Coppine, quod iam pridem illis relictis ad philosophie studia redissim, eram alienus, officii tamen duxi ea in re

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74 Guillaume Budé (1467–1540) is recognized as one of the pioneers of French historical jurisprudence. He studied in Florence with Pietro Crinito (1475–1507) in 1501 and 1505, returned to France and published in 1508 the Annotations of the Pandects, which "contained a brilliant development of both the historical and philological methods already explored by Valla and his followers." He discredited many glosses by pointing out anachronisms and corruptions of Roman legal terms, and "began to question the whole tendency to treat the Code as a homogeneous body of law, demonstrating that its contents had in fact been put together from a variety of widely separate periods in the history of ancient Rome. Furthermore, instead of treating the Code as ratio scripta, 'written reason,' and hence as an immediately valid source of law, Budé treated it simply as a text from the ancient world, and hence as an alien document standing in need of interpretation according to the new style of humanist hermeneutics." Skinner, Foundations I, 205. Another key developer of historical jurisprudence was Alciatus of Milan (1492–1550) who founded the school of legal humanism in Bourges, France in the 1530s. His followers, Jacques Cujas (1522–1590) and Hugo Doneau (1527–1591) were instrumental in bringing this approach to legal studies to the rest of Europe.

Even though I was a stranger to the writings of your jurists, Coppinus, because, as I have written you in this letter, I abandoned them long ago to return to my studies of philosophy, nevertheless I considered it my duty to satisfy your expectation in this matter, which reminded me of the formulaic terms of law which had almost escaped my memory because I had become so unaccustomed to reading them, and you understood that I am most passionate for your interests. You certainly know that this facility in the laws demands that the man studying them be of strong memory and equally assiduous. However, in the nearly six years since I have been following the Pope, I have not seen any thorough commentary of laws at all, having been so vexed and so tormented by circumstances that I have neither been able to stay in one place nor to fully enjoy the abundance of books [i.e the books available in the Papal library]. The things which by your order I am going to say on the subject of rendering a judgment, you will receive in such a way that you will think that they have been said by a man who is in part reminding himself of his old thoughts which have been abandoned through carelessness, and who is in part considering new things without the least help from [legal] books but rather with his intelligence alone. Let us now proceed to our subject.

Alberti’s tone is at once philosophical, intimate, retrospective, conversational, and personal.

Section 1 informs the reader that he is writing to his friend, the jurist Francesco Coppini, in reply to Coppini’s request that Alberti share his thoughts with him on the topic of justice and rendering judgments. In this section, Alberti defines himself as someone who studied law but who now devotes himself to philosophy, who has already been working in the papal Curia for six years, and who must rely on his memory and intelligence rather than the aid of law books
to compose this long letter on law.

From these opening lines, it is apparent that Alberti's discussion of law in this treatise will not focus on the particulars of interpreting civil law. The letter is, rather, the collected thoughts of a scholar trained in law recalling its most important aspects. He states that he will speak on the subject of rendering a judgment ("de iudicio promendo") (S1), and asks his friend Francesco Coppini to keep in mind that his thoughts are "said by a man who in part is reminding himself of his old thoughts, and who is in part considering new things without the least help from books but with his intelligence alone" ("ut ab eo dicta putes qui secum ipse partim recolligat vetera sua negligentia destituta, partim nova nullo librorum adiumento sed solo ingenio commentetur").

This last statement helps situate Alberti in the tradition of legal humanism. The "old thoughts" he remembers are the ideas he gleaned from his decade of legal studies. The "new things" he will say have to do with how he describes the concept of justice in terms of the hierarchical classification of goods, appropriate remedies, and the utility of law. His admission that, in writing the treatise, he has not referred to legal books but has relied instead on his own intelligence ("ingenio") can be understood as a gentle rebuffing of the scholastic or Bartolist school. He does not do this by ridiculing the poor Latin or the logical acrobatics of the Bartolist approach. Rather, he questions the usefulness of references to law books and their glosses when considering higher issues of justice. Nor does he criticise law as a career choice as he had done almost a decade earlier in De commodis. Alberti, like other early legal humanists, rejects the methods of the Bartolists, who are so immersed in the thickets and brambles of their commentaries that often they fail to see the forest for the trees. However, the manner in which he delivers his message in the first lines of the treatise is quieter not only than that adopted by other legal humanists like Petrarch and Valla, but also than the way he
himself had expressed his thoughts on the profession nine years earlier in *De commodis*. *De iure* is the work of a more mature Alberti who has dedicated his life to studying and writing, who has traveled\(^{76}\) and who has had more practical experience in matters pertaining to the administration of justice.

A brief summary of *De iure* will assist in contextualising the references to the treatise that will be made in this and subsequent chapters of the dissertation. In order to develop further the idea that Alberti can be said to hold a somewhat atypical position 'between' legal humanism and historical jurisprudence, the discussion will focus on 1) Alberti's references to the ancient concepts of justice, 2) his discussion of natural law principles, 3) the ideological links between Alberti and Salutati on the topic of law and 4) the role that context (and especially historical context) plays in this work.

### 3.1 An Overview of *De iure* in Six Parts

This first English-language analysis of *De iure*, a tract that was originally written by Alberti as one continuous letter without any subheadings or divisions, will discuss the treatise, dividing it into parts. Grayson's critical edition had singled out twenty-eight sections (some much longer than others) and had divided it accordingly into corresponding paragraphs. For the sake of clarity in the present analysis, the twenty-eight sections have been grouped into six major thematic parts. The first, comprised of Sections 1 through 3, serves as a general introduction. In the second division (Sections 4 through 13), Alberti sets out his complex system of ordering goods and evils. The third division (Sections 14 through 19) contemplates wrongdoings and their punishments, and the fourth division (Sections 20 through 23) focuses on some of the major societal issues of Alberti's time: citizenship, the republic, public and

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\(^{76}\) Alberti traveled at least within Italy.
private law, the separation of canon law and civil law, the relationship between good laws and good men, and finally, the relationship that Alberti perceives between friendship and the laws. The fifth division (Sections 24 through 26) addresses the imperative of safeguarding the public good even in the face of violence and corruption. The sixth division (Sections 27 and 28) concludes the treatise, summarising Alberti's thoughts on such profound topics as the divine, nature, good, and evil.

3.1.1 Part 1: Introduction (Sections 1–3)

The first three sections of the treatise may be considered as constituting one part of the treatise because together they signal that Alberti is writing something original and unusual for its time. Section 1 sets the tone for the treatise with Alberti's warning to Coppini that he should not expect Alberti's comments on law to be based on a review of legal texts, but will be more general and will focus on the concept of justice and on what makes a good jurist. In Section 2, Alberti defines the office of the jurist with reference to the ancients and he mentions the concepts of fides, religio, and pietas, thereby emphasizing the importance of the possession of strong moral principles in a jurist, and establishing the connection between ethics and law. In Section 3, he also makes an important distinction between written laws (both those which permit and those which prohibit), and the precepts of nature (i.e. natural law), advising that a jurist must always keep both in mind when considering and rendering a judgment.

3.1.2 Part 2: On Ordering Goods and Evils (Sections 4–13)

In the second part of the treatise, Alberti discusses the ordering of goods (bona) and evils (mala) for the purposes of determining what is just. The first rule in this system is "that goods are always preferred to evils" ("Hec prima constat regula, ut bona semper malis preferantur")
Within Alberti’s system, many distinctions are made among different types of goods and evils. There are, for example, constant and inconstant goods. There are goods of the spirit, among which are virtue and its rewards: "glory, rank and most importantly the health of the spirit" ("gloria, dignitas et in primis salus animi") (S4). These goods of the spirit rank above goods of the body, which are in turn ranked above exterior goods like riches and other goods of fortune. Stable and permanent goods are ranked above capricious or fleeting goods, and those goods that have the potential to breed more good are ranked above finite goods. Goods that have the potential to create evil or to diminish the dignity of the law are ranked the lowest among the goods. Goods and evils can also be organised in descending order as follows: true goods ("vera bona"), apparent goods ("ficta bona"), apparent evils ("ficta mala") and true evils ("vera mala"). (S6) Virtue plays a key role in determining which are the true goods in Alberti's system of the classification of goods (SS7–8) but so too does a consideration of context or circumstance that figures prominently in any determination of goods and evils (SS9 and 11). Goods are ordered according to necessity, and they need to be judged in themselves as well as in relation to others. (S10) As well, there are many factors to assess when choosing one good over another. (S12) It becomes clear in this second part of De iure that Alberti's conception of the hierarchy of goods is a complex web and that the determination of good and evil is not fixed but is, rather, subject to circumstance. (S13)

3.1.3 Part 3: Wrongdoings and Their Consequences (Sections 14–19)

At the very centre of the treatise Alberti includes a lengthy consideration of wrongdoings and their penalties. Section 14 is of particular interest because it considers how passion, hatred, love, anger and other sentiments are evaluated in matters of justice, and how certain types of anger and hatred and passion are more acceptable than others. For example, there are "just
passions" ("iusta affectio") recognized by the law, also known as crimes of passion, such as the allowance the law makes for a father to kill the lover of his daughter. Alberti concedes that, because the passion of the human soul cannot be avoided, it must be permitted to the extent that it is not completely shameful and egregious. This discussion leads into Alberti's analysis of legal remedies (SS15–19) in which he considers proportional justice ("an eye for an eye" – "oculum pro oculo" [S15]), as well as the law of sentencing or penalty (S16) as fundamental principles of justice. In Section 17, he discusses distributive justice and equality and effectively links both these concepts to the idea that legal punishments are bound narrowly to evils and inversely to goods ("idcirco et malis et contra bonis ista hec commiscenda sunt") ("for that reason those things ought not be mixed together with evils and conversely, with goods") (S17).

In Section 18 Alberti stresses that the severity of punishment must be commensurate with the wrongdoing, not more and not less, and that the determination of an appropriate penalty will depend on time, place, and circumstance. For example, the law may allow for some indulgence with soldiers because they are devoted to the republic ("militi indulgent quia republice adiuratus"/ "they indulge a soldier because he has sworn an oath to the republic") (S18) and so a soldier might be punished less harshly for a wrongdoing than a civilian who has committed the same malfeasance. Section 19 focuses on the perspective of the injured party in matters of private law (whether contract, tort, or minor criminal) and discusses the importance of the recuperation or restitution of that which has been stolen or lost (i.e. placing the wronged party back into the same situation he would be in had no wrong occurred). For Alberti, returning the "goods" to the injured party is an important element of justice that he

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77 "His quoque ratio hec adhibebitur, ut iusta affectio preferatur illique indulgeatur, ut, si patri adulterum filie occidendi ex iure detur arbitrium" (S14). English: to these this principle also will be applied, that a just passion/affection is preferable and indulged instead of that [unjust one], [so that, for example] authority from the law is given to a father to kill the adulterous lover of his daughter.
cleverly supports with his definition of the good as that which we "use well" ("ea enim sunt quibus bene utimur"/ "for those are the things that we use well") (S19) and of evildoers as those who renounce what is good. In this passage, Alberti seems to conflate material goods with the idea of moral goodness, or 'the good.' When crimes are committed, he explains, the wrongdoers prove themselves unworthy of the "use of good things" ("sese indignos prebent bonorum usu"/ "they prove themselves unworthy of the use of good things") (S19). The connection that Alberti draws between 'what is good' and the proper 'use of goods' emphasizes both his philosophy of action and the importance of utility to his world-view. The very expression of the idea that what is good is that which is used well seems to be an original and unprecedented 'Albertian' thought.

3.1.4 Part 4: Citizenship and Law, Ethics and Friendship (Sections 20–23)

In these key sections of De iure, Alberti focuses on the sweeping and important issues of citizenship, the republic, public and private law, the separation of canon law and civil law, and the relationship between good laws and good men. Section 20 is an important reflection on the law in relation to citizenship and the republic. Citizenship in a lawful and well-run republic is again linked to the idea of using good things well ("bene bonis utier"/ "to use good things well") (S20). Alberti then cites the famous maxim according to which what touches all must be approved by all ("quod omnes comprobarunt, pauci non dirimunt, quod omnes tangit, omnes comprobent"/ "that which all have approved, few men do not cancel; that which
touches all, let all approve”\(^78\) and introduces the idea that public dignity always trumps private interests.

The separation of canon law and civil law is presented in Section 21 as a natural and necessary division. Having studied both canon and civil law, Alberti had an acute awareness that divine matters must be separated from human matters, that in sum "divine things must be left to God" ("[n]os divina Deo esse reliquenda censemus"/ "we believe that divine things must be left to God") (S21). This statement on the separation of human and divine matters leads into a discussion in Section 22 in which Alberti declares that man is by nature good ("[h]uius rei causa est quod nos esse bonos ita ex natura est"/ "the cause of this thing is that it is natural that we are good in this way") (S22) and that natural human ties are fixed in law so that men are attracted to virtue not by force but by reward, and dissuaded from vice not with enticements but with punishment:

\[
\text{Sed de his ita iure prefiniri ut nemo esse cogatur bonus \[\ldots\] Hinc est quod non vi sed premiiis ad virtutem allicimur, non a vitio illecebris sed poenis deterremur. (S22)}
\]

but about these things to be determined in this way by law, so that no one is compelled to be good \[\ldots\] for this reason it is the case that we are attracted to virtue not by force but by rewards, and we are deterred from vice not by enticements but by punishments.

Therefore it seems just and in accordance with the laws to form a society among good men whose souls are in harmony with nature ("Itaque cum nos esse bonos ex natura sit, rectene atqu ex iure inter bonus tantum, hoc est inter animos bene nature consentientes, societatem collocent, videamus"/ "and so since it is natural for us to be good, let us consider whether it is right and lawful that establish a society among good men, that is to say those whose souls are well in harmony with nature") (S22). In other words, it is in accordance with natural law that

\(^78\) *Corpus iuris civilis* (Dublin: Weidmannos, 1970), 5.59.5.2. The exact wording of the maxim is "necesse est omnes suam auctoritatem praestare, ut, quod omnes similiter tangit, ab omnibus comprobetur."
good men should form societies and create good laws that engender good citizen-bodies, thus creating an environment where civic honour, praise and glory become possible.

In Section 23 Alberti relates the idea of a society of good men to the concept of friendship, echoing the point of view presented in Books 8 and 9 of the *Nicomachean Ethics*, in which Aristotle states that a society of good men is based on friendship ("amicitia"), for without this civic friendship, such a society could neither be founded nor survive.79 Alberti builds on this idea, stating that true friendship is based on sincere and frank benevolence ("Certum quidem est amicitiam hanc, in qua vera et aperta benivolentia desideretur eam haudquaquam veram esse amicitiam" /"Indeed it is certain that this friendship, in which true and open goodwill is missing is in no way a true friendship"). By "this friendship" Alberti draws a connection between law, friendship (by which he means, in this instance, friendship through community), benevolence, and good faith. Relations that lack good faith contravene what Alberti calls "the law of friendship" ("in qua coniunctione fides non adsit in ea amicitie ius ledi palam est"/ "a union in which good faith is not present, in that it is clear that the law of friendship is damaged"). In this section Alberti also discusses what happens when artifice and bad faith seep into private law relations and in particular when private contracts are compromised by corruption.80 This creates difficulty for the jurist whose duty it is to bring

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80 "Quod si fidem eo dictam fatentur quo fiat quod dictum sit, omnis perinde dolus, omnis perfidia, omnis fraus, iuri contraria et repugnas sit necesse est. Hinc est quod in venditionibus et in his privatorum voluntatibus communibus, que nomen et que nondum nomen adepte apud iurisconsultos sunt, id maxime enititur ut dolus frausque secludatur, veritas elucescat. Sed plerunque eventit ut tegmentis dolus lateat, neque facile dictu est quam interdum error veritatem, et fraus integritatem, et perfidia bonam fidem sapere videatur"(S23) [my emphasis]. English: Because if they acknowledge that good faith is defined by a realization of what has been said, in the same manner it is necessary that all trickery, all treachery, all fraud should be contrary to and conflicting with the law. Therefore, it is the case that in sales transactions and in private contracts—those which have acquired a definition among the jurists, and those which have not yet—it results that trickery and fraud should be removed and truth should shine forth. *But it often happens that trickery lies hidden under coverings, and it is not easy to say how sometimes error seems to have the scent of truth, and fraud integrity, and*
the truth to light because he is faced with the almost impossible task of determining which
version of events to believe when he hears the case in question.

3.1.5 Part 5: The Public Good, Community, and Public Law's Superiority to Private Law (Sections 24–26)

The predominant themes of Part 5 of the treatise (Sections 24–26) is the preservation of the
public good in the face of violence and corruption as well as the superiority of public law
over private law. Section 24 begins with a reflection on how in times of upheaval, war, and
violence, the "laws of necessity" eclipse the regular legal system in place, and how violence
must be met with violence ("Quare recte consuluere qui vim vi propulsandam ea lege dixere,
ut neminem ledas nisi lacessitus iniuria"/ "and therefore they counselled rightly who
according to that law said that violence ought to be repelled by violence, so that you harm no
one unless stricken by injustice") (S24). This discussion of special measures and the state of
necessity is followed immediately by what seems to be a completely unconnected
supplemental discussion of the hierarchy of goods. Alberti reiterates one aspect of the
ordering of goods that he had previously sketched out in Part 2 (i.e. SS4–13) of De iure. In
the 'system' of goods that Alberti outlines in Section 24, he divides "goods" into three
descending categories: goods of the spirit or soul ("bona animi"), goods of the body ("bona
corporis"), and external goods of fortune ("bona externa et fortune"81). However, he adds a
very interesting element to the discussion when he divides the external goods of fortune into
two further categories: public goods (i.e. those things that belong to the community and
therefore relate to public law) and private goods (those things that belong to private
individuals and that relate to private law):

treachery good faith.

81 Literally, "goods which are external and of a fortunate nature."
Externorum autem bonorum, hoc est rerum quas nostras vulgo
dicimus, alie publice, alie private; publice alie temporalis, alie
diuturne, alie profane, alie divine, inque his expetendis semper
rariora, eligibiliora preferantur hac lege, ut suis utatur quisque ut
suis, publicis ut publicis. (S24)

On the question of external goods, however, this is the case for
things we commonly call our own: some are public, others are
private. Among the public ones, some are temporary, others long-
lasting, others unholy, others divine, and in seeking these out,
always the more rare, the more special are preferred according to
this rule: that each of us uses his own as his own, uses the public as
the public.

This distinction of the external goods into public and private categories will be crucial to the
discussion of these topics as they occur in his writings.

In Section 25, Alberti adopts a Thomist tone; he begins with a discussion of
involuntary action and voluntary action, further dividing the latter into good voluntary actions
and evil voluntary actions and explaining that the former are those actions that are guided by
reason in accordance with virtue, which is the foundation of Aquinas' philosophy of natural
law. He follows with an ardent defence of community, perhaps one of the most powerful
and original statements of "Quattrocento civil philosophy" on record anywhere, by any
author. Alberti states that we were not born just for ourselves, but in part for our patria, in
part for our families, and in part for our friends ("nos non esse oblitos deceam quam quidem
simus homines et non nobis nati solum, sed partem nostri patriam, partem parentes, partem
amicos sibi vindicare"/ "it is right that we have not forgotten how indeed we are men and

Secundae*, Quaestio 94, esp. art. 3 pp. 83–87.

83 Contemporary political philosopher Maurizio Viroli has made a subtle but important distinction
between "communitarianism" and "civil philosophy". Despite the fact that both ideologies share a
similar vocabulary of the common good, civic virtue and patriotism, according to him, the latter is the
more appropriate term to apply to the political culture of the Renaissance because of its debt to the
Ciceronian view of law and justice. Communitarians, he argues, do not place the same emphasis on
justice and law in their conception of the common good. *From Politics to Reason of State: The
Acquisition and Transformation of the Language of Politics 1240–1600* (Cambridge, UK: Cambridge
have been born not only for ourselves, but in part to protect our country, in part our parents and in part our friends"). Alberti's 'trinity' of city, family and friendship is the basis of our status as humans, and these three elements, taken together, become the very reasons for our existence. In this section he does not overtly state that justice is the 'glue' that holds his 'trinity' together, but it is reasonable to infer that, given that elsewhere in his treatise he explicitly refers to Cicero's De legibus, he agrees with the Ciceronian theory of the city founded on justice, which in turn creates the conditions necessary to pursue the common good.

In Section 26, which concludes the fifth part, Alberti returns to the discussion of acts of violence that he had begun in Section 24 and explains that, in these situations, much is left to the discretion of the jurist. He cites the procedures the jurist follows in rendering judgments in these circumstances, stating "from this it is the case that many things are left to the discretion of the judge: to gather evidence without a prosecutor, to torture without infamy, without a witness, etc." ("Hinc est quod multa iudici ex arbitrio licent absque accusatore inquirere, fama, indice, torquere et eiusmodi") (S26). From this statement, Alberti moves rather abruptly to a much more broad assertion that the judge is the servant of the law. He then restates this same point with the further qualification that the judge is the servant of the public law of living well (in the community), not the servant of private law ("Nam iudex quidem legis est minister, ac est quidem lex non privata sed publica bene degende vite ratio"/ "For indeed the judge is the servant of the law, and indeed the law is not the private but the public system of living life well") (S26) [my emphasis]. That is why, Alberti explains, the task of serving the law is given not to private men but to public men ("Idcirco eius ministrande munus non privatis extat sed publicis commendatum"/ "For that reason the duty of serving it [i.e. the law] is entrusted not to private citizens but to public citizens") (S26).
abruptly, he restates the connection between law and "friendship in the community" or "common friendship" that he had first mentioned in the fourth part, building on his previous discussion of friendship by adding the idea that 'friendship in the laws' cannot be maintained except among good men ("Ad legem spectat communem fovere amicitiam. Ea contineri nequit nisi inter bonos"/ "It is up to the law to foster a common friendship. It [i.e. friendship] cannot be kept together except among good men") (S26). These distinctions between public law and private law, as well as the relationship between law and friendship, will be central to an analysis of his works and will be further elaborated in Chapter 2.

3.1.6 Part 6: The Conclusion to *De iure* (Sections 27–28)

Sections 27 and 28 conclude the treatise. In Section 27, Alberti revisits questions relating to God, nature, good, and evil. The final Section 28 is a brief but profound concluding summary in which he emphasizes the ordering of goods, by recasting for a third time the 'system' which he had first introduced in Part 2 (SS4–13) and then described again in Part 5 (SS24–26). In his concluding recapitulation, Alberti predictably describes goods as preferable to evils. Less predictably, though, he now adds the terms "public," and "friendship" to his taxonomy of goods. Among goods, he writes, those that are preferable are the more important and durable ones, the ones accessible to the greatest number, and true goods (over the apparent ones). What he is describing here is the public good:

> In bonorum autem comparatione ampliora bona, diuturniora, vim habentia cognita, clara et a pluribus expetia, vere et non ficte posessa, ita anteponantur, ut virtutem et felicitatem semper esse per nos defensam conservatamque velimus, communique amicitie et amicorum quieti summa religione et fide consulamus. (S28)

> In a comparison of goods, however, the greater, long-lasting goods, the goods known to have force, those famous and sought out by many people, those possessed truly and not falsely, those goods
should be so preferable that we always want to defend and preserve virtue and happiness, and we look after common friendship and the peace of our friends with the utmost sanctity and faith.

The fact that Alberti ends his treatise with a reiteration of his classification of goods emphasizes how important the good, and indeed the common, public good, is to his concept of law and to his ideas on the administration of justice and rendering judgments.

3.2 Analysis of *De iure*

3.2.1 Ancient Concepts of Justice and the Relationship Between Law and Philosophy

One of the most striking aspects of Part 1 of *De iure* is how much more developed Alberti's writing on law became after the composition of *De commodis*. There is a much richer discussion of justice (as opposed to an attack on the profession) that includes the citation of ancient sources belying a debt to Cicero's *De legibus*. In Section 2, Alberti refers to the ancients, who "said that good faith was the foundation of justice" ("Fidem autem veteres iustitie fundamentum esse dixerunt"). Of the office of the jurist, he writes that its purpose is to put an end to controversy in good faith:

Iurisconsulti officium est integra fide e summa religione controversiam dirimere, cavereque ac prohibere ne quis dolus ne que fraud uspiam locum, quoad in se sit, habeat. Fidem autem veteres iustitie fundamentum esse dixerunt, namque ea manente fiunt ea que dicta sunt. (S2)

The office of the jurist is to put an end to controversy with complete faith and the utmost sanctity, and to take care and prevent, to the extent of his ability, that trickery and fraud have any place whatsoever. However, the ancients said that good faith is the foundation of justice, for as long as good faith reigns, the things that have been promised will take place.

This reference to the ancients is followed by a statement linking law with philosophy and with conscientious regard for one's obligations, or "religio." According to Alberti, a judge
should be a philosopher or, at the very least, a conscientious man of faith who practices "pietatem" (dutiful respect) and "equitatem divinam" (divine equity). Alberti writes that the judge should know "how to distinguish useful things through the interpretations of jurists and through the teachings of philosophy" ("que ab utilibus quonam pacto segregentur prudenter prudential interpretationibus et philosophie preceptis dinoscuntur"). He concludes the section with the statement: "Ea re fit ut philosophum esse iudicem oporteat. Sed de hoc satis; probum si dederis iudicem et dei memorem, sat est" ("As a result, the judge should be a philosopher. But enough about this; if you give me a judge who is honest and mindful of God, that will suffice") (S2). It seems that Alberti is using the terms "fides," "religio," "pietas," "honestas," and "equitatem divinam" in a two-fold sense: one that recalls both the ancient Ciceronian sense of 'law as religion' and one that also alludes to the Christian context in which Alberti lived and worked. The mixture of ancient Ciceronian concepts with a Christian language of religion, mindfulness of God, piety and divine equity add a level of complexity to the discourse and reveal that Alberti was acutely aware of the differences between his own context and that of the ancients. Alberti's studies in canon law as well as his position in the papal Curia surely influenced his choice of words here. While he clearly states a preference for jurists who are well-versed in ancient philosophy, Alberti acknowledges the reality that this may not always be the case and accepts the idea that the next best thing to a philosopher-jurist is a dutiful, God-fearing, conscientious one. Similarly, Alberti's use of the term "virtue"

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in the treatise is complex: at times he seems to refer to ancient *virtù* or *areté*, which includes the four classical virtues of courage, prudence, tolerance, and justice, while at other times he uses the word in the sense of the Christian theological virtues which are couched in a language of benevolence that includes faith, hope and charity.

In Alberti’s writing, both in *De iure* and elsewhere (and most obviously in *Della famiglia*) the goal or *telos* of public good is always expressed. In this spirit, Alberti emphasizes the need to link the study of law to philosophy. His reference to the ancients in Section 2 as well as the assertion that the judge should be a philosopher can be taken together with his statement that he has not relied on legal texts in writing his treatise. Alberti's message is that when considering issues of the good, the ordering of goods, good faith, fairness and liberty, it is futile to run to law books or to the aid of legal commentaries. His assertion in Section 1 that his thoughts on law have been derived "without the aid of books but with his intelligence alone" ("nullo librorum adiumento sed solo ingenio") recalls Cicero's claim in *De legibus* that law is philosophical, "from the deepest mysteries of philosophy," rather than merely an exercise in the application of procedures. Cicero describes law as a "natural force," an expression of reason, "the mind and reason of the intelligent man, the standard by which justice and injustice are measured." Like Cicero, Alberti seems to be

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86 In the view of legal historian Diego Quaglioni, Alberti's declaration that he is not relying on law books, but rather on his own intelligence, is "il primo conato di rinnovamento del diritto (in una concezione profondamente unitaria, che manca alla cultura giuridica di diritto commune) su basi dichiaratamente 'mentali' " ("Per un commento al *De iure*," 210–211).  
87 "Non ergo a praetoris edicto, ut plerique nunc, neque a duodecim tabulis, ut superiores, sed penitus ex intima philosophia hauriendam iuris disciplinam putas?" "Then do you not think that the science of law is to be derived from the praetor's edict, as the majority do now, or from the Twelve Tables, as people used to think, but *from the deepest mysteries of philosophy*?" [my emphasis] *De re publica, De legibus*, trans. and ed. Clinton Walker Keyes (London: Heinemann, 1928), I 5 17. Quoted in Quaglioni, "Per un commento al *De iure*," 211. All subsequent citations of *De legibus* are from the Heinemann edition.  
88 "ea est enim naturae vis, ea mens ratioque prudentis, ea iuris atque injuriae regula." *De legibus* I 6 19.
drawing a distinction between the "crowd's definition of law" which refers to particular laws, and the "higher meaning," of law, which is linked to the concept of justice.  

3.2.2 Natural Law Principles

Alberti's references to the ancients and the relationship between law and philosophy are further enhanced by the inclusion of natural law concepts in his discussion. Natural law is referred to in De legibus as the highest order of law. Cicero describes it as "the highest reason, implanted in Nature, which commands what ought to be done and forbids the opposite. This reason, when firmly fixed and fully developed in the human mind, is Law." Furthermore, this supreme, or natural, law "had its origin ages before any written law existed or any State had been established." As Cicero had done in De legibus, so too does Alberti, in section 3 of De iure, make the important distinction between natural law and written law, explaining that natural law is the "higher order" of non-codified laws. Alberti's description of natural law brings to mind once again the distinction Cicero draws between the "higher meaning" of law and the "popular definition" of law. For Alberti, the judge becomes the 'medium' through whom both natural law principles and knowledge of particular laws filter: a jurist must be always aware of these two levels of law, holding in the back of his mind natural law principles and applying them to particular cases. On this point he writes the following:

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89 "sed quoniam in populari ratione omnis nostra versatur oratio, populariter interdum loqui necesse erit et appellare eam legem, quae scripta sancit, quod vult, aut iubendo aut prohibendo, ut vultus appellat." "But since our whole discussion has to do with the reasoning of the populace, it will sometimes be necessary to speak in the popular manner, and give the name of law to that which in written form decrees whatever it wishes, either by command or prohibition. For such is the crowd's [popular] definition of law." De legibus I 6 19.
90 "lex est ratio summa insita in natura, quae iubet ea, quae facienda sunt, prohibetque contraria. eadem ratio cum est in hominis mente confirmata et confecta, lex est." De legibus I 5 18.
91 "constituendi vero iuris ab illa summa lege capiamus exordium, quae saeculis omnibus ante nata est quam scripta lex ulla aut quam omnino civitas constituta." De legibus I 6 19.
Quo in munere meminisse iudicem oportet nature preceptis nunquam esse aberrandum, idque ex natura existimandum, quod probi omnes comprobent, pius nemo reprehendat. (S3)

In this office [of the judge], the judge must remember never to stray from the precepts of nature, and to consider natural that which all upright men approve and that which no pious man censures.

Furthermore, he links natural law to community, to charity, and to the tranquility of man's spirit:

Nam ius eo omne spectat semper, ut quies et tranquillitas in animis hominum ac societas humani generis et naturalis caritas servetur. (S3)

For the law always considers everything in such a way that peace and tranquility in the spirits of men and the community of the human race and natural charity are preserved.

Alberti proceeds to illustrate with three examples how the precepts of natural law are still of consequence in the administration of justice in his own time. First, natural law forbids a wife to make a gift to her husband during her lifetime if she has sons who are the rightful benefactors of that gift. In the second example, natural law forbids a son to receive paternal property before the age of majority even if such property is destined to him. Thirdly, natural law also prohibits a prisoner of war from keeping his possessions. Likewise, it can be considered "natural" that each of these things is forbidden, because its prohibition promotes the public good. For each of the three examples of natural law principles Alberti outlines, he also provides a specific and symmetrical justification. Thus natural law in the first instance prevents the love of spouses from reducing the value of that which is destined for their sons; in the second it guards against the irresponsible depletion of family fortunes by adolescents; and finally it forbids the enrichment of the enemy against the patria. In short, natural law

92 "vetitum est iure uxorem viro amantissimo donum in vita elargiri, filium in bonis paternis, cuius eadem futura sunt, infra etatem dominium habere, captum bello ea possidere que, ut redimatur, merito omnia exponenda sunt. Hec et huiusmodi pleraque alia eandem in partem esse vetita respondetur,
educates and encourages citizens to prefer courage to cowardice, and death over slavery and ignominy ("id maxime fieri ut ceteri fortitudinem ignavie, mortem servutui et turpitudini discant anteferre"/ "it happens especially that they learn to prefer courage to cowardice, death to servitude and infamy") (S3).

3.2.3 A Comparison between Salutati's *De nobilitate legum et medicinae* and Alberti's *De iure*

Domenico Maffei's statement that Alberti's *De iure* brings to mind Salutati's tract on law is based on their common reference to natural law as eternal and universal as well as the philosophical content and tone of both treatises. Alberti and Salutati both focus on law as a system, on the ordering of goods, and on the *telos* of the laws being the common or public good. Salutati's philosophy of law is presented in *De nobilitate legum et medicinae* (1399), a *paragone*93 in which the author, responding to the medic and sometime poet Bernardo di Ser Pistorio's shorter treatise on the pre-eminence of medicine over law, argues instead that law is

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93 the *paragone* was a common literary form that allowed the intellectuals of the early Renaissance to debate the superiority of one profession or one of the arts over the others.
It is important to understand that, in this fine example of a *disputa delle arti*, Salutati refers to medicine as a combination of physics, knowledge of nature, and to the preeminence of the search for pure knowledge over the pleasure of knowing. By law, he refers to the world of man, his actions and his will.

For Salutati, law is a "misticum corpus," or a "mystical body" (a phrase that recalls Cicero's definition of law as coming from "the deepest mysteries of philosophy") founded on universal justice. It is also eternal; and for all of these reasons, law is superior to medicine:

> Cum autem misticum corpus, quod hominum efficit multitudo, qualia sunt famiglie, regiones, civitates, gentes et regna regnumque regnorum imperium, mecum ipsa revolvi, cum ea omnia leges ordinet, instituant et conservent, nihil repperire potui quod in eo possit scientia, vel ars, vel opera nostra perficere, nisi forsan corporalium morborum contagia prohibere. Concordia quidem, non medicina, congregationum est sanitas; non nature rerum, quibus utimur, sed documenta salubria, que nescimus. Hec igitur omnia corpora, quibus societas constat humana et universum genus hominem continetur, extra curam nostram sunt, et legum institutione, quasi coagulo conflata servantur, augentur, foventur. Que quidem bona quanto communiora tanto diviniora sunt et quibus aliquod singulare bonum, quale credi volumus medicine, nec possit nec debeat adequari.

Quando poi meco stesso esaminai il mistico corpo prodotto dall'umana moltitudine riunita, le famiglie, le regioni, gli stati, le genti, i regni, e l'impero, regno dei regni, quando vidi che le leggi fondano, ordinano, conservano tutto ciò, nessun contributo potei trovare quivi recato dalla nostra scienza, dalla nostra arte, dall'opera nostra, se non, forse, l'impedire il contagio nelle malattie. In realtà è la concordia, non la medicina, che costituisce la salute della società; non giovano gli elementi naturali, di cui ci serviamo, ma documenti salutari, che ignoriamo. Tutti questi corpi, di cui è formata la società e di cui è costituito tutto il genere umano, sono fuori della nostra cura, e quasi cementati dalle leggi, sono da esse conservati, accresciuti, alimentati. Tali beni tanto più son comuni,

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95 Coluccio Salutati, *De nobilitate legum et medicinae*, ed. and trans. Eugenio Garin (Florence: Vallecchi, 1947), 254. All subsequent in-text citations are from this edition. There is no English translation available.
tanto più son divini, né ad essi può e deve uguagliarsi un qualche bene individuale, quale quello della medicina. (255)

In *De iure*, Alberti, like Salutati, does emphasize the 'ordering' qualities of law. Salutati's focus is on action: for him, doing is superior to knowing, and law guides human action, where the highest good is the common good. Salutati defines law as intimately related to action, practical reason and the *telos* of the good ("Nam cum omnis lex directio quaedam sit, dictamen et regula practice rationis, fatearis oportet legem divinam preese cunctis, quoniam Deus est omnium rerum et ipsorum hominum gubernator et rector"/ "Essendo ogni legge una direzione, un principio e una regola della ragion pratica, conviene confessare che a tutte precede la legge divina, poiché Dio governa e regge tutte le cose e gli uomini stessi") (14-15).

Salutati does not discuss law as a system of principles whose end is punitive: his view of law is inextricably linked to a positive view of liberty: law gives men the freedom to organise their families, found their cities, build their empires and to strive towards the common good.

Alberti, unlike Salutati, focuses on both the punitive aspects of law and on law as a vehicle of positive liberty (by which good laws give men the freedom to engage and act for the good of their communities).

Indeed, Salutati's references to natural law come to mind when considering Alberti's discussion of these principles in section 3 of *De iure* (discussed above in III.2.2). In Salutati's system, the human sciences, which include jurisprudence, have principles that are not in external things, but rather are principles that are within us; they are inserted naturally into our minds with such certitude that they cannot be ignored:

Et quoniam ab illis summis equitatibus veniunt que in nobis reperientur, ut demonstratum est, habent quidem principia, que non in rebus extra, sed in nobis sunt, insertaque naturaliter in mentibus nostris tali certitudine sunt, quod nobis non possunt esse non nota, et quod ea non est necessarium ut queramus extrinsecus, quoniam, sicut vides, intrinsecus habeamus. (124)
E siccome la giustizia che è in noi deriva da quella suprema, come si è dimostrato, ed i suoi principi non sono nelle cose esterne, ma in noi medesimi, e naturalmente impiantati nelle nostre menti, essi sono dotati di tale certezza che non ci possono non essere noti, nè v'è bisogno che li cerchiamo fuori del nostro spirito, poiché, come vedi, intimamente li possediamo. (125)

In terms of the relationship between law and nature, Salutati (after carefully citing passages from Cicero's *De legibus* I 6 18, I 12 33, and II 5 13) writes as follows:

Videsne quam preclare Cicero meus expresserit originem, vim et officium legis? Ortum habet a natura, non ab hominis promulgatione lex vera, licet dixeris eam humanam. Non enim legem esse dici potest humanum aliquod institutum, si naturali legi, que vestigium et divine, penitus non concordat. Imprimit enim divina lex humanis mentibus naturalem, que quidem communis est ratio actuum humanorum, queve mentibus nostris impress nos inclinant ad ea, que lex illa immutabilis, divina et eterna, decernit. (16)

Vedi come il mio Cicerone ha chiaramente svelato la forza e il compito della legge? La vera legge nasce da natura, non da decreto umano, per quanto venga detta umana. Nessuna determinazione umana può infatti esser detta legge se non concorda a pieno con la legge naturale che è vestigio di quella divina. La legge divina imprime nelle menti umane la legge naturale che è principio comune degli atti umani e che, nelle nostre anime, ci spinge verso ciò che è decretato da quella prima legge immutabile divina ed eterna. (17)

As these passages demonstrate, there are clear echoes of Salutati in *De iure*. Alberti’s tone is similar, there is a common reliance on Cicero's *De legibus*, and there is much thematic overlap as well, with a common emphasis on the good, on action, and on justice. Neither of these legally trained humanists engaged overtly in the polemics against the scholastic approach to law and therefore both of them may be considered anomalous in the context of early legal humanism. However, Alberti goes a step further than Salutati by acknowledging the practical aspects of the administration of law in his own day and by acknowledging the difficulties that needed to be reconciled with the ideals of a good society.

Alberti did revere ancient sources, but he was also acutely aware that in his modern
circumstances the same conditions that the ancients experienced could never be exactly replicated. An understanding of the role that historical context and shifting circumstances plays in Alberti's discussion of judgment in *De iure* will shed some light on why and how Alberti's approach to law may be considered original in its time.

### 3.2.4 History, Context, and Judgment in *De iure*

Throughout *De iure*, Alberti often considers how shifting circumstances, time, place or person (i.e. context) can affect the ordering of goods and the administration of justice. His first reference to context is in Section 9, in the course of his first iteration of his system of the hierarchy of goods:

\[
\text{cui ratiocinationi illa subsunt diminutio, augmentum, translatio, adversatio, sublatio: puta si diminuatur, restetne aut non bonum, si augeatur ea census ratio, sequaturne malum si in aliud tempus, in alias personas, in alia loca, in alias res aut in istiusmodi omnia transferatur, quid sit futurum; si contraria sequantur, si omnino tollatur, quid et quale commodum opportunitatis, laudis, utilitatis et eiusmodi sit rerum istic affuturum.}
\]

With that reasoning belongs diminishment, augmentation, transposition, opposition, nullification. Consider, if it should be diminished, whether it remains a good thing or not; if the tax rate should be increased, whether an evil effect follows. If the thing should be transposed to another period, to other persons, to other places, to other circumstances or to all things of this kind, what would it become? If contrary things should follow, if the thing should be destroyed in its entirety, what and which advantage of opportunity, praise, utility and things of this kind would be present on this occasion [i.e. in the new context]?

This is a remarkable philosophical inquiry about how the same "good" might be evaluated differently and might in fact *become* something quite different if considered in another time, place or attached to other people.

Alberti’s awareness of contextual differences, and in particular of differences in historical context, is evident elsewhere in his works. A prime example of this awareness of
the importance of shifts in context is his account of the gradual vulgarization and
deterioration of the Latin language and his defence of the use of the Tuscan vernacular for
scholarly works that he presents in his Preface to Book III of *Della famiglia*.96 The
"Proemio," written in the same period as *De iure*, displays some similar 'thought processes'
on the topic of changes in historical context and on the practical considerations that should be
kept in mind in light of these changes. For example, just as Alberti makes the important point
in *De iure* that a judgment can change depending on variations in circumstances, he engages
in a similar line of reasoning in his Preface to Book III of *Della famiglia* when he notes that
one of the most important contextual differences of his day compared to ancient times was
(what he perceived to be) the difference in the relationship between the language of everyday
use and the language of scholarship. In the ancient context, Alberti imagines that there was
no distinction between the Latin that was spoken and the written language used for
scholarship, since the aim of ancient scholarship was to communicate ideas to citizens.
Central to his argument regarding the widespread use of Latin as a spoken and written
language is his claim that everyone communicated on both public and private matters in
Latin:

E domanderei chi in publico o privato alcuno ragionamento mai
usasse se non quella una, quale perché a tutti era commune, però in
quella tutti scrivevano quanto e al popolo e tra gli amici proferiano?
(186–187)

Finally, the core message of his history of language is revealed when he asks why the ancient
writers would have written in a language known only to a few: "E con che ragione arebbono
gli antichi scrittori cerco con sì lunga fatica essere utili a a tutti e' suoi cittadini scrivendo in
lingua da pochi conosciuta?" (187). He answers his own question, claiming that all the

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ancient writers, when they wrote as they did, wished to be understood by all their contemporaries: "Benché stimo niuno dotto negarà quanto a me pare qui da credere, che tutti gli antichi scrittori scrivessero in modo che da tutti e' suoi molto voleano essere intesi" (187).

Alberti argues that this set of circumstances that he imagines existed in ancient times do not match his modern context, where Latin, the language of scholarship, was known only to a few and was not used for oral communication. This is the basis for his defence of his own choice to write *Della famiglia* in the Tuscan vernacular, and a critique of the humanist impulse to communicate exclusively to an elite audience in a language (namely Latin) not readily accessible to many when they could use the vernacular and reach a much wider audience:

> E chi sarà quel temerario che pur mi perseguiti biasimando s'io non scrivo in modo che lui non m'intenda? Più tosto forse e' prudenti mi loderanno s'io, scrivendo in modo che ciascuno m'intenda, prima cerco giovare a molti che piacere a pochi, ché sai quanto siano pochissimi a questi dì e' litterati. E molto qui a me piacerebbe se chi sa biasimare, ancora altanto sapesse dicendo farsi lodare. Ben confesso quella antiqua latina lingua essere copiosa molto e ornatissima, ma non però veggo in che sia nostra oggi toscana tanto d'averla in odio, che in essa qualunque benché ottima cosa scritta ci dispiaccia. A me par assai di presso dire quel ch'io voglio, e in modo ch'io sono pur inteso, ove questi biasimatori in quella antica sanno se non tacere, e in questa moderna sanno se non biasimare chi non tace. E sento io questo: chi fusse piú di me dotto, o tale quale molti vogliono essere riputati, costui in questa oggi commune troverrebbe non meno ornamenti che in quella, quale essi tanto prepongono e tanto in altri quello che pur usano, e pur lodino quello che né intendono, né in sé curano d'intendere. Troppo biasimo chi richiede in altri quello che in sé stessi recusa. E sia quanto dicono quella antica apresso di tutte le genti piena d'autorità, solo perché in essa molti dotti scrissero, simile certo sarà la nostra s'e dotti la vorranno molto con suo studio e vigilie essere elimata e polita. (187–188)

In sum, because Latin was no longer the language of day-to-day communication, Alberti argues that the optimum conditions no longer existed to carry on scholarly discourse in that ancient language. The Italian vernacular, with some hard work, could be improved and
polished and become a recognized and respected language of scholarship. He therefore seeks to bring the language of common use (i.e. the Tuscan vernacular) and literary language into harmony once again, but this time in a modern context. He is taking into account differences in historical circumstances, and making a new argument that at once respects the ideals of the ancient culture and recognizes the limits of blindly emulating classical culture. The utility and appeal of writing for a wider audience and of being understood more easily by more people was important to Alberti, and is a prime example of his 'double vision,' his ability to keep both ideals and practical concerns in his mind's eye when formulating an idea. The chain of reasoning Alberti employs in the "Proemio" to Della famiglia to make his point about language use shows that he is thinking about historical difference, that he is thinking contextually and that he is making a concerted attempt to see the differences between his culture and that of the ancients. It also demonstrates a willingness to deviate from past precedent when considering the applicability of past models to the present.

Alberti's reflections on law and context in De iure similarly recognize the limits of applying ancient laws in a modern context and focus on the imperative of the jurist striving to do what is best once all variations of circumstance are considered. In Section 16, Alberti notes that in the allocation of legal rewards and punishments, in fitting the punishment to the

97 Alberti follows his own advice about working on and polishing the Italian vernacular by composing, in the same period, his Gramatichetta of the Tuscan volgare, the first grammar of its kind. Alberti attempts to systematize the language, taking many of the terms applied to the teaching of Latin grammar and applying them to the Tuscan vernacular. The effect, ironically, is that he 'Latinises' the vernacular somewhat. See Leon Battista Alberti, La prima grammatica della lingua volgare: La grammatichetta vaticana, ed. Cecil Grayson (Bologna: Commissione per i testi di lingua, 1964).

98 An emphasis on awareness of contextual difference distinguished the humanists from the scholastics, and this is a defining feature of humanism. See Skinner, Foundations I, 86: "A new sense of historical distance was achieved, as a result of which the civilisation of Ancient Rome began to appear as a wholly separate culture, one which deserved—and indeed required—to be reconstructed and appreciated as far as possible on its own terms." Myron Gilmore likewise analyzes Petrarch's "preoccupation with time and the position of his own age in relation to the past and to the future" (5) and his awareness of historical difference (as well as his preference for the ancient past) in his chapter, "The Renaissance Conception of the Lessons of History," in Humanists and Jurists, Six Studies in the Renaissance, 1–37 but esp. 5–9.
crime, different courts may respond differently: "existimationes varie et alie pro locis, temporibus et euismodi aliter reddite sunt" ("the judgments rendered vary and are different according to the place, the times and other circumstances of the kind") (S16). In Section 11 he discusses the importance that a jurist consider contextual shifts in determining a case. For example, speaking on the topic of shifting circumstances, he points out:

nam tum erat necessarium, nunc non, aut non tantum, nunc utile, nunc inutile, tunc ea de causa honestum, nunc minime et eiusmodi. Idem ipsum de locis, rebus et personis dicendum est.

for then the thing was necessary, now it is not, or not so much; then it was useful, now not useful; then it was fair in that circumstance, now not at all fair, and so forth. Exactly the same thing needs to be said about places, things, or persons.

In the same section, Alberti also provides some concrete examples of changed circumstances that can profoundly affect the administration of justice: he identifies misfortunes, the loss of liberty, and the fall of a republic as extraordinary shifts in circumstance that require a different approach to rendering judgements.99

In this analysis of De iure it has become clear that the philosophical tone, the return to classical concepts of law and the discussion of natural law principles as well as the ordering of goods differ significantly from the more predictable albeit amusing critique of the legal profession found earlier in his treatise De commodis. These aspects help to establish De iure as a work of great originality in the early Quattrocento. Part of the treatise's novelty stems from the fact that it is not grounded in examples from the day-to-day practice and study of law and its accompanying drudgery. Instead, Alberti is making a clear attempt in this treatise to recognise the spirit and intent of Roman law from its origins as well as the importance of

99 "incommoda, libertas amissio, reipublice pernities et eiusmodi, que quasi necessitatem intulere ut id exequeretur." (lines 15–16) English: [consider] misfortunes, the loss of liberty, the destruction of a republic, et cetera, things which, as it were, introduce necessity so that [the change of circumstance] ensues.
applying natural law principles when forming a legal judgment. This is counterbalanced by
the very new and modern notion that context is key to evaluating goods and, by extension, to
rendering judgments. The discussion of the role that context and circumstance play in the act
of formulating legal judgments is among the most innovative aspects of the treatise, and also
establishes it as a definite early precursor to the historical jurisprudence of the following
centuries.

Alberti's genuinely philosophical approach in De iure situates him outside some of the
more predictable debates and agendas of legal humanism, and it anticipates the French
movement in historical jurisprudence that would begin a century later. While he does share
some antischolastic sentiments with Petrarch and Valla, he expresses them in a very different
manner. Although he does echo Salutati in terms of his reverence for law as a discipline and
as a system that upholds a pre-ordained ordering of goods that is in turn upheld by the
principles of natural law, he is also, unlike Salutati, willing to discuss the practical aspects of
the administration of justice, penalties, the dilemmas that face judges, as well as historical
and other contextual differences that come into play when rendering a judgment. What is
completely new about Alberti's approach in De iure is that his recognition and acceptance of
the practical realities of the administration of justice coexist with his discussion of the ideals
of justice and of the ways these ideals can be corrupted. As will become clear in the next
chapter, one of the guiding principles in his thought both in De iure and in many of his other
works, is the superiority of public law (and by extension, public goods) over private law (and
by extension, private goods). Finally, while it would be mistaken to read Alberti's oeuvre
through a purely juridical lens, it would be just as inappropriate not to acknowledge that
"giuristica è la formazione dell' Alberti, e ci costringe a confrontarci con quella dimensione e
radice del suo pensiero [che è] [1]a costante giuristica del suo pensiero.\textsuperscript{100} 

\textsuperscript{100} Quaglioni, "Per un commento al \textit{De iure}," 217–218.
Chapter 2

Public and Private, Friendship, and Dissimulation in *De iure* and *Della famiglia*

1. Public and Private in *De iure* and *Della famiglia*

1.1 Public and Private in *De iure*

It is no surprise that Alberti's treatment of the concepts of public and private in his treatise on law should focus on the juridical meanings of the words. In *De iure*, Alberti constructs a vision of law that is at once particular to the discipline of law in terms of its own ordering and structure while at the same time reminding us of republican ethics\(^1\) and of the corresponding predilection for public goods over private goods, whereby the hierarchy of public goods favours those that have the most utility to the most citizens. Perhaps the most concrete example of this principle can be seen in Section 5, where given a choice of public goods, the most expansive, durable and solid good that will have the most benefit for the most people should take precedence over others: for example, Alberti states that public funds are better spent repairing a bridge than on public games and festivities. What is good, for Alberti, is intimately linked to public utility, and therefore to action.

\(^1\) When Alberti uses the term "republic" he makes a distinction between a republic and a principality, which is evident in his differentiated use of the terms. The recent research of James Hankins (presented at Victoria University, University of Toronto, Centre for Reformation and Renaissance Studies 48th Annual Erasmus Lecture, November 8, 2012) suggests that in ancient Roman sources, writers' use of the term "republic" meant that which referred to "the common weal," and contemplated different forms of government, including principalities and monarchies. However, Hankins also noted that with Leonardo Bruni, the term began to take on connotations of a non-monarchical government. The broader definition does not seem to apply to Alberti's use of the term, which is more in line with that of Bruni. For the distinction Bruni makes between republics and monarchies, see his *Laudatio florentinae urbis* in *From Petrarch to Leonardo Bruni*, ed. Hans Baron (Chicago: Chicago University Press, 1968), 232–263. For the English translation, see *In praise of Florence: the Panegyric of the City of Florence and an Introduction to Leonardo Bruni's Civil Humanism*, trans. and ed. Alfred Scheepers (Amsterdam: Olive Press, 2005).
Three of the twenty-eight sections of *De iure* deal specifically with the interplay of public and private law and of public goods and private goods. The way in which Alberti uses the terms public and private derives from their use in Roman law, where on the one hand public law is unwritten, deals with government, law-making and public administration, and is grounded in use and custom, while, on the other hand, private law is written and relates to dealings between or among individuals on matters that pertain to property, family, contract, inheritance, and most criminal matters. Private, as Alberti uses the term in this treatise, has nothing to do with the inward emotional state of an individual nor does it, at first glance at least, have anything to do with secrecy or that which is hidden. In Roman law, and in Alberti's treatise on law, the *ius privatum* is clearly marked off from the *ius publicum*, and the latter always takes precedence over the former.

The juridical meanings for public and private are arguably the primary use of the terms "pubblico" and "privato" in Alberti's time. Indeed, one of the first recorded instances of a definition for public and private in the Italian literary canon can be found in the *Rettorica* of Brunetto Latini (1220–1295), a vulgarization of Cicero's teachings on rhetoric, and an essential manual for teaching the *ars dictaminis* to generations of budding scholars. It is a work with which early Italian humanists (and especially those trained in law) would have been familiar, and which, with increasing frequency throughout the fourteenth century, might have been read in conjunction with the Latin classics that the *Rettorica* attempts to explain. The definitions of public and private basically state that public matters are those that touch the city or community, and that private questions involve relations among individuals. These definitions are essential to the reading of the whole work and are presented in the first

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Latin is very clear about the separation of public and private; his definition is unmistakably juridically derived. While he does not directly state the superiority of public law and public questions to private law and private questions, it can be inferred that, as a follower of Cicero, he had this hierarchy (i.e. of public law over private law) ingrained in his thought.

Like his predecessor Latini, Alberti divides public and private in De iure. However, he also goes on to clearly express the precedence of the ius publicum in Section 20, which begins with the statement that everything that the citizen possesses belongs to the republic, and that which belongs to a member of the republic belongs also to the whole body of the republic ("Namque queque haveat civis reipublice sunt, siquidem ipse est reipublice membrum, et que membri sunt, totius corporis esse nescesse est"/ "for whatever a citizen has belongs to the republic, and since he himself is a member of the republic, it is also necessary that whatever belongs to a member belongs to the whole body [of the republic]"). From this

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3 "il convenentre" means "la condizione" or condition. La prosa del duecento, eds. Cesare Segre and Mario Marti, La letteratura italiana: Storia e testi, vol. 3 (Milan and Naples: Riccardo Ricciardi Editore, 1959), 134, note 1. This volume contains excerpts from Brunetto Latini's Rettorica. The note explaining the meaning of the term references the specific passage cited above.
statement follows Alberti's discussion of public and private in which he clearly prioritizes public law over private law:

Hinc est quod privati publicis non derogant, quod omnes comprobatur, pauci non dirimunt, quod omnes tangit, omnes comprobent. In hiisque illa perpulchre sedent, que supra de honestate et utilitate recensuimus, ut illud exinde manet quod aiunt publico decori privatum facinus non obesse. (20)

From this it is the case that private citizens do not detract from public things; that which all have approved, few do not bring to an end, and what touches all, all should approve. In these matters those things that we considered above with respect to honesty and utility sit very beautifully, so that that principle accordingly remains, by which they say that a private crime does not harm public grace.

The ranking of the good of the community above the needs of the private person is apparent.

Another example of the juxtaposition of the terms public and private occurs in Section 24 where Alberti explains the system of the ordering of goods. In this section, goods are divided in descending order from goods of the soul to goods of the body to the external goods of fortune, which are in turn subdivided into public and private, with public taking precedence over private, and the durable and sacred public goods taking precedence over the temporary and profane. Furthermore, private goods ought to be used as private goods, while public goods ought to be used for public ends, not for private, personal advantage. The following passage discusses external goods:

Externorum autem bonorum, hoc est rerum quas nostras vulgo dicimus, alie publice, alie private; publice alie temporales, alie diuturne, alie profane, alie divine, inque his expetenda semper rariora, eligibilia preferantur hac lege, ut suis utatur quisque ut suis, publicis ut publicis. (24)

Of external goods, however, this is the case for things we commonly call our own: some are public; others are private. Among the public goods, some are temporary, others long-lasting, some unholy, others divine, and in seeking these out, always the more rare, the more special [external goods] are preferred
according to this law: that each uses his own as his own, and uses
the public as the public.

In section 26, Alberti discusses the role of the "public citizen" (and the absence of a
role for the "private citizen") in the administration of the laws. The judge is described as a
public citizen, that is, a person with a public function who prioritizes the public good, rather
than as a private citizen. The passage is also structured so that it is clear that public law as a
system is deemed more important and central to living the good life than is private law:

Nam iudex quidem legis est minister, ac est quidem lex non privata
sed publica bene degende vite ratio. Idcirco eius ministrande
munus non privatis extat sed publicis commendatum. [my
emphasis]

For indeed the judge is the servant of the law, and indeed law is
not
the private but the public system of living one's life well. Therefore,
the duty of serving the law is entrusted not to private citizens but to
public citizens.

In this passage, law is referred to in its most philosophical sense, as that which allows men to
pursue a rich and meaningful public life. Law exists to give men the freedom to pursue a
good life in their communities. Private law provides concrete rules that pertain to dealings
among citizens. Public law expresses the ethos of the community to the extent that, without
public law, private law could not exist.

1.2 Alberti's Focus on Public Virtù and Good Laws in the
Prologue to Book 1 of Della famiglia

One of Della famiglia's primary messages is that a well-run family that cultivates virtù in its
members in turn amplifies the public honour, praise and glory of the republic to which the
family belongs. The ideal family serves the public good; it is not an end in itself. When
Alberti writes about virtù at the outset of Della famiglia, he is writing as a moral philosopher
and he is discussing public virtù. In De iure, he counts virtù among the true goods ("in veris bonis aiunt esse virtutem"/ "they say that virtue is among the true goods"). Virtù must be considered of the highest importance and is commensurate with justice, where justice is a public concept.

The prologue to Book I of Della famiglia outlines the ultimate public goal of the whole work. Any reading of Della famiglia must take the author's prologue to Book I into consideration because it frames the crucial issue of the battle of virtù against fortuna in establishing the honour of the family, and this in turn creates the necessary conditions for the public glory and honour of the patria. In this prologue, Alberti sets up the call to arms for the Alberti family to re-establish, maintain, and further its status. Alberti cites "just laws, virtuous princes, wise counsels, strong and constant actions," along with "love of country, fidelity, diligence, highly disciplined and honourable behaviour in citizens," all aspects of virtù, as catalysts, with or without the help of fortuna, to fame and honour:

le giuste leggi, e' virtuosi principi, e' prudenti consigli, e' forti e constanti fatti, l'amore verso la patria, la fede, la diligenza, le gastigatissime e lodatissime osservanze de' cittadini sempre poteron o senza fortuna guadagnare e apprendere fama.4

Alberti's reference to good laws ("le giuste leggi") in the preceding passage is repeated several times in the prologue, and from this it can be inferred that he means good public laws. The contrasting terms "pubblico" and "privato" are also used frequently in the prologue, always in close proximity to each other and always in a juridical or what will be referred to here as a 'juridically derived' sense. In the next paragraph, law is coupled with excellence and goodness in the context of a discussion of how disorder befell the Macedonians after the death of Alexander the Great, when "e' principi macedoni

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4 Leon Battista Alberti, I libri della famiglia, ed. Ruggiero Romano and Alberto Tenenti (Turin: Einaudi, 1980), 5. All subsequent citations are from this edition.
cominciarono ciascuno a procurare e' suoi propri beni, e aversi solliciti non al publico impero, ma curiosi a' privati regni" (5). In these circumstances the private interests of individual kingdoms eclipsed public empire, including all the laws, equities, and excellence that had been previously established by the strength of fine armies: "queste armi medesime invittisime, sottoposte a' privati appetiti di pochi rimasi ereditarii tiranni, furono quelle le quali discissero e disperderono ogni loro legge, ogni loro equità e bontà, e persegorono ogni nervo delle sue prime temute forze" (5).

The next reference to good laws occurs in the context of the discussion of the former glory of Italy, when the citizens considered public good a top priority ("e' nostri essistimorono ogni loro opera, industria e arte, e al tutto ogni sua cosa essere debita e obligata alla patria, al ben publico, allo emolumento e utilità di tutti e' cittadini") (6). Because of the deep commitment of the citizens to the public good, no people anywhere dared disobey the edicts and the laws of the empire ("trovoss'egli alcun popolo, fu egli nazione alcuna barbara ferocissima, la quale non temesse e Ubidisse nostri editti e legge") (6). This set of circumstances cannot be ascribed to fortune, but was rather the result of virtù, while the fall of Macedonia is attributed not to fortune, but to folly and the lack of virtù.

The link between law and public virtù is further elucidated in the context of Alberti's discussion of Italy's fall from glory. It is discussed, like the Macedonian example, in terms of what happens when private interests overpower the quest for public good. In its glory days, Italy overcame bad fortune, its people rose above all other mortals, and it established laws and placed lawgivers in all nations ("tanto tempo allora potesti contro alla fortuna e sopra tutti e' mortali, e potesti in tutte l'universe nazioni immettere tue santissime leggi e magistrati") (9). However, the glory and honour lasted only as long as the public good was more important than the pursuit of private ends:
E quanto tempo in loro quegli animi elevati e divini, que' consigli gravi e maturissimi, quella fede interissima e fermissima verso la patria fioriva, e quanto tempo in loro piú valse l'amore delle publice cose che delle private, piú la volontà della patria che le proprie cupiditati, tanto sempre con loro fu imperio, gloria e anche fortuna.

Corrupted private interests are described as "la libidine del tiranneggiare e i singulares commodi" (8) (the lust for personal power and for private, personal advantage). In situations where these corrupted private interests counted for more than good laws and disciplined customs ("le buone leggi e santissime consuete discipline") in the glorious patria, a period of decadence was inevitable: "subito cominciò lo imperio latino a debilitarsi e inanire, a perdere la grazia, decore [sic] e tutte le pristine forze, e videsi offuscata e occecata la divina gloria latina" (8). Here, Alberti uses examples from history to warn about the dangers of allowing private interests to eclipse the public good, and the precedence of public concerns over private concerns is a key message of both De iure and Della famiglia. In both works, good laws are linked to virtù and to the public good.

The concrete, as opposed to abstract, quality of Albertian virtù has been noted by Alberto Tenenti and Ruggiero Romano, who write that "la virtù, in tal modo, non è piú astratto esercizio, compiuto in vista d'una felicità a venire, ma strumento concreto per la conquista d'un bene da conseguire in vita." Public virtù is indeed discussed in very concrete terms and is supported with clear examples in the prologue. While bad fortune may be perceived as the antithesis of virtù (as it is so often represented in the classical sources), Alberti downplays the power of fortune in the prologue and questions its influence over human affairs. Good fortune cannot account for Italy's former glory nor can bad fortune be blamed for its fall from greatness, for the power of virtù is always greater than the power of fortune. Two short statements from the prologue may be contrasted here to sum up Alberti's

5 Ruggiero Romano and Alberto Tenenti, "Introduction" to Della famiglia, xxiii.
thoughts on this subject. In the first he states his belief that fortune controls only those who submit to it: "tiene gioco la fortuna solo a chi se gli sottomette" (7). In the second he emphasizes the vast possibilities that virtù provides to those who wish to cultivate it in themselves: "solo è sanza virtù chi nolla vuole"(10).

A discussion of the passages from which these statements are drawn emphasizes the role of the family in the interplay of virtù and fortuna. The passage about fortune's limited powers contains a series of rhetorical questions and reads as follows:

la [fortuna] giudicaremo noi tutrice de' costumi, moderatrice delle osservanze e santissime patrie nostre consuetudini? Statuiremo noi in la temerità della fortuna l'imperio, quale e' maggiori nostri piú con virtù che con ventura edificorono? Stimeremo noi suggetto alla volubilità e alla volontà della fortuna quel che gli uomini con maturissimo consiglio, con fortissime e strenuissime opere a sé prescrivono? E come diremo noi la fortuna con sue ambiguità e inconstanze potere disperdere e dissipare quel che noi vorremo sia piú sotto nostra cura e ragione che sotto altrui temerità? Come confesseremo noi non essere piú nostro che della fortuna quel che noi con sollicitudine e diligenza delibereremo mantenere e conservare? Non è potere della fortuna, non è, come alcuni sciocchi credono, così facile vincere chi non vuole essere vinto. Tiene gioco la fortuna solo a chi se gli sottomette. (7) [my emphasis]

The ideas set forth in this paragraph echo those of the opening paragraph, where the author challenges the power of fortuna over human affairs, doubting whether it can be blamed for the demise of great families reduced to a state of decadence and ruin:

Onde non sanza cagione a me sempre parse da voler conoscere se mai tanto nelle cose umane possa la fortuna, e se a lei sia questa superchia licenza concessa, con sua instabilità e inconstanza porre in ruina le grandissime e prestantissime famiglie. ⁶ (4)

⁶ This image of the destructive power of fortune over family is repeated with the analogy of great families submerged by fortune's cruel floods: (la fortuna, "con suoi immanissimi flutti, ove sé stessi abandonano, infrange e somerge le famiglie" (11).
Repying to his own question, Alberti draws attention to the Alberti family itself, which, he asserts, has been able to endure the most difficult circumstances:

rimiro la nostra famiglia Alberta a quante avversità già tanto tempo con fortissimo animo abbia ostato, e con quanta interissima ragione e consiglio abbino e' nostri Alberti saputo discacciare e con ferma constanza sostenere i nostri acerbi casi e' furiosi impeti de' nostri iniqui fatti. (4)

He concludes that many who blame fortune for their failures ought rather to blame their own foolishness: "scorgo molti per loro stultizia scorsi ne' casi sinistri, biasimarsi della fortuna e dolersi d'essere agitati da quelle fluttuosissime sue unde, nelle quali stolti sé stessi precipitorono. E così molti inetti de' suoi errati dicono altrui forza furne cagione" (4).

In contrast to fortune there is virtù. The following passage includes the maxim cited above:

Così adunque si può statuire la fortuna essere invali de' debolissima a rapirci qualunque nostra minima virtù, e dobbiamo giudicare la virtù sufficiente a conscendere e occupare ogni sublime ed eccelsa cosa, amplissimi principati, suppreme laude, eterna fama e immortal gloria. E convieni non dubitare che cosa qual si sia, ove tu la cerchi e ami, non t'è piú facile ad averla e ottenerla che la virtù. Solo è sanza virtù chi nolla vuole. (10) [my emphasis]

If the highlighted statement were to be read in isolation, it would appear that Alberti is linking the presence or absence of virtù to the sheer force of will of an individual.

Furthermore, when this statement is coupled with the passage on the next page, "giudicarette in voi stessi come la virtù cosí stare ogni vostra fortuna" (12), it seems that the influence that both virtù and bad fortune are allowed to wield in human affairs rests in the will of the

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7 In the footnotes to page 12, Ruggiero and Tenenti note that this passage means "riterrete che in voi stia tanto il conseguimento della virtù quanto ogni riuscita o successo."
individual. In his article on virtù and fortuna in Della famiglia, Gennaro Sasso observes that, especially in the prologue, Alberti seems to oscillate between, on the one hand, a conception of public virtù in the classical sense as echoed in the work of Florentine Chancellors Salutati and Bruni and on the other, a sense that virtù is linked more closely to the "goodness" of private individuals than to the public duties of citizens. Sasso is correct in arguing that Alberti's concept of virtù cannot be easily labelled as belonging to a particular school of thought; however, he places undue emphasis on the virtù of the autonomous individual. The autonomous self is not emphasized in Alberti's system of thought. While the passages cited above may appear to support an almost radical self-determinism it becomes clear towards the end of the prologue and in Book I that the individual's family is actually responsible for the cultivation of virtù in its young men. It is this nurturing of virtù within one's family that ultimately leads to the production of public virtù. Through proper and virtuous conduct that supports the public good, an honourable family and its members can withstand bad fortune. In the first two Books, the general prologue and the prologue to Book III, Alberti's discussion of virtù combines the purely political aspects of virtù with the development of virtù in the context of the family. There is no real tension to resolve between these two types of virtù if one considers that in Alberti's ethical system, the latter serves the former.

8 In contrast to the idea of "Renaissance individualism" advanced by nineteenth-century historians like Jacob Burkhardt, more recently scholars are increasingly questioning whether "individualism" or "the autonomous self" actually had any meaning in the Renaissance. See John Jeffries Martin, Myths of Renaissance Individualism (Basingstoke, UK: Palgrave Macmillan, 2004) and Stephen Greenblatt, Renaissance Self-Fashioning: From More to Shakespeare (Chicago: University of Chicago Press, 1980). Charles Taylor speaks more generally about the problem of selfhood as relational in Sources of the Self: The Making of the Modern Identity (Cambridge, MA: Harvard University Press, 1989) where he makes the point that "one is a self only in relation to other selves. A self can never be described without reference to those who surround it" (35).

A more useful distinction may be the difference between, on the one hand, Alberti's use of the term in the first half of the dialogues, in which the author of the prologue as well as Lorenzo, Lionardo, and Adovardo are all proponents of the idea that while virtù is cultivated in the context of the family, it nonetheless has a public purpose and, on the other, Giannozzo's use of the term, in Book III, which may suggest an alternate definition for virtù as a private, family-centred quality related primarily to efficient and shrewd household management and having no public relevance nor reference to knowledge of ancient models. However, the virtù that Alberti refers to in both De iure and in the most authoritative parts of Della famiglia has an unequivocally public quality. The dominant (but also prescriptive/normative) view it presents is that while the family may be domestic and private, its raison d'être is that ultimately it ought to serve the public. Challenging this dominant view are the characters Giannozzo and Piero, who, in the later books, focus on the enjoyment of private life and survival strategies for the family in an increasingly courtly context, respectively, rather than on the imperative of public virtù. The fact that Alberti presents alternate points of view on virtù (and its constitutive elements) through various interlocutors is significant, and is best read as a signal that Alberti was aware of and interested in acknowledging the challenges to public ideals that were very much a part of the fabric of his societal context. Much of the criticism on Della famiglia fails to differentiate among the views of the various interlocutors, and between dominant views and challenges to them. It is misguided to interpret the contradictions in Alberti's representation of virtù (and other concepts) as Alberti's own contradictions when perhaps they might be better understood as intentional observations on the part of the author. These tensions become less troubling when one

10 The perspectives of Giannozzo and Piero will be discussed below.
considers the author's overarching and teleological politico-ethical message of the priority of public over private interests.

The aspects of virtù that Alberti stresses in the Prologue to Book I are exemplary character, discipline, labour, good counsel, wisdom, persevering spirit, reason, order, method, good arts and skills, equity, justice, diligence, and zeal. These qualities overcome deceitful fortune and make possible the achievement of the highest degree of glory:

\[\text{e se così si conosce la virtù, costumi e opere virili, le quali tanto sono de' mortali quanto e' le vogliono, i consigli ottimi, la prudenza, i forti, constanti e perseveranti animi, la ragione, ordine e modo, le buone arti e discipline, l'equità, la iustizia, la diligenza e cura delle cose adempieno e abbracciano tanto imperio, e contro l'insidiosa fortuna salgono in ultimo suppremo grado e fastigio di gloria.} \] (10)

The vehicle to virtù is the good management and careful and diligent rule by the father, who promotes the formation of good habits and the utmost integrity of conduct, culture, courtesy and responsibility. All these ensure that the family can become great and successful. Alberti states that "el buon governo, e' solleciti e diligenti padri delle famiglie, le buone osservanze, gli onestissimi costumi, l'umanità, facilità, civiltà rendono le famiglie amplissime e felicissime" (11).

These passages on virtù call to mind Alberti's message on the same topic in De iure, where, after emphasizing the link between public virtù and good laws and justice, he offers a brief description of what makes a man of virtù. His answer to that question is education and mastery of the most difficult subjects:

\[\text{Tum etiam et maxime virtute excellere eum dicimus, in quo litterarum ac rerum difficillimarum ratio et cognition adsit.} \] (S8)

Even then, and especially then, we say that he who excels at virtù to the highest degree is he who possesses intelligence and knowledge of letters and of the most difficult matters.
The issue of how to create a citizen body knowledgeable in letters and the most difficult matters is not examined in *De iure*. However, the issue is discussed at length in Book I of *Della famiglia* in practical terms and in such a way that it becomes clear not only that the family is the primary conduit for ensuring the proper modeling of citizens, but also that family glory is a necessary precondition for ensuring the public good.

At the conclusion of the prologue, the young Alberti are called both to look back at their history and to look forward to their future. They must look back to the Alberti ancestors and emulate their level of learning and education and cultivation. They must also look forward towards the well-being, increased honour, and magnified fame of their family name:

procurate el bene, accrescete lo onore, amplificate la fama di nostra casa, e ascoltate a quello e' passati nostri Alberti, uomini studiosissimi, litteratissimi, civilissimi, giudicavano verso la famiglia doversi, e ramentavano si facesse. (14)

In *De iure*, Alberti refers to the 'trinity' of city, family, and friendship that he lists as the ingredients of a community. As noted in Chapter 1, he states that we were not born just for ourselves, but in part for our city, in part for our parents, and in part for our friends: ("nos non esse oblitos decet quam quidem simus homines et non nobis nati solum, sed partem nostri patriam, partem parentes, partem amicos sibi vindicare") (S25). The three aspects of this unmistakably Albertian trinity (city, family, and friends) help to crystallise the discussion of public and private in his work.

The relationship between the family and the city as private and public entities, respectively, has in part been analysed above but it will be further discussed in Part 2.3

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11 On the relationship between city and family, Romano and Tenenti are instructive: "Felice, serena, compatta, la famiglia—trincerata nelle sue tradizioni, forte della sua virtú, appoggiata sul suo onore—può presentarsi come esempio alla civitas" (xxiii). They also note that Alberti sees family as a microcosm of a republic, and citing Alberti's *Cena familiaris*, they state that "l'identità tra repubblica e famiglia appare, in tal modo, evidentissima. Allo stesso tempo che la repubblica ha i suoi 'fautori e conspiratori,' anche la famiglia ne ha." (xxiii–xxxiv) The idea that the family is a microcosm of the
below. For the moment the juridical or juridically derived meanings of public and private are the most relevant. The concept of friendship as it relates to public life and private life in *Della famiglia* will be discussed in Part 2 of this Chapter, especially to the extent that friendship may be regarded as a 'site' where public and private worlds intersect.

### 1.3 The Family's Role in Exalting the City: Alberti's Pedagogical Project and its Public Aims

The first book of *Della famiglia* can be read as a practical response to the problem of increasing family honour and, in turn, public virtù. Alberti's advice is to cultivate the virtù of the young men in the family from early childhood. The education of the young in a family setting is one of the most obvious points of intersection of public and private spheres: only the proper education of the young in the private sphere of the home can produce the type of citizen who brings honour, praise, and glory both to the family and to the city. Alberti devotes a large portion of Book I to the importance of proper instruction of the young, even including it in the subtitle, *De officio senum erga iuvenes et minorum erga maiores et de educandis liberis* ("Of the Duties of the Old Toward the Young and of the Young Toward Their Elders, and of the Education of Children")

The dialogues take place over the course of the afternoon and evening in May 1421 in a private home in Padua, where the Alberti family has gathered to attend to Battista and

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Carlo's dying father, Lorenzo. It is important to keep in mind that in 1421, the year in which the dialogues are set, the Albertis were in exile from Florence and their exile is one of the underlying themes in *Della famiglia*. Even though by the time Alberti composed the dialogues in the early 1430s the period of exile was over, it is still described as though it were an open wound. Battista and Carlo receive advice not only from their dying father but also from other elders in the family, including their deceased grandfather, Benedetto, whose message is relayed through Lorenzo. Apart from one brief statement in Book II, Lorenzo's speaking role is limited to the first part of Book I; thereafter other characters like their cousins Lionardo and Adovardo, their uncle Giannozzo (who appears in Book III) and another elder, the diplomat Piero (who does not make his entrance until Book IV), carry the dialogues. In the first book, Lorenzo opens the discussion of paternal duties. One of the first principles of education of the young is teaching them to respect their fathers. Lorenzo advises his sons as follows:

Però sia vostro officio, o giovani, *con virtù e costumi cercare di contentare e' padri e ogni vostro maggiore come nell'altri cose cosi in queste, le quali sono in voi lodo e fama, e a' vostri rendono allegrezza, voluttà e letizia*. E così, figliuoli miei, seguite la virtù, fuggite e' vizii, riverite e' maggiori, date opera d'essere ben voluti, fate di vivere liberi, lieti, onorati e amati. El primo grado a essere onorato si è farsi voler bene e amare; el primo grado ad acquistar benivolenza e amore si è porgersi virtuoso e onesto; el primo grado

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13 Leon Battista Alberti's father Lorenzo did die in Padua in May of 1421 and the days leading up to his death were in fact the inspiration for the dialogues.

14 The period of exile ended in 1428.

15 Alberti's bitterness about the family's exile is perhaps nowhere as evident as in Lionardo's statement in Book I that it is not such a tragedy for a child to die without vice and without needing to feel "quanti molti affanni siano in questa vita de' mortali" (46). He then places this comment in the context of the family's exile: "Niuna cosa si trova più faticosa che 'l vivere; e beati coloro che uscirono di tanti stenti e finirono i di suoi giovinetti in casa de' padri nella patria nostra! Felici loro che non sentirono le miserie nostre, non sono iti errando per le terre altrui senza dignità, senza autorità, dispersi, lontani da' parenti, dagli amici e da' cari suoi; sdegnati, spregiati, scacciati, odiati da chi riceveva onore e cortesia da noi! O infelicità nostra per tutte le terre altrui trovare nelle avversità nostre aiuto e qualche riposo, in tutte le genti strane la nostra calamità trovare pietate e compassione, solo da' nostri proprii cittadini già tanto tempo non potere impetrare misericordia alcuna! Senza cagione prosciolti, senza ragione perseguiti, senza umanità negletti e odiati!" (46–47).
per adornarsi di virtù si è avere in odio e' vizii, fuggire i viziosi. Volsi adunque sempre aversi apresso de' buoni lodati e pregiati, né partirsi mai da quelli onde abbiaate esempio e dottrina ad acquistare e apprendere virtù e costume. E doveteli amare, riverire, e dilettarvi d'essere da tutti conosciuti senza alcuno biasimo. Non state difficili, non duri, non ostinati, non leggeri, non vani, ma facilissimi, trattabili, versatili, e quanto s'appartenga nella età pesati e gravi, e quanto in voi sia cercate con tutti essere gratissimi, e inverso e' maggiori quanto molto si può reverenti e ubidenti. Suole la umanità, mansuetudine, continenza e modestia ne' giovani non poco essere lodata; ma verso e' maggiori la riverenza ne' giovani non poco essere grata e molto richiesta. (27)

The focus is on following good example and on bringing honour, praise, and glory, all of which are public goods, to one's family and kin. In addition to the usual classical model of following example and acting in pursuit of the good life, as well as pursuing virtù and fleeing vice, it is interesting that the passage concludes with more practical advice about being tractable and versatile ("facilissimi, trattabili, versatili"). This, along with trying to please everyone, which is no small task, may be interpreted as a covert admission of the complex web of public and private interests that need to be negotiated on a daily basis in city life. It also demonstrates Alberti's ability to merge theory and practice, and his emphasis on acknowledging and negotiating practical concerns.

Lorenzo's speaking role is cut short in the middle of Book I when his medical team advises him to rest. In his final major speech of the dialogues, he discusses the important interrelationship among the virtuous and excellent individual, his country, his fellow citizens, and his family:

Beatissimo colui el quale si porge ornato di costumi, forte d'amicizie, copioso di favori e grazia fra' suoi cittadini. Niuno sarà piú in alta e piú ferma e salda gloria, che costui el quale arà sé stessi dedicato ad aumentare con fama e memoria la patria sua, e' cittadini e la famiglia sua. (32)

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16 He speaks again briefly in Book II, 154.
Clearly, the young men of the Alberti family need to be educated for success in a highly public context. After Lorenzo's last utterance, Adovardo and Lionardo take over, imparting their wisdom to the young men. Ironically, it is Lionardo, a 29-year-old bookish bachelor, and not the 45-year-old father of four, Adovardo, who dominates the conversation in Book I on the topic of raising good sons. It is surely no coincidence that when he began writing *Della famiglia*, Alberti was the same age and had the same marital status as Lionardo in addition to a similar scholarly orientation. Indeed, Lionardo's views in this book seem to be the most in keeping with the views of the author-narrator as they are presented in the prologues to Books I and III. Lionardo's advice on child-rearing and education is paternalistic and male-centric: the focus is exclusively on the father-son relationship. Not surprisingly, its aim is the creation of good male Florentine citizens:

Chi da piccolo sarà allevato nelle cose virili e ample, a costui ogni lode non suprema e di più peso che alla età sua non s'appartenga, parrà se non leggiere, e stimeralla non difficile ad intraprenderla. Però si vuole cominciare usare e' fanciulli in cose laboriose e ardue, ove con industria e fatica cerchino e sperino vera laude e molta grazia. (58)

The development of good character starts at home. It is a father's responsibility to instil a sense of civic duty and pride in his sons:

Però si vuole insegnare a' tuoi virtù, farli imparare reggere sè in prima ed emendare gli apetiti e le volontà sue, instituirli che sappino acquistare lodo, grazia e favore molto più che richesse,

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17 Timothy Kircher would disagree. He focuses on Lionardo as an ironic figure, one who often slips up on his scholarship, and focuses on the unstable relationship between the viewpoints presented in the prologues and the viewpoints expressed by the various interlocutors of the dialogues. *Living Well in Renaissance Italy: The Virtues of Humanism and the Irony of Leon Battista Alberti* (Tempe, AZ: Arizona Center for Medieval and Renaissance Studies, 2012), 11–12. See also note 36 below for a more in-depth discussion on the roles of interlocutors and the alignment of Lionardo with Alberti's views.

In terms of the practical aspects of raising virtuous citizens, one can never start too early. Referring to extremely young boys, Lionardo recommends that they be socialized from a tender age and that they be encouraged to spend time with their male role models rather than being coddled on their mothers' laps: "però sarebbe utile, non come alcune madri usano sempre tenerlesi in camera e in grembo, ma avezzargli tra le genti e ivi costumargli essere a tutti riverenti" (57). Physical fitness is also recommended, following the example of Socrates, "quel padre de' filosofi," who, both at home and in company, would dance and jump ("ballare e saltellare") to keep his mind stimulated. Despite the emphasis that Lionardo places on mind-body harmony, it seems that fitness of body is not a desired end in itself. Fitness of mind and intellect rank above physical fitness as a desired goal, but physical fitness is important to the extent that it has a positive effect on the mind. This point is made clear in Lionardo's example of the limited benefits of hunting:

Tu vai alla caccia, alla foresta, affatichiti, sudi, stai la notte al vento, al freddo, el di al sole e alla polvere per vedere correre, per pigliare. Ett'egli manco piacere vedere concorrere due o piú ingegni ad attingere la virtù? Ett'egli manco utile con tua lodatissima e iustissima opera vestire e ornare il tuo figliuolo di costumi e civiltà, che tornare sudato e stracco con qualche salvaggiume? Adunque e' padri con piacere incitino e' figliuoli a seguire virtù e fama, confortingli a concorrere ad attignere onore, festeggino chi vince, godano d'avere e' figliuoli presti e avidi a meritare lode e pregio. (62)

In sum, it is more exciting to watch two minds competing for excellence, and it is better for a father to spend more time developing boys of high character, than to dedicate too much of his time to hunting, despite the benefits of physical activity and sport. Later in the first book, Lionardo further discusses the benefits of activity and sport as a counterpoint to study, advising young men to shoot arrows, ride and play genteel sports ("saettino, cavalchino e
seguano gli altri virili e nobili giuochi") (87). Ball sports are particularly recommended, and swimming and fencing are added to the list of required skills. These skills are described as useful and necessary in civic life, since they are part of the education that leads to the creation of citizens of virtù:

E se tu vi poni mente, troverrai tutte queste essere necessarie all'uso e vivere civile, e tali ch'el' piccoli senza molta fatica bene e presto l'imparano, e a' maggiori forse tra le prime virtù richieste. (88)

In terms of schooling, Lionardo recommends that, in an illustrious family such as the house of Alberti, the young should obtain a solid humanist education:

Adunque a una famiglia, massime alla nostra la quale in ogni cosa, imprima e nelle lettere sempre fu eccellentissima, mi pare necessario allevare e' giovani per modo che insieme coll'età crescano in dottrina e scienza, non manco per l'altre utilitati quali alle famiglie danno e' litterati, quanto per conservare questa nostra vetustissima e buona usanza. (83–84)

This passage is preceded by a lengthy discussion of why the study of letters is important for a family's reputation. Lionardo rejects the belief of some who think that an ability to write one's name and do basic math should suffice, preferring instead "l'antica usanza di casa nostra" (83) proclaiming that almost all Albertis were highly educated ("Tutti

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19 For more on Alberti's pedagogical theory, see Valeria Benetti Brunelli, Leon Battista Alberti e il Rinnovamento pedagogico nel Quattrocento (Florence: Valecchi, 1925). Her analysis focuses on Alberti's concept of nature and the disintegration of "la vecchia coscienza pedagogica" (63). See also Elisa Frauenfelder, Il pensiero pedagogico di Leon Battista Alberti (Naples: Edizioni Scientifiche Italiane, 1995), esp. chap. 3, 77–151. Neither of these scholars cite Alberti's recommendations on what the young should read. Eugenio Garin includes a chapter of excerpts from Book I of Della famiglia in a section of his book, L'educazione umanista in Italia (Bari: Laterza, 1959), 129–164, where Alberti is grouped together with Matteo Palmieri under Part 3 of the book subtitled "Umanesimo e vita civile." However, Garin offers no commentary on Alberti's pedagogical recommendations; the excerpts are presumably intended to speak for themselves. The methods followed by Alberti's Paduan teacher, Gasparino Barzizza, are described in William Harrison Woodword's classic anthology of humanist pedagogical treatises, Vittorino da Feltre and Other Humanist Educators, 10–20. It can be inferred that Lionardo's recommendations on the stages of a young man's instruction would mirror the education Alberti received at Barzizza's school in Padua. For an account of how the humanist schools operated, see Anthony Grafton and Lisa Jardine, From Humanism to the Humanities: Education and the Liberal Arts in Fifteenth- and Sixteenth-Century Europe (London: Duckworth, 1986).
e' nostri Alberti quasi sono stati molto litterati"). He lists many examples of members of the Alberti family who excelled and continue to excel in their fields, like the physicist and mathematician Benedetto, Niccolaio who was known for his studies of "sacre lettere," and Niccolaio's sons who were all known for their work in "varie scienze." Antonio (son of Niccolaio) is praised for his writings and work on astrology. Ricciardo is mentioned for his delight "in studii d'umanità e ne' poeti." Lorenzo himself is lauded for his superior knowledge of mathematics and music, and Adovardo is praised for his mastery of civil law. Only after recalling and confirming the learning of their ancestors and elders does Lionardo address the young men directly with advice on their own studies:

E voi, giovani, quanto fate, date molta opera agli studii delle lettere. Siate assidui; piacciavi conoscere le cose passate e degne di memoria, giovivi comprendere e' buoni e utilissimi ricordi; gustate el nutrirvi ingegno di leggiadre sentenze; dilettivi d'ornarvi l'animo di splendidissimi costumi; cercate nell'uso civile abondare di maravigliose gentilezze; studiate conoscere le cose umane e divine, quali con intera ragione sono accomandate alle lettere. (84)

Their studies are described as what will nourish them and what will make them splendid and impressive in their dealings in the public sphere.

The young men are advised to learn the poetry of Homer and Virgil and the orations of Demosthenes, Tully (Cicero), Livy, and Xenophon:

Niuna è si premiata fatica, se fatica si chiama più tosto che spasso e ricreamento d'animo e d'intelletto, quanto quella di leggere e di rivedere buone cose assai. Tu n'esci abundante d'esempi, copioso di sentenze, ricco di persuasioni, forte d'argomenti e ragioni, fai ascoltarti, stai tra i cittadini udito volentieri, miranoti, lodanoti, amanoti. (84–85)

The purpose of reading these poets, orators and historians is to fill their minds with material and "esempi" that can in turn be cited to persuade, to be heeded, to be heard among the citizens and to be admired, praised, and loved. Most importantly, an education in letters is deemed necessary for anyone who governs public matters ("necessarie a chi regge e governa...\n
le cose") because it strengthens the glory of the republic ("siano ornamento alla republica") (85). To emphasize this point, Alberti, speaking through Lionardo, reminds the reader that the forgotten and exiled Alberti family had previously been instrumental in the government and public life of Florence by virtue of their superior level of education:

le nostre antiche lode utili alla republica e conosciute e amate da' nostri cittadini, nelle quali fu sempre adoperata molto la famiglia nostra, solo per la gran copia de' litterati, prudentissimi uomini quali sopra tutti gli altri al continovo nella nostra famiglia Alberta fiorivano. (85)

After learning to read and write to an excellent standard, the boys are to be taught to master the abacus and basic geometry. Only then are they invited to savour the poets, orators, and philosophers ("poi ritornino a gustare e' poeti, oratori, filosofi") with carefully chosen teachers. The importance of selecting masters who teach the great classical writers is emphasized in a discussion in which Alberti implicitly criticizes the scholastic approach to learning. Lionardo, in a direct attack on scholastic pedagogical methods, states that he would prefer that his children read the good authors and learn Latin grammar from Priscian and Servius, and read Tully, Livy, and Sallust rather than "cartule e gregismi." The "cartule" refer to the Cartula, a commonly memorized medieval poem written in barbarous Latin and titled De contemptu mundi, while "gregismi" refers to Graecismus, a medieval Latin grammar.20 This rejection of scholastic methods is strikingly similar in approach to Valla's Letter Against Bartolus21 and reveals an Alberti who is focussed on polish, on excellence in language, and on the quality of the texts that young students are required to read. In his most ardent defence of classical Latin and the "best authors," he writes the following:

21 Discussed in Chapter 1.
Alberti states his preference for the "dolcissimi e suavissimi" classical authors, but agrees that the "crudi e rozzi" medieval authors are useful to study for the content of the works rather than as models of style.\(^2^2\)

It is clear from the foregoing passages from Book I that, for Alberti, a classical education is imperative for young Florentines of good family. The primary aim of educating the young is to bring honour to the family and assist in the creation of good public citizens committed to the active life of pursuing civic glory. The importance of creating exemplary young men who bring honour not only to their city but also to their family and kin underscores the interdependence of public and private worlds in Quattrocento Florence. It cannot be forgotten that these 'model citizens' are first fashioned at home.

### 1.4 Book III: The Debate Between Lionardo and Giannozzo: Civic, Public Life vs. Private Family Life

The most telling passages in *Della Famiglia* that deal directly with the balancing of private life with public life appear in Book III, in the context of Giannozzo and Lionardo's disagreement over the relative importance of, on the one hand, civic life and, on the other, private family life. Their debate supports the idea that there was more than one point of view in circulation regarding the relationship between (public) city and (private) family in

\(^2^2\) Ruggiero and Tenenti, eds., *Della famiglia*, 86, note 23.
Quattrocento Florence. Book III opens with a prologue that defends Alberti's choice of the vernacular over Latin and relates an almost populist message of the importance of communicating in a language that is understood by most people. Book III marks a departure from the first two books: not only is it written in a more colloquial style, but it also features Giannozzo instead of Lionardo as the principal speaker. Ostensibly the book deals with the very practical matters of home economics and household management, and consequently Giannozzo, a vigorous 64-year-old who leads an exemplary and ordered ascetic life, but who does not concern himself with the public good, is the primary speaker. Giannozzo's point of view is anti-communitarian and anti-republican. He is a merchant concerned with his own private comforts and would prefer to keep any interactions outside his immediate family relegated to the realm of the "sottogoverno" of friends and kin. He is of the opinion that a man tends to wish to live for himself, not for the community. Lionardo, on the other hand, to the extent that he does express his opinions, tries to balance the private and public interests of the Florentine citizen who certainly enjoys private goods in the comfort of his own home, but who unquestionably prioritises public goods over private, personal interests (222–23).

The appearance of this theme as a point of debate supports the idea that there must have been undercurrents of resistance to republican ideals in Quattrocento Florence and questions whether Florentine civic humanism was as strong and as defined a movement as

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23 Dale Vivienne Kent applies the term "sottogoverno" to a level of social interaction that occurred in early modern Florence that straddled public life and private life. She argues that, by the third quarter of the fifteenth century, Florence "was effectively governed according to the private agreements of Medici 'friends', the Medici 'Mafia' or what modern Italians call a 'sottogoverno,' a network of powerful men operating largely beneath the surface of the official government." Furthermore, "the relationship between public and private, between constitutional government and the sottogoverno, was further complicated by the fact that in this face-to-face society the state itself was conceived in highly personal terms, as the sum of those who belonged to the governing or office-holding class."

"Illegitimate and Legitimating Passions in Fifteenth-Century Florentine Political Discourses," *Cultural and Social History* 2 (2005): 51. This term will be used and discussed at further length below.
scholars like Hans Baron have proposed. Giannozzo's self-representation as an individual who concerns himself primarily with the accumulation and enjoyment of private goods for himself and for his immediate family is a telling one, and one that distances him not only from the tradition of civic humanism but also from the traditions of the Alberti family itself.

Alberti's inclusion of this debate, as well as Lionardo's response to Giannozzo's viewpoint,

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24 The term "civic humanism" was coined by Hans Baron in his classic work, *The Crisis of the Early Italian Renaissance: Civic Humanism and Republican Liberty in an Age of Classicism and Tyranny* (Princeton, NJ: Princeton University Press, 1955). The focus on ideals of the common good in many ways replaced Jacob Burckhardt's nineteenth-century thesis about the "individualism" of Italian Renaissance culture presented in *Civilization of the Renaissance in Italy* (London: Harrap, 1929). James Hankins gives an excellent synopsis of how Baron defined the term and of recent revisionist scholarship on point in *Renaissance Civic Humanism: Reappraisals and Reflections*, ed. James Hankins (Cambridge, UK: Cambridge University Press, 2000): "Baron depicted a Florentine Renaissance that had been inspired to achieve cultural greatness through its devotion to ideals of patriotism, popular government, and public service. These ideals, inherited from ancient Greece and the Roman republic, had been rediscovered and popularized by a politically committed movement of intellectuals and educators whom Baron labeled 'civic humanists'" (1). This line of thought was taken on by scholars like J.G.A. Pocock and Quentin Skinner and their followers, known as 'The Cambridge School,' who "used the study of republicanism to illustrate the merits of their new approach to the history of ideas, which emphasized reconstructing the history of political languages and discourses" (2). More recently, however, critics "have argued that the language of virtue and corruption, active participation in political life and devotion to the common good exist in solution, as it were, in premodern political discourse with proto-liberal and proto-capitalistic language; that republicanism, in other words, cannot be said to constitute a distinct political language of political discourse," because "there was no strict and necessary opposition between private self-interest, understood as the acquisition of property, and commitment to the common good" (3–4). "Other critics point out that early modern 'republicans' cannot even be identified with an anti-monarchical position" (4). Hankins believes that despite the recent spirit of debate in scholarship on early modern republicanism, "unreconstructed Baronianism" is still very much the norm in Quattrocento Renaissance historical scholarship, particularly in the Italian scholarship of Cesare Vasoli, Eugenio Garin, and Paolo Viti, with certain Anglo-American outliers like Quentin Skinner being more open to the methods of revisionism. See also Hankins' earlier essay, "The Baron Thesis After Forty Years," *Journal of the History of Ideas* 56 (1995): 309–338, in which he favours the view that civic humanism is a misnomer, and aligns himself with P.O. Kristeller who perceived humanism as more of a rhetorical and educational movement than as a political or philosophical one.

25 John Najemy, "Giannozzo and his Elders: Alberti's Critique of Renaissance Patriarchy" in *Society and Individual in Renaissance Florence*, ed. William J. Connell, (Berkeley, CA: University of California Press, 2002), 60–70. After explaining Giannozzo's disdain both for active, political life and for the Alberti elders, Najemy writes: "Not only does Giannozzo reject politics, humanist education, and the fundamental civic assumption of the essential goodness of community, government, and the active life; he also quietly turns his back on the larger Alberti family. When Lionardo asks him what he means by 'family' ('Che chiamate voi famiglia?'), Giannozzo gives a narrow definition —'children, wife and other members of the household, servants and staff'—that contrasts in the starkest possible way with Lorenzo's, Benedetto's, and Lionardo's vision of the moral unity of all those carrying the Alberti name, that grand masculine assemblage of the imagination in which women have no place and the elders are collective fathers to all the young men." (70).
illustrates the author's concern in the face of an unbalanced and overzealous approach to the accumulation of private goods for private enjoyment. It also indicates Alberti's support for the idea that prosperous and well-run families have a duty to contribute in a meaningful way to a healthy civic life. This public duty is more important than seeking out and enjoying private goods.

In his argument, Giannozzo first criticizes those who act obsequiously when seeking favours. He refuses to engage in the practice of making private what is public:

Ma che io volessi fare come molti fanno, gittarmi sotto questo, fare coda a quello altro, e servendo cercare di signoreggiare, o vero che io mi dessi a diservire o inghiutare alcuno per compiacere a costui col favore del quale io aspettassi salire in stato, o vero che io volessi, come quasi fanno tutti, ascrivermi lo stato quasi per la mia ricchezza, riputarlo mia bottega, ch'io pregiassi lo stato tra le dote alle mie fanciulle, ch'io in modo alcuno facessi del publico privato, quello che la patria mi permette a dignità transferendolo a guadagno, a preda, non punto, Lionardo mio, non, figliuoli miei. (221) [my emphasis]

Giannozzo prefers to keep to himself and his family rather than to involve himself in public matters, which he deems fraught with corruption: "E' si vuole vivere a sé, non al commune, essere sollicito per gli amici, vero, ove tu non interlasci e' fatti tuoi, e ove a te non risulti danno troppo grande" (221). His defence of private life as superior to civic life is intense:

[...] a noi, i quali siamo contenti del nostro privato e mai desiderammo quello d'altrui, sarà mai dispiacere non avere quello che sia publico o perdere quello di che noi non facciamo stima. E chi facesse stima di quelle servitù, fatiche e innumerabili martorii d'animo? Figliuoli miei, stiamoci in sul piano, e diamo opera d'essere buoni e giusti massai. Stiànci lieti colla famigliuola nostra, godiànci quelli beni ci largisce la fortuna faccendone parte alli amici nostri, ché assai si truova onorato chi vive senza vizio e senza disonestà. (222)

Lionardo responds first by lauding Giannozzo's self-sufficiency and stoicism, and admits to the corruption of some public citizens who toil to gain more power than others. He
criticizes those who are not satisfied with the common liberty but want more freedom and license than anyone else:

De' quali uomini come altrove così alla terra nostra si truovano non pochi, perché cresciuti in antichissima libertà della patria e con animo troppo pieno d'odio acerbissimo contro a ogni tiranno, non contenti della comune libertà vorrebbono più che gli altri libertà e licenza. (223)

His disagreement with Giannozzo's point of view is expressed in a portrait of the good citizen who places public goods above private goods:

E affermova che il buono cittadino amerà la tranquillità, ma non tanto la sua propria, quanto ancora quella degli altri buoni, goderà negli ozii privati, ma non manco amerà quello degli altri cittadini suoi, desidererà l'unione, quiete, pace e tranquillità della casa sua propria, ma molto più quella della patria sua e della republica.26 (223)

To his defense of republican values, he adds:

le quali cose non si possono mantenere se chi si sia ricco, o saggio, o nobile fra' cittadini darà opera di potere più che gli altri liberi, ma meno fortunati cittadini. Ma neanche quelle republiche medesime si potranno bene conservare, ove tutti e' buoni siano solo del suo ozio privato contenti. [my emphasis] Dicono e' savi ch'è' buoni cittadini debbono traprendere la republica e soffrire le fatiche della patria e non curare le inezie degli uomini, per servire al publico ozio e mantenere il bene di tutti i cittadini, e per non cedere luogo a' viziosi, i quali per negligenza de' buoni e per loro improprià perverterebbono ogni cosa, onde cose né publiche né private più potrebbono bene sostenersi. (223)

Lionardo's most ardent defence of the importance and glory of a rich public life follows:

E poi vedere, Giannozzo, che questo vostro lodatissimo proposito e regola del vivere con private onestà qui solo, benché in sé sia prestante e generoso, non però a' cupidi animi di gloria in tutto sia da seguire. Non in mezzo agli ozii privati, ma intra le publiche esperienze nasce la fama; nelle publiche piazze surge la gloria; in mezzo de' popoli si nutrisce le lode con voce e iudicio di molti

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26 Alberti's use of the term "republic" here is in line with that of Bruni, who differentiates between republics and monarchies.
onorati. Fugge la fama ogni solitudine e luogo privato, e volentieri siede e dimora sopra e' teatri, presente alle conzioni e celebrità; ivi si collustra e alluma il nome di chi con molto sudore e assiduo studio di buone cose sé stessi tradusse fuori di taciturnità e tenebre, d'ignoranza e vizii. (223–224)

Lionardo takes an extreme position by supporting the priority of public goods over private goods; his speech reads like a republican call to arms. The very presence of a major character like Giannozzo who advises a retreat to private family life and a limitation of external relations to friends is significant. The debate between Giannozzo and Lionardo on active engagement in a public life of civic action can be better understood in light of the situation of the Alberti family's exile from Florence. Giannozzo, who represents the older generation, expresses bitterness and disillusionment about civic life. His retreat from the vita activa may be the result of the family not having fared well in its previous involvements in city politics. Lionardo, who represents the younger generation of the family, instead, is eager to reintegrate into Florentine life and is idealistic and enthusiastic about the value of active engagement in public life. In an interesting twist on the ancient Platonic antithesis of vita activa and vita contemplativa, Giannozzo does not engage in the contemplative life of a philosopher. In fact, he makes it very clear that he is not a man of letters when he states "tu sai Lionardo, che io non so lettere" (199). Rather, he is content to be a merchant enjoying private goods at home with family, kin, and friends. His "otium" has nothing to do with contemplation nor does it involve having the time to think and learn. Rather, Giannozzo's notion of "otium" is about having the time to socialize with family and friends and to enjoy his private property. His retreat to the private might be better expressed as a retreat to the private that is not completely self-sufficient but rather relies on a semi-private, semi-public grey zone (which does not include engagement in official city politics). The fact that Giannozzo is also represented as the amusing uncle well-versed in the art of banter and
facezie signals that his message may be more serious and threatening to republican values than it seems at first glance. The kind of life Giannozzo advocates includes interactions with and the mutual support of kin and friends but ignores the machinations of government. The presentation of these diametrically opposed points of view is not surprising when one considers that the dialogue genre itself is based on conflict, but it also draws attention to the fact that public and private life were hotly debated topics in Alberti’s time.

The debate between Giannozzo and Lionardo on the relative merits of public and private life demonstrates that, despite Alberti's belief in the ethical ideal of public virtù and the private world pressed into the service of the public, this ideal was not always possible to achieve and was not shared by all. Giannozzo's perspective reveals that, as much as he wishes to see his family retreat from all forms of public interaction, he still needs a network of friends to negotiate and assist in any dealings with the public or semi-public world of life within the context of a city.

2. The Many Faces of Friendship in De iure and Della famiglia: From Friendship in the Laws to Friendship as Courtiership.

2.1 The Concept of Friendship and the Intersection of Public and Private Worlds

In both De iure and Della famiglia, Alberti presents readers with a variety of perspectives on early modern friendship, all of which, to some degree, make a statement on the inter-relatedness of public life and private life in Quattrocento Florence. In her recent study of
friendship in the early modern era, Eva Österberg has noted that our modern ways of understanding friendship are very different from how it was conceptualized in the early modern period. Friendship, along with love and sexuality, are "viewed in the modern age as things that belong to our private lives" (7). Early modern friendship, however, belonged to both private and public life, while in Antiquity, the concept of friendship had a very strong public component to the extent that it was tied to both ethics and politics. One of the most important questions that Österberg asks in her pioneering study is: "To what degree did friendship in these older periods transcend distinctions between private and public that then existed?" (15). This question concerning public and private in relation to friendship is particularly germane to the present discussion because it highlights the extent to which friendship "did much to obscure the distinction between public and private in premodern times" (26). In the early modern period, friendship was not conceived of as an exclusively private relationship, but as one that had an important public dimension as well.

### 2.2 Aristotle's Typology of Friendship

Aristotle's discussion of friendship (with which Alberti was surely familiar) brings to light some of the major differences between friendship in the classical period and the modern period. Amicitia, derived from the Greek concept of philia, was defined very broadly, and included both the very intimate relationships of close friends, lovers, and family members as well as more casual friendships and business friendships (what we might call acquaintances). One of the most striking differences for the modern reader is that love and friendship were

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28 Book IV of *Della famiglia*, subtitled *De Amicitia*, makes frequent direct references to the discussion of friendship in Aristotle's *Ethics*. 
not sharply defined as distinct concepts in classical thinking, such that "friendship could be
clad in the language of love, and love in the rhetoric of friendship."\textsuperscript{29}

Aristotle discusses friendship in Books 8 and 9 of the \textit{Ethics}.\textsuperscript{30} In Book 8, he presents
three types of friendships: those based on utility, those based on pleasure, and those based on
goodness. Friendships of utility are described as impermanent and are typically formed
among "the elderly and those in middle or early life who are pursuing their advantage" (262).
The parties to these friendships do not necessarily spend a lot of time together, they may not
even like each other, and they "take pleasure in each other's company only in so far as they
have hopes of advantage from it" (262). In this category Aristotle includes friendships with
foreigners, which would normally be based on business relationships. It follows that "those
who love each other for their utility do not love each other for their personal qualities, but
only in so far as they derive some benefit from each other" (262).

Friendships based on pleasure rank above those based on utility, but there is still a
superficial quality to them. Like friendships of utility, friendships of pleasure are not based
on innate personal qualities, but on their ability to please. It follows that "it is not for being of
a certain character that witty people are liked, but because we find them pleasant" (261).
These friendships involve spending more time together than do friendships of utility; they
involve "spending the day together and living together" (263). They are typical of the young
and include friendships that have an erotic or sexual dimension.

It follows that with these two types of friendships the motivating factors are
instrumental in nature: "when people love each other on the ground of utility, their affection

\textsuperscript{29} Osterberg, 31. She sees this conflation of love and friendship as continuing until the emergence of
bourgeois society in the eighteenth and nineteenth centuries. For a detailed analysis of Aristotle's
philosophy of friendship, see Lorraine Smith Pangle, \textit{Aristotle and the Philosophy of Friendship}
is motivated by their own good, and when they love on the ground of pleasure, it is motivated by their own pleasure; that is, they love the other person not for what he is, but *qua* useful or pleasant" (261–262). It is easy and even desirable to have many friendships of these first two types (268). They are formed easily and they also dissolve easily because they are not based on the most authentic or genuine personal qualities. In other words, they are not based on goodness.

The perfect friendship based on goodness is Aristotle's ideal friendship. This type of friendship is initially described as possible only when both parties are good:

Only the friendship of those who are good, and similar in their goodness, is perfect. For these people each alike wish good for the other *qua* good, and they are good in themselves. (263)

The ideal friendship is durable and permanent because it involves both pleasure and utility in their most perfect forms: "each party is good both absolutely and for his friend, since the good are both good absolutely and useful to each other. Similarly they please one another too; for the good are pleasing both absolutely and to each other" (263).

One of the most important aspects of the perfect friendship is that it calls for similar qualities in both of the parties to the friendship: not only must they be good, but they also must be so in the same way. This leads Aristotle to his discussion in Book 9 of the true friend as a second self: "the good man feels towards his friend as he feels towards himself, because his friend is a second self to him" (306). True friendship is necessary for human existence for, as the philosopher explains,

what makes existence desirable is the consciousness of one's own goodness, and such consciousness is pleasant in itself. So a person ought to be conscious of his friend's existence, and this can be achieved by living together and conversing and exchanging ideas with him – for this would seem to be what living together means in the case of human beings; not being pastured like cattle in the same field. (306)
Aristotle thus comes to the conclusion that "to be happy a man will need virtuous friends" (307).

The perfect friendship as it is expressed in the *Ethics* seems to be expressed both at a 'micro' and at a 'macro' level, the former of which seems to operate privately, and the latter publicly. The 'micro' level consists of two individuals who are good, similar, and share an intimate and reciprocally satisfying bond. They may be described as perfect equals. Aristotle describes this type of friendship as naturally limited to the few by virtue of the intimacy and closeness upon which it is based: "That such friendships are rare is natural, because men of this kind are few. And in addition they need time and intimacy" (264). Furthermore, "it is not easy for a large number of people to be attractive at the same time to the same person or (presumably) to be men of good character" (268). The 'macro' level of the ideal friendship to which Aristotle refers seems to make reference to the perfect friendship of good and equal citizens, which would involve the friendship of more than just a few. Furthermore, it is the kind of friendship referred to by jurists:

Friendship also seems to be the bond that holds communities together, and lawgivers seem to attach more importance to it than to justice; because concord seems to be something like friendship, and concord is their primary object. (258–259)

This more community-based, public conception of friendship is included in the introductory paragraph to Book 8, and it is also alluded to in the passage above that mentions that the living together, exchanging of ideas and conversing that occurs between or among friends is what distinguishes a community of human beings from cattle in a pasture. Any reading of Aristotle's perfect friendship should acknowledge the tension between, on the one hand, the rarity of forming an ideal friendship with a "second self" and, on the other, the apparently more inclusive nature of public friendship among good citizens who co-exist in a society governed by good laws. It would seem that an environment of civic friendship creates
conditions where deep and intimate friendships between "second selves" might develop and thrive.

2.3 Public Friendship in the Laws in *De iure*

When Alberti discusses friendship in *De iure*, he does so in this second ideal Aristotelian sense of a civic friendship in a community governed by good men and always expresses friendship in relation to a preference for public good above private interests. The first reference to friendship is in Section 23 where Alberti makes the crucial point that links the idea of a good society to friendship. He echoes Aristotle's views as presented in Books 8 and 9 of the *Ethics*, in which it is argued that a society of good men is based on, and could not be founded or survive without, civic friendship. At the end of Section 22 Alberti emphasizes the importance of founding a society of good men:

> Itaque cum nos esse bonos ex natura sit, rectene atque ex iure inter bonos tantum, hoc est inter animos bene nature consentientes, societatem collocent, videamus.

And so since it is natural for us to be good, let us consider whether it is right and lawful to establish a society among good men, that is to say among those whose souls are well in harmony with nature.

At the beginning of Section 23, he continues the discussion and links the founding by law of a society of good men with the "law of friendship":

> Certum quidem est amicitiam hanc, in qua vera et aperta benivolentia desideretur, eam haudquaquam veram esse amicitiam, parique ratione in qua coniunctione fides non adsit in ea amicitie ius ledi palam est.

Indeed it is certain that this friendship, in which true and open goodwill is missing, is in no way true friendship, and in the same way in a union in which good faith is not present, it is clear that the law of friendship is damaged.
True civic friendship, therefore, must be based on sincere and frank benevolence.

Alberti draws a connection here between law, friendship (by which he means, in this instance, civic friendship), benevolence, and good faith. Relations that lack good faith contravene what he calls "the law of friendship" ("amicitie ius").

In Section 26 he restates the connection between law and friendship that he had first mentioned in Section 23, building on his previous discussion by adding the idea that "friendship in the laws" cannot be maintained except among good men ("Ad legem spectat communem fovere amicitiam. Ea contineri nequit nisi inter bonos"/ "it is up to the law to foster a common friendship. It [i.e. friendship] cannot be maintained except among good men"). These statements occur immediately after he makes the distinction between public and private law, prioritising the former over the latter:

Nam iudex quidem legis est minister, ac est quidem lex non privata sed publica bene degende vite ratio. Idcirco eius ministrande munus non privatis extat sed publicis commendatum. Ad legam spectat communem fovere amicitiam. Ea contineri nequit nisi inter bonos. (S26)

the judge is the servant of the law, and the law is not the private law but the public law of conducting one's life well. That is why the task of serving it [i.e. the law] is entrusted not to private men but to public men. It is up to the law to foster common friendship. And it [common friendship] cannot be maintained except among good men.

When Alberti refers to law in this passage (which is cited earlier in this chapter as well) he means those laws that exalt the well-being of the city and therefore public law, not private law. The judge might be better described as not only the servant of public law, but also as the administrator of private law. In Alberti's world-view of the way things ought to be, private relations governed by private law serve the end of public good and improvement, which is in turn governed and protected by public law. The reference to common friendship
that belongs to law and that cannot be maintained except among good men would therefore be best understood as common friendship in the public laws.

In the concluding section of *De iure*, Alberti again links friendship with the public good. Among goods, those that are preferable are the public ones, specifically the more important, durable ones, the ones accessible to the greatest number, and true goods (over the apparent ones) ("In bonorum autem comparatione ampliora bona, diuturniora, vim habentia cognita, clara et a pluribus expetita, vere et non ficte possessa, ita anteponantur"/ "in a comparison of goods, however, the greater, longer-lasting goods, the goods known to have force, those famous and sought out by many people, those possessed truly and not falsely are thus preferable"). The highest goods are those that affirm "that we always want to defend and conserve virtue and happiness, and we watch over our common friendship and the peace of our friends with the utmost sanctity and faith." ("ut virtutem et felicitatem semper esse per nos defensam conservatamque velimus, communque amicitie et amicorum quieti summa religione et fide consulamus").

### 2.4 The Three Types of Family Friendship in Books I to III of *Della famiglia*

Keeping in mind the three classical typologies of friendship discussed by Aristotle in Books 8 and 9 of the *Ethics*, namely friendships based on utility, friendships based on pleasure, and finally the ideal friendship either between "second selves" or among good men striving to live well in the community, it is possible to understand better the types of friendship that Alberti presents in both *De iure* and *Della famiglia*. There is no question that the concept of friendship delineated in *De iure* is akin to Aristotle's ideal, namely public friendship. In the prologue to Book I of *Della famiglia*, in the context of the pages where he exalts good laws
as the foundation on which a society of virtù can be built, Alberti does on one occasion deal directly with this most pure form of friendship that he also exalts in De iure. In the context of his appeal to the Alberti family and its honour, he tells his readers that they will see how they can aspire to grace, benevolence and amistà, or public friendship:\textsuperscript{31}

\begin{quote}
Voi vederete da loro in che modo si multiplichi la famiglia, con che arti diventi fortunata e beata, con che ragioni s'acquisti ìa grazia, benivolenza e amistà, con che discipline alla famiglia si accresca e diffunda onore, fama e gloria, e in che modi si commendi el nome delle famiglie a sempiterna laude e immortalità. (12)
\end{quote}

In Book II, Lionardo echoes the message of the prologue, by speaking of public friendship and its connection to the foundation of republics. For Lionardo, public friendship (amistà) is based upon men's need for one another; in short it is based on interdependence, "perché io abbia di te bisogno, tu di colui, colui d'uno altro, e qualche uno di me" (163). This interdependence is at the root of the foundation of a republic, and of the development of laws:

\begin{quote}
e così questo aver bisogno l'uno uomo dell'altro sia cagione e vincolo a conservarci insieme con publica amicizia e congiunzione. E forse questa necessità fu essordio e principio di fermare le republice, di costituirvi le leggi molto più come diceva...fuoco o d'acque essere stato cagione di tanta fra gli uomini e si con legge, ragione e costumi colligata unione de' mortali. (163–164)
\end{quote}

However, elsewhere in the first three books of Della famiglia, when Alberti's interlocutors discuss friendship it is not the ideal friendship of good men living together in the community, nor is it the ideal friendship of intimate friends who are, to each other, "second selves." The main reason for this is that the subject matter he discusses is usually family friendships. However, as will become apparent, Alberti does demonstrate how certain types of family friendships that increase a family's public honour might encourage the conditions necessary to nurture the ideal friendship he contemplated in De iure.

\textsuperscript{31} Ruggiero Romano and Alberto Tenenti define amistà as "amicizia pubblica". See Della famiglia, 12, note 22.
On a close reading of the first three books of *Della famiglia*, three types of family friendships can be identified. The first are friendships of blended utility and pleasure as they are presented in Book II by Lionardo. They cannot be described in terms of Aristotle's perfect friendship because they are not described as dealing with deep personal bonds. However, these are the friendships that situate the family within the official, public life of Florence and that always prioritize public goods over private goods. The second type of family friendship is that advocated by the young men's uncle, Giannozzo. They are situated in a domestic setting outside the realm of official public life, and are based solely on pleasure and leisure. The third type of family friendship is also promoted by Giannozzo and is based on a blend of pleasure and utility. These friendships do not concern themselves with the public good or exist in the official public world of city politics, but rather occupy the semi-public world of Florence's "sottogoverno," so to speak.

### 2.4.1 Lionardo: Family Friendships That Support the Public Good

In Book II, in addition to his statement about ideal public friendship as the foundation of a republic, Lionardo extols the benefits of friendship, underscores its necessity to families, principalities, and republics throughout the ages, and emphasizes the utility of friendship in terms of furthering the interests of the family:

> Così adunque fate: persuadetevi, Battista, e tu Carlo, della vita de' mortali nulla trovarsi doppo la virtù utile e in ogni stato lieta e commoda quanto l'amicizia. Vedesi non per furia, ma con ragione e giudizio interissimo e constantissimo, che l'amicizia sta utilissima a' poveri, gratissima a' fortunati, commoda a' ricchi, necessaria alle famiglie, a' principati, alle republice [sic].

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32 Note that Alberti differentiates between principalities and republics.
assai, i quali siano a voi e alla famiglia nostra utilissimi. (118–119) [my emphasis]

Lionardo follows Cicero's principle that friendship ranks second only behind virtù in terms of what should guide the lives of mortal men. The boys are encouraged to make many friends who would serve them and their families well. Further developing the idea that virtù and friendship are linked in the war against the goddess fortuna, Lionardo describes friendship as that which protects families against her whims:

Pertanto a voi sempre stia in mente, dell'altrcose, quali sono non molte a numero ma ben necessarie alle famiglie, e senza le quali niuna può essere felice e gloriosa, sola l'amicizia sempre fu quella la quale fra tutte in ogni fortuna tiene il principio. (119)

Friendship is also included among four precepts on which the family's honour is established, namely 1) increasing the number of males in the family, 2) accumulating possessions, 3) shunning disgrace and striving for good reputation, and finally 4) the augmentation and cultivation of good will, acquaintances and friendships upon which the family's virtù is established:

Nella famiglia la moltitudine degli uomini non manchi, anzi moltiplichi; l'avere non scemi, anzi accresca; ogni infamia si schifi; la buona fama e nome s'amì e seguiti; gli odii, le nimistà, le 'nviedie si fuggano, le conoscenze, le benivelenze e amicizie s'acquistino, accrescansi e conservinsi. (125)

Lionardo's statements on the value of family friendships and his emphasis on the accumulation of many friends and acquaintances to reflect the honour of the family must be understood in light of the other passages cited in part 2.2 above that attest to his commitment to the public good.

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33 Cicero, De Amicitia, xxvii 104: "vos autem hortor ut ita virtutem locetis (sine qua amicitia esse non potest) ut ea excepta nihil amicitia praestabilis putetis"/ "but I exhort you both so to esteem virtue (without which friendship cannot exist), that, excepting virtue, you will think nothing more excellent than friendship".

34 Lionardo makes another statement about the importance of augmenting the number of family friendships in Book II, in the context of discussions on the importance of augmenting the number of
understood as ultimately serving the public good. Recall, for example, Lionardo's most ardent defence of public life in the context of his debate with Giannozzo:

Non in mezzo agli ozii privati, ma intra le publiche esperienze nasce la fama; nelle publiche piazze surge la gloria; in mezzo de' popoli si nutrisce le lode con voce e iudicio di molti onorati. Fugge la fama ogni solitudine e luogo privato, e volentieri siede e dimora sopra e' teatri, presente alle conzioni e celebrità. (223–224)

Lionardo's notion of family friendships confirms his unshakable commitment to the priority of public goods over private goods. One of the key messages of Della famiglia is that the private world of the family must be governed in such a way that honour, praise, and glory are brought to the public world of the polis. These friendships advocated by Lionardo do not resemble Aristotle's ideal friendship between equal men who are like second selves. They are more practical friendships among family connections that are useful and that generate pleasure. Even though they lack the depth of Aristotle's ideal friendship, they do have as their goal Aristotle's more 'public' version of the ideal friendship, at least insofar as the ultimate goal of the family friendships that Lionardo advocates is the buttressing and strengthening of public life.35

2.4.2 Giannozzo: Family Friendship as an End in Itself

The disagreement between Lionardo and Giannozzo in Book III represents the part of the text in which Alberti, through Lionardo, voices his most intense expression of the relative merits of engagement in public and private life. As discussed above, Giannozzo concerns himself

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35 In Book 3, Adovardo makes an important pronouncement that aligns him with Lionardo's approach. He advocates testing friendships on a small, domestic, private scale in order to predict how the friends might treat one in public: "Voglio dire pertanto, così credo si conviene fare degli amici: provarli in cose pacifiche e quiete, per sapere quant'e' possino alle turbate, provarli in cose private e piccole in casa, per sapere com' e' valessino nelle publice e grandi, provarli quanto corrano a fare l'util e l'onore tuo quanto siano atti a portarti e sofferirti nelle fortune, e cavarti delle avversità" (317).
primarily with the accumulation of private goods for his own enjoyment and for the
enjoyment of his family and friends, while Lionardo's position (which is the most aligned
with that of Alberti in *De iure* and the prologues to Books 1 and III of *Della famiglia*)\(^36\) is
that prosperous and well-run families have a duty to contribute in a meaningful way to a
healthy civic life. A second look at two of Giannozzo's speeches will focus on the role that
friends and friendship play in the context of his debate with Lionardo. Giannozzo's most
polemical statement is "E' si vuole vivere a sé, non al commune, essere sollicito per gli amici,
vero, ove tu non interlasci e' fatti tuoi, e ove a te non risulti danno troppo grande" (221). This
wish to live for oneself rather than for the community and to be willing to help friends, but
only to the extent that such actions will not entail any personal losses, is an extreme position

\(^{36}\) On the alignment of Lionardo and Alberti (despite the fact that the character Battista bears his
name, he is too young to voice many opinions and for the most part has a passive, listening role) see
MA: Harvard University Press, 1980), 83–88. Marsh understands the various points of view expressed
in Albertian dialogue as a reflection of "tensions within the author's own personality" (83). The
difference of opinion between Lionardo's faith in classical learning and Adovardo's doubts in Book I
for example, "represents the inner conflict of the author's own vacillations" (83). In his study of the
roles of and complexity of the various interlocutors, Francesco Furlan admits that Lionardo and
Alberti are aligned in terms of age, bachelorhood and scholarly leanings, but he focuses rather on the
sheer number of interlocutors (9 in all, which is quite unusual for a Renaissance dialogue) and the
complex weave of multiple viewpoints and generational differences rather than on aligning any
particular interlocutor's viewpoints with those of the author. "Remarques sur la conception, la genèse,
et la construction dialogique des livres *de Familia*" in *Leon Battista Alberti: Actes du Congrès
international de Paris*, ed. Francesco Furlan 427–441 (Paris: Librarie Philosophique J. Vrin/ Turin:
Nino Aragno, 2000), 432. Kircher cites both Marsh and Furlan on the alignment of Alberti and
Lionardo, "L.B. Alberti and the Fortunes and Virtues of Petrarchan Humanism," 105. However,
Kircher seems to revise his ideas in a later work, *Living Well in Renaissance Italy*, characterising
Lionardo as an unreliable interlocutor because of his mis-citings of classical sources, which undercut
his authorial power and make him an ironic figure (11). Similarly, Rinaldo Rinaldi is of the opinion
that it is difficult to identify Albertian characters' viewpoints with those of the author: "L'io dello
scrittore si nasconde (come ha notato Garin) dietro le sue maschere, tanto che è sempre sempre stato
difficile identificarlo con uno dei suoi personaggi o apparenti portavoce." "Leon Battista Alberti
malinconico," in *Storia della Civiltà Letteraria Italiana*, vol 2.1, *Umanesimo e Rinascimento*, 207–
228 (Turin: UTET, 1990), 208. In contrast, Watkins aligns Alberti with Adovardo, "for he corrects the
weaknesses of the others and exalts an arduous and subtle magnanimity." *The Family in Renaissance
Florence*, 16. However, the fact that Lionardo is a bookish young bachelor, as was Alberti at the time
of writing *Della famiglia* and the consistency between the authorial voice in the prologues (and
Alberti's views on public and private in *De iure*) with Lionardo's perspective are the primary
indicators of this likely, albeit not perfect, alignment.
indeed. It is followed by a call to arms for "good and just householders" (giusti massai) to enjoy the private goods of fortune and to share them with their friends: "Figliuoli miei, stiamoci in sul piano, e diamo opera d'essere buoni e giusti massai. Stiànci lieti colla famigliuola nostra, godiànci quelli beni ci largisce la fortuna facendone parte alli amici nostri" (222).

It is significant that friends are mentioned in the context of these most passionate defences of private life expressed in Della famiglia. Here, friends and friendships are part of the private realm and are based solely on pleasure and private enjoyment rather than helping friends who may be in need. While later in Book I Giannozzo advocates generosity towards one's friends, it is only to a point. He cautions against lending or giving money to friends and states his preference for prosperous friends as opposed to unfortunate or poor ones ("ma ancora io mi diletto più avere amici fortunati che infortunati e poveri") (308).

2.4.3 Giannozzo: Family Friendships of Utility in the Semi-Private Sphere

Giannozzo presents the reader with a different, more complex version of friendship in another important passage of Book III, where he shifts his discussion from family friendships that are based on mutual enjoyment of private goods in private homes to an admission that family friendships also include friendships of utility in a semi-public, semi-private world that exists neither within the home nor in official public spaces. Lionardo asks Giannozzo which of the four private and domestic necessities (family, riches, honour, or friendship) is most important to him. Lionardo locates family and riches within the home and places honour and friendship outside the home. Giannozzo confirms that family is closest to his heart, but his answer emphasizes the interdependence of family and wealth on the one hand with honour and
friendship on the other. Indeed, friends are considered instrumental in acquiring advantages on behalf of the family and in preventing bad fortune and hardship:

**LIONARDO:** Molto bene ci ricordate, Giannozzo, quello che bisogna. Così faremo. Ma di tutte queste cose private e domestiche, le quali voi dicevi essere quattro, due in casa, la famiglia e le ricchezze; due fuori di casa, l'onore e l'amistà, a quale saresti voi più affezionato?

**GIANNOZZO:** Da natura l'amore, la pietà a me fa più cara la famiglia che cosa alcuna. E per reggere la famiglia si cerca la roba; e per conservare la famiglia e la roba si vogliono amici, co' quali ti consigli, i quali t'aiutino sostenere e fuggire l'averse fortune; e per avere con gli amici frutto della roba, della famiglia e della amicizia, si conviene ottenere qualche onestanza e onorata onestà. (226)

This type of friendship is hybrid and more complex, blending pleasure and utility.

Giannozzo's retreat to the private might be better expressed as a retreat to a private realm that is not as completely self-sufficient as the one described earlier in the debate with Lionardo might suggest. The kind of life that Giannozzo endorses in this instance includes interactions with and the mutual support of kin and friends. One cannot underestimate the importance of what Dale Kent has referred to as the "sottogoverno" that quietly regulated everyday life in Florence. In the small, face-to-face context of Quattrocento Florence she identifies "two interpenetrating levels of politics, the official and the informal." These two levels of government were often at odds, and this resulted in a certain amount of "tension in Florence between individuals' personal loyalties and obligations to kinsmen and friends, and a strong collective commitment to classical ideals." Giannozzo's concept of useful and pleasing family friendships encompasses exclusively the informal level of politics in the city. For him, only personal loyalties and obligations to kinsmen and friends are of any consequence. There is no higher good than a comfortable and secure private life and this is

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37 Dale Kent, "Illegitimate and Legitimating Passions in Fifteenth-Century Florentine Political Discourses," 50.
the end that family friendships should serve. While both Giannozzo and Lionardo advocate family friendships based on both pleasure and utility, they have opposite goals. Giannozzo's view is that friendships serve the private world without regard for public good. Lionardo's view of family friendships of utility and pleasure, in contrast, seeks to reconcile the two worlds and to place private friendships in the service of the public good. There is no doubt that such debates exemplify situations that Timothy Kircher has identified as points in Alberti's work where an ironic reversal of authorial purpose might be perceived, where Alberti "confronts his own authority" and "the storyline or plot development departs from the author's stated intention in the preface."\(^{38}\)

### 2.5 Piero and Book IV: Friendship as Courtiership

Finally, a fourth type of friendship is presented in Book IV (which is subtitled *De Amicitia*) where there is a marked shift in focus away from friendships among families of more or less equal political and social power to the idea of friendship as courtiership. Here, currying favour with those in positions of power is viewed as a form of friendship that can raise a family's profile in a rapidly changing socio-political landscape. Book IV concerns the external relations of the family and is devoted primarily to a discussion of friendship. It will be particularly germane to the present analysis because it reflects a shift in Alberti's perspective on friendship. Whereas in the earlier books friendship is regarded as essential to external relations of the family and is enthusiastically encouraged, in Book IV it is presented as something requiring calculated caution. Giannozzo is replaced by Piero, a diplomat, who, in addition to speaking about the utility of friendship to the family, also shares his own strategies for effective external relations.

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\(^{38}\) Kircher, *Living Well in Renaissance Italy*, 9.
2.5.1 The Context of Book IV

Until recently, Book IV of *Della famiglia* has been overlooked or at best minimized in Alberti scholarship.\(^{39}\) The most recent scholarship considers the fourth book "as less about being a friend and more about being a courtier" (Christensen, 17). Anthony Grafton, Maria Teresa Ricci, and John Woodhouse all emphasize this point. While Grafton focuses on Alberti's experience at the court of Leonello d'Este,\(^{40}\) Ricci focuses more on societal changes in Florence, tracking the shift from a domestic economy model centred on the family, which is highlighted in the first three books, to a courtly model, which is emphasized in the fourth book.\(^{41}\) Woodhouse highlights instead the role of the courtier.\(^{42}\) Christensen has noted that not enough attention has been paid to the connections between the first three books and Book IV. He asserts that "it is misguided to see the first three books as a defense of the family to which is appended an analysis of how the family can use friendship to achieve success in the

\(^{39}\) Some editions omit Book IV entirely; See for example Leon Battista Alberti, *I primi tre libri della famiglia*, ed. Francesco C. Pellegrini (Florence: Sansoni, 1913). See also P.G. Christensen, "Friendship and its Limits in Alberti's *Della famiglia*," in *Cygnifiliana: Essays in Classics, Comparative Literature, and Philosophy Presented to Professor Roy Arthur Swanson*, ed. Chad Matthew Scoberer (New York: Peter Lang, 2005), 15–45. He provides an excellent synopsis of the scholarship on Book IV: "Girolamo Mancini, in his pioneering biography of Alberti, first published in 1882, did not help matters by declaring the fourth book of *Della famiglia* inferior to the first three (257–258). Even in 1989, Jean Lacroix found that the message of the fourth book cannot be reconciled with that of the first three. In the earlier panegyric to the family, Lacroix claims, there is no sense that the family model is outdated and must be replaced by a new model of larger social interactions. In their 1969 edition of *Della famiglia*, by pointing out in their introduction that the first three books do not talk about the prince, Ruggiero Romano and Alberto Tenenti even suggest that the fourth book is more about the change in the social structure which has narrowed power into the hands of the prince than it is about the problem of friendship" (16).


world" (18). Indeed, the recent research of Francesco Furlan indicates that from the first known draft of the first three books, it is evident that the author always intended to write a fourth book on the theme of friendship.43

While the fourth book should certainly not be considered as a mere afterthought or as an appendage tacked on to the first three, the fact remains that a significant temporal gap (which happens to coincide with a period of significant social change) exists between the writing of the first three books in 1433 and the composition of the fourth in 1437. The discussions featured in Book IV indicate Alberti's awareness of instability and mutability in his city. There is also a shift in tone, as the lightness which Giannozzo had brought to the dialogue of the preceding book gives way to a more monologic discourse by Piero, a seasoned diplomat, whose advice is that of warning against dangers and of watching one's back. The first three books of Della famiglia were written between 1432 and 1433, a period of relative stability in the Florentine republic. Alberti began work on the fourth in 1437, a few years after Cosimo the Elder de' Medici returned from exile (1434) and by which time he had begun to take control of political and cultural life in Florence. In 1441 Alberti presented Book IV to the City of Florence on the occasion of the Certame Coronario, a controversial vernacular poetry contest funded by Piero de' Medici and organized by Alberti

43 Francesco Furlan, "'Io uomo ingegnossissimo trovai nuove e non prime scritte amicizie' (De Familia, IV 1369–1370): Ritorno sul libro De amicitia" in Leon Battista Alberti (1404–72) tra scienze e lettere: Atti del convegno organizzato in collaborazione con la Société Internationale Leon Battista Alberti (Parigi) e l'Istituto Italiano per gli Studi Filosofici (Napoli) Genova, 19–20 novembre 2004, Alberti Beniscelli and Francesco Furlan, eds., 327–340 (Genoa: Accademia Ligure di Scienze e Lettere, 2005), 33. Furlan cites Lionardo's lines from Book II, "molti fanno suo essercizio acquistarsi amicizie di signori, rendersi familiari a ricchi cittadini, solo sperando indi riceverne qualche parte di ricchezza, de' quali si dirà a pieno nel suo luogo," focusing on the phrase "nel suo luogo" as proof positive of the intended integration of Book IV from the first draft of Della famiglia.
that year on the theme of friendship.\footnote{Not being a poetic work, Book IV of \textit{Della famiglia} was certainly not entered in the contest itself, but Alberti’s dedication of it to the people of Florence, which he wrote into the margins of one of the most important manuscripts, "al SE. e po. fiorentino," indicates that his role as the competition's organizer gave him an opportunity to highlight this work. See Gugliemo Gorni, "Storia del Certame coronario," \textit{Rinascimento}, n.s 12 (1972): 135–181, 141. Also see Giuseppe Beretta, "Note sul IV libro della \textit{Famiglia}," \textit{Miscellanea di studi albertiana}, ed. Comitato genovese per le onoranze a Leon Battista Alberti, 35–45 (Genoa: Tilgher, 1975); Antonio Altamura, \textit{Il Certame coronario} (Naples: Società editrice napoletana, 1974) and Lucia Bertolini, ed., \textit{De vera amicitia. I testi del primo Certame coronario} (Modena: F.C. Panini, 1993). For an engaging account of the refusal of the contest’s judges to award the crown to anyone and of Alberti’s bitter letter of protest, as well as his comments on this topic in his \textit{Vita anonyma}, see Grafton, \textit{Leon Battista Alberti: Master Builder}, 171–174.}

It is readily apparent that the defence of republican ideals is weaker in the last book than in the first three, possibly because Alberti was grappling with changes in Florence that threatened Florentine public life and republican ideals. Friendship as it was expressed by Lionardo in the earlier books, in terms of private relations that then supported public roles, may well have been at work in the rehabilitation of the Medici family from a position of exile to a position of power. Given the shift in Florentine power dynamics when Alberti was writing Book IV of \textit{Della famiglia}, it is not surprising that, in at least one important part of it, friendship morphs into a relationship that is more akin to courtiership than the types of friendship discussed earlier in the work, all of which seem to be among men of more or less equal status of citizens of a republic. Furthermore, in the first three books the focus was on having many friends and acquaintances and increasing their number, an approach that contrasts sharply with the one adopted in Book IV, which recommends limiting friendships.

There are two significant shifts in the evolution of the treatment of the topic of friendship from the first three books to the fourth, namely a) from friendships of equality to hierarchical friendships, and b) from an emphasis on having as many friends as possible to advice about limiting friendships. The former calls to mind Österberg’s observation that in the early modern period "sometimes, friendship was far closer to a patron-client relationship than
it was to an ideal friendship, however much it was framed in the rhetoric of friendship" because of its "obvious hierarchical dimension" (52). The latter shift brings into sharp focus one of the questions Österberg asks in her study: "in the early modern period, when state-formation characterized European social development, when, and to what degree did institutions of power or individual thinkers consider it a priority to caution against friendship [...]?" (16).

In the first three books of *Della famiglia*, friends are associated with the family, and they "are just as much badges of success as they are preconditions for success." The friendships described are based on utility and pleasure, and either help support family members in their public roles, or even help them as they seek to retreat to the private world. After the presentation of Piero's account of friendship, Adovardo and Lionardo do deal at length with Aristotelian and classical notions of friendship in the rest of the fourth book, displaying their erudition with respect to Aristotelian and Ciceronian notions of friendship. The general consensus in Book IV is that it is difficult to find "true" friends. In this book, Adovardo takes the position that minimizing friendships also minimizes risk and that "the modern world is an inapplicable stage for trying out Aristotle's ideal friendship." The friendships that Piero recommends are strategic conduits for family glory; they are relationships of utility rather than of emotional depth.

45 Christensen, "Friendship and its Limits," 23.
46 The display of erudition is in keeping with the presentation to Florence of Book IV on the occasion of the vernacular literary competition conceived by Alberti. Lionardo is the interlocutor who cites the ancient sources directly and with an air of reverence (350, 354–358). Adovardo also cites them, but always adds his own practical advice, for example, speaking on the relationship between friendship and virtù (360–363), adaptability in friendship (277), true friendship directed toward perfection (381), and about the limiting of true friendship to the few: "poiché non se non pochi quali sieno virtuosi, a noi ben possono veri essere e perpetui durare amici" (379). His discussion of friendship mirrors the structure of the topics covered on friendship in Aristotle's *Ethics*, that is how to obtain it, increase it, diminish it, recover it and make it permanent: "Così adunque vorrei dell'amicizia m'insegnassero acquistarla, accrescerla, descinderla, recuperarla, e perpetuo conservarla" (350). However, his method is much more focused on the practical aspects of friendship.
47 Christensen, "Friendship and its Limits," 22.
2.5.2 Piero's Novella on Friendship: The Role of the Prince in Exalting the Family

The advice of the family diplomat Piero on the topic of friendship is that, in a landscape of financial and political uncertainty and the whims of fortuna, it is necessary to cultivate courtly, hierarchical friendships as opposed to friendships of equality. Piero recounts how he found it necessary, during the period of the family's exile, to join the courts of princes for financial security and for protection, given the fact that his wealth, which was mainly tied up in property, villas and possessions in Florence and its environs, was not accessible to him. He uses the language of utility to describe the courtly alliances he forged ("a me parse utile agiugnermi a qualche principe"). By discussing examples from his long diplomatic career, he warns Battista and Carlo to avoid making close friends and offers them a model that might help them to find favour with and remain in the good graces of princes while avoiding any danger of being rejected:

Ma in più parte a questi giovani qui, Battista e Carlo, accaderebbero in uso così aver quasi come domestico esempio me a sapere simile trarsi persino entro alla secreta camera domestico e non reietto da qual forse così bisognasse loro o atagliasse avere a sé principe benivolo e amico. (327–328)

Piero proceeds to offer his advice to the young men on entering the secret chambers of princes and becoming their friends in the format of a novella, which he calls "una mia istoria," and creates his own authorial frame within the fourth book of the dialogues. Echoes of

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48 "Come sapete, ogni mio sussidio e fortuna familiare era, quando sedavamo in la patria nostra, quasi tutta in possessioni e ville. In questo poi nostro grave essilio, a difendermi dagli odii e inimicizia quali noi spogliarono de' pubblici ornamenti e troppo ci persequivano, a me parse utile agiugnermi a qualche principe, apresso di chi io vivessi con più autorità che escluso, e con men sospetto che nudo, e con più riguardo della salute Mia" (321–322) [my emphasis].

49 This passage is difficult, but very important to understand. In their commentary, Romano and Tenenti paraphrase as follows: "riuscirebbero utili per prendermi così quasi a esempio familiare del sapersi parimenti introdurre dentro il recesso più segreto da confidente e non schiafato presso quel principe che eventualmente occorresse o piacesse loro d'aver favorevole ed amico" (327).
Boccaccio are certainly evident in the way in which Alberti weaves Piero's story, especially in terms of the framing of the story with the servant Buto's introduction and in terms of Piero's narrative style.\textsuperscript{50} Piero repeatedly uses the terms "favellare," \textsuperscript{51} "raccontare," and "recitare" to underscore the narrative format of his message about the methods he had used to befriend the duke of Milan, the king of Naples, and the deposed Pope John XXIII Cossa, first in order to repatriate and then to strengthen the position of the Alberti family:

\begin{quote}
Racconterovi adunque che artificio fu il mio in adurmi familiare e domestico prima a Gian Galeazzo duca di Milano: appresso racconterò quale studio tenni in farmi benvoluto da Ladislao re di Napoli: poi ultimo reciteremo con che maniere osservai la grazia e benivolenza di Giovanni summo pontefice. E credo vi diletterà udire mie varie e diverse vie, mie caute e poco usate forse e raro udite astuzie, molto utilissime a conversare con buona grazia in mezzo el numero de' cittadini. (328)
\end{quote}

Piero's novella is the only narrative digression of its type in \textit{Della famiglia}; the combination of the introduction of a new voice and a new narrative technique in the dialogues


\textsuperscript{51} "a me basta vedere che così volete udirmi favellare" (328).
highlights that what Piero has to say is of particular importance.\textsuperscript{52} The references to the secret chambers ("secreta camera") of princes and to various and different devices ("varie e diverse vie"), as well as to shrewd and seldom-used means ("caute e poco usate astuzie") that have rarely been described ("raro udite") also signal that Alberti is writing about something new and different. In particular, the language of secrecy that Piero uses throughout his novella introduces a different concept of 'private' than that expressed in the first three books. Indeed, Alberti anticipates the concepts of "consiglio privato," and "udienza privata" with the prince\textsuperscript{53} that became more widespread in the sixteenth and seventeenth centuries with the growing prevalence in Italy of a more courtly culture.\textsuperscript{54}

At approximately twenty pages in length, Piero's novella on friendship is substantial.

While Alberti scholar Timothy Kircher has not deemed it a novella per se, he has identified

\textsuperscript{52} There are some interruptions from interlocutors (by Lionardo on pp. 333, 339 and 341 and by Giannozzo on p. 338) but they are relatively minor and serve to differentiate the various types of friendships discussed.

\textsuperscript{53} For example, Paolo Sarpi (1552–1623), the Venetian historian of the Council of Trent, wrote tellingly of the differences between "public audiences" and "private audiences" with powerful figures in Book Five of his \textit{Storia particolare delle cose passate tra il sommo pontefice Paolo V e la Serenissima Repubblica di Venezia negli anni 1605, 1606, 1607 in Opere varie del molto reverendo F. Paolo Sarpi, teologo consultore della Serenissima Repubblica di Venezia}, vol.1 (Helmstat: Jacopo Mulleri, 1750). His account of the visit of Don Francesco di Castro, the Ambassador of the Pope (il "Re Cattolico") to try to "conciliar qualche concordia tra l Pontefice, e la Repubblica" (83) reads as follows, highlighting the differences between Don Francesco's private audience with the Venetian sovereign and his later public one: "Giunto Don Francesco a Venezia, fu straordinariamente onorato dalla Repubblica con ogni dimostrazione, spendendo anche per questo 100 scudi al giorno. Ma questo Signore non aveva molto speciali commissioni dal Re; non sapendosi bene qual fosse lo stato del negozio, e per qual via convenisse condurlo; ma aveva ordine di parlar prima generalmente; acciò alla giornata avvisando quello che bisognasse fare, si potesse discendere a particolari. \textit{Perlochè nell'udienza pubblica, dove fu ricevuto con ogni dimostrazione d'onore, non passò i termini di complimento. Ma nella prima privata presentò la lettera del Re de' 5 Agosto, scritta con molta umanità, nella quale, fatta menzione della sua buona volontà verso la Repubblica, diceva esser venuto in deliberazione di mandar D. Francesco, per comporre le controversie che passavano con sua Santità con soddisfazione della Repubblica}" (184) [my emphasis].

that the account is framed by the commentary of the servant Buto, which thus lends it a Decameronesque flavour.\textsuperscript{55} It has a clear four-part structure that corresponds to his efforts to befriend, in turn, a friend of the Duke Gian Galeazzo Sforza of Milan, followed by the duke himself, King Ladislao of Naples, and finally Pope John XXIII. Regardless of the fact that Piero describes his friendship with the friend of the duke and the duke together as one episode, thus ostensibly de-emphasizing his first amicable conquest, his conquest of the friend of the duke merits treatment on its own not only because he describes this friendship at length but also because the ensuing friendship with the duke depends on it. At each stage, the discourse on friendship is complex and merits close examination. The first step in this chain of calculated friend-making is to use the technique of choosing and cultivating a close bond with a friend of the duke in order to reach the ear of the duke himself. Piero begins as follows:

A me, per conoscere alla amicizia del principe Duca, compresi era necessario adattarmi de' suoi antichi e presso di lui pratichi amici qualche uno, quasi come grado e mezzo per cui in atto modo e tempo potessi presentarmi, quando qualche ora fusse el Duca meno che l'usato occupatissimo alle pubblice sue certo grandissime faccende. (328–329)

Piero describes the duke as powerful, noble, just, and willing to make alliances with any noble or worthy republic or prince in Italy or outside it ("né era ozioso in iungere benivolenza con qualunque degna fusse e nobile republica e principe in Italia e fuori di Italia"). To this he adds that the duke "era cupidissimo de' virtuosi e amantissimo de' buoni e padre della nobiltà" (329). From the duke's circle, Piero chose to befriend Francesco Barbavara, "quale di sua natura fusse servente, e a cui el nome della famiglia nostra Alberta fusse non molesto" (329). He is described as the one most close and intimate with the prince and who had the most influence on his secret and private affairs: "Presi adunque di tutti e' suoi chi più che gli altri a me parea e così da molti udiva col principe era assiduo in secreti

\textsuperscript{55} Living Well in Renaissance Italy, 199–200.
Another determining factor in Piero's choice to cultivate this friendship is that Barbavara was already a man of great wealth and fortune and had no apparent ulterior motives or petty jealousies that might cause him to hesitate in facilitating an audience with the duke:  

\[\text{quale fusse posto in grado dalla fortuna che, per serbare sé a sé stessi, sperando qualche utile occasione, non mi si desse tardo e rattenuto ad interporsi per farmi nota e utile la liberalità di chi lo amava. (329)}\]

Piero's courtship of the intelligent, noble, liberal and kind Francesco Barbavara began with the recitation of poetry. Having heard that Barbavara loved poetry, he initiated the friendship by memorising and reciting poetry to Barbavara to woo him. Piero included works by Messer Antonio Alberti in his repertoire, presumably with the goal of increasing the family's honour in the eyes of Barbavara. This friendship, founded on poetry, grew closer as time went on so that Barbavara was inspired to help Piero in any way he could: "E così a me el feci domestico di giorno in giorno, tanto che desiderava in qualche mia laude e felice fortuna essermi in aiuto e utile" (330). Only at that point, having perceived a spirit of goodwill and a growing closeness between them, did Piero finally deem it suitable to confide in his new friend about the Alberti family's woes, and this confession in turn gained him access to the duke:  

\[\text{Quinci adunque seco apersi el mio animo e consiglio, e quanto el pregai, per lui ebbi addito e lieta fronte e umanissimo ricetto e non poca audienza apresso del principe Duca. (330)}\]

Next, Piero outlines how he positioned himself in his first discussions with the duke of Milan, who was at war with Florence. On hearing Piero's name and his provenance, the duke discussed the situation in Florence with him, and described his position as moderate,

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\[56\text{Note the language of secrecy. Even though he does not use the term "privato," he is alluding to the private in the sense of secret.}\]
confirming that he would prefer the friendship of the Florentines to enmity ("sé essere a' Fiorentini non d'animo in quella parte infesto che non preponga la amicizia loro a ogni contenzione") (330). Furthermore, because of his personal belief that the results of war so often depend more upon fortune than virtù, the duke confided that he would rather be admired for his virtù rather than his fortune and would prefer to be perceived by the Florentines as a valued friend rather than as a fearful enemy:

sé essere adunque così animato e dare opera, che per sé non manchi che come gli strani abbiano più da lodare la sua virtù che la fortuna, così chi disturbasse el corso della sua espettata gloria el pruovi da più amarlo in pace che da temerlo armato: ben però desiderare alla famiglia nostra da' nostri cittadini altra umanità. (331)

It is significant that the duke expressed a wish that the Alberti family had been treated more humanely by Florence ("ben però desiderare alla famiglia nostra da' nostri cittadini nostra umanità"). First, it signalled to Piero that the duke held the Alberti family in high regard. Second, it gave Piero the opportunity he had been waiting for to make some deft and strategic diplomatic moves towards gaining the confidence of the duke.

Piero recounts how he proceeded carefully in his complex response to the duke, beginning by defending his patria despite his own family's exile and by telling the duke that the Florentines were more interested in peace than in war, but that it would be just for men who love liberty to defend it. Piero suggested that an offer of peace from the duke would likely be well-received, but that if it were not, the Florentines could not be blamed for their stand:

Io quel che mi parse per allora rispuosi: i cittadini nostri quanto meno che gli altri liberi popoli temerarii e inconsulti, tanto, loro natura, più essere che gli altri molto cupidi d'ozio che di contenzione: né in chi gusti libertà meno dirsi onesto difenderla, che virile in altri opprimerla e petturbarla: pertanto me essere di questa sentenza, che nulla dubitava tutte le genti o loderanno l'amore e officio si rende alla patria, s'e' nostri cittadini per sua virtù col Duca otterranno onesta e ferma pace, o non biasimeranno il
After confirming loyalty to Florence and his support of the duke's offer of a truce, Piero made a very interesting move. He made an appeal to the public good and rule of law as his primary concern, ostensibly minimising the private interests of his family. Despite his family's misfortunes, he still considered himself a Florentine and stated that it was neither for him nor for any private citizen to judge the actions of the republic. Instead, he made an appeal to the rule of law, emphasizing the duty of all citizens to submit to the laws and to uphold praiseworthy conduct:

non a me, né a privato cittadino alcuno mai essere licito iudicare quanto sia iusto o iniusto fatto cosa che la republica sua constituisca, e convenirli non con ostentare la prudenza sua preferirsi, ma ubidendo e satisfacendo alle leggi sue colla osservanza sua, e con ogni virtù e lodato costume, nulla patire sé a degli altri cittadini suoi essere inferiore. (332)

Having thus established his commitment to his patria, to the public good, and to the rule of law, Piero's next move was to mention the misfortunes of the Alberti family. He continued this important speech by stating that his best recourse for the harm done to his family through the careless or even wicked acts of corrupted public officials in Florence was simply to regret their actions rather than to do something harmful to the patria by expressing any hatred toward those persons:

se per imprudenza o vizio forse di chi amministra le cose publice questa a noi Alberti calamità avviene, dovermi più tosto condolere dello loro errore e dello incommodo porta la republica per male essere amministrata, che per odio di pochi tentare, né mai pensare cosa alcuna in danno e detrimento della patria mia, se così affermano sia in pari grado impietà inuirarlà, quanto fare violenza al proprio padre. (332)

Through this clever presentation to the duke, which he ended with a comparison between attacking one's country and doing violence to one's father ("sia in pari grado impietà
iniurarla, quanto fare violenza al proprio padre") and in which he favoured public good over private interests, Piero finally succeeded in gaining the favour of the duke. Piero was at once able to lament the misfortunes that had befallen the Alberti family, accept their fate and respect the rule of law. Piero proudly communicates how pleased the duke was with his reply and how he was comforted by Piero's exemplary validation of the Alberti family reputation:

Al Duca questa mia risposta piacque, e parsegli degna del nome della famiglia nostra, quali sempre preponemmo la salute e tranquillità della patria a ogni nostro commodo e volontà. (332)

Piero explains how his favour with the duke brought him a higher status, a lifetime of financial security and more respect from his kin, who also enjoyed the liberality and munificence of the duke.

da quel dí, provide che a me nulla mancasse quanto bastasse per onesto mio vivere e vestirmi; e non raro me accettò a' suoi simili ragionamenti magnanimi certo e degni di tal principe, onde sempre mi riducea in casa con più grazia e con più autorità e buona opinione de' miei costumi appresso di tutto e' suoi. Vidi così potere, però me interposì che gli altri miei, quali sé ivi trovorono Alberti, sentissero quale io in sé pari dal Duca liberalità e munificenza. (332)

Finally, appealing to the duty to assist in the accumulation of honour and fortune of one's kinsmen, speaking directly to the young Battista and Carlo, he makes a telling statement about the utility of the friendship of princes in exalting the family: "E le amicizie de' principi massime si voglion acquistare e aoperare per accrescere e amplificare a' suoi e alla famiglia sua nome e buona fama e degna autorità e laude" (332–333).

Piero proceeds to the next stage of his tale about friendship and recounts how, after the duke's death, he went to the court of the king of Naples, with whom he struck up a friendship that was likewise calculated. It was first based on their mutual love of hunting. Piero, by releasing his dogs, saved the king from attack by a bear and was rewarded with a seat next to him at the dinner table that evening. Knowing that he had earned the trust and ear
of the king, Piero's ensuing behaviour was extremely self-conscious. Despite the king's offer
to do for Piero anything he might wish, Piero was careful always to ask for less rather than
more and never to arouse the suspicions of others in the king's circle against him:

E delle cose ben iuste però non sempre quanto m'era licito volsi, e
prima con studio fuggii adoperare la benivolenza del Re in cosa
alcuna donde per chi si fusse errore o vizio a me potessi essere
impinto alcuno mal grado. (339–340)

He explains how he avoided ostentation ("escludendo a me tutte le ostentazioni e fastidiose
pompe" [340]), cultivated genial and pleasant ways with everyone, even plebians, took
exercise often to please the king, and encouraged others in the court to do likewise because
the king so enjoyed seeing his people active:

E come in questo, così adunque ancora altrove fuggiva io ogni odio
e ogni invidia, escludendo a me tutte le ostentazioni e fastidiose
pompe, quali nei poco prudenti subito sogliono insieme colla
prospera fortuna escrescere. Io così, contra, me declinava: davami
facile, affabile, umano a qualunque a me in casa e fuor di casa si
presentava, e così studiava essere grato e iocondo agli occhi e
orecchi persino de' plebei e infimi uomini. E perché così al Re
dilettava vedere e' suoi motteggiosi, festivi, desti, nulla pigri, nulla
desidiosi, io non raro in sua presenza me essercitava, e con
dolcezza eccitava gli altri a far prova di sua virtù, a cavallo in
giostra, a piè schermendo, saltando, lanciando. (340)

In the final part of Piero's novella on friendship, he discusses his time at the court of
Pope John XXIII Cossa in Bologna where he went after the death of the king of Naples. He
originally made the journey there when the Alberti family was asked to secure a loan of the
unusually large sum of 80,000 gold coins with unprecedented haste from London. Piero knew
about the pope's fickle ways and so, upon presentation of the funds, was clear with him that
the Albertis had conferred a great benefit on him and had gone to considerable risk in
procuring the vast sum of money for him, and would therefore require favours in return. Piero
speaks of his intense dislike of the pope and the people in his court ("Io a cui que' vizii e suoi
e di tutta la famiglia dispiaceano" [344]), and of his understanding that the pope's friendship
with him was one of utility ("non poco intendea el Papa non amarmi se non per quanto egli aspettava da noi qualche utilità"). The papal court is described as a very unstable and changeable environment ("oggi questo potea el tutto; domani era costui da tutti escluso; e così d'ora in ora ciascuno procurava rendere odiato e dismesso chi sopra sé apresso del Papa fusse accetto" [343]). Because he desired not to tarnish his good name, Piero was careful to keep his distance from others at the papal court: "voluntieri sì mi stava da loro segregato e lontano; ché sapete l'uso co' viziosi sempre diede infamia e danno" (344).

According to Piero, he was constantly defending the family against anyone who might wish to turn the pope against the Alberti, and was persistent in his requests for offices and benefits for himself, his family, and kin: "ma per usare la benivolenza sua, come si dice convenirsi fruttare l'amicizia de' preti, sempre e per me e per miei gli domandava cose quale era suo debito dare, se non a me ad altri: offici, beneficii, grazie" (344). He always rewarded both the pope and members of his court for their favours: "E quello che tutto vincea, io d'ogni ricevuta benificenza el premiava con doni, sicché mai de' suoi niuno si partisse da me senza mia liberalità, quale parte tenesse a sé, parte presentasse al Papa" (344–345). Through these cunning means, Piero protected his own position of influence and the benefits it conferred on his family. The overtly transactional quality of this friendship makes it quite different from the previous three types of friendships discussed by Piero, but a common element in all of friendships is that the Alberti family benefitted in terms of honour and stature.

Another common element in all of the friendships described in the novella is the amount of hard work and effort\(^\text{57}\) that Piero put into them. At the very beginning of his story, Piero speaks of how, "con molta industria e sollecitudine a me acquistai la grazia di tre, come sapesti, in Italia ottimi, e in tutte le genti famosissimi principi" (321–322). The effort that

\(^{57}\) "Laborisità" is a key concept in Albertian thought. See Paolo Marolda, *Crisi e conflitto in Leon Battista Alberti* (Rome: Bonacci, 1988), 17.
went into securing the "middleman of friendship" ("personeta dell'amicizia") (341), Barbavara, is not discussed at length by Piero, but Barbavara is referred to as "quello al quale me assiduo diedi con visitarlo e salutarlo" (330). The manner in which Piero 'seduces' him with poetry and the gradual process of growing closer and more intimate were also laborious. When Piero finishes recounting the story of his friendship with the duke, Lionardo praises Piero's wise counsel and his astute choice and use of the "personeta dell'amicizia," and he also observes that he is quite sure that, had the friendship not resulted in an audience with the duke, Piero would have tried again with another: "Ma se non questo uno a voi conseguiva quanto lo sperasti amico, sarestivi credo con simile ragione e arte che al primo, dato ossequente ad altri alcuno" (333). Piero rejects Lionardo's idea, stating that he would have persevered with Barbavara as he had already invested so much time and effort into the relationship. Piero then speaks of the self-policing\(^{58}\) behaviour and hard work that went into his friendships with Barbavara and the duke:

\[
E\ \text{già ivi col nostro Barbavara, non meno e col principe Duca, a me molto bisognò pazienza e fermezza incredibile. Dicovi, non rarissimo mi trovai intero di ieiuno, dissimulando altre faccende mie, solo aspettare di monstrarmi loro e salutarli, tanto volea non per mia indiligenza perdere qualunque apparesse occasione ben familiare. E per non apportarli di me mai tedio alcuno, da loro partendomi sempre di me lasciava qualche espettazione; sempre a loro con cose nuove me li rendea lieto, con ogni reverenza e modestia grato. (333–334)}
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At the end of his account of befriending King Ladislao, Piero likens the time he had to spend with the king to the vigilance he was obliged to observe with the duke:

\[
Ma\ \text{come era apresso el Duca a me prima suto incommodo molestissimo el convenirmi con infinito studio di diligenza osservare e accorrere, ch'io non tardassi o perdessi quella e quell'altra ora utile a presentarmi, così con Ladislao qui m'era molestia gravissima né ozio, né certo spazio d'ora a mia privata alcuna volontà o faccenda quasi mai restarmi; tanto mi convenia}
\]

\(^{58}\) See Greenblatt, \textit{Renaissance Self-fashioning}, esp. Introduction.
così non altrove essere che pressoli, ché bene intendea io quanto
chi disse la benevolenza de' signori essere simile alla dimestichezza
dello sparviere; disse el vero. (341)

Not unlike Castiglione's courtier, Piero describes himself as policing his own
behaviour at the king's court in order to stay in his favour in a situation where "un sol guardo
s'è trovato stato cagione che 'l signore prese odio capitale contro chi e' molto prima amava"
(341) Therefore, he recounts how:

io con molta vigilanza, assiduità e osservanza, con onestissimi e
iocondissimi essercizii, con ogni riguardo in favellare e degna
moderazione d'ogni mio gesto, curava mantenermi la grazia e
benivolenza di Ladislao re. (341)

The intense effort that went into forging bonds of calculated intimacy with the other
three is absent in his relations with John XXIII Cossa. Furthermore, his friendship with the
pope is not as complicated because his motives are not veiled, as they were with the others.
His goals, he recounts, were the protection of himself and of his family, and work required of
him in the situation involved avoiding intimacy with anyone at court and sheer persistence in
demanding favours from the pope, even in the face of multiple rejections: "e avute più ripulse,
non però me tiravo adrieto, anzi di nuovo entrava a ripregarlo" (344).

At the end of Piero's novella, Adovardo comments on Piero's structuring of the story,
observing how Piero's three portraits of friendship demonstrate the three types of Aristotelian
friendship, likening, in turn, his friendship with the duke to Aristotle's friendship based on
virtù, his relationship with the king to a friendship based on pleasure, and finally his alliance
with the pope to Aristotle's friendship based on utility.59 However, as mentioned earlier, even
though none of the interlocutors notices, there are actually four, not just three, friendships
represented in Piero's novella, and all of them are based on utility. The friendships with

59 Adovardo states: "tutto el ragionare di Piero stato maturo e grave, e pieno di prudenza; e bene vi
scorsi la sua astuzia e arte non poca; e non ti niego, comprese quelle tre oneste, voluttuose e utile
amicizie" (347).
Barbavara and the duke are utility masquerading as virtù while the friendship with the king is utility in the guise of pleasure. They have nothing in common either with Aristotle's ideal friendship based on virtù or with his description of a friendship based on pleasure. Only the fourth friendship, that with the pope, is correctly represented as what it is, for it does not pretend to be anything but a friendship based on utility. This misinterpretation of an ancient source by Adovardo is clearly an example of Alberti's very deliberate use of irony.  

There has certainly been a paradigm shift towards more courtly concerns in these passages of Della famiglia, although the argument is still framed in terms of the accumulation of family honour and fame, especially in the discussion of Piero's friendship with the duke. In addition to the replacement of family friendships with courtly relationships, the strategic utility of friends in the right places is emphasized more than in the previous three books. In lieu of Giannozzo's matter-of-fact statement regarding the interdependence of families and friends in the grey zone of public/private relations, in Book IV there is a new type of conscious calculation in the mechanics of choosing, pursuing and maintaining potential friends that is absent from the discussions in the preceding books. This new conception of private as that which deals with the hidden and secret is more connected with the rise of courtly culture.

The methods espoused by Piero certainly explore the grey area between private and public worlds. His approach presupposes a hierarchical relationship between himself and the person from whom he seeks favours. When Giannozzo and Lionardo speak of the value of friendships to the family, despite their divergent objectives, they both seem to be referring to

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more equal relationships of interdependence. Piero presents himself to the public figure of the prince for personal gain and for gains in both the public stature and private well-being of his family. However, the idea of pursuit of public good is completely absent from Piero's conception of the ultimate purpose of these friendships. Self-protection blended with the exaltation of the family is the desired goal, which is achieved by staying in the good graces of the prince. In Lionardo's world-view, which represents the 'ought,' in Alberti's thought, the honour, praise and glory of the family are readily translated into the cultivation of the public good, such that the private world serves the public, and the (private) family exalts the (public) city. In Giannozzo's world-view, enjoying private goods at home without concern for the public good is the ideal. Piero turns Lionardo's perspective inside out with an astute and realistic account of life in an increasingly courtly milieu: the public figure of the prince exalts the (private) family. Along with the move from republic to court, there is a coincident movement from the priority of public good to private interests and from the cultivation of public virtù to carefully calculated friendships established with superiors in order to survive in a dangerous and uncertain world.

3. Corruption and Dissimulation in Public and Private Affairs from De iure to Della famiglia

Many Alberti scholars have recently noted a darker side to Alberti's writings, contrasting his apparently straightforward and rational works with his more obviously ironic works.61

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61 Rinaldo Rinaldi is a key theorist of Alberti's pessimistic world-view. See "Melancholia Albertiana: dal Deifira al Naufragus," Lettere italiane 37 (1985): 41–82. He notes, following Eugenio Garin, that "[t]utta la sua opera è infatti ambiguamente dissociata tra due voci concomitanti e contraddittorie: una, appunti, melanconica e oscuramente negativa; l'altra tutta rivolta a costruire un progetto positivo e ottimistico in chiave correttamente umanistica" (68). See also Melancholia christiana: Studi sulle fonti di Leon Battista Alberti (Florence: Leo S. Olschki, 2002); and "Leon Battista Alberti malinconico" in Storia della Civiltà Letteraria Italiana, vol 2.1, Umanesimo e Rinascimento, 207–228 (Turin: UTET, 1990). Eugenio Garin has noted that Alberti's work can be divided into two
However, even in the more ostensibly straightforward works, namely his treatises, which have as their overarching purpose the communication of a didactic, ethical message, there are also indications that Alberti presents a darker side of human relations by acknowledging the existence of forces of corruption and by describing how, through dissimulation, one's private or family interests may be preserved. Both *De iure* and *Della famiglia* contain passages, or parts, or points of view, that indicate how difficult it is, in practical terms, to attain the ideal of the primacy of public good. It becomes clear in the following analysis, that, in addition to the existence of the clearly expressed juridically derived meanings of public and private, a different conception of private, in the sense of what is hidden or secret, also dwells in Alberti’s more rational works.

In his ambitious study, *Dissimulation and the Culture of Secrecy in Early Modern Europe*, Jon Snyder has recently noted that "[t]he sixteenth and seventeenth centuries have been called "the age of dissimulation" in Europe. While he does survey some ancient sources of discourse on dissimulation as well as the even more scarce references to it in medieval sources, the scope of his study does not include any fifteenth-century authors. He notes that in the early modern age, discourse on prudence gradually gave way to an parallel and irreconcilable lines of thought: the rational treatises which culminate with *De re aedificatoria* and other works like *Momus* and *Intercenales* that showcase the misery and folly of human existence. "Veramente il discorso delle Intercenali è rovescio simmetrico della compostezza dei trattati, e il *Momus* la parodia celeste e terrestre dell'Architettura." "Il pensiero di Leon Battista Alberti: caratteri e contrasti," *Rinascimento* n.s. 12 (1972), 18. Also see Garin’s *Rinascite e rivoluzioni: Movimenti culturali dal VIV al XVIII secolo* (Rome: Laterza, 2007), 133–196, where he speaks of the contrasts in Alberti’s work, "ragione e follia, maschere e volti, luci e tenebre" (170–171), as well as "il senso della contraddizione che spezza la realtà e traversa la vita dell'uomo" (173), the sense that "tutta la realtà è ambigua, mutevole, sfuggente nel guicho delle apparenze e delle illusioni" (175) and of the idea of "una scissione originaria, di una contraddizione che spacca il reale alle radici" (177) that is apparent in Alberti’s work.

62 Jon Snyder, *Dissimulation and the Culture of Secrecy in Early Modern Europe* (Berkeley: University of California Press, 2009), 5.
increasing attention to dissimulation. In discussing ancient sources, he mentions that their focus is on keeping quiet or silent. In the medieval period, overt discussion of dissimulation was almost absent because of the *concordia* between the head, heart, and mind that mandated what Augustine insisted upon, namely "the continuity between what one thinks and what one says" (17). While he does cite some early Church Fathers and their practice of turning a blind eye to certain irregularities rather than approving or tolerating them, he singles out Aquinas as the one who "in recovering the distinctions that Augustine had rejected regarding the legitimacy of feigning and dissembling, anticipated the early modern shift in attitude towards dissimulation" (18).

It seems a worthwhile exercise, and one which complements Snyder's work, to examine how dissimulation was treated in the texts of the fourteenth and fifteenth centuries in order to bridge the gap between Aquinas in the thirteenth century and Machiavelli, Castiglione, Accetto, Machon and other theorists of dissimulation in the sixteenth and seventeenth centuries. A study of how Alberti conceptualises dissimulation in *De iure* and *Della famiglia* reveals the extent to which his thoughts on the subject anticipate in quite a remarkable way the explosion of writing on dissimulation in the sixteenth and seventeenth centuries. While this analysis is by no means an exhaustive study of dissimulation in Quattrocento texts, it contributes in a small yet significant way towards bridging this gap. It will also perhaps challenge Snyder's notion that "since there were only a few classical or medieval authorities to which to refer, this discourse [i.e. the discourse on dissimulation and the culture of secrecy] had to be largely invented *ex nihilo*" (9) for indeed, as the present analysis demonstrates, Alberti's fifteenth-century works discussed dissimulation and one might argue that they may have even served as models for sixteenth-century writers on the topic.

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63 "In the transformation of European culture that occurred in these years, the emergence of the discourse on dissimulation accompanies the longstanding consensus concerning prudence" (9).
Recently, some Alberti scholars have acknowledged the representation of strategies of dissimulation in his work, especially in *Momus*, which has been described as one of Alberti's most unusual, pessimistic, and ironic works. Many critics also focus on the theme of the mask in Alberti's writing. Some studies do acknowledge the Piero episode in Book IV of *Della famiglia* as a precursor to later works on courtly culture, namely *Il principe* and *Il libro del cortegiano*. Woodhouse has examined Piero in terms of Machiavelli's prince and Castiglione's courtier. Watkins has also mentioned that "Piero shows what it meant to be a Machiavellian courtier before the time of Machiavelli and Castiglione" (15). However, none of these studies examines dissimulation *per se* as a concept Alberti introduces throughout the whole of *Della famiglia*, nor does any examine dissimulation in terms of public/private interfacing. No existing study deals with dissimulation in *De iure*. The one scholar who has begun to notice the emphasis on dissembling and dissimulation in *Della famiglia* is Timothy Kircher, who in his recent *Living Well in Renaissance Italy: The Virtues of Humanism and the Irony of Leon Battista Alberti*, also highlights Piero's account as revolving around "appearances and dissembling, around the relation of being to seeming" (197) as well as the emphasis on the "skillful use of appearances" (198) recommended by many of the interlocutors of *Della famiglia*. A more thorough study of dissimulation in *De iure* and *Della famiglia* will serve to deepen the current scholarship.

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65 For example, Rinaldo Rinaldi, "Leon Battista Alberti malinconico," 208: "L'io dello scrittore si nasconde (come ha notato Garin) dietro le sue maschere, tanto che è sempre stato difficile identificarlo con uno dei suoi personaggi o apparenti portavoce." See also Garin, "Alberti e la cultura del Quattrocento," 509.
The analysis will begin with an overview of how Alberti conceptualizes prudence in *De iure* and *Della famiglia* and proceed to Alberti's account of corruption and dissimulation in legal affairs in *De iure*, Giannozzo's account of dissimulation in the private/semi-private realm in Book III of *Della famiglia*, a reconsideration of Piero's novella as a lesson on dissimulation, and Adovardo's discussions of dissimulation in Book IV. Some comparisons will be made between Alberti's concept of dissimulation and that presented in the following century by Machiavelli and Castiglione, and the practice of dissimulation will be considered, furthermore, in terms of public/private interfacing.

3.1 Prudence in *De iure* and *Della famiglia*

In *De iure*, prudence may be understood as a fundamental quality that a good jurist must possess, since without it he would not be able to respond to the complex realities of legal cases. Although Alberti does not often explicitly use the term, the idea of prudence is ubiquitous in the treatise, just as it is in Cicero's writings, and is implicit in his definition of what makes a good jurist. His use of the term occurs first in Section 2 where he discusses "the interpretations of the wise and the teachings of philosophy" ("prudentium interpretationibus et philosophie preceptis"). When he refers to the wise or the prudent here, he is referring to jurists, since jurists interpret laws. The essential quality of the jurist is therefore prudence, and this is not surprising when one considers that the term jurisprudence means "wisdom or knowledge of the laws."

The second occurrence of the use of the term is found in the following passage:

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Sed cum plerumque id ius, quod a natura in cuiusque probi animum institutum est, a scripto iure discrepare fortasse videatur, idcirco exorte sunt prudentium cure, quibus et quid deceat et quid expediat definiatur. (S3)
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But since, generally speaking, this law, which has been implanted by nature into the spirit of every honest man, seems to differ somewhat from written law, therefore it is the responsibility of the wise to define both that which is right and that which is advantageous.

This passage, taken from the section in which Alberti discusses natural law, emphasizes that it is up to the prudent or knowledgeable (by which he means jurists) to interpret laws, keeping natural law always in mind when considering the application of particular, written laws. Prudence, in De iure, is a particularly juridical quality, linked first and foremost to reason and knowledge, but also to a sense of practicality.

The prologue to Della famiglia is replete with references to ancient prudence. In the dialogues themselves, both Lorenzo and Lionardo frequently speak of prudence. In the prologue alone, the term occurs ten times. In the first part of prologue, it is mentioned either in relation to the magnificence of many ancient families of Italy, who are described as "modestissime, prudentissime, fortissime" (3), or in relation to the greatness of ancient societies and their just laws as in the following passage:

Le giuste leggi, e' virtuosi principi, e' prudenti consigli, e' forti e costanti fatti, l'amore verso la patria, la fede, la diligenza, le gastigatissime e lodatissime osservanze de' cittadini sempre poterono o senza fortuna guadagnare e apprendere fama, o colla fortuna molto estendersi e propagarsi a gloria, e sé stessi molto commendarsi alla posterità e alla immortalità. (5)

In the second half of the prologue, prudence is a key element of virtù. The young men of the Alberti family are advised that with this quality they can battle bad fortune. In the following passage, which follows immediately on the heels of the pithy statement, "Solo è sanza virtù chi nolla vuole," the word "prudence" is repeated five times and figures prominently:

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66 This passage was cited earlier in this chapter but for the purpose of demonstrating the importance of good laws to Alberti's concept of virtù.
E se così si conosce la virtù, costumi e opere virili, le quali tanto sono de' mortali quanto e' le vogliono, i consigli ottimi, la prudenza, i forti, constanti e perseveranti animi, la ragione, ordine e modo, le buone arti e discipline, l'equità, la iustizia, la diligenza e cura delle cose adempiano e abbracciano tanto imperio, e contro l'insidiosa fortuna salgono in ultimo supremo grado e fastigio di gloria; o giovani Alberti, chi di voi, per questa quale spesso si vede volubilità e inconstanza delle cose caduce e fragili, mai stimasse facile persuadermi che quello, el quale non può a' mortali essere vetato in modo che a loro arbitrio e volontà essi nollo apprendino e rendanselo suo, questo già in possessione degli uomini ridotto, possa non sanza grandissima difficultà a' diligenti e vigilanti possessori essere suttratto, o a' virili e forti defensori rapito? Saremo adunque sempre di questa opinione, nella quale credo siate ancora voi, e' quali tutti siete prudenti e savi, che nelle cose civili e nel vivere degli uomini più di certo stimeremo vaglia la ragion che la fortuna, più la prudenza che alcuno caso. Né chi locasse nella virtù speranza manco che nelle cose fortuite, mai parrebbe a me iudicarlo savio né prudente. E chi conoscerà l'industria, le buone arti, le constanti opere, e' maturi consigli, le oneste essercitazioni, le iuste volontà, le ragionevoli espettazioni prostendere e agrandire, ornare, mantenere e difendere le republike e principi, e con questo ogni imperio surgere glorioso, e senza queste rimanere privato di tutta sua maiestate e onore; e chi noterà la desidia, inerzia, lascivia, perfidia, cupidità, iniquità, libidine e crudezze d'animi e isfrenate affezioni degli uomini contaminare, dirupare e profondare quantunque ben alta, ben ferma e stabilita cosa, costui credo stimerà questo medesimo come a' principati, così alle famiglie convenirsì, e confesserà le famiglie rarissime cadere in infelicità per altro che per solo sua poca prudenza e diligenza. (10–11) [my emphasis]

In Book I, Lorenzo and Lionardo echo their support of prudence as a practice that maintains and increases the glory of the Alberti family. Their use of the term cannot be separated from their dedication to the necessity that the young Alberti develop and exemplify public virtù. The present discussion will focus on Lorenzo's use of the word, which is echoed by Lionardo throughout the dialogues. In Lorenzo's first long passage, he twice cites prudence to refer to one of the essential qualities of his great Alberti ancestor, Benedetto Alberti:

Però qui mi ramenta di nostro padre messer Benedetto Alberto, uomo di prudenza, autoritate e fama non vulgare, e come nelle altre cose diligente, così al bene e onore della famiglia nostra affezionatissimo e officiosissimo, el quale spesso con gli altri
L' intelletto, la prudenza e conoscimento de' vecchi insieme colla
diligenza sono quelle che mantengono in fiorita e lieta fortuna e
adornano di splendore e laude la famiglia (25)

Adunque sia debito a' giovani referire co' padri e co' suoi vecchi
osti, pensiero e ragionamento suo, e di tutto con molti
consigliarsi, e con quegli in prima a' quali conoscono sé essere più
che agli altri cari e amati, udirgli volentieri come prudentissimi ed
espertissimi, seguire lieti gli amaestramenti di chi abbia più senno e
più età. Né siano e' giovani pigri ad aiutare ogni maggiore nella
vecchiezza e debolezze loro; sperino in sé da' suoi minori quella
umanità e officio quale essi a' suoi maggiori aranno conferita. (25–26)

Finally, towards the end of his long speech, he explicitly links prudence to virtù:

Ed èmmi esempio la casa nostra, la quale abonda di prudenza,
ragione ed esperienza, fermezza, virilità e constanza d'animo; pure
conosce in queste nostre avversità quanto con sua furia e iniquità la
fortuna in qualunque saldo consiglio, e in qualunque ferma e ben
constituta ragione vaglia. Ma siate di forte e intero animo. Le
avversità sono materia della virtù. (30)

All these qualities, then, including wisdom, reason, experience, firmness, virility, and
constancy of spirit, taken together, constitute virtù, and they are all strengthened by exposure
to adversity. Lorenzo's next reference to prudence emphasizes the importance of adapting to
the times and to not just being, but also seeming virtuous:
The focus on prudence is important because it is a strategy for dealing with difficult, unstable, unpredictable situations without resorting to techniques of simulation or dissimulation. Instead, as noted earlier in this chapter, Lorenzo emphasizes that his sons must be tractable and versatile ("trattabili, versatili") in their dealings with others. Lorenzo therefore advises the young men in the family to act in accordance with practical wisdom, adjusting to diverse situations in a realistic and thoughtful way. This is in keeping with what Snyder has identified as a preoccupation with prudence in ancient writings (and presumably in Quattrocento works too, although he does not specifically mention them). It is interesting to note, however, that while Lorenzo stresses the importance of being adaptable and versatile in accordance with the times, this advice can be taken together with the imperative that being virtuous (and therefore prudent) comes first, and seeming (or giving the impression of being) virtuous comes second. A century later Machiavelli would go a step further, detaching the ancient concept of prudence from virtù and radically redefining virtù to the extent that seeming virtuous could be equated with being virtuous.

In Book III, Giannozzo utilizes the term prudence to refer only to matters of practicality, household thriftiness, and to the private good of the family. He divorces scholarly wisdom, a quality that a jurist or person of learning would possess, from prudence, and instead links prudence with good household management. Consider the following passage, in which Giannozzo describes himself as prudent with money:

Testé, Lionardo mio, sono io prudente, e conosco chi getta via il suo essere pazzo. Chi non ha provato quanto sia duolo e fallace a' bisogni andare pelle mercé altrui, non sa quanto sia utile il danaio.
E chi non pruova con quanta fatica s'acquisti, facilmente spende. E chi non serva misura nello spendere, suole bene presto impoverire. E chi vive povero, figliuoli miei, in questo mondo soffera molte necessitá e molti stenti, e meglio forse sarà morire che stentando vivere in miseria [...] Figliuoli miei, e' si vuole essere massaio, e quanto da uno mortale inimico guardarsi dalle superflue spese.

(195)

In addition to linking prudence with responsible expenditure, Giannozzo also uses the term to describe how he controls his wife, characterizing his instruction of his wife to avoid wearing make-up as a fine example of his own prudence: "E in questo fu' io prudentissimo, né ti dispiacerà udire in quanto bello modo io gli ponessi in odio ogni liscio" (272). In this instance, his prudence involves privately, but cruelly shaming his wife into never wearing make-up again.

The most interesting 'recasting' of prudence by Giannozzo occurs when he contrasts the version of prudence used by the litterati of the Alberti family with his own. He begins this discussion as follows: "Voi litterati [...] e' quali trattando della prudenza e vivere umano solete adutte esempio dalle formiche [...]" (262). Messer Benedetto Alberti, he explains, might have cited the behaviour of ants in order to exemplify prudence because of their tendency to think "oggi a' bisogni di domane" (262). Another example the more literate members of the Alberti family utilize to explain prudence is through the metaphor of bees, "le quali tutte a uno solo obedisco, e pella publica salute tutte con fortissimo animo e ardentissima opera s'essercitano" (262). In both of these examples of insect colonies, there is a focus on the public good over private interests. In stark contrast, Giannozzo presents his own analogy ("mia similitudine"), which he describes as "non tanto apropriatissima quanto le vostre ma certo non tutto inetta" (263). He deliberately subverts the traditional, scholarly definition of prudence with his attempt to "seguire ne' miei ragionamenti la vostra lodata e nobile consuetudine" by
depicting the *pater familias* as a spider in the middle of his web, controlling everything and acting quickly for the (private) good of his family:

Voi vedete el ragno quanto egli nella sua rete abbia le cordicine tutte per modo sparse in razzi che ciascuna di quelle, benché sia in lungo spazio stesa, pure suo principio e quasi radice e nascimento si vede cominciato e uscito dal mezzo, in quale luogo lo industrissimo animale osserva sua sedia e abitacolo; e ivi, poiché così dimora, tessuto e ordinato il suo lavoro, sta desto e diligente, tale che, per minima ed estremsissima cordicina quale si fosse tocca, subito la sente, subito s'apresenta e a tutto subito provede. Così faccia il padre della famiglia. Distingua le cose sue, pongale in modo che a lui solo tutte facciano capo, e da lui s'adirizzino e ferminsi ai più sicuri luoghi; e stia il padre della famiglia in mezzo intento e presto a sentire e vedere il tutto, e dove bisogni provedere subito provegga. (263)

Giannozzo's version of "prudenza e vivere umano" has as little to do with the public good as it has with knowledge of letters. In this instance, he adopts the customary rhetoric adopted by the family's defenders of ancient prudence to subvert their analogies and redefine prudence, placing it in the service of the private interests of the family and its members.

In a similar vein, Piero's use of the term prudence in his novella in Book IV, together with his interlocutors' employment of the term in their reaction to Piero's story, cast it in an unusual light. Like Giannozzo, he addresses the more learned members of the Alberti family as "voi litterati," not only in order to acknowledge their scholarly backgrounds but also as a means of distinguishing himself from them. One also detects a hint of irony in the way he introduces himself in his first utterance on the topic in the dialogues:

Non sapre' io qui certo averarvi qual più sia, o la virtù, o pure le ricchezze, utile a farsi amare. Voi litterati fra voi meglio el discernerete, che solete d'ogni difficile e oscurissima cosa con vostre suttilissime disputazioni trovare ed esporre el certo. (324)

Before he begins his story of friendship, Piero appears to toe the family line, praising the exemplary virile and prudent character of Benedetto Alberti, and admitting that study and a
well-ordered life attract benevolence (as Benedetto attracted so much good-will to himself with his character):

era in lui modestia, facilità e gentilezza insieme, e non potrei dire che altro non so che in lui splendea, quale si mostrava in lui dolce gravità e infinita prudenza, piena d'uno animo virilissimo e mansuetissimo, - pure lo studio però nostro e modo troverete ad aplicarvi a benivolenza non meno che qualsisia altra cosa molto giovarvi. (327)

When asked by Lionardo just how useful study and an ordered way of life were for Piero in his quest to befriend the great figures ("E quale trovasti voi studio e modo, Piero, in farvi familiare e domestico a que' prestantissimi principi, per uso ed esperienza a voi essere in prima accommodatissimo?"[327]), Piero is evasive, questioning its relevance to the matters they are discussing: "qual sarebbe lungo e forse non in tutto adatto a questi vostri ragionamenti" (327).

When Piero narrates how he spoke to the duke about the situation of the Alberti in Florence, he draws an interesting distinction between exercising prudence and obeying laws, recommending that obedience to laws trumps all, even if it were to mean the continued exile of the Alberti family:

e convenirli non con ostentare la prudenza sua preferirsi, ma ubidendo e satisfacendo alle leggi sue colla osservanza sua, e con ogni virtù e lodato costume, nulla patire sé a degli altri cittadini suoi essere inferiore (332)

Piero's use of the term is interesting and unusual because traditionally prudence and lawfulness are linked concepts while here there is a distinction made between the two, such that prudence is associated with personal, subjective preference rather than with objective, reasonable, and lawful decision-making.

Even more interesting, however, are the reactions of both Lionardo and Adovardo, who, in praising Piero's wily ways, describe him as prudent. In the first instance, Lionardo interjects
a significant remark at the end of the first part of Piero's story, when he has just finished recounting having ingratiated the duke by way of a friend of the duke, and has also described how he gained the duke's confidence. Lionardo is particularly impressed with Piero's use of the middleman, "la personeta dell'amicizia," to achieve his desired end.

Prudente consiglio, Piero, fu el vostro e da lodarlo. Sentenza de' dotti, quanto affermano che a coniungere e contenere insieme due, bisogna ivi mezzo sia qualche terzo. Così voi interponesti quasi interprete e, come dicono, personeta dell'amicizia colui, quale uomo al principe Duca fusse assiduo domestico, e non però continuo ivi si occupato che non potessi di sé prestarvi onesta copia insieme, e fusse facile, liberale e proclive ad amarvi. (333)

Similarly, at the conclusion of the whole tale, which ends with Piero's friendship with the pope, Adovardo echoes Lionardo's earlier sentiments, again using the term prudence to refer to Piero's methods: "Parmi certo sì, quanto dicevi, Lionardo, tutto el ragionare di Piero stato maturo e grave, e pieno di prudenza; e bene vi scorsi la sua astuzia e arte non poca." (347) The linking of prudence to shrewdness and artfulness is part of an alternate definition of prudence suggested by Piero's story.

Alberti's use of the term prudenza in the last two books of Della famiglia is perhaps more unstable than one would expect after first analysing how it is treated both in De iure and in the prologue and the first books of Della famiglia. Not surprisingly, because prudence is one of the elements of virtù as it is classically defined, Alberti's presentation of the term corresponds with the way in which different interlocutors (in particular, Giannozzo and Piero) adopt the term virtù in different and even subtly subversive ways. Grafton has similarly noted Alberti's tendency to utilize the same terms in radically different ways in his account of Alberti's concept of "istoria."67 In Della famiglia, what might be observed is that beyond (or beneath) the dominant, didactic and ethical message of the treatise are representations of other

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points of view on what prudence means, namely those of Giannozzo and Piero. Giannozzo focuses on the practical aspect of prudence, but downplays the importance of education and scholarship for developing it; he also undermines his ancestors' concept of prudence in favour of his own, which is more self-serving and directed towards the protection of the family rather than to any larger societal or public good. Piero pays lip service to the prudence of the elders of the Alberti family, but proceeds to suggest that his own methods, which have little to do with the ancient conception of prudence, and are much more linked to dissimulation, are suitable models for the boys to follow. As the term occurs in Piero's discourse and in that of his interlocutors who react to him, prudence might better be understood as dissimulation masquerading as prudence. This is very far removed from the meaning Alberti's attributes to the term in *De iure*, where it is firmly linked to reason, knowledge and sound interpretation of laws. Even in *De iure*, however, there is an acknowledgement by Alberti of the corruption of the laws and dissimulation in private transactions.

3.2 Corruption and Dissimulation in *De iure*

In Section 23 of *De iure*, Alberti pronounces a telling and realistic statement about the distance between the ideals of justice and what often happens in the course of legal actions, focussing on the prevalence of trickery, perfidy, and fraud occurring in private contracts:

> Quod si fidem eo dictam fatentur quo fiat quod dictum sit, omnis perinde dolus, omnis perfidia, omnis fraus, iuri contraria et repugnas sit necesse est. Hinc est quod in venditionibus et in his privatorum voluntatibus communibus, que nomen et que nondum nomen adepte apud iurisconsultos sunt, id maxime enititur ut dolus frausque secludatur, veritas elucescat. *Sed plerunque evenit ut tegmentis dolus lateat, neque facile dictu est quam interdum error veritatem, et fraud integritatem, et perfidia bonam fidem sapere videatur.* S23 [my emphasis]

Because if they acknowledge that good faith is defined by a realization of what has been *said*, in the same manner it is necessary
that all trickery, all treachery, all fraud should be contrary to and conflicting with the law. Therefore, it is the case that in sales transactions and in private contracts—those which have acquired a definition among the jurists, and those which have not yet—it results that trickery and fraud should be removed and truth should shine forth. But it often happens that trickery lies hidden under coverings, and it is not easy to say how sometimes error seems to have the scent of truth, and fraud integrity, and treachery good faith.

In this discussion of trickery, artifice and masking in *De iure*, Alberti is acutely aware of the threats to justice and law that occur in circumstances where private relations do not serve public ends. In describing these dealings of sales transactions and private contracts, he uses the language of "coverings" and of error, fraud and treachery masquerading as truth, integrity and good faith, revealing the gap between ideals and actual practice in legal transactions. Alberti presents corruption of the laws by these means in a negative light in *De iure*. This passage may be considered both a prelude and a counterpoint to the advice on dissimulation presented by some of the interlocutors in *Della famiglia*. The ideas on dissimulation in *Della famiglia* are developed in a narrative context, in the form of various interlocutors telling anecdotes or stories about their friends or themselves, and then giving advice to Battista and Carlo based on these exempla. The discourse on dissimulation in *Della famiglia* is rendered more ambiguous because it is neither Alberti himself (as author of the prologues), nor the interlocutors with whom the authorial voice of the prologues are more closely aligned (Lorenzo and Lionardo) who discuss and recommend these strategies.

### 3.3 Dissimulation in *Della famiglia*

#### 3.3.1 Giannozzo and Dissimulation

In Book III of *Della famiglia*, Giannozzo gives a long account of what a friend of his does when petitioners, under the guise of friendship or kinship, ask to borrow money. The
following passage is lengthy, its linguistic complexity mirroring the strategic complexity of his friend's advice:

Sapete voi quale uno mio amico, uomo in l'altre cose intero e severo, ma ne' fatti della masserizia forse troppo tegnente, suole porgersi a questi tali leggieri uomini e dimandatori, quando e' vengono a lui sotto colore d'amicizia raccontando parentadi e antiche conoscenze? Se questi a lui donano salute, e lui contra infinite salute. Se questi lì ridono in fronte, e lui molto più ride a loro. Se questi lodano, e lui molto più loda loro. In queste simili cose molto lo trovano liberale, sentonsi vincere di larghezza e facilità. A tutte loro parole, a tutte loro moine presta fronte e orecchie, ma come quelli riescono narrandoli e' suoi bisogni, e lui subito finge e narra molti de' suoi; quando quelli cominciano a concludere pregandolo che presti loro, o che almanco entri fideiussore, e lui subito diventa sordo, frantende, e ad altra cosa risponde, e subito entra in qualche altro lungo ragionamento. Quelli, e' quali sono in quella arte dello ingannare altrui buoni maestri, subito framettono una novelletta, e dove doppo quello poco ridere di nuovo ripicchiano, e lui pure il simile. Quando alla fine con lunga importunità lo vincono, se domandano piccola somma, per levarsi quella ricadia, mancandoli ogni scusa, presto loro, ma il meno che può. Ove la somma gli pare grande, allora l'amico mio... Ma, tristo me, che fo io? Quando io doverrei insegnarvi essere cortesi e liberali, io v'insegnno essere fingardi e troppo tegnenti. Non più. Io non voglio mi riputiate maestro di malizie. Verso gli amici si vuole usare liberalità. (309–310)

Giannozzo's advice about what his friend does when others approach him "sotto colore d'amicizia raccontando parentadi e antiche conoscenze" is delivered through a description of a situation of dissimulation in friendship. The use of the term "colore" to mean 'guise' or 'mask' is important. It is used more than once by Giannozzo in this particular depiction of dissimulation. In these instances, Alberti's choice of language may be said to anticipate Machiavelli's similarly non-conventional use of the term in Chapters 18 and 19 of Il principe where he likewise discusses strategies of dissimulation.68 In Giannozzo's tale, one friend approaches the other for a loan, but prefaces his request with compliments, smiles and praise,

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and then describes his unfortunate situation. Giannozzo's friend's strategy is to pretend not to hear and instead to launch into a tale of his own misfortune. When the other finally asks for a loan, he evades the question and changes the subject. If the person returns to the subject of the loan, Giannozzo's friend might lend only a small amount, if anything at all. Giannozzo attempts to end the discussion there, questioning whether he should have instructed the boys in these methods when he ought to be teaching them to be generous towards their friends.

Giannozzo then refines his pedagogical strategy, admitting that he is pleased if his teachings "gioveranno a convincere astuzia con astuzia" (310). The words that follow, which include the second occurrence of the term "colore," stress the importance of "seeming" as opposed to "being":

\[\text{Pur vorrete trovare da me via per onde possiate fuggire questi chieditori. S'e' ditti miei gioveranno a convincere astuzia con astuzia, sono contento. Se vi noceranno aiutandovi essere non liberali e larghi, ma tenaci e stretti, ancora potrò di questo esserne contento, perché almanco arete qualche colore a parere motteggiatori ove siate avari. Ma per mio consiglio piacciavi più acquistandovi onore parere liberali che astuti. [my emphasis]}\]

Giannozzo's message is that if one cannot be perceived to be generous, at least one should try to hide one's true greed by seeming clever and shrewd. If possible however, it is even better to seem generous than to appear clever and shrewd. Giannozzo's discussion of "liberalità," "astuzia" and "avarizia" are somewhat reminiscent of Machiavelli's discussion of "liberalità" and "parsimonia" in Chapter 16 of \textit{Il principe}, which begins, "cominciandomi adunque alle prime soprascritte qualità, dico come sarebbe bene essere tenuto liberale,"\textsuperscript{69} and in which he conflates the vice of parsimony with the traditional virtue of generosity, to the extent that by gaining a reputation for parsimony, a leader has a better chance, in the long run,

of being considered generous: "col tempo sarà tenuto sempre più liberale, veggendo che, con la sua parsimonia, le sua entrate li bastano, può difendersi di chi li fa guerra...." (83). Machiavelli overturns the traditional virtue of liberality, refashioning it into the most dangerous of vices, for "intra tutte le cose che di che uno principe si debbe guardare, è lo essere contennendo e odioso; e la liberalità all'una e l'altra cosa ti conduce" (84). While Machiavelli's discussion of liberality is certainly more developed than Giannozzo's, it is noteworthy that, a century before Machiavelli wrote his famous work, Alberti was exploring, through the more iconoclastic interlocutors of *Della famiglia*, subtle subversions of the traditional language of virtue.

Giannozzo, in elliptical fashion, reverts back towards a discussion of the merits of liberality, which has nothing to do with the techniques of his friend, but before he is able to elaborate, Adovardo accuses him of applying the very techniques he has just described:

Quanto a noi pare, Giannozzo, testé qui vogliate seguire l'uso di quello vostro amico, ché, per non rispondere a quanto da voi aspettiamo, voi rivolgete il ragionare vostro della molta masserizia e traducetelo proprio in contraria parte dicendo della liberalità. Noi desideriamo udire e imparare da quello vostro amico, per poterci valere contro a questi chieditori, e' quali tutto il dì ci seccano. (311)

Adovardo presses Giannozzo to tell the group more about the methods utilized by his friend; the listeners are eager to hear more about "astuzia" and less about "liberalità". Giannozzo obliges, and tells how his friend would first explain to the petitioner that he would not be able to help him as much as he himself desired or as much as his petitioner deserved ("per gli amici a lui era debito fare tutto, ma per ora non essere possibile fare come vorrebbe, e quanto era sua usanza fare agli amici non meno che si meritino"). He would then try to convince the petitioner that he did not need to spend that sum at the moment ("si dava con molte parole a mostrare loro non fusse meglio, né per ora bisognasse fare quella spesa") (311). His next technique was to suggest other friends who might be of help. If the petitioner
persisted, he would tell him to come back tomorrow and then he would make himself unavailable, until the friend would finally find another source to tap for the desired sum.

When Lionardo suggests that a direct approach might be preferable in situations like these—"forse sarebbe il meglio negare aperto e virile,"—Giannozzo responds that he used to be of the same mind, but that his friend convinced him that he was right: "imperché a questi infrascatori pare saperci dire in modo che noi non possiamo loro dinegare cosa quale e' dimandino; però si vogliono contentare di quello che non ci costa" (312). Finally, Giannozzo quotes his dissimulating friend:

E dicea l'amico mio: "Se io da prima negassi aperto, io monstrerrei non curarli, sarei loro odioso. A questo modo quelli pur sperano ingannarmi, e io monstro stimarli, e così poi elli giudicano me da più che loro ove e' si veggono avanzare d'astuzia, né a me ancora par poco piacere ove io dileggio chi me voglia ingannare." (312)

Another layer is added to the already complex discourse, to the extent that Giannozzo, through the voice of his friend, asserts that being forthright, honest and direct would result in the worst possible outcome, that of being despised by the petitioner. By hiding his "avarizia" and by seeming to entertain his friend's request for money, both players are afforded some satisfaction as a result of the exchange: the petitioner is led, at least for a time, to believe he might be able use the rhetoric of friendship to borrow a large sum of money. He then becomes aware through the exchange of words that his friend has outsmarted him but nonetheless appreciates the would-be lender's "astuzia" and admires him even more of him for his skill. Giannozzo's friend, meanwhile, instead of being despised for refusing the petitioner outright,
gains even more respect and manages not to part with any of his funds. This clever tale of dissimulation, which is presented with some tongue-in-cheek reluctance as advice for the boys to follow is another twist on so-called 'friendship' in the realm of private relations in Florence.

3.3.2 Piero's Novella and Dissimulation

Piero's novella, which has been discussed at length above, may be read as a 'theme with variations' on dissimulation and one in which Piero actually describes his own behaviour with reference to the term itself, which is a relatively rare occurrence in the literature of this period. Piero uses the term in a passage cited in Part 2.5.1 above to describe the sheer assiduousness that was required of him to successfully effect his social-climbing strategies: "non rarissimo mi trovai intero il dì ieiuno, dissimulando altre faccende mie, solo aspettare di monstrarmi loro e salutarli, tanto volea non per mia indiligenza perdere qualunque apparesse occasione utile a trarmi più oltre accetto, e più d'ora in ora per uso ben familiare" (333–334).

Furthermore, at the beginning of his tale, when Piero alludes to his "varie e diverse vie" and "caute e poco usate forse e raro udite astuzie, molto utilissime" (328) that help him to gain access to the secret chambers of princes (327–328), he is referring to his strategies of dissimulation. It is notable that these strategies take different forms and that he wears a different mask for each of the first three 'friendship' conquests he describes in his story. With Barbavara, he disguises his true aim behind the veil of a chivalric friendship code based upon a mutual love of poetry. In securing his friendship with the duke he hides his true ambition for himself and his exiled family behind the rhetoric of Florentine republicanism, which places the good of the republic and respect for its laws above all private interests. When he courts the king of Sicily, he wears the mask of the hunter and of affable courtier who keeps everyone
active to please the king. He also admits his own need to dissimulate relentlessly in all these cases in order to hide his true aims. The fourth and last friendship, with the pope, is the only one that does not involve dissimulation, but it is also the only 'friendship' represented that does not pretend to be anything other than one of utility, and this is so acknowledged by both parties. Piero in this instance nonetheless has to be careful to distance himself from the other courtiers and to work hard (albeit transparently) to achieve the ends he desires to increase the stature of his family.

In effect, Piero's novella describes the game of currying favour and staying in favour, and demonstrates his skill in adapting his behaviours to the different characters he is dealing with. His constant adaptation to the various princes he courts anticipates two of Machiavelli's famous assertions in Chapter 25 of *Il principe*, the first being "sia felice quello che riscontra el modo del procedere suo con le qualità dei tempi" (113–114) and the second being "se si mutassi di natura con li tempi e con le cose, non si muterebbe fortuna" (114). Piero is an Albertian chameleon of sorts: he is able to change his behaviour with the times to keep himself atop the wheel of fortune by masking his private intentions and using techniques of dissimulation in circumstances that demand it.

### 3.3.3 Adovardo and Dissimulation

Adovardo discusses the stages of friendship at length in Book IV. Following the structure of Aristotle's discussion of the phases of friendship, he covers the topics of how to obtain, increase, diminish, recover, and make friendship permanent. In somewhat contradictory fashion, despite the fact that he had first praised Piero's "prudence," at the outset of his own discussion of friendship, he asserts not only that Piero's recommendations on friendship leave something to be desired, but also that ancient discourses on friendship are missing something:
"Ma parmi in questa materia già fra me non so che più desiderarvi altro filo e testura, in quale né degli antichi ancora scrittori alcuno appieno mi satisfece" (347). To clarify his dissatisfaction with the existing discourse on friendship, he admits that knowledge of ancient models is a good preparation, but that there is no substitute for lived experience:

Queste adunque simili scolastiche e definizioni e descrizioni in ozio e in ombra fra' litterati non nego sono pur ioconde, e quasi preludio come all'uso dell'arme lo schermire: ma a travagliarsi in publico fra l'uso e costume degli uomini. (349)

Despite the ambiguous and somewhat contradictory nature of the way in which Adovardo introduces his own discussion of friendship, in the parts of the dialogues where he discusses obtaining and increasing friendship, he actually follows Piero's approach, focusing on a need to calculate and dissimulate. For example, he speaks of his own experience of arriving in Genoa as a young man with no connections. His social survival strategy consisted in feigning interest in one of the most desirable young girls in town, a tactic which gained him admittance into a select circle of similarly lovestruck young nobles:

E provai ne' miei primi anni in Genova molto a me giovò questa astuzia, che giunto ivi e solo di conoscenze, finsi amare una quale fra l'altre stava in bellezza e gentilezza celebratissima fanciulla; e con questa licenza me tragittai fra gli altri nobili giovani dati in quella età all'ozio amatorio, appresso de' quali principai notizia e familiarità a me e a' miei fino in questa età utilissime. (364)

The passage brings to mind Piero's wooing of Barbavara with poetry to become closer with him and to gain access to the duke and admittance to his circles. In these instances, these particular interlocutors appear to be subverting the rhetoric of chivalric love codes, such that the goal is not true love or intimate friendship with the love/friendship object, but rather friendships of utility with friends of the love/friendship object. The closing phrase of the passage cited above emphasizes the ultimate utility of Adovardo's strategy, which gained him friends he describes as most useful ("a me e a' miei fino in questa età utilissime").
In another example, Adovardo again echoes Piero's approach to friendship when he advises that one should work very hard to get to know one's potential friends' habits, likes and dislikes, and that one must possess a "certa ottima astuzia da non molti conosciuta" (366).

Although the following passage is lengthy, it merits citation in full for its novelty and for its alignment with Piero's methods:

Ma per in tempo accommodarsi e accrescere amicizia, fia luogo comprendere ne' gesti, parole, uso e conversazioni altrui, di che ciascuno si diletti, di che s'atrísti, qual cosa el muova a cruccio, ad ilarità, a favellare, a tacere. E per più certificarsi quali in loro siano affetti e proclinazioni d'animo e volontà, non manca certa ottima astuzia da non molti conosciuta: due e più volte recitare vera o fitta [finta] alcuna istoria, con che arte e modo quello amatore condusse e' suoi amori, con che diligenza, callidità e solerzia quello conseguisse el guadagno, con quanto studio, assiduità e ardore quell'altro sè tutto desse alla dottrina e cognizione delle lettere, allo essercizio militare, o a qual altra opera e cosa teco facci coniettura secondi chi t'ascolta; e in quella narrazione, nulla con ostentare tuo o ingegno o esquisita eloquenza, ma con puro e semplice modo di ragionare, notare ogni suo movimento di volto, di gesti, e in ogni risposta quanto appruovi e quanto biasimi. (366)

In this example, the strategies of dissimulation are complex. They involve telling stories, both true and pretended ("recitare vera o fitta [finta] alcuna istoria"), about the habits of various lovers, business people, scholars, and military men and then gauging the response of the listener to determine "quanto appruovi e quanto biasmi." The key piece of advice, however, concerns the manner of execution of the story, or "narrazione," which involves hiding ones "ingegno" and silencing one's "esquistata eloquenza."

It cannot be denied that dissimulation is a key theme in Alberti's work, and one that extends beyond Momus. While masking of the truth is certainly presented as a threat to procedural justice in De iure, in Della famiglia dissimulation is always discussed in the
context of a 'friendship' that has a hierarchical dimension\textsuperscript{70} and that often involves an intersection between public figures and private desires or goals. It is no coincidence that the interlocutors who question the idea of public good being the highest good, namely Giannozzo and Piero, are also those who discuss strategies of dissimulation at the greatest length. The most ardent defenders of ancient virtù who play such a prominent role in the dialogues, namely Lorenzo, Lionardo and the author/narrator, never mention or condone the methods of dissimulation. Adovardo is somewhat of an anomaly: although he is more in line with the 'traditionalists' in the first three books, he becomes a 'theorist of dissimulation' at some points in the fourth book as his views on friendship more become more ambiguous. The two views on dissimulation in friendship are highlighted in an exchange between Adovardo and Lionardo in Book IV. In response to Adovardo's uncertain musings about the applicability of ancient models of friendship to the real world, Lionardo defends the ancient models of friendship and insists upon a contiguity between ancient virtue and true friendship in which nothing is simulated (or dissimulated): "e poi ivi datosi ad amare, sia fra noi nulla finto [finto], nulla simulato, nulla non onesto, sempre vero e volontario officio e pronto beneficio retto e contenuto non da ambizione o cupidità, ma da vera, constante e ferma virtù" (351).

This passage stands in stark contrast to, and is overshadowed by, the discourse on dissimulation by other interlocutors in the rest of Book IV.

One key passage from Book III of \textit{Momus} that employs the term "dissimulando" may be read as a synthesis of all of the various studies or sketches of dissimulation that have been discussed from Alberti's earlier works:

\textsuperscript{70} In Book IV, the examples where dissimulation plays a role all occur in a courtly context, which is by its very nature hierarchical. Giannozzo's tale of dissimulation, which takes place in Book III, does not describe a courtly context, but rather an interaction that takes place between two Florentine citizens. However, at least in terms of wealth, the two are not on equal footing so that the relationship may still be described as hierarchical, albeit to a lesser degree.
sed qua esse opus arte apud principem intelligebant, ea tum docte utebantur. Suas quidem in agendis rebus cupiditates atque affectus dissimulando obtegebant et quae inprimis affectabant, ea levibus quibusdam verborum inditiis sibi haudquaquam satis placere ostentabant, quo eorum consilium, cum rogarentur, utilitati principis ac reipublicae magis quam privatis emolumentis et studiis accommodatum videretur. (200)

They knew what strategy they needed to use on the prince, and they deployed it craftily. They used dissimulation to conceal their desires and aims. Their words were casual, and they made a great show of hardly caring for the things they actually wanted most. Thus their advice, when solicited, seemed suited to the interests of the prince and the commonwealth rather than to their own private desires and emoluments. (201)

The focus on the art of concealing one's true intentions and private desires in this satirical work highlights a different dimension to the concept of private that is neither juridical nor juridically derived. Rather, it suggests a meaning that has to do with what is secret and concealed. Alberti's explorations of the theme of dissimulation beg the question of whether Machiavelli and Castiglione may have been influenced by their predecessor in their discussions on this point. The above citation from Momus is not unlike the famous passage from Chapter 18 of *Il principe* concerning the importance of concealing one's "foxiness":

quello che ha saputo meglio usare la golpe, è meglio capitato. Ma è necessario questa natura saperla bene colorire, ed essere gran simulatore e dissimulatore: e sono tanto semplici gli uomini, e tanto obediscano alle necessità presenti, che colui che inganna, troverà sempre chi si lascerà ingannare. (89)

While the content of the advice is similar, the major difference is the intended audience of each author: Machiavelli's counsel is aimed at the prince or ruler; Alberti's is directed towards the courtier. The passage in Book 1, Chapter 26 of *Il libro del cortegiano* in

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71 It is difficult to prove that Machiavelli and Castiglione were influenced by Alberti's writings on dissimulation. It is perhaps more likely that all three had a common source, namely, Ovid's *Amores*. In Ovid's work, the discussion of dissimulation is limited to the amorous context. Alberti, Machiavelli and Castiglione all transpose the discussion to the political context, whether discussing the legal proceedings (*De iure*), relations between citizens (Alberti, *Della famiglia*, Book III), or the unequal power relations between courtiers or subjects and their princes (Alberti, Machiavelli and Castiglione).
which Castiglione defines the term "sprezzatura" similarly stresses the importance of concealing one's art:

Ma avendo io già più volte pensato meco onde nasca questa grazia, lasciando quelli che dalle stelle l'hanno, trovo una regula universalissima, la qual mi par valer circa questo in tutte le cose umane che si facciano o dicano più che alcuna altra, e ciò è fuggir quanto più si po, e come un asperissimo e pericoloso scoglio, la affettazione; e, per dir forse una nova parola, usar in ogni cosa una certa sprezzatura, che nasconda l'arte e dimostri ciò che si fa e dice venir fatto senza fatica e quasi senza pensarvi. Da questo credo io che derivi assai la grazia; perché delle cose rare e ben fatte ognun sa la difficoltà, onde in esse la facilità genera grandissima maraviglia; e per lo contrario il sforzare e, come si dice, tirar per i capegli dà somma disgrazia e fa estimar poco ogni cosa, per grande ch'ella si sia. Però si po dir quella esser vera arte che non pare esser arte; né più in altro si ha da poner studio, che nel nasconderla: perché se è scoperta, leva in tutto il credito e fa l'omo poco estimato.

To illustrate this "vera arte che non pare esser arte," he refers to the orations of "alcuni antichi oratori eccellentissimi" whose "art" involved convincing their audience that they had no knowledge whatsoever of letters, "dissimulando il sapere mostravan le loro orazioni esser fatte simplicissimamente, e più tosto secondo che loro porgea la natura e la verità, che 'l studio e l'arte" (60). Just as Machiavelli's prince must conceal his foxiness and Castiglione's courtier must not be more careful of anything than concealing his art, so too does Alberti's figure of the courtier/friend conceal his cleverness and work tirelessly to appear not to be striving much at all in order to secure greater status for himself and his clan. Through the structuring of the dialogues and the representation of multiple points of view, Alberti skilfully acknowledges that while the ideals of ancient ethics where public good trumps private

interests are worth pursuing and have normative value, the defenders of these ideals need to be aware of the very different set of modern circumstances and of strategies of social interaction that in many ways challenge these ideals and threaten to place private interests above the public good. Much in the way that his short treatise on law anticipated the historical jurisprudence of the next century, so too do his astute observations on friendship, the mechanics of dissimulation, and some interlocutors' manipulations of the traditional language of virtue in Della famiglia, pave the way for the explosion of writing on the topic of feigning and dissembling in the sixteenth and seventeenth centuries.
Chapter 3

Adulterous Wives and Naughty Widows: Public and Private Aspects of Infidelity from *Della famiglia* to *Intercenales*

*Ma pure, non so come, non raro si trova a chi più piace uno strano amante che il proprio marito.*

The previous two chapters have focused on the interaction between public and private worlds as they are presented in *De iure* and *Della famiglia*. They revealed that, in these two works, Alberti's primary conceptions of public and private rely primarily on Roman law definitions of both terms, according to which public deals with official matters of the state or city and private pertains to all other legal matters between two or more private persons (i.e. contracts, property, inheritance, and small criminal matters). However, the second chapter showed that Alberti also conceives of what is public and private in secondary (in terms of the historical period in which he was writing) and less frequently explored ways. Public takes on shades of meaning that infer an open, outward, or performative aspect in the place of a strictly constitutional, legal definition, while private takes on connotations of secrecy, intimacy, and the unwitnessed that are not contemplated by the meaning of private in Roman law terminology. These other, non-juridical meanings of public and private were primarily explored in Chapter 2 in the context of various interlocutors' advice on friendship and dissimulation, as well as the development of the idea of 'private counsel' with key public figures, who, it is hoped, will in turn raise the status of the family. The present chapter will

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1 *Della famiglia*, 108. These words are uttered by the young Battista in Book II (*De Re Uxoria*) when he presents his ideas on love, eros, friendship, and marriage.
focus, instead, on the public and private aspects of marriage and infidelity by examining how Alberti portrays the relations between husbands and wives, wives (or widows) and their lovers and, finally, husbands and their wives' lovers. This topic of marriage merits examination because the institution is the basis of the family and, by extension, of society and human relations. Marriage may be understood as a private law relationship with a public face. Amorous affairs place pressure on the institution of marriage and also may be understood to be one of the most private (in terms of secretive) forms of human interaction, especially if undiscovered by others. Alberti's prescriptions for what constitutes (and how to choose) a suitable wife and mother as they are presented in *Della famiglia* contrast sharply with his preoccupation with the private and public aspects of infidelity in four of the works in *Intercenales*, namely *Uxoria*, *Maritus*, *Amores* and *Vidua*. The tension in Alberti's work between his expression of what 'ought to be' and what 'is' that has been demonstrated in previous chapters is also evinced in the present discussion, which brings to light the complexities in his writings on the topic of marriage and infidelity.

1. **Marriage and Infidelity in *Della famiglia***

Much has been written on aspects of the relationship between husbands and their wives that Alberti depicts in *Della famiglia* and in particular on the strict gender divisions and the subjugation of wives to their husbands that is advocated in the dialogues.² In addition to this body of work on the topic of the depiction of women in Alberti's work and his misogyny,

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recent scholarship emphasizes that Alberti's ideas about marriage and, in particular, about conjugal friendship, are more nuanced than they may at first appear to be. Because of the multiple perspectives of the various interlocutors in *Della famiglia*, there are various points of view presented in the dialogues with respect to what a man should expect from marriage. The main points of view expressed are, in order, those of Battista, Lionardo, and Giannozzo.

### 1.1 Battista

At the beginning of Book II of *Della famiglia* (subtitled *De Re Uxorii*), Battista defends the great love that can exist between a man and his wife:

Puossi l'amor tra moglie e marito riputar grandissimo, però che se la benivolenza sorge da alcuna voluttà, el congiugio ti porge non pochissima copia d'ogni gratissimo piacere e diletto. (107)

Furthermore, in the best circumstances, this love can lead to intimacy and friendship:

se la benivolenza cresce per conversazione, con niuna persona manterrai più perpetua familiarità che colla moglie; se l'amore si collega e unisce discoprendo e comunicando le tue affezioni e volontà, da niuno arai più aperta e piana via a conoscere tutto e dimonstrarti che alla propria tua donna e continua compagna; se l'amicizia sta compagna della onestà, niuna coniunzione più a te sarà religiosissima che quella del congiugio. (107)

However, in the same long passage, Battista also mentions a looming problem, namely, the issue of unfaithful women: "Ma pure, non so come, non raro si trova a chi più piace uno strano amante che il proprio marito" (108). He briefly cites the ancient example of the Indian queen who allowed her own husband to be killed because of her love for a lowly barber:

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E più si recita che fu apresso el fiume Ganges quella famosissima nelle province orientali reina, quale [...] amò un vilissimo barbiere, e per rendere l'amante suo ornatissimo e fortunatissimo sofferse uccidere el vero prima suo marito. (108)

The matter is dropped just as quickly as it was raised in favour of a discussion between Battista and Lionardo on the topics of love and friendship, eros and reason.

1.2 Lionardo

When Lionardo expresses his ideas on marriage in Book II, he appears to agree with Battista's focus on friendship and companionship in the marital relationship when he states that a man should marry for two purposes, namely procreation and companionship: "E stiagli l'animo a prendere moglie per due cagioni: la prima per stendersi in figliuoli, l'altra per avere compagnia in tutta la vita ferma e stabile" (132). However, his subsequent arguments focus less on companionship and more on populating the family. Indeed, not long after paying lip service to companionship he emphasizes that procreation is the most important aspect of marriage: "E tolgasi moglie per allevarne figliuoli in prima" (138). He speaks of "natural" gender divisions, which involve men accumulating the necessary resources and attending to the intellectual needs of their offspring while women by their nature cater to the physical needs of the children. Lionardo also describes at length the importance of choosing a wife of impeccable reputation (131-132), as well as the method for selecting the right in-laws (134) and negotiating the matter of the dowry with them (135-137). In addition, he outlines the

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5 Della famiglia, 126-128. Lionardo gives an account of how men, by nature, are often away from home, providing for the family while women stay home to look after the family. In Book I, he also stresses the father's role in directing the education of the (male) children, who, he advises, must not spend too much time on their mothers' laps, presumably after the breastfeeding years are over. See also Yael Manes, Motherhood and Patriarchal Masculinities in Sixteenth Century Italian Comedy (Burlington, VT: Ashgate, 2011), 62.
physical attributes an Alberti wife must possess to increase the likelihood of bearing healthy heirs (132-134).

Like Battista, he briefly mentions the matter of unfaithful wives, doing so with the following warning: "Non ha buona sposa ogni uomo che la cerca né ha onesta donna ciascuno che la vuole, come forse alcuni si stimano" (139). According to Lionardo, a good and faithful wife is a gift from God: "Ancora di nuovo dirò tanto: mai si resti di pregare Iddio che conservi nel congiugio onestà, quiete e amore" (139). Furthermore, Lionardo deems blessed the man whose wife does not create scandal and dishonour: "Beato colui a chi la mala moglie non porge maninconia alcuna" (139). However, instead of exploring this problem, which he claims affects so many men, Lionardo quickly shifts the discussion to matters of the conception and production of healthy heirs. He gives detailed advice on the best time of day and conditions for sexual intercourse so that the procreation of ill-tempered and unhealthy children might be avoided.\(^6\) Husbands who are feeling in any way troubled, moreover, should steer away from intercourse with their wives: "Proveghino i mariti non darsi alla donna coll'animo turbato di cruccio, di paura o di simili alcune perturbazioni" (140). Lionardo tells how the doctors recommend that one should be sober, strong and as happy as possible during intercourse ("Imperò comandano si conscenda a questa tal congiunzione sobrio, fermo e quanto più si può lieto") and that the best moment is after the first digestion: "doppo la prima digestione, nella quale tu sia né scarco né pieno di tristi cibi, ma sviluppato e leggeri dal sonno" (140). Intercourse when the weather is too hot or when it is too cold ("quando sia il caldo superchio, e quando ogni sementa e radice in terra stia così ristretta, arsa da' freddi") should also be avoided. (140) Previously, in Book I, Lionardo had also advocated that the

\(^6\) Alberti is quite specific about the dangers of sexual intercourse at the wrong time of day or in the wrong mental state, warning that it can produce children who are "lebrosi, epilentichi, sporchi e non finiti di membra e vacui" (140).
ideal Albertian mother should breastfeed her own offspring rather than employing a wet
nurse whose milk and bad character might corrupt the children. 7 This was quite an
unorthodox opinion at that time, given that the common practice for families of high status
would have been to employ a wet nurse. This further emphasizes Lionardo's view that a
wife's primary duty is to serve the physical needs of carrying, bearing, and feeding the
children.

1.3 Giannozzo

The household duties and role of a proper, austere Florentine wife and the methods her
husband should use to train her are presented instead in Book III by Giannozzo, whose
primary preoccupation is the running of a well-ordered, prosperous home. He advocates
leaving the management of household affairs to one's wife so that a man might be free to go
out "nelle piazze, in publico," "tra gli uomini, co' cittadini" (264). There is a strict delineation
between, on the one hand, public space, which is described as a predominantly male domain,
and, on the other hand, private space which is described as the realm of women:

Perché a me parea non piccolo incarco provvedere alle necessità entro
in casa, bisognavando a me non raro avermi fuori tra gli uomini in
maggiori faccende, però mi parse di partire questa somma, a me
tenermi l'usare tra gli uomini, guadagnare e acquistare di fuori, poi
del resto entro in casa quelle tutte cose minori lascialle a cura della

7 Lionardo stresses the importance of mother's milk as follows: "Quanto se io avessi fanciugli, io non
mi piglierei quella fatica di cercare altra nutrice che la loro medesima madre" (44). On the illness and
bad character that can be passed on by a wet nurse, he states: "E credo il vero che, oltre a quelle
infermità, quali tu dicevi potevano dal corrotto latte venire, ancora più la nutrice non onesta, non
costumata, sarà sufficiente ne' costumi del fanciullo nuocere e inclinarlo a' vizii ed empierli l'animo di
furiosi e bestiali passioni come d'iracundia, timidità, spaventi e simili mali" (44-45). For more on
breastfeeding in Della famiglia, see Julia L. Hairston "The Economics of Milk and Blood in Alberti's
Christiane Klapisch-Zuber, "Blood Parents and Milk Parents: Wet Nursing in Florence 1300-1530)"
in Women, Family and Ritual in Renaissance Italy, 131-164.
donna mia. Così feci, ché a dirti il vero, sì come sarebbe poco onore se la donna traficasse fra gli uomini nelle piazze, in publico, così a me parrebbe ancora biasimo tenermi chiuso in casa tra le femine, quando a me stia nelle cose virili tra gli uomini, co' cittadini, ancora con buoni e onesti forestieri convivere e conversare. (264)

A wife's task, according to Giannozzo, is to arrange, order things, manage servants, and tend to the children. He does not discuss love and conjugal friendship as Battista had, nor does he share Lionardo's preoccupation with either the process of selecting the 'right' wife (in terms of reputation, pedigree, and the likelihood of having procreative abilities) and the more physical aspects of marriage and mothering. Rather, Giannozzo represents marriage as one might describe an employment relationship. He is primarily concerned with the material aspects of running a household and has an obsessive need to keep track of all household possessions, which are identified by the umbrella term "masserizia." He outlines, in a painstaking and detailed manner, exactly how a new bride ought to be trained in the matters of the home. It is the husband's duty to teach her all about the household goods and valuables ("cose di pregio"):

Quando la donna mia fra pochi giorni fu rasicurata in casa mia, e già il desiderio della madre e de' suoi gli cominciava essere meno grave, io la presi per mano e andai monstrandoli tutta la casa, e insegnâli susso alto essere luogo pelle biave, giù a basso essere stanza per vino e legne. Monstra'li ove si serba ciò che bisognasse alla mensa, e così per tutta la casa rimase niuna masserzia quale la donna non vedesse ove stesse assettata, e conoscesse a che utilità s'adoperasse. Poi rivenimmo in camera mia, e ivi serrato l'uscio le monstrai le cose di pregio, gli arienti, gli arazzi, le veste, le gemme, e dove queste tutte s'avessono ne' luoghi loro a riposare. (266)

His discussion begins with an apparent openness towards his wife, at least with respect to the most precious material possessions of the family:

Né a me pare a questo più atto luogo che la propria camera mia ove io dormo, in quale, come io diceva, volsi niuna delle preziose mie cose fosse alla donna mia occulta. Tutte le mie fortune domestiche gli apersi, spiegai e monstrai. (267)
However, this is followed by a stern reminder that the limits of a husband's openness with his wife should never extend beyond matters pertaining to the management of the household. The former passage about showing his wife the location of the household treasures precedes several pages of grave warnings about the perils of trusting one's wife with one's secrets or one's writings, which, he advises, should be kept hidden away: "e' secreti e le scritture mie sempre tenni occultissime" (269). In recent scholarship, this has been referred to as Alberti's concept of "il privato maschile." 8 Immediately after recounting how a wife should be trusted with the home's material possessions, he warns against sharing the family's precious record books, or "libri di ricordi," with her:

Solo e' libri e le scritture mie e de' miei passati a me piacque e allora e poi sempre avere in modo rinchiuso che mai la donna le potesse non tanto leggere, ma né vedere. Sempre tenni le scritture non per le maniche de' vestiri, ma serrate e in suo ordine allogate nel mio studio quasi come cosa sacrata e religiosa, in quale luogo mai diedi licenza alla donna né meco né sola v'intrasse, e più gli comandai, se mai s'abattesse a mia alcuna scrittura, subito me la consegnasse. (267)

He explains that, in his own marriage, he insisted on keeping all secrets from his wife and restricted their topics of conversation to household matters, questions of conduct, or the children, all of which they discussed often and at length: "e io poi questo seco osservava, che mai ragionava se none della masserizia o de' costumi o de' figliuoli, e di queste molto spesso faceva seco parole assai" (269).

According to Giannozzo, women who are too curious about their husbands' private affairs and writings may have men too much on their minds ("le donne quali spiano pure spesso degli uomini non sono senza sospetto che a loro troppo stiano nell'animo gli uomini" [268]), possibly suggesting less-than-faithful behaviour on the part of these wives. He

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therefore reminds his own wife of the advice of Master Cipriano Alberti who had warned the
wife of a good friend against appearing curious about her husband's affairs:

   E per levarli ogni appetito se mai desiderasse vedere o mie scritture o mie secrete faccende, io spesso molto gli biasimava quelle
femmine ardite e baldanzose, le quali danno troppo opera in sapere e' fatti fuori di casa o del marito o degli altri uomini; ramentavagli
che sempre si vide questo essere verissimo quale mi ricorda messer Cipriano Alberti, uomo interissimo e prudentissimo, disse alla
moglie d'uno suo amicissimo, che pur vedendola troppo curiosa in
demandare e investigare dove e con cui il marito fusse albergato, per
amonilla quanto poteva e per rispetto della amicizia forse dovea,
cosi gli disse: "Io ti consiglio per tuo bene, amica mia, che tu sia
molto più nelle cose di casa sollecita che in quella di fuori, e
ramentoti come a sorella ch'e' savi dicono che le donne quali spiano
pure spesso degli uomini non sono senza sospetto che a loro troppo
stiano nell'animo gli uomini, e forse si monstrano più desiderose di
sapere se altri conosce e' costumi suoi che cupide di conoscere e' fatti d'altrui, e di queste pensa tu quale alle oneste donne stia peggio." (267-268)

This is the third mention in Della famiglia of women's potential unfaithfulness or
tendency toward lasciviousness, the first two being Battista's and Lionardo's very brief
allusions to the issue in Book II. In this instance, however, unlike in the previous two, the
discussion includes advice regarding how a husband might prevent this type of behaviour
from occurring. Giannozzo makes direct reference to adulterous women in his own day and
age, rather than citing examples drawn from ancient literature and philosophy (which was
Battista's approach to the subject).

Giannozzo expands on this topic when he explains how, immediately following their
marriage, he told his wife that her first duty was to sleep only with him, the second was to
take care of the household, and the third was to make sure nothing went wrong in the house:

   Però dissi io: "Donna mia, odimi: sopra tutto a me sarà gratissimo
caccia tre cose: la prima, qui in questo letto fà, moglie mia, mai vi
desideri altro uomo che me solo, sai". Ella arrossì e abassò gli occhi.
Ancora glielo ridissi che in quella camera mia ricevesse solo me, a
questo fu la prima. La seconda, dissi, avesse buona cura della
famiglia, contenessela e reggessela con modestia in riposo,
tranquillità e pace; e questa fu la seconda. La terza cosa, dissi, provedesse che delle cose domestiche niuna andasse a male. (270-271)

It is noteworthy that of the three directives, only the first, which relates to infidelity, is repeated ("ancora glielo ridissi che in questa camera ricevesse solo me"). He also uses two different verbs to describe his wife's potential infidelity, "desiderare" and "ricevere," which implies that infidelity encompasses both the mind and the body. It is not merely the act of physically being with another man, but also includes the state of mind of desiring or imagining oneself with another man. Giannozzo adds that his wife's modesty and virtue were unparalleled ("quali virtù furono in la donna mia sopra tutte l'altre" [212]), and that she knew only how to spin and sew, and how to be virtuous and obedient. In their first days of marriage, she assures him that she would happily learn how to manage the house and anything else that seemed fitting to him ("che testé da me imparerebbe volentieri in reggere la famiglia e in quello che io gli comandassi quanto a me paresse d'insegnarli" [212]). The matter of how Giannozzo might have taught his wife to obey his first command of faithfulness is alluded to in the context of humorous banter between Giannozzo and Lionardo, which follows immediately:

**LIONARDO:** E voi come, Giannozzo, insegnastili voi queste cose?

**GIANNOZZO:** Che? Forse adormentarsi senza uomo altri che me appresso?

**LIONARDO:** Molto mi diletta, Giannozzo, che in questi vostri ricordi e ammonimenti santissimi e severissimi voi ancora siate giocoso e festivo.

**GIANNOZZO:** Certo sarebbe cosa da ridere se io gli avessi voluto insegnare dormir sola. Non so io se quelli tuoi antichi li sepporo insegnare. (271)

Giannozzo jokes that it would have been laughable had he needed to teach his wife not to sleep with other men, thereby confirming that he would never contemplate instructing
her on this matter directly or at length, beyond issuing his strict warning to his new bride. It would hardly be appropriate or fitting to include, in a treatise that is intended to showcase the greatness of the Alberti family, examples of Albertian brides who, unlike Giannozzo's "modest and virtuous" wife, fall below standard and require direct instruction, or worse still, correction, on this matter. However, Giannozzo does make sure that this might never present itself as a problem in his home, first by telling her neither to share his bed with another nor to even imagine or desire another man, and then by taking great pains to teach his wife to avoid attracting the undue attention of men by encouraging a sober, austere demeanour and shunning make-up and lascivious and immodest clothing ("abiti lascivi e inonesti" [273]).

When pressed by Lionardo, who is curious about whether Giannozzo's wife heeded her husband's advice on these matters, Giannozzo admits that sometimes, at weddings, she appeared too flushed (albeit naturally and without the help of make-up) either from the embarrassment of being with so many people or from the heat generated by dancing, and that he had once observed her wearing make-up and acting in too forward a manner with some houseguests, despite his grim warnings about the evils of make-up:

Pur tale ora alle nozze, o che ella si vergognasse tra le genti, o che ella fosse riscaldata pel danzare, la mi pareva alquanto più che l'usata tinta; ma in casa non mai, salvo il vero solo una volta quando doveano venire gli amici e le loro donne la pasqua convitati a cena in casa mia. Allora la moglie mia col nome d'Iddio tutta impomiciata, troppa lieta s'affrontava a qualunque venia, e così a chi andava si porgeva, a tutti motteggiava. Io me n'avidì. (276)

9 Indeed, Giannozzo emphasizes that the chalk, calcium and other ointments ("gessi e calcina e simili impiastri"), the poultices ("pultiglie") and powders ("calcini") are in fact poisonous: "E non dubitare che quelli veneni, se tu poni mente, tutte sono cose ne' vostri lisci venenosi" (274). He also makes her fearful by explaining that one of his neighbours who was only about thirty now looked to be as old as his wife's mother's wetnurse because of the ravages of make-up. His description of her physical appearance is a warning to his wife: "tenea pochi denti in bocca, e quelli pareano di busso tarmato, e avea gli occhi al continuo pesti, incavernati, il resto del viso vizzo e cenericcio, per tutta la carne morticia e in ogni parte sozza [...] cagione de' lisci così era rimasta pesta, e tanto parea oltre al suo tempo vecchia" (275).
Lionardo asks whether Giannozzo was angry with his wife, to which he replies "Ah! Lionardo, colla donna mai mi crucciai" (276). Instead of showing anger, he says that he adopted the strategy of gently and quickly dealing with the problem at hand: "pur con buono modo, ché a me sempre parse, figliuoli miei, correngendo cominciare con la dolcezza, acciò che il vizio si spenga e la benivolenza s'accenda" (277).

Lionardo applauds Giannozzo for teaching his wife to be one who "fusse e volesse parere onesta, comandasse e facessesi riverire, curasse l'utile della famiglia e conservasse le cose domestice!" (292). However, this picture of the ideal Albertian Florentine wife cannot be complete without Giannozzo's addition of another important topic of discussion, namely, the perception of the lady of the house by the entire household, including the servants, for when she is not respected by the members of the household, it makes for an unsettled and badly run household: "Se la donna non si fa riverire, la famiglia non cura e' comandamenti suoi, e ciascuno fa le cose a sua voglia, sta la casa perturbata e male servita" (295). If she is respected, then the opposite is true: "Ma se la donna sarà desta e diligente alle cose, tutti e' suoi la ubidirano. S'ella sarà costumata, tutti la riveriranno" (295). Giannozzo admits that his own wife's sole fault was that she had a tendency, in her eagerness to please, to try to do things that were below her:

Era onestissima, lieta, governava con modo, procurava con molta diligenza tutta la famiglia. Ma in questo peccava, che alcuna volta, per parere troppo diligente, si sarebbe data a fare una o una altra cosa infima. (295)

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10 Giannozzo's definition of "famiglia" encompasses all members of the household, including servants. John Najemy has noted that Giannozzo's definition of family is in fact much more narrow than that of other Alberti interlocutors in Della famiglia, who include elders, ancestors and cousins in their definitions. See "Giannozzo and His Elders: Alberti's Critique of Renaissance Patriarchy" in Society and Individual in Renaissance Florence, ed.William J. Connell (Berkeley, CA: University of California Press, 2002), 70.
Giannozzo recounts how he raised his wife's dignity to the level appropriate to her social rank as an Alberti wife, first by forbidding her to carry out these lowly tasks and next by encouraging her to practise dignified behaviour in public:

*e io subito gliele vietava, diceali questo comandasce ad altri, e comandando facesse valere sé apresso e' suoi, in qualunque modo avendosi per casa come si richiede patrona e maestra di tutti, e fuori di casa ancora cercasse acquistare in sé qualche dignità; e per questo qualche volta ancora, per prendere in sé qualche autorità e per imparare comparire tra la gente, si porgesse fuori aperto l'uscio con buona continenza, con modo grave, per quale e' vicini la conoscessoro prudente e pregiassoro, e così e' nostri di casa molto la riverissono. (295)*

His wife's greater status in public in turn encouraged the respect and esteem of her servants and everyone else within the walls of her home. This is one of the very rare occasions in *Della famiglia* where we catch a glimpse of a noble Florentine wife outside her home.\(^{11}\) The way she appears in public is essential not only to how she is perceived outside the home but also, and more importantly, to how she is regarded by the servants within her own home. Here, the cultivation of Giannozzo's wife's public image increases her status in the private realm of her home and so the public, in this instance, serves the private world of household relations. This is an interesting counterpoint to the overarching and dominant ethical message of *Della famiglia*, which emphasizes that private concerns are less important than public ones. However, one must keep in mind that this advice comes from Giannozzo, who elsewhere in Book III, most notably in the context of his debate with Lionardo about the relative merits of public and private life,\(^ {12}\) clearly prioritizes private concerns over public ones.

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\(^{11}\) One other situation in which Giannozzo's wife appears in public is mentioned when Giannozzo recounts to Lionardo that on occasion he had noticed that his wife, at weddings, sometimes appeared more flushed and excited than might be fitting. *Della famiglia*, 276. Cited above.

\(^{12}\) See Chapter 2.
Several different points of view on marriage and a wife's role are expressed in *Della famiglia*. Battista focuses on love and friendship, but also mentions, however fleetingly, his concern about what he perceives to be the common problem of wives who seek lovers. Lionardo stresses both companionship and the procreation of male heirs, but reveals himself to be more concerned with such matters as choosing a fertile wife of good reputation and breastfeeding one's own offspring. He does not dwell on or seem particularly preoccupied with the topic of adultery. Giannozzo is concerned not so much with true companionship as with what his wife should and should not be privy to and with appearances, that is, how she is perceived by others both inside and outside the home. He is also preoccupied with how to prevent a wife from being unfaithful. There is evidently an underlying worry, one that is not fully explored, about unfaithful wives and how a husband ought to respond to this threat, regardless of whether it is real or imagined. While Giannozzo obliquely instructs husbands on how they might prevent this from occurring in the first place, nowhere in *Della famiglia* is the actual situation of an unfaithful wife (and its public and private consequences) tackled. In certain of Alberti's *Intercenales*, however, this topic is explored at length and sometimes in quite contradictory ways.

2. *Intercenales*

The *Intercenales* that are germane to this discussion are *Uxoria*, *Maritus*, *Vidua* and *Amores*, works that highlight the interplay between public and private worlds in the context of marital infidelity. All but *Uxoria* were discovered in 1964 by the great scholar of Italian humanism, Eugenio Garin, along with 22 other previously unknown excerpts from the *Intercenales*. *Uxoria*, meanwhile, was already known and printed in its Italian version, while Alberti's
Latin version existed only in manuscript form.\textsuperscript{13} While there is some commentary on these particular pieces from \textit{Intercenales} in the scholarship, they have neither been analysed at length nor comparatively. Along with many other \textit{Dinner Pieces}, they provide a rich resource for new analyses of Alberti, especially from the standpoint of public and private that is the focus of this dissertation.

The \textit{Intercenales} is a collection of Latin works written between circa 1430 and 1440, the decade when Alberti moved with the papal court from Rome to Florence to Bologna and back to Florence again, and also the period that witnessed the production of some of his greatest works, including \textit{Della famiglia} and \textit{De pictura}. It includes many short pieces in the form of satires, allegories, dialogues, fables and \textit{novelle}. These brief texts, as indicated by their title, which is actually a Latin neologism that Alberti himself coined,\textsuperscript{14} were intended to be enjoyed "inter cenas et pocula"\textsuperscript{15} ("over dinners and drinks"). Alberti collected and arranged these pieces into several books that would be easy to distribute, read, and discuss in social situations.\textsuperscript{16} Although they were intended to amuse and entertain Alberti’s humanist friends, many of the \textit{Intercenales} are, in fact, dark pieces that, like his \textit{Momus}, ironize and satirize the human condition. Indeed, David Marsh has noted that, in contrast to his Italian


\textsuperscript{15} Ibid. This term is first used in the preface to the first book of \textit{Intercenales}, addressed to Alberti’s friend the Florentine doctor Paolo Toscanelli.

\textsuperscript{16} Grafton, \textit{Leon Battista Alberti}, 58.
works, Alberti’s Latin works "challenge a Ciceronian view of moral philosophy." According to him, Alberti "often subverts this [Ciceronian] tradition by circumventing its historical dimensions," paying homage, on the one hand, to the mysterious work of sects like the Pythagoreans who pre-dated Cicero and other classical philosophers, and, on the other hand, to the "post-classical cynicism of Lucian," the Greek satirist. In a similar vein, Garin states that "vicine allo stile del Momus, le Intercoenales traducono con efficacia il nesso fra ironia e amarezza, fra immagini vivide e riflessioni filosofiche, che caratterizza tanta parte della prosa latina dell'Alberti."

Alberti's first editor, Girolamo Massaini (1460-1527), together with his more recent editors (in relative terms at least) Girolamo Mancini (1832-1924), Cecil Grayson (1920-1998) and Eugenio Garin (1909-2004), were all intrigued by the author’s own statement of their existence. In his anonymous autobiography, he had referred to them as follows:

Scritto et praeter hos annum ante trigesimum plerasque Intercoenales, illas praesertim iocosas Viduam, Defunctum et istis simillimas, ex quibus, quod non sibi satis mature editae viderentur, tametsi festivissimae forsent et multos risus excitarent, plures mandavit igni, ne obtrectatoribus suis relinqueret, unde se levitatis forte subarguerent.

He wrote before he was 30 numerous Intercoenales among them especially amusing Vidua (the Widow) and Defunctus (the Deceased) and things of that sort, some of which, because they seemed to him not mature creations, even if delightful and apt to

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17 Marsh, Introduction to Dinner Pieces, 11. When Marsh refers to Alberti's Latin works, he is presumably not referring to treatises like De iure that have distinct Ciceronian echoes, as demonstrated in Chapter 1. On the influence of Lucian in Alberti's writings, see also David Marsh, Lucian and the Latins. Humour and Humanism in the Early Renaissance (Ann Arbor, MI: University of Michigan Press, 1998) and Anthony Grafton, who writes "Over and over again, when a new work of Lucian reached Alberti in one of the fresh Latin translations that Guarino, Lapo, and others regularly carried out, he set himself out to produce an emulative response to it" and "Alberti's early experiments in this Lucianic line generally took the form of short stories and dialogues." Leon Battista Alberti, 58.

18 Garin, "Venticinque intercenali inedite e sconosciute di Leon Battista Alberti," 381.

19 L'autobiografia di Leon Battista Alberti, 70.
elicit much laughter, he committed to the flames lest he give his detractors grounds for accusing him of levity.  

It was also known that after 1437 Alberti began to collect and organize the *Intercenales* into several books that were read in humanist circles, but many of the pieces were presumed lost and the intended arrangement was unknown.

Garin’s discovery in 1964 at the library of the Convent of San Domenico di Pistoia of twenty-five new pieces (the manuscript was found inside a 1475 printed edition of St. Augustine's *De civitate Dei*) has made an almost complete reconstruction of the entire work possible. It brought to light the proper ordering of the fifty-two extant pieces divided into nine extant books (with Books V and VI still missing) as well as the important dedications of the second and fourth books to Leonardo Bruni and Poggio Bracciolini, respectively. These dedications indicate that the *Intercenales* were circulated, read, and discussed in humanist circles.

In 1964, Garin immediately published the news of his great discovery in *Belfagor* and then quickly followed the announcement with the publication in *Rinascimento* that same year of all the newly discovered writings (in unedited form). The following year, 1965, the journal article was reprinted in book form by G.C. Sansoni Editore. David Marsh’s relatively recent reconstruction of the entire corpus of the *Intercenales* gathers together, in the correct order, complete with extensive commentary, all known components of the

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22 Franco Bacchelli and Luca D’Ascia, "Delusione e invenzione nelle *Intercenali* di Leon Battista Alberti," Introduction to *Intercenales* by Leon Battista Alberti (Bologna: Pendragon, 2003), xxx. They emphasize that the mere fact of Alberti’s dedications to these powerful humanists did not necessarily mean that Alberti’s work was well received by them.  
23 Garin, "Venticinque intercenali inedite e sconosciute."  
*Intercenales*. It is presented in English translation only with no accompanying Latin text.  

Most recently, an edited Latin and Italian facing page edition with extensive commentary by Franco Bacchelli and Luca D'Ascia was published in 2004. Before these contributions of Marsh and Bacchelli and D'Ascia the *Intercenales* had been published only in fragmentary and, with some limited exceptions, unedited form. These modern editions have been centuries in the making. In recent years, Timothy Kircher, David Marsh, Rosario Contarino, Francesco Furlan, Cesare Segre, Roberto Cardini, John Najemy, and others have begun to comment on many of the *Intercenales* and their importance to understanding the complexity of Alberti the humanist who is also, at times, described as Alberti the anti-humanist.

The two pairs of *Intercenales* that will be discussed here were both intended by Alberti to be read together, as complementary texts. This is evident from the way in which Alberti organized the *Intercenales* into books. *Maritus* and *Uxoria* (together with the two different dedications—in Latin to an unknown dedicatee and in Italian to Piero di Cosimo de' Medici—of *Uxoria* and the general preface to Book VII) are the two pieces that comprise Book VII. The preface to the seventh book and *Maritus* were, at the time of Garin's exciting discovery, "cose nuove ed ignote." The general preface to Book VII was likely dedicated to Leonardo Bruni, and, as has come to light in recent decades, provided the inspiration for

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28 For an excellent synopsis of the various manuscripts and editions of the *Intercenales*, see *Dinner Pieces*, 219-220, note 2.
29 Garin, "Venticinque intercenali inedite e sconosciute," 383.
30 *Dinner Pieces*, 249, note 7. "The name of the dedicatee is missing in the manuscript, where six points of suspension appear. But Alberti's allusion to the foremost scholar of the age suggests Leonardo Bruni."
Ariosto's third satira.\textsuperscript{31} Both \textit{Uxoria} and \textit{Maritus} deal with the issue of how a husband ought to deal with his wife's infidelity, but they do so in different ways.

\textit{Vidua} and \textit{Amores}, the other pair of companion pieces, are the two constituent parts of the eleventh and last book. Both come from the corpus of previously unknown material, both are among the longest pieces in the collection at approximately twelve pages each, and both discuss the cunning ways of women. \textit{Vidua} is the story, presented in dialogue form, of a wealthy young widow who becomes pregnant and seeks the advice of an old woman on how both to conceal her pregnancy from the world and to continue to enjoy her lover. The other is a novella about a woman’s cruelty towards her lover, who also happens to be her husband’s best friend.

2.1 Uxoria and Maritus

2.1.1 Uxoria

Despite the similarity between the title of Book III of \textit{Della famiglia} and Alberti’s shorter piece, \textit{Uxoria}, they could not be more different in tone or approach. While Book III of \textit{Della famiglia} may be classified among Alberti’s didactic works, \textit{Uxoria} may be considered one of

his more satirical works. *Uxoría* was likely composed, in both Latin and Italian, in 1438, a few years after the completion of the first three books of *Della famiglia*. A study of the language in the dedicatory letters seems to indicate that both versions were likely written at Alberti's villa outside of Florence at approximately the same time. In the preface to the Italian version dedicated to Piero di Cosimo de' Medici, Alberti states that he wrote *Uxoría* "in villa fra le selve in ozio al quale a questi tempi per buona ragion me diedi." According to David Marsh, the "buona ragion" is possibly a reference to the plague that interrupted the Council of Florence in 1438. Alberti also mentions to the dedicatee (an unknown recipient) of his Latin version that he penned the piece at his villa. However, when Alberti alludes to his retreat to his villa in order to write in the opening sentence of the Latin preface, he states that he is escaping public affairs, not a plague: "Cum a strepitu forensium negotiorum, que quidem multas ob causas tibi cognitas et probatas fastidire occeperam, in villa" ("I had retired to my villa to escape the bustle of public affairs, which I had come to loathe for reasons which you know of and approve"). While the precise reasons for Alberti's retreat to his villa are unclear, at the very least the fact that an escape to the country to write *Uxoría* is referred to in both prefaces suggests that both versions were written contemporaneously.

In the dedicatory letter of the Latin version, Alberti demonstrates some of his characteristic anxiety about its supposed "rough and unpolished" (134) state ("Atque illico, utcumque erat rudis et inelimata, ad te illam deferri iussi" [472]). In fact, he seeks assurance that the anonymous dedicatee would never circulate the work to any third party detractors.

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33 Alberti, *Intercenales*, eds. Franco Bacchelli and Luca D'Ascia, 516. All subsequent references to the original Italian of "Uxorie proemium ad Petrum de Medicis" refer to this edition.
34 Alberti, *Intercenales*, eds. Franco Bacchelli and Luca D'Ascia, 472. All subsequent references to the original Latin of any of Alberti's *Intercenales* refer to this edition.
35 Alberti, *Dinner Pieces*, 134. All subsequent references to the English translation of any of Alberti's *Intercenales* refer to this edition.
before he had a chance to emend and correct it first. He also describes the novella as a "not unamusing" ("non illepida") and "witty Dinner Piece" ("festivissima Intercenalisi") that is sure to make the addressee laugh. He ends his Latin dedication with the following observation:

"Quas, ni fallor, tu cum perlegeris ridebis et me, ut facis, magis atque magis amabis" (474)

("Unless I am mistaken, you'll laugh as you read it, and love me more and more, as you do"

[134–135]). The preface to the Italian version, dedicated to Piero di Cosimo de' Medici (1416-1469), also known as Piero "il Gottoso," is much more relaxed in tone than his Latin dedication, largely owing to the fact that he addressed it to a patron and not to a Latin scholar. Consequently he does not fear harsh criticism from a fellow humanist or a Latinist, whose culture included a tendency to viciously point out errors (and especially errors in style) in contemporary Quattrocento Latin texts. Unlike the Latin dedication, the preface to the Italian version reads like a Renaissance public relations pitch and highlights what Alberti perceives to be Piero's great esteem for him:

Ma ora ch'io intendo quanto sia la benevolenza tua verso di me, e poich'io sento qual sia lo studio e opera tua assidua e prontissima in rendermi con ogni arte, con lodarmi e commendarmi a tutti noto e accettissimo; e ancora ch'io vedo te dato a riconoscere scritti ed essercitazioni mie letterarie, tanto che raro passa ora in quale tu non legga e commendi a memoria qualche mio scritto e detto, posso io non sopra tutti gli altri amarti, da cui, omo degnissimo d'essere amato, io tanto me scorga amato? (516)

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36 "Atque te quidem noveram, virum eruditissimum meique nominis atque fame cupidissimum, in nostris rebus notandis ita solertem et officiosumfuturum, ut hanc nisi emendatumet factam meliorem in manus detractorum nostrorum devenire uspiam sis minime permissurus." (472) ("And I knew that, as a very learned man and a great promoter of my name and reputation, you would be so careful in citing my works that you would never allow this work to fall into the hands of my detractors unless it were revised and improved" [134]).

37 On this phenomenon of scholarly paranoia and emendation in early humanism, see especially Grafton, *Leon Battista Alberti*, who singles this out as a recurring theme in Alberti's work.
Despite the fact that both the Italian dedication and the Italian version of *Uxoria* are shorter than their Latin counterparts, this dedication describes the work itself and its comic nature at greater length than does the dedication to the Latin version:

> E già ch’io conobbi te tanto cupido de' miei scritti, mi piacque mandarti questa nostra operetta scritta in villa fra le selve in ozio al quale a questi tempi per buona ragion me diedi. E credo non ti tedierà rileggerla più d'una volta, perché la vederai materia scritta pur faceta e iocosa e non inutile in vita a consigliarsi, e parratti, credo, trattata da me non in tutto sanza modo e degna maturitá. Riderai e amerai'mi, e da me aspetterai simili maggiori premi alla nostra ottima amicizia. (516)

_Uxoria_ is a short story, set in ancient Sparta, with many long passages of direct discourse organized into a three-part debate on taking a wife. Its narrative structure has been compared to Boccaccio's novella about Melchisedech. Bacchelli and D'Ascia make the additional observation that "[l]a forma è alta e sostenuta: una gara oratoria nella Sparta plutarchea, in cui si manifesta l'ideale di 'educazione civica.' " However, they also keenly observe that there is an inconsistency between its lofty form and everyday content: "la materia, invece, è quotidiana, e 'borghese': l'onore familiare [è presentato] come valore estrinsico da conservare con tecniche diverse." Three sons, Mitio, Acrinnus, and Trissophus are called to their father's deathbed, where he announces to them that they cannot all inherit; only the most virtuous son will be his heir. After their father's death, the sons gather to present their cases to a panel of judges who are chosen from the ranks of the family's elders. Ironically, none of the sons speaks about his own virtue in the way one might expect. Mitio and Acrinnus speak about how they cope with their wives' serial infidelity and shrewish behaviour, respectively, while Trissophus states that his greatest virtue lies in never having taken a wife and in keeping his private space untainted by the presence of women.

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38 Decameron, 1.3. See Battaglia Ricci, "In ozio e in ombra. Alberti, Boccaccio e la novellistica antica," 195–196.
39 Franco Bacchelli and Luca D'Ascia, eds. _Intercenales_, 471.
Mitio, the eldest and whose name implies "mildness," is the first to present, and has by far the longest speaking part. He chooses to illustrate his superior virtue by talking of how he has managed to live for years with an unchaste wife. He begins his account by describing his discovery of her unfaithfulness: "esse in uxore mea servandi nominis et decoris studii cureque minus quam nuptam et bene moratum matronam deceat nossem" (486) ("I perceived that my wife took less care for honour and decency than befits a married woman" [139]). He was uncertain about how to deal with the situation. In turn he rejected the ideas of discussing his thoughts with anyone else, of approaching her with the problem, of going to her family or of treating her with reserve. Discussing the problem with others is described in terms of public shame or disgrace:

ne apud alios quidem que animus volutarentur meis explicari posse commode arbitrabar measque esse sollicitudines istiusmodi intelligebam, ut in obscuro et abdito contente nihil ad lassessendum roboris aut virium haberent, palam autem exposito dedecus ignominiamque propere essent allature. (486)

I thought it inconvenient to discuss my thoughts with anyone else, for I knew that my worries could do no harm to me if kept in the dark, but they would soon cause shameful disgrace if exposed to the public. (139)

Neither would chastising her without witnesses nor treating her with reserve be acceptable responses, for fear that she would "exult in my cares and anxiety by running riot at our windows and in the streets and squares" (140) ("nostraque cura et sollicitudine ovans totis fenestris et angiportu et trivio lascivet" [488]). Again, one perceives a fear of public disgrace. Going to her family with the news, he continues, would similarly have been a bad idea:

Nam dicent quidem neque primum me parili in causa, neque solum fore quem alienus solicitator affecerit, eoque redibunt, ut admoneant ex huiusmodi feminarum inconstantia et lascivia aliud ferme nullum exoriri incommodum, quam ut rumor aliquis sinistra in plebe exoriatur; hunc iccirco sibi recte consuluisse, siquis ille sit, qui nullam in iram ob id proruperit, ut rem sibi sua ineptia graviorem fecisse postea sibi penitendum sit. Postremo edicent, si
quid honori suo faveam, si quid item communibus laudibus et fame nostre esse prospectum velim, maximopere caveam ne is ipse sim, qui quidem plebem tanti dedecoris testem fieri velim. (488–490)

They would say that in such a case I was neither the first nor the only man to be wronged by a seducer. They would repeat their admonitions that women's infidelity and lust can be harmful only when nasty rumours arise among the populace. Hence, a prudent man would refrain from angry outbursts, lest he regret later that his folly had made matters worse. Finally, they would observe that if I sought to protect their honour and to safeguard our common reputations, I should be the last to call public attention to such a disgrace. (140)

He then works through a series of rhetorical questions:

Impudicane vivet apud me et impunita uxor, ut per ignaviam meam insolentius in dies licentia abutatur? Quid si penas desumere instituerim? [...] Denique quid postremo, cum penas dederit? Quid nobis emolumenti assequar preterquam ut cum mihi ab his omnibus, quibus erat illa cara, odium et inimicitias pararim, tum liberis meis hereditatis loco a matre turpe nomen atque insignem notam relictam doleam. (490)

Should my wife live with me unchaste and unpunished, each day abusing her freedom more insolently through my negligence? What if I resolved to punish her? [...] But even if she were punished, what gain would be mine? Only this: I would arouse the hostility of those who love her, and leave my children their mother's notoriety as their inheritance. (140)

His chosen strategy is to turn a blind eye and to dissimulate:

Prestat igitur dissimulare, que videas non videre, siquidem indomitum animal, ut aiunt, mulier, frenari nusquam potest. Quid proderit curiositas, ubi te nimium investigasse peniteat? Quare prudentis mariti esse hoc statuo, tantum, quoad in se sit, uxor prestare occasionis ut, si quid illa forte sinistri animo susceperit, libere et absque molesto et dicaci aliquo interprete sue quest libidini obtenerare. Si erit mens impudica, minori cum fame iactura peccabit. (490)

It would be better to dissimulate, and not to see what I see. For like an untamed beast, they say, women can never be bridled. What good is inquisitiveness when you only regret finding out too much. I think a prudent husband will do what he can, if his wife should feel immoral impulses, to offer her opportunity to satisfy her lust freely and with no witnesses to bear tales. In this way, if her mind
is not pure she will sin with little damage to your name. (140) [my emphasis]

Public reputation is, again, of utmost importance, and the idea of having no witnesses (and even masking the fact of his own awareness) is critical. Mitio is pleased with his strategy, because he believes that his outward faith in his wife served to quell any rumours (however true) that were in circulation, "for when these slanderers see that I [...] regard my wife as chaste and honest, can anyone believe that he knows more about my marriage than I?" (141) ("Nam cum apud me [...] uxorem meam comiter et benigne non secus quam pudicissimam et probatissimam haberi oblocutores animadvertent, quis erit qui nostra in re uxoria plus maledicos quid conveniat intellexisse, quam nos" [490]). It also apparently curbed his wife's desires for other men: "seeing that I allowed her considerable freedom, she seemed easily contented, as far as I could tell, with the mere overtures of her lovers" (141) ("Quave licentia se apud me plurimum valere intellegebat, quantum videre licuit, ita utebatur, ut solis amatoriiis preludiis facile contenta esse videretur" [492]).

Mitio goes into detail about how he kept up his highly disciplined program of dissembling or hiding his wife's infidelities for the duration of the marriage:

Ob oculos versabantur caterve amantum, videbam alternis vicibus interdii noctuque assiduos ac veluti statarios veteranos pudicitie expugnatores sectari, solicitare. Ego vultus avertebam, oculos divertebam, os opprimebam, ex animo omnem tristem eius rei umbram expurgabam, quod ferendum quidem erat ferebam. (494)

Before my eyes passed hosts of lovers, and I saw suitors in continual succession both day and night courting and tempting my wife, and besieging her chastity like veteran soldiers. But I looked the other way, kept silent, and purged my mind of even the semblance of gloom. (141)

Mitio ends his presentation with a description of how valiantly he dealt with the rumours, which he describes as "seu fictas seu veras fabulas" (494) ("real and imagined stories") that were spread publicly about his wife's affairs.
The second son, Acrinnius, whose name implies sharpness, says he "endured a harsh and bitter wife who was always seething with pride and never slow to snarl insults" (143) ("Ego duram, asperam, semper tristi supercilio estuantem, nunquam ad obganniendum, ad contumelias inferendas non alacrem et armatam pertuli" [500]). He takes the opposite point of view to Mitio's permissiveness:

Quod si illud requiras, ut optatissima et maiorem in modum dulcissima Veneris furta, ad que totis animis contendunt, negligat, si sapis, non tu illi peccandi potestatem et licentiam dederis, sed penitus ademeris. Namque plures, que negent, mulieres offendes, dum sue obtemperare libidini nequeant, quam si queant. Etenim si que asservantur id elaborant ut animum ex sententia compleant, quarum id erit arbitrii ut queque collibuerint possint, annon loco ille ut licebit volent? (502)

If you seek to make them abandon Venus' sweet and desirable stolen pleasures, which they strive to obtain with all their souls, then you must not grant them license to sin, but completely take it away. You'll find more women who refuse their charms when they can't obey their lust, than when they can. If women strive to satisfy their longings even when they are closely watched, won't they choose to do so when they are free to do as they please? (144)

The narrator interrupts the story at this moment, pointing out that "Acrinnius made many fine and detailed observations, which it would be tedious to recount here" ("Itaque huiusmodi in rebus comparandis Acrinnus pleraque accuratissime bellissimeque disseruit, que prolixum esset hoc loco enumerare" [502]). Acrinnus' speaking role is thus abruptly truncated. His final argument before the judges implies that his approach of constant vigilance over one's wife's actions is preferable to his brother's strategy of turning a blind eye to her promiscuity: "If they [the judges] reflected that virtue involved toil and tireless care, they would readily decide who had performed the more arduous task" (144) ("quod si virtutem a labore, a sudore, a vigiliis nunquam fuisse seiunctam intelligerent, a re ipsa coniecturam caperent atque diiudicarent" [502]).
Finally, the last brother, Trissophus, whose name means "thrice wise," and who is described as "a youth of keen and ardent intellect" (144) ("acri ferocique ingenio adolescens" [502]) presents his case, claiming that he is the most virtuous because he remained steadfast in his resolve to be a bachelor, even in the face of relentless pressure from the community and his family, who insisted that it was his duty to marry:

\[
\text{ita et triviis et angiportis et theatris et templis publicisque omnibus atque privatis diveroris omnibus ferme mortales, quasi dedita opera, certatim rem uxoriam suadendo in eaque molestia sese exercendo, penitus dignos odio passim offendisse (504–506)}
\]

In streets and squares, in theatres and temples, and in all public and private buildings, nearly everyone competed in urging him to take a wife, and harassed him odiously. (145)

He rejected the idea of marriage despite the pressure, both private and public, that he faced. He even defied his father and risked estrangement from his family. His reasons for rejecting marriage are connected with observations of his brothers' experiences:

\[
\text{Etenim cum et hanc marito benignissimo et amantissimo nuptam et hanc alteram mirifica inauditaque custodia observatam non usquequaque matrimonii iura et connubii religionem servasse animadvertisset, sed alteram inexplebili flagrantique libidine peditam in dies novo amatore delectari, alteram nullo posse metu coerceri quin genitale impudentia sua torum commacularet. (506)}
\]

He had observed that the sacred laws and obligations of marriage were respected neither by wives with generous and devoted husbands, nor by wives under extraordinary surveillance. For the former were overcome by insatiable lust and they took new lovers daily, while the latter, being checked by no fear, shamelessly defiled the marriage bed. (145)

Trissophus mocks Mitio for his folly in believing that his public image was somehow upheld by turning a blind eye to his foolish wife's dishonourable behaviour, when in fact it created much unpleasant gossip among strangers. He also mocks Acrinnius for putting up with an unliveable home life. He presents his own approach of completely avoiding the company of women as the only solution:
I kept my private home free of any savage and abominable monster of a woman, and rid the public assemblies, squares and buildings of malicious rumours. (148)

The novella concludes abruptly without offering any resolution of the question as to which son most deserves to inherit. The judges declare their need for more time to deliberate and so Alberti leaves his readers to draw their own conclusions on the most appropriate outcome of the hearing.  

2.1.2 **Maritus**

It is not surprising that Alberti should have chosen to present *Uxoría* and *Maritus* together as Book VII of *Intercenales*, for they both deal at length with marriage, and, in particular, with the issue of adulterous wives. The date of its composition is unknown, but it was likely written in approximately the same period as *Uxoría*. A major distinguishing characteristic of this novella is its sense of immediacy: the husband discovers that his wife and her lover are meeting under his own roof and he must deal with the amorous indiscretion while it is unfolding. Moment by moment, as the infidelity is occurring, the reader shares in the husband's thought processes and is with him when he confronts his wife's lover in his own home. The reader is also privy to his meticulously planned out response to his wife. This husband's reaction is much more complex, nuanced, and cruel than Mitio's. He pretends that there is nothing wrong, but his wife knows that he knows, and is tortured by his seemingly generous treatment of her.

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41 See note 45 below on the possible inspiration for *Uxoría* by one of Bruni's 1436 novelle.
Maritus is the tale of a young adulterous wife’s misery, suffering, and eventual
demise as a result of her husband’s most unusual and ostensibly very tolerant reaction to
discovering her with a lover. In a most bizarre turn of events, the husband befriends the lover
and encourages him to pursue a life of virtue and honour. He never mentions what his wife
has done, never berates her, never shows her any violence. He continues to treat her with
decorum and respect in the presence of others, but freezes her out emotionally and refuses her
all affection when they are alone. Unable to share her bitter secret with anyone, and lacking
the forgiveness and compassion from her husband, she eventually wastes away.

The cruelty inflicted upon the wife in this tale, as Timothy Kircher has noted, is a
"revision of the Boccaccian trope of adulterous wife and cuckolded husband in a way that
shows psychological subtlety but also respects moral conventions."42 He points out the
similarities between Maritus and Boccaccio's story of the scholar Rinieri,43 who, spurned by
Elena, punishes her by leaving her naked all day in the burning sun. However, Kircher also
notes that the revenge of the husband in Maritus is more subtle and refined than Rinieri's and
observes that "unlike Boccaccio’s female brigata, the listeners in Alberti’s tale are fellow
humanists who do not question the avenger’s character."44 David Marsh has linked Maritus to
Bruni’s novella about a tolerant father (1436), a work that inspired Giovanozzo Manetti’s
Dialogus in symposio (1448).45 Francesco Furlan briefly refers to Maritus as an example of

42 Kircher, The Poet's Wisdom: The Humanists, The Church and the Formation of Philosophy in the
Early Renaissance, 296. He expands his analysis of Maritus in Living Well in Renaissance Italy, 94–99.
43 Boccaccio, Decameron, 8.7.
44 Kircher, Poet's Wisdom, 296. Also see Kircher, Living Well in Renaissance Italy, 85–109. For more
on the connections between Intercenales and Boccaccio, see Chapter 2 above and Section 2.2 of this
Chapter below. For an account of the presence of a Boccaccian model at the level of the 'macrotext' of
the preface to Maritus, as well as a claim that Maritus is in dialogue with Boccaccio's novella of
Pietro da Vinciolo (Decameron, 5.10), see Battaglia Ricci, "In ombra e in ozio," 193–196.
45 See Marsh, introduction to Dinner Pieces, 9 and 250, note 1. Also see David Marsh, "Boccaccio in
Alberti’s misogyny, citing Alberti’s definition of woman at the end of the story as follows: "Leve animal femina et ad voluptates prona" (466) ("Woman is a fickle creature given to pleasure"). This is in contrast to men, who are represented as calm and rational.

The structuring of the tale and the public/private interfacing in the story, have not, however, been explored. The author/narrator, or 'framing narrator' presents the novella as 'a story within a story.' He begins the tale by addressing the issue of how to conduct one's marriage and describes a discussion among his friends about the relative merits of practising tolerance and severity:

```
questium est, quenam leges maritum bonum constituerent,
desiderandane in coniuge sit facilitas potius an severitas. [...] 
tandem illud constituisses videbantur, ut neque facilitatem habendam, que contemptum pareret, neque severitatem. (454)
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The question arose of what principles would make a good husband, and whether tolerance or severity is more desirable in a spouse. [...] Eventually, everyone seemed to agree that a husband should practice neither tolerance which breeds contempt, nor severity which arouses hatred. (128)

After the opening paragraph, the framing narrator abruptly gives way to a new narrator ("At this point, Xxx spoke up" [128]) ("Dum hec agerentur Xxx" [454]), an un-named elderly man learned in history and letters, who boasts that he has "just victoriously buried [his] third wife" (128) ("qui iam tertium victor uxorem extuli" [454]). He proceeds to narrate the rest of *Maritus*, and, uninterrupted by the framing narrator, tells the story of his neighbour (the protagonist husband of the story) who had a curious and cruel way of managing his marriage. The elderly narrator supports and condones the husband’s insidiously
harsh actions and refers to him at the end of *Maritus* as a fine example of a husband who, instead of finding a middle ground between tolerance and severity (which had been suggested at the beginning of the novella by the framing narrator as the group's consensus on the best approach\(^{47}\)), manages to practice both extreme tolerance and extreme severity in his marriage: "summaque et mirifica cum indulgentia et facillitate coniunctam severitatem vindicando servavit" (468) ("In taking revenge, he combined severity with supreme indulgence and remarkable tolerance" [133]).

Describing how his neighbour, walking through the streets of Florence one day, witnessed his wife's youthful lover entering his home, the narrator asks a series of rhetorical questions (much in the way that Mitio had in *Uxoria* when deciding how to deal with his wife's infidelity):


Why do you scowl, my friends? Is it so strange for a woman, especially a young one, to engage in love affairs, to sport with a lover, and to take her pleasure? What then, by the Gods, does our good and honourable friend do? Does he cry out? Does he burst in on them enraged? Not at all. Does he suffer another man to enjoy his wife? (129)

To the last question, that of whether the husband should suffer another man to enjoy his wife, the narrator replies, "Yes. For the moment, and in fact he does what he should have done" (129) ("Patitur quidem interim, ac facit profecto quod fieri oportuit" [456]). The

\(^{47}\) The group settles on the idea of following the advice of the ancient poet Martial, who strove to find the middle ground between indulgence and strictness: "Tandem illud constituisse videbantur, ut neque facilitatem habendam, que contemptum pareret, neque severitatem" (454). ("Everyone seemed to agree that a husband should practice neither tolerance which breeds contempt, nor severity which arouses hatred." [128])
husband acts swiftly, first sending away the servants so there will be no witnesses to the ensuing scene. He then locks the main door and sets out to find the pair. First he comes upon his wife, who chatters and flatters him. Ignoring her, and feigning other matters on his mind, he finds the youth cowering in a corner. The narrator interjects:


What do you think? Did he beat the adulterer or kill him? Not at all. The prudent husband nicely ensured his own peace and tranquility. Instead of choosing to incur enmity by taking revenge, he thought it preferable and more convenient to win the youth’s friendship by forgiving him, thus protecting his own good name and well-being against more serious misfortunes. (129)

The husband deftly places a strategy into motion that simultaneously forgives the youth, protects his own good name, and punishes his wife. There are two pivotal moments in the story, both of which turn on the discussion between the husband and the lover. In the first key moment, the narrator recounts:

Perterrefacti quidem ac admodum trementis adolescentis dexteram manum prehendit leva, leniterque ac benigne in mediam aulam deduxit. (456)

In his left hand, he took the right hand of the terrified and trembling youth, and led him gently and kindly to the middle of the room. (129)

At this moment when he takes the young man by the hand and leads him to the centre of the room, he is leading him onto what may be described as a private stage, where the action takes place exclusively between them and the only possible witness is the adulterous wife, although it is not clear if she is present or not. The husband speaks to him at great length while holding his hand in the middle of the room. The husband asks for his friendship,
despite the unusual situation. He explains the importance for both of them that they 'save face,' and asks his wife's lover to remember that he has been generously spared his life. In return, the husband expects the lover to keep the matter a secret, and to do nothing to damage the husband's honour. The husband's primary concern is the possibility of any public disgrace, but he also takes it upon himself to encourage the youth to turn his mind away from pointless amorous pursuits to literary and civic ones, thus emphasizing the incompatibility of erotic love with productive engagement in civic life:

Quare tute hoc meum consilium si sequere, ut spero, operas ingeniumque tuum ab amore traduces ad rerum honestissimarum curam, ad laudam, ad decus bonis artibus nanciscendum, ad optima de tuis civibus, de patria promerendum. (460)

If, as I hope, you take my advice, you will turn your thoughts and energies from love to more honourable pursuits, to attaining praise and distinction in liberal learning, and to the meritorious service of your fellow citizens and your country. (130)

The husband even pledges lifelong friendship and support to the youth, akin to that of a father or a brother, in the following incredible passage:

studio, caritate comitem, coadiutorem, auctorem promptissimum, paratissimum, cupidissimumque futurum polliceor. Ac volo quidem tuis et publicis et privatis in rebus omnibus me tibi eum deputes, quem pro etate et Pietate parentem, pro fide et benivolentia fratrem, pro omni reliquo officio amicissimum libere possis adire: nusquam te mea opera, cura, diligentia fallet. Vincam sedulitate et re ipsa tuas de me expectationes. (460)

I promise that, by my work, zeal and affection, I shall be your ready companion, your prompt assistant, and your eager spokesman. In all of your affairs, both public and private, I wish you to approach me freely as your parent in years and in love, as your brother in trust and good will, and as your close friend in every other office. My aid, care, and diligence will never disappoint you, and my zeal and my deeds will exceed your expectations. (130)

In the second critical moment, the husband leads the youth outside his home and onto the streets of Florence. This movement from the zone of private family relations to the public
zone of the streets is executed in a most calculated way, so as to ensure that any passers-by
would think that they were friends bidding each other farewell:

Adolescentem iccirco multis verbis confirmatum comiter ac
perdomestice domo eduxit in trivium, ut si qui spectatores
affuissent, quidvis aliud inter hosce negotii fuisse suspicarentur
quam rem ipsam. (460)

Having reassured the youth by these words, he led him from the
house into the street in a courteous and friendly manner, so that, if
any witnesses were present, they would suspect that the business
between the two men was anything but what it actually was. (131)

When they cross the threshold of private space and enter the public space of the city
streets, they are on public display; both husband and lover must feign and dissemble. They
both become actors on the public stage of city life as they dance around the issue of the love
affair and the catastrophic loss of dignity for both men should their secret be discovered by
anyone else.

Throughout Maritus, there is a definite emphasis on the importance of the
preservation of the husband's public image above all else. His wife's misdemeanour is a
strictly private (in the sense of secret) matter, and he takes great care to keep it that way. To
ensure that his public image remains untarnished by scandal, he rids the house of all possible
witnesses, and disarms the couple by befriending the lover instead of murdering him.
Although he seems always in control, there is a reference to the husband's need to recover
from the blow of his discovery and to think of the next steps to be taken. After his friendly
dismissal of the terrified and confused youth on the street, the narrator recounts that "to calm
his spirits, he repaired to his villa outside the city" (131) ("animi sedandi causa, suam se in
suburbabam villam transtulit" [460]).48 The husband in Maritus clearly found his discovery
troubling enough to warrant some time for private meditation. His escape to the villa outside

48 This echoes Alberti's reference to his own escape to his country villa in the prefaces to Uxoria.
the city might also be interpreted as yet another iteration of the public/private dichotomy that is at work in the novella. While the home within the city is definitely a type of private space, its location within the city always makes it part of a public landscape. A villa might be described as a more purely private space, one that, in this case, offers the husband refuge and solitude at a time of need. The retreat to the villa also implies the leisure or *otium* of a private citizen as opposed to the formal civic responsibilities of the public citizen.

Upon his return after an absence of several days, the husband offers his young wife only silence on the matter of his discovery of her indiscretion. The torture of maintaining a sense of public decorum and of not even being able to gain the sympathy of her servants eventually kills the wife:

> Et quid putas sentire hanc de se mulierem, quam atrox animi certamen, metus adversus fiduciam, excruciabat? Que in luctu, in squalore, in solitudine, sui ipsius conscientia damnata vitam ducebat, que in tantis suis occultis doloribus, cetera familiarium turba inscia pro consuetudine circum arridente et applaudente, palam lugere et queri ignominie metu prohibebatur. (464)

What terrible discord between apprehension and assurance tormented her mind? Living in squalid grief and solitude, she was damned by her own guilt. While the rest of the household, ignorant of her crime, surrounded her with their usual smiles and approval, fear of disgrace prohibited her from grieving openly, despite her hidden pain. (132)

The cruelty and psychological torture endured by the wife for the sake of maintaining public decorum is one of the most at once disturbing and fascinating aspects of the story. The husband's treatment of her is especially harsh and exaggerated when one considers that the elderly narrator initially presents the wife's infidelity as commonplace: "Is it so strange for a woman, especially a young one, to sport with a lover, and to take her pleasure?" (129) ("Rem quideminauditam atque inusitatam, amoribus operam dare mulierem, ac iuvenem cum amante ludere voluptatemque capere?" [456]). The calculated coldness of the husband's reaction is
felt and noticed only by his wife. Everyone else thought him to be an exemplary husband: "In all his behaviour, he acted in such a way that all declared him a courteous, kind and excellent husband" (131) ("in omnique reliqua vita eum se prebuit, ut omnibus in rebus comem, dulcem optimumque maritum putarint et affirmarint" [462]). As Alberti points out, "Despite his inner grief, he [the husband] chose not to diminish his wife’s previous dignity either at home or in public" (131) ("ut in eo concepto animi dolore prorsus nihil uxori de pristina dignitate domi aut foris esse detractum voluerit" [462]). In this comment, the phrase "domi" ("at home") refers to a private space that includes the servants and involves many relationships between and among private individuals, while the phrase "foris" ("outside" or "in public") refers to the city outside the door. Despite the maintenance of her dignity at home and in public, in the private (i.e. in the sense of hidden and secret and intimate) relationship between the husband and wife, the adulterous secret takes on an unwitnessed life of its own, one that is antithetical to public decorum and dignity. The carefully controlled secret leaves only the wife to slowly but surely self-destruct, while her male counterparts, namely her husband and her lover, carry on with their lives as both public citizens and private men without any further reference to the scandalous affair. The cost both of keeping the discovery of the affair private, secret, and known only to the three persons directly involved in it and of precluding any chance of public disclosure or disgrace, is the slow, torturous, and unlamented death of the adulterous wife.

A common thread that runs through Alberti’s discussion of marriage in Book III of *Della famiglia, Uxoria and Maritus*, is that "private" and "public" completely shed their juridical meanings and instead take on a different connotation that has a more physically spatial quality. This different perspective on private and public also highlights the difference between what is "inward" and what is "outward." Accordingly, what happens between
spouses in the home happens "in private," and should be kept that way, and what happens outside one's front door happens "in public." However, a sense of public decorum must be maintained even within the private space of the home with respect to one's relationship with one's servants. In *Della famiglia*, the perception by others of one's wife in public, outside the home, affects the husband's reputation in general and the dignity of his wife vis-à-vis the servants. In *Uxoria*, despite the vastly different approaches of the three brothers to the problems of marriage, all the speakers are concerned with their public image and with how the behaviour of an adulterous or shrewish wife might negatively affect their reputations anywhere outside their homes. In *Maritus*, the private and public dimensions of adultery are amplified by the movement of the story from inside the house to the city streets, to a country villa and back home. The complexity and unusual resolution of this tale make it the most fascinating of Alberti's treatments of the topic of marital infidelity.

### 2.2 Amores and Vidua

The last two texts for the discussion of Alberti's views on marriage and illicit affairs, namely *Amores* and *Vidua* both portray women who use their powers of deception to achieve their desired ends. However, the most striking difference between them is that while *Vidua* celebrates women's abilities to negotiate their difficult plight, the women of *Amores* are depicted in an unfavourable light. In *Amores*, the main character, Friginnius, is the victim of a spell that causes him to have an affair with his best friend's wife, Durimna. The spell is cast by Durimna and her scheming mother. In this tale, love is described as an illness. Durimna and her mother are portrayed as the sorceresses who control Friginnius, torture him psychologically and physically, and destroy his friendship with Durimna's husband Fabellius. *Vidua* is the story, told primarily in dialogue form, of a young widow who seeks the advice of
a clever old woman regarding how she might both continue to enjoy her lover and conceal her pregnancy. It might be read as a celebration of the friendship of two women whose lives are unfolding outside the confines of marriage.

2.2.1 Amores

This story focuses on the machinations of love, the role that women play in bewitching men, and on the idea of love as a useless and destructive illness that should be avoided at all costs. It may be read as a gender reversal of Maritus, in which the adulterous wife suffers silently and grievously while her male counterparts carry on as if nothing has happened. In Amores, in contrast, the young male lover is destroyed by his secret love. In another nod to Decameron 8.7 (the story of the scholar Rinieri), the language of "burning" recurs in the narration to describe the torment of love that eventually destroys the initially frosty and rational Friginnius, whose very name is a play on frigus, the Latin word for "cold." 49 However, while in the tale of the spurned scholar Rinieri, Elena literally burns in the sun, in Amores, it is the scholar Friginnius himself, who, having spurned Durimna, burns in a more metaphorical sense. David Marsh has further noted that the plot of the story is directly inspired by an anecdote in Lucian's Toxaris 50 that involves a similar love triangle and the torture of a lovesick young man by his best friend's cunning wife. 51

Uxoría, Maritus, and Amores all explore the issue of the threat that extra-marital amorous pursuits pose to public reputations. In Amores, when Friginnius is attempting to reject Durimna's advances, he asks: "cannot shame, or pity for the misery your folly causes...

49 For example, Durimna "devised a novel and unusual way of making him burn" (205) ("Ac novam quidem inauditamque inauditamque inurendi iuvenis rationem excogitavit" [748]). Durimna also "wished Friginnius to burn with keener flames" (206) ("Nam incensum acrioribus flammis flagrare Friginnium cupiebat" [751–752]).
50 Toxaris was translated into Latin in Bologna in 1425. Alberti would have been aware of it.
51 David Marsh, Lucian and the Latins, 32–33.
you, cannot the stain of Fabellius' honour, or your public reputation [...] can none of these keep you from desire and madness?" ("Non te pudor; non tui, que his ineptiis infelicissima futura sis, pietas; non macula Fabelii; non hominum de te fama [...] a cupidate isthac et insania revocat?" [740]). However, the focus in Amores is not so much on the possible adverse public ramifications of private indiscretions in terms of ensuing gossip and loss of dignity (as is the case in Uxoria and Maritus). Rather, the emphasis is on the threat that engaging in amorous pursuits has on the potential fame and public reputation of not just any man, but of a man of letters in particular. The illness and suffering of that most private and clandestine of relationships, the love affair, is also depicted as a threat to a true, close, intimate friendship between two men.

In the opening paragraph, Alberti's stated purpose in presenting the story is to demonstrate the dangers of love. In addition to learning "about the character and disposition of women" (198) ("de ingenio et moribus mulierum" [726]) (which is presented in most negative terms), he writes that "it will also be useful to scrutinize love itself, which has the most destructive and deadly effects on the human mind" (198) ("Illud profecto iuvabit, amorem ipsum perspexisse, ut sit rerum omnium ad animos hominum conficiendos longe pestiferum et pernitiosissimum"[726]) While some recent scholarship suggests that Alberti's writings on the theme of love prove him an important theorist and defender of love,\(^52\) in this particular novella, love is presented as a pathology\(^53\) that is antithetical to the studious life of a man of letters like Friginnius. The narrator, imagining the reactions of Friginnius' friends to

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53 For a discussion of the theme of love as an illness in Intercenales, see Bacchelli and D'Ascia, "Delusione e invenzione," lxxxi–lxxxv.
the prospect of pursuing a love affair, briefly suggests first that one friend might consider him lucky to have such an opportunity. However, he also describes (at much greater length) how another friend might warn him of the dangers of love especially vis-à-vis his literary studies:

Idne annon palam at perspicuum est, ut qui ament cepta studia, bonas artes, magnifica studia levium et inanissimarum rerum solcitudine intermittant atque negligent, ut rem, famam, dignitatem, auctoritatem, vitam ipsam perdere parati et accinti sint, modo ab his tantis, tam infestis, tam assiduis, tam intolerandis malis, in quibus se immersos dolent, paululum leventur? (738)

is it not patent and evident that anxiety over the most insignificant matters makes lovers interrupt their studies and neglect the liberal arts and other splendid pursuits? They are ready to sacrifice fame and fortune, prestige and esteem, and even life itself, as long as they may find some brief respite from the great incessant and intolerable evils in which, to their grief, they are plunged. (201)

The same 'hypothetical' friend also says that "love always proves the bane and ruin of one's reputation, dignity, noble reserves, and peace of mind" (201) ("qui, ut cetera maiora omittam, nunquam non attulit fame, dignitati, optimis institutis animique quieti et tranquillitati pestem atque exitium" [736]).

These warnings foreshadow Friginnius' eventual fate and may be read together with Friginnius' own declaration, before he is ensnared by Durimna, that love is evil ("Et quid est –inquit–mali amor" [732]) and that it is darker than the darkest night, "for what night can compare to the darkness of love" (200) ("quod pre ullo nox istius animi tenebris comparabitur" [732]). Once he submits to Durimna, the narrator writes of his mounting torment:

nihil eo adolescente fieri potest miserius: se enim durissimum censorem morum et insanum amorem pugnantes animo preferebat. Quibus curis diu noctuque vexatus maiorem in modum excruciabatur. (744)

There was no-one more wretched than Friginnius, for he had to endure the conflict between his strict morality and his insane love.
Afflicted day and night by his cares, he suffered the greatest torment. (204)

As the affair proceeds and Durimna becomes increasingly unpredictable and cruel in her behaviour towards him, he falls into a deep depression, stops studying, and then becomes crazed:

Postremo, ut reliquas vesani adolescentis exagitationes preteream, in tantum fuorem non interraro sui ipsius tedio deveniebat, ut armis arreptis a se ipso manus vix contineret. Tantum ipse sibi, amando, gravis et infensus erat! Mox ubi furor efferbuisset, in lectum defessus penitus et defatigatus, totus in sudorem et lachrimas, quod se videret exerçabili peste confectum, sui ipsius misericordia deficiebat. Quibus curis consumptus ad id valitudinis devenit, ut ad forme tristitiam mors ci posset tetri nihil plus addere videretur: obscenus pallor, grandis macies, perturbidus frons, exhausti oculi, meror, luctus, funus. (754)

Among the other disorders of the crazed youth, his self-hatred often inspired such fury that, taking up arms, he could scarcely refrain from killing himself—so much did he loathe himself in love. When his fury had subsided, he lay exhausted on his bed, soaked with tears and sweat, and he languished in self-pity at seeing himself destroyed by such a detestable malady. Wasted with cares, he became so ill that not even death could have made his appearance more horrid and gloomy: loathsome pallor, extreme gauntness, a clouded brow, exhausted eyes; grief, mourning, a corpse. (206–207)

His symptoms become increasingly severe, and more physical (indeed, over the course of the story his initial psychological stress becomes increasingly physical and visceral), to the point where his friends, who had taken him to the country to relax, were at a complete loss:

Collugebant enim circum omnes, cum a plantu et eiulatu modestissimum in omni vita adolescentem nulla possent prostratum ratione sublevare. O miserrimum Friginnium! Sudor, lachrime, gemitus passim effundebantur, precordia dolore estuabant, cor ex ipso pectore arietans exsilire innitebatur. (758)

They all gathered around him, but could do nothing to relieve the cries and howls of this youth, who was otherwise so restrained in every other aspect of life. Wretched Friginnius! He poured forth
sweat, tears, and groans in every direction. His breast was convulsed with pain, and his heart beat violently and nearly leapt out of his chest. (208)

The pathology of love not only ruins any chance that Friginnius has to pursue public recognition and fame as a man of letters, but also destroys the most important private relationship in his life, namely, his friendship with Fabellius. At the beginning of *Amores*, Friginnius makes reference to their closeness in terms of "the joy of our sweet intimacy" (202) ("nostra dulcissima consuetudine iocunditatem" [740]), and expresses the wish that their bond not be diminished by any external force. Unlike most of the friendships described in *Della famiglia*, the relationship between Fabellius and Friginnius (at least before the affair with Durimna) involves an intimate, close, and true bond. It stands in stark contrast to the bond between the husband and wife in *Maritus*, which can neither be characterized as a friendship nor as a love relationship in any sense. In *Amores*, the infidelity that is deemed most catastrophic is not the betrayal of Fabellius by his wife, but rather the betrayal of Fabellius by Friginnius. In *Maritus*, what Contarini has described as the importance of the idea of "solidarietà maschile" in Alberti's works triumphs, even though the solidarity of the husband and his wife's lover is based on a contrived 'friendship.' In *Amores*, in stark contrast, the bonds of male friendship succumb to the perversions of love. Near the beginning of the tale, when Friginnius is doing his best to resist Durimna's advances, he refers to his "sacred" friendship with Fabellius:

Cave eum me esse existimes, qui ullis argumentis flecti possit, ut sanctissime amicitie uallas voluptates possim preposuisse. Nego me illum esse, qui trahi possim ut, quam optimis moribus firmam et sinceram semper colui ac servavi amicitiam, perfida aut turpitudine aliqua a me esse lesam velim. (740)

Don't think that your arguments can move me to regard any pleasures as preferable to sacred friendship. I can tell you that no

faithlessness or turpitude can lure me to violate a friendship which I have always virtuously kept firm and uncorrupted. (202)

He also describes Fabellius as the person most dear to him, and he identifies the maintenance of their friendship as his priority:

Nam quevis incommoda, cuiuvis inimicitias possum, Durimna, perpeti, modo Fabellii amicitiam integram et perennem servem. Vitam mihi ademerit, qui Fabellii gratiam et benivolentiam a me sustulerit. (742)

I can bear any misfortune or enmity, Durimna, as long as I keep my friendship with Fabellius intact and enduring. To rob me of Fabellius' favour and affection would be to deprive me of my life. (202)

In the face of her anger towards Friginnius for his refusal to be tempted, he begins to fear her wrath and agrees to try to please her on condition that his friendship with Fabellius does not suffer:

Hanc ex animo, si me amas, si te amari vis, acerbitatem, Durimna, exuas abs te peto – inquit –. Nam profecto, que tibi sensero iocunda esse, omnia me polliceor et dicturum posthac sedulo et facturum, tu modo provideto, ne tuis fortassis ineptis Fabellii gratia et benivolentia ulla ex parte labefactetur. (744)

If you love me and wish me to love you, Durimna, please dismiss this bitterness from your heart. I promise you that henceforth I shall say and do all I can to please you. Take care that your foolish actions do not weaken Fabellius' favour and affection for me. (203)

From this point in their relationship, and with this understanding, they begin their affair. Despite his resolve not to become emotionally involved, the cold Friginnius slowly 'melts,' and begins to fall in love with Durimna (whose name implies harshness) and "no longer pretending to love, he now strove to disguise it, ashamed of his inconstancy and afraid of violating his friendship" (203) ("Iamque non simulare amplius amorem, sed dissimulare ob verecundiam inconstantie et amicitie religionem veritus elaborabat" [744]).
Dissimulation and deceit become key themes in this story, and they are identified as primarily 'feminine' strategies. For example, the narrator states that "woman's chief art is her ability to feign and dissemble—to have her tears ready every moment, and to excel in the arts of deception" (200) ("Quod si audiam primas esse artes mulierum nosse quidvis simulare atque dissimulare, lachrimasque vero promptas et paratissimas habere fallendique artibus mirifice callere" [734]). It is notable that Friginnius also employs these 'feminine' strategies; he is described as "feigning and dissembling, in such a way that she would believe he was dear to him" (203) ("fingendo et simulando eum se Durimne prestaret, a quo se mulier non minimo fieri arbitraretur" [742])

Durimna's psychological torture of Friginnius is described as an act of deception. To increase his suffering, "she both feigned affection for the innocent youth to keep him in love, and cleverly tormented him with petty acts of unkindness" (205) ("immeritum adolescentem partim, ne ab se abalienaretur, ficta et simulata benivolentia, partim levibus iniuriis per quam belle excruciabat" [748]). She also torments him at a later point in the story, refusing physical intimacy with him because of a new but feigned religious fervour. Alberti uses the word "umbra," which means shadow or covering, to describe the way in which Durimna cloaks and conceals her true intentions:

et pro suscepta ducendi amoris ratione alimenta in dies et fomenta suggerebat; suas vero faces, impute iam pridem false religionis umbra et commento, contegebat. (752)

In accordance with her plan for controlling his love, each day she added new kindling to fuel his passion, while concealing her own flames with the fictive cloak of her false piety. (206)

As Friginnius' torment mounts, the initial discussion of the "arts of love" that women use to ensnare men yields to allegations of witchcraft and sorcery by the end of Amores. At the beginning, the narrator describes Durimna's advances in relatively innocuous terms:
Non hic refero quibus amatoriis artibus, qua verborum et oculorum insinuatione et inflexione elaborit Durimna illicere adolescentem, ut sese concupiscerent atque in primis ultro expeteret. (728)

I won't recount here the arts of love, the insinuations and inflexions of her words and glances, which Durimna employed in order to entice the youth to desire her and court her. (198)

In the middle of *Amores*, Durimna's (and her mother's) use of their "arts" on the now—besotted Friginnius are described as more harmful:

Quo quidem instituto excita, ut diutius illaquearet adolescentem, non refero quibus artibus uteretur. Omne enim suum studium, operam, diligentiam hac una in re consumebat, matre acri cura et assiduitate suffragante, quoad, communi consilio exquisitis omnibus modis, augeret amanti erumnam et molestiam; ex quo fiebat, ut quas solite fuerant prestare occasiones explendi amoris, de industria subterfugierent. (746)

I cannot relate all the arts which, excited by her resolve, Durimna used to further ensnare the youth. With her mother's keen and untiring assistance, the two women together devised every means they could to increase the youth's distress and suffering. Where they had previously arrangements for satisfying his love, they now intentionally avoided them. (204)

In the examples above, it should be noted that Alberti uses the rhetorical device preterition (or omission) to emphasize the extent of Durimna's use of the "arts of love."

Finally, when the revelation of sorcery is made towards the end of *Amores*, the effects of these secret and dangerous arts include not only Friginnius' intense physical pain and discomfort, but also his lack of control over his thoughts, the fact that "his emotions fluctuated with those of Durimna, even when they were far apart" ("animos sibi ex animis Durimne, etiam e regione absenti" [756]), and another interesting malady—included no doubt by Alberti for comic relief—his impotence when with other women:

Illud preterea et suspitione et odio dignissimum accedebat, quod re ipsa compererat, ut aliquot tempora, dum iras Durimna se adversum exerceret, sibi minime apud alias mulieres virum se gerere in danda opera licuisse. (756)
There was another suspicious and odious fact which he had discovered. When Durimna was angry with him, he found himself less than a man when engaged in intercourse with other women.

(207)

2.2.2 Vidua

*Vidua* is a story that is introduced as a novella but then shifts into a dialogue between a young widow in love (Vidua) and her older female advisor (Vetula). It has received some critical attention following its discovery in 1964, most likely owing to Alberti having mentioned it in his *Vita anonyma* as one of his favourite *Intercenales* (also written before he turned thirty, which would date it before 1434), but no critic has analysed the entire story in depth. It may be compared thematically to another piece by Alberti, *Ecatonfilea* (c. 1430), in which a "woman of a hundred lovers" delivers a long monologue advising other young women about the best way to avoid her own mistakes and to enjoy love's pleasures without succumbing to jealousy.  

John Najemy has also read *Vidua* as a companion piece to Alberti's *Sofrona* (1437), in which the eponymous narrator berates Alberti and other men of letters for their misogyny. This supports Najemy's subtle reading of Alberti as a not uniformly misogynist writer, despite the scathing attacks on women that do appear in many of his works. Alberto Martelli has also likened Sofrona's defence of women's "prudenza" and "maravigliosa astuzia" with the feminized versions of "*sapientia e prudentia* caldeggiate dalla Vecchia di *Vidua*." Bacchelli and D'Ascia likewise compare *Ecatonfilea* with *Vidua*, and they also see a connection with Boccaccio's *Elegia di Madonna Fiammetta* because of the feminine perspective and the roles of the characters: a young woman in love and her older advisor who

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resembles the figure of "la balia boccacciana." Eugenio Garin notes that the widow of *Vidua* is possibly the inspiration for the young, wealthy, childless widow in Machiavelli's *Mandragola*.59

While all these observations are interesting, it is most important to recognize that what *Ecatonfilea*, *Sofrona*, and *Vidua* have in common, and what distinguishes them from other works by Alberti, is that they are all told from a female perspective. It is therefore not surprising that women are presented in a more favourable light than they are, for example, in *Della famiglia* and the other pieces from *Intercenales* analysed here, in which all the interlocutors and narrators are male. An analysis of *Vidua* that focuses on Alberti's notion of the female perspective on public reputation and private pleasure-seeking offers yet another perspective on aspects of extramarital indiscretions in Alberti's work.

The widow is presented as a woman of impeccable reputation in the opening sentence of the story. Her love for her young man is then described in the story as a most private and secret affair that has been encouraged on the advice of an old woman. The story begins as follows:

Lauta quedam adolescentula vidua, nusquam experta filios, de se eam in animis hominum compararat modeste et parce vivendo opinionem, ut apud suos apudque alienos omnium pudicissima et religiosissima haberetur. Evenit ut vetule cuiusdam suasu vidua isthec pulcherrimum amare occerperit; quo cum homine dies plurimos voluptati operam dedit, congressibus inter se adeo occultissimis, ut non testis, non fama, non suspitio denique ulla dulces eorum mutuos amores interpellarit aut ulla ex parte interturbarit. Pregnas iccirco effecta est. (700)

An elegant and childless young widow lived a modest and frugal life which won her a reputation for great chastity and piety, both with her family and with others. It happened that at an old woman's urgings she began to love a handsome man, and spent many days of pleasure with him. Their meetings were so secret that no witnesses,

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58 Bacchelli and D'Ascia, "Delusione e invenzione," lxxxii.
59 Garin, "Venticinque intercenali inedite," 389.
rumors, or suspicions in any way disturbed or disrupted their sweet and mutual love. And so she became pregnant. (190)

Just as in *Uxoria* and *Maritus*, so too in this tale are the ideas of secrecy and the absence of witnesses to the affair of utmost importance. However, the emphasis on secrecy is not described here in terms of protecting the cuckolded husband's public image; rather, it serves to indicate the widow's concern for her public reputation as a chaste woman. Upon learning of her pregnancy, the widow fears for her reputation and is distraught at the thought that, if discovered, she would no longer be able to legally contract a marriage with her lover. She does not tell her lover of her plight, but instead, out of fear, angrily drives him away. Her desire for her absent lover is described in pathological terms, not unlike the torture that the young scholar of *Amores* experiences:

Dum abfuit amans, quantis illa pre desiderio furoribus agitaretur, difficile dictu est. Non somnos, non cibum, non quietem infelix ullam, nisi plenam meroris, capiebat, inque solitudine et lachrimis ipsam se conficiebat omnia dissimulans. (702) [my emphasis]

It would be difficult to describe the fits of fury which overcame the widow in her desire for her absent lover. The wretched woman neither ate nor slept, and found no silence that was not filled with depression. In her solitude and tears, she wasted away and dissembled her condition. (190)

It is important to note the occurrence of the term "dissimulans" in this passage. In this case, the term is used to describe the widow's act of dissimulating her pregnancy. The old woman, hearing of the widow's illness and knowing that she has shunned her lover, comes to visit her. She is greeted with anger and is not informed of the pregnancy. The old woman believes that her efforts had helped the young woman to "enjoy the delights and joys of love" (191) ("ut tuos quam iocundissimos et festivos amores ageres" [704]) and does not understand why the widow is denying herself the pleasure of being with her lover. The old woman insists:

Sum quidem, filia mea, eadem ipsa tua, cuius senili et cauta opera et astutis effectum est, ut tam optatos, tam dulces, tam frequentes tuo
cum amante congressus et amplexus ageres. Illa, inquam, sum, que in hanc usque diem curavi, ut amores tuos sine ulla fama, secure ac libere, ageres. (704)

My child, I am still the friend whose aged caution and cunning allowed you to enjoy so often your lover's welcome encounters and sweet embraces. I am the one, I say, who took care to this very day that you could love safely and freely without provoking rumours. (191)

After the old woman gives a long account of the young man's grief-stricken response to the widow's sudden rejection of him, the widow again speaks of how she must "feign and dissemble":

O superi boni, quanta secum acerba dedecus apportat mala, que in me sentio! Quiquid loquantur homines, de mea ignominis sermones habere autumno. Iccirci pleraque omnia et simulans et dissimulans quosque, etsi infimos, sector, ut de me quicquid sentiant perscruter. (710)

Oh merciful gods, how bitter the woes I feel my disgrace has brought on me! Whenever people speak, I think they are discussing my shame. Feigning and dissembling in all I do, I seek out everyone, even the most lowly, to learn their opinion of me. (193)

Once the old woman learns of the pregnancy, she deftly and confidently shifts back into her role of trusted advisor, telling the widow that her pregnancy need not deprive her of her lover: "if you weren't pregnant, would you be ashamed of your lover's love and entreaties, or of those great pleasures which, as a young, beautiful, and wealthy woman, you cannot and should not reject?" (194) ("Tu non prenans sis, pigebitne amari te et exorari ceteraque istiusmodi voluptuosissima prestari, que tu ipsa, etate ista, forma pene divina tantisque fortune bonis ornata, potes atque fortassis debes non aspernari" [712]). She also encourages her to put aside her fears about her gossipping kinswomen, assuring the widow that they should have little to say on the matter, for she herself had often assisted them in their love affairs:
Quid tum? Cognatasne tuas, quibus nos in suas persepe amoribus fuimus usui, ne quid nobis succenseant extimescemus? Quid ille ad obiurgandum sibi suscipient, quod ipsum non pulchre in eas reicias? Siquidem illu meminisse possimus, ut primum et singulare illis pro mulierum more studium semper fuerit omnibus modis eniti, ne sterilem etatem agerent, neve sine amatoribus consenserent. (714)

What, must we fear the indignation of your kinswomen, whom I have often assisted in their love affairs? What reproach can they make which cannot be fairly turned against them? We may remind them that, like other women, it has always been their primary and special concern to do all they can to avoid living a barren life and growing old without lovers. (194)

In an interesting counterpoint to Giannozzo's discussion of the evils of make-up in Book III of Della famiglia, the widow follows the above statement about the amorous pursuits of the women in town with the revelation that all the women of Florence enhance their appearance. She asks the widow: "Do you know any woman in our city who is so ugly that she doesn't dress nicely, arrange her hair, and paint her face in search of praise and a lover?" (194) ("Aut quam tu nosti tota in urbe mulierem usque adeo deformem atque indecentem, que non sibi, dum sese ornat, dum crinem deducit, dum faciem expingit, cum forme laudem ipsam, tum amantem non in primis querat?" [714]).

The old woman continues with a lengthy exhortation to all young women to seek their pleasures. It begins:

Amate, puelle, dum deus etasque vobis in ea re facilis et accommodatus est. Nam imperium quidem habet mulier, que sua facilitate et affabilitate asservare amantis gratiam et benivolentiam noverit. Quam tu quidem rem ita esse plane experta es. Servum enim habes obsequio eum, quem tu mutua tibi benivolentia devinxiisti. Si ulla est, que ignavo periculi metu tantos amoris fructus recuset aut negligat, insanit. (716)

Love girls, while the gods are easy and your age favourable! Any woman can dominate, if she knows how to ensure her lover's favor and affection by being receptive and obliging. You yourself know this from experience. You yourself have an obedient servant in the man you have obliged through mutual affection. If a woman
refuses or ignores the great satisfactions of love out of a cowardly fear of danger, she is mad. (195)

Furthermore, a wise woman, she says, "has only one advantage over a foolish one. She knows full well how to adapt to circumstances and how to act boldly and swiftly" (196) ("Sed una in re meo iudicio prestat prudens imprudenti: quod hec, prestita occasione, novit pulchre obsequi loco et tempori, audendo et rem mature agendo" [718]). The use of the language of adaptation to circumstances and swift reaction to changes recalls Alberti's discourse in Della famiglia about the multi-faceted presentation of the conception of prudence, which anticipates Machiavelli's redefinition of the ancient virtù in Il principe.60

Finally, the old woman assures the widow that, with her help, the pregnancy will remain a secret. Again, she concentrates on the idea that there should be no witnesses: "Since no one is privy to the fact, there can be no public suspicion" (196) ("quando quidem nemo facinoris conscius est, nulla exstat foris suspitio" [718]). She includes the servants among those who will not know, and assures the widow that they will be able to hide the pregnancy and birth from the world:

Tu, si isthuc fieri posse diffidis, nostros non recte feminarum mores didicisti. Novimus quidem pro arbitrio et prenitiem et partum ipsis, si opus sit, imaginibus fingere. [...] Num meam, que tertium pepererat, filiam pro vergine adduci sponsam vidisti? Nostre sunt artes, huiusmodi, nostrum hoc est infenium, viros nostros minime malos decipere, fallere. (718–720)

If you doubt that this is possible, you clearly haven't learned the ways of women. If need be, we can at will feign a pregnancy and birth through semblances. [...] Didn't you see my daughter betrothed as a virgin, after she had borne her third child? Such are our arts, and such our talent: we dupe and deceive our innocent husbands. (196)

In a continuing exploration of the theme of concealing, of keeping this matter strictly private, the old woman assures the widow: "Since it was I who kept your love affair hidden, don't

60 See Chapter 2, Part 3.1.
doubt that I shall likewise conceal your giving birth from everyone" (197) ("Que enim amores tuos asque duximus occultissimos, ne dubita, eque efficiemus ut omnes item lateat partus" [720]). The old woman's plan is in keeping with the celebration of feigning and dissembling in the rest of the story. The strategy she devises involves a retreat to the country villa well before the due date so that the widow might secretly give birth there:

\begin{quote}
Etenim occluse ambe in semota et secretissima edium parte sacrum sine interprete agere simulbimus. Quis poterit te illic peperisse coniectari? Puerum ipsa tollam atque ad patrem deferam. (720–722)
\end{quote}

Hidden in the most secret part of the house, we'll both pretend to celebrate rites without a priest. Who will guess that you have given birth there? I myself shall take the child to its father. (197)

The issue of the widow's growing belly during the pregnancy would be explained as weight gain, but the old woman's technique for hiding the sudden weight loss following the birth is novel:

\begin{quote}
Estne quod mea ibi ars non queat efficere? Dico: venter nullam tibi de amoribus sinistram famam afferet. Leve ac breve isthuc. Fasciis enim te post partum incingam substratisque panniculis pristinum ventris tomorem referemus, quos sensim in dies dimovebimus: eo pacto egritudinis simulatione rem conficiemus. Volenti fallere mulieri nunquam deerit modus. (722)
\end{quote}

Is there anything my art cannot do? I tell you that your belly will cause no love scandal. It's simple and easy. After you give birth, I'll wrap you with bands of cloth. With these layers of fabric, we shall replace the earlier swelling. Then, feigning that you have been ill, we shall remove them gradually each day. A woman who wishes to deceive always finds a way. (197)

Unlike the negative representation of the "female arts" of feigning and dissembling described in Amores, in its companion piece Vidua these arts are celebrated and contribute to the continued happiness of both the widow and her young lover. These "arts" are also, however, used judiciously, expediently and 'prudently' by women who, in Alberti's words, know how to adapt to circumstances, and to act boldly and swiftly. In this respect, the tale is reminiscent of
Boccaccio's story of Madonna Filippa, who quickly and cleverly subverts a legal maxim to justify her own adulterous behaviour.\(^{61}\)

There is clearly a concern for the preservation of public reputation in this story, as there is in Alberti's other accounts of extramarital affairs. However, *Vidua* distinguishes itself from the other texts not just because it is told from a woman's point of view, but also because love is not presented as being fundamentally in conflict with public reputation, nor as a necessary source of pain and ruin. The message of *Vidua* is that when a love affair is managed properly, when it is kept private and hidden, it need not interfere with one's public life or reputation. The representation of the private lives of women and the examination of the dynamics of a female friendship contribute further to the story's somewhat anomalous status in Alberti's oeuvre.

All *Intercenales* examined in this chapter expand on the topic of adultery (or, in the case of *Vidua*, an illicit love affair) that had been touched upon in *Della famiglia*. *Uxoría* and *Maritus* do not focus on the actual love affairs as much as on how a husband deals with cuckoldry as a matter of strategy. In these two *Intercenales*, the public reputations of the husbands are the main concern. In *Vidua* and *Amores*, there is a deeper focus on the love affair itself as a private and clandestine relationship. In *Amores* it is described as a destructive force that not only ruins the young lover's chances for fame and glory as a man of letters, but that is also the antithesis of the true bonds of male friendship. In *Vidua*, the love affair is presented from a female perspective as a liberating experience for a wise woman who "chooses not to spend sad days and lonely nights" (195). What binds these stories is that none of them concerns Alberti's more 'official' views on the public good and private matters of citizens that he presents in *De iure* and in many parts of *Della famiglia*. Instead, they all

\(^{61}\) *Decameron*, 6.7
explore, in varied ways, the tensions between public perception or reputation on the one hand, and private, in the sense of secret, human relations, on the other.
Chapter 4

Alberti as "Author" of Public and Private Architecture in *De re aedificatoria*

1. A Brief Introduction to *De re aedificatoria*

A study of the concepts of public and private in the writings of Leon Battista Alberti would not be complete without some reference to how public and private buildings and zones are represented in his technical and theoretical masterpiece on architecture, *De re aedificatoria*. In the preceding chapters, there has been preliminary discussion of how, in some key passages of his literary works, Alberti a) uses architectural imagery to explore the relative merits of private life and public life, b) represents public and private space, and c) juxtaposes city life with country life. A closer look at the language of public and private architecture that Alberti adopts in *De re aedificatoria* provided here is meant to contribute to and enrich the analyses found in the previous chapters. This is by no means intended to constitute an exhaustive study of *De re aedificatoria*, but rather, may be considered a complement to the vast body of secondary literature (primarily from the field of architectural history) that focuses on Alberti's architectural theory.

Architectural critics have long commented on the connections between *De re aedificatoria* and the theory of linear perspective that Alberti had presented earlier in his treatise on painting, *De pictura* (which he wrote in both Latin and Italian), because of the reliance on geometrical principles to define space that is common to both works. However, only recently have scholars begun to turn to his literary works with the hope of coming to a
deeper understanding of his architectural theory. A survey of the secondary literature indicates that the interplay of public and private in *De re aedificatoria* has not been analyzed at length in the existing criticism. This is quite surprising given that a distinction between public and private buildings is foundational not only to the structuring, but also to the presentation of virtually all the content of his ten books on the art of building. A brief introduction to the work will be followed by a detailed analysis of parts of the text that highlight the differences between public and private buildings as well as the overlapping private and public functions in many types of buildings.

Alberti began writing *De re aedificatoria* circa 1443. While it is not known when it was completed, it is certain that a version of it was presented to Pope Nicholas V in approximately 1452. It is also the work by Alberti that seems to have aroused the greatest interest both during and just after his lifetime. It was (or at least parts of it were) translated into Italian before its first printing in 1485. It was also the first of Alberti's major works to be printed. The first edition included a prefatory dedication by Angelo Poliziano to his patron, Lorenzo de' Medici, who read the pages as they came off the press, jealously guarded his copy (loaning it out sparingly), and referred to it often. *De re aedificatoria* also seems to have

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2 Prior to *De re aedificatoria*, his early Italian dialogues *Deifira* and *Ecatonfilea* (c. 1429–30) were published in *Opus praeclarum in amoris remedi o feliciter incipit* (Padua: Laurentius Canozius, 1471).
left a remarkably enduring mark on the physical environment of Renaissance Italy, especially if one considers that Alberti put his theory into practice in his many architectural commissions and that the principles in his work were applied and implemented by generations of architects. *De re aedificatoria* holds such a revered place in the canon of texts studied by historians of architecture because it is the first treatise written on the subject after Vitruvius' *De architectura* (1st century C.E.). A copy of Vitruvius' observations on the great buildings of ancient Rome was annotated by Petrarch and read in turn by Boccaccio. In the Quattrocento, more humanists joined the effort to reconstruct the text and to make sense of the difficult lexicon of technical terms (mostly expressed in corrupted Greek) that Vitruvius used to describe architectural forms and characteristics, and that had eluded and mystified medieval readers for centuries. In his own text, Alberti makes frequent references to *De architectura*, and echoes its ten-part structure. It might be suggested, however, that while Vitruvius' treatise is descriptive, offering readers a tour of some of the great buildings of ancient Rome and noting their qualities, Alberti's treatise is more prescriptive and forward-looking. It has also been suggested that Alberti's work on architecture was intended as a critical response to Vitruvius' poor Latin prose style and his disorganized and sometimes incomprehensible presentation of subject matter.³ To elevate the subject matter and to emphasize the stature of the work, Alberti wrote in high Latin style. The intended audience was composed of his fellow humanists as well as major patrons of the arts rather than the artisans who would be doing the actual work of building. All these elements come together to elevate the status of architecture from a craft to an art. As Victor Plahte Tschudi has noted, "one of Alberti's main aims with *De re aedificatoria* was to give architecture a theoretical standing, which required formulating an idea of building which would transcend the matter of

mere construction work. To this purpose, Alberti presents architecture also as a matter for the intellect."\(^4\)

2. The Architect as Author

*De re aedificatoria* has been identified, moreover, as a work that first introduced the idea of the architect as an "author" whose grand design should be scrupulously followed by the builders who would execute it. Architectural historian Marvin Trachtenberg identifies a revolutionary approach to building that is first expressed in Alberti's work on architecture. This approach involves one architect and one design, and envisions one final product. While the architectural methods of the past involved long-durational construction with many different people involved over many generations, a practice he calls "Building-in-time," Trachtenberg notes that "Alberti drove a wedge between designing and building," and "sought to suppress time as a positive force in the making of architecture." He further states that "Alberti was directly responsible for this epochal swerve at the conceptual level of architectural temporality" and cites "new conditions of time-consciousness, literary production, evolving concepts of authorship and other ideological factors of the mid-Quattrocento" as the driving forces behind Alberti's "veiled if violent critique" of past architectural methods.\(^5\)

The importance of the "author-function" in Alberti's work on architecture is seen as an extension of the centrality of the written text in Alberti's career as a humanist who was primarily engaged in literary production, and who, like other humanists from Petrarch on, sought recognition and fame as an author. Trachtenberg points to four main conditions

\(^4\) Victor Plahte Tschudi, "The Shape of Space. An Interpretation of the Term 'Area' in Alberti's *De Re Aedificatoria*," in *Ashes to Ashes: Art in Ancient Rome Between Humanism and Maniera*, eds. Roy Eriksen and Victor Plahte Tschudi (Rome: Edizioni dell'Ateneo, 2006), 46.

\(^5\) *Building-in-Time*, Preface, XXI.
present in Alberti's intellectual milieu that might have accounted for his revolutionary introduction of the author-function into architecture. The first is the position of the author as one who "produced a complete, worthy, and enduring text" (86) and the ensuing creation of a "circular bond of author to text in literature and humanist culture" (87). The second point he makes is that, while "few artists and even fewer architects were famous in Alberti's time, many writers from antiquity to the present were." The third point is that gaining fame was very important to Alberti (as it was for Petrarch). Finally, "as humanist Alberti was inculcated with the ideal of the sanctity of the original text" (87). This conception of architect as "author" will be important to the manner in which Alberti conceptualizes public and private space in the treatise, because it allows Alberti to speak authoritatively on how cities, buildings, and the rooms within them should be designed and how they should function.

The first indication of the author-function is evinced in Alberti's definition of the architect, which is clearly set out in the preface to De re aedificatoria:

Sed antequam ultra progrediar, explicandum mihi censeo, quernam haberi velim architectum. Non enim tignarium adducam fabrum, quem tu summis caeterarum disciplinarum viris compares: fabri enim manus architecto pro instrumento est. Architectum ego hunc fore constituam, qui certa admirabiliqve ratione et via tum mente animoque diffinire tum et opere absolvere didicerit, quaecunque ex ponderum motu corporumque compactione et coagmentatione dignissimis hominum usibus bellissime commodetur.7

Before I go any farther, however, I should explain exactly whom I mean by an architect; for it is no carpenter that I would have you

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compare to the greatest exponents of other disciplines: the carpenter is but an instrument in the hands of the architect. Him I consider the architect, who by sure and wonderful reason and method, knows how to devise both through his own mind and energy, and to realize by construction, whatever can be most beautifully fitted out for the most noble needs of man, by the movement of weights and the joining and massing of bodies. 8

This raises the profile of the architect to the level of "master designer," who is not to be confused with a carpenter. The contemporary literary equivalent of the relationship between architect and carpenter would be the connection between the author of an original text and the scribe who copies it. Just as Alberti separates designer from labourer, he also separates the design itself from the materials and execution:

Nam aedificium quidem corpus quoddam esse animadvertismus, quod lineamentis veluti alia corpora constaret et materia, quorum alterum istic ab ingenio produceretur, alterum a natura suscipieretur: huic mentem cogitationemque, huic alteri parationem selectionemque adhibendam. (15)

First we observed that the building is a form of body, which like any other consists of lineaments and matter, the one the product of thought, the other of Nature; the one requiring the mind and the power of reason, the other dependent on preparation and selection. (5)

Later in the text, he actually uses the term "auctores" to refer to the architect in a passage in which he both describes the process of completing buildings after the death of the original designer, and emphasizes that the original intentions of the designing architect need to be respected:

Maxima quaeque aedificatio ob vitae hominis brevitate et operis magnitudinem vix nunquam dabitur, ut per eundem absolvit possit, qui posuerit. At nos procaces qui sequimur, omnino alicud innovasse contendimus et gloriamur; ex quo fit, ut aliorum bene inchoata depraventur et male finiantur. Standum quidem censeo auctorum destinationibus, qui per maturitatem illas excogitarunt.

Potuit enim primos eos constitutores aliquid movisse, quod ipsum te diutius et diligentius perscrutantem atque rectius consulentem quoque non latebit. (865–867)

The brevity of human life and the scale of the work ensure that scarcely any large building is ever completed by the same man as begins it. While we, the innovative architects who follow, strive by all means to make some alteration, and take pride in it, as a result, something begun well by another is perverted and finished incorrectly. I feel that the original intentions of the author, the product of mature reflection, must be upheld. Those who began the work might have had some motive that escapes you, even though you examine it long and thoroughly, and consider it fairly. (318–319)

Alberti’s statement about honouring the original intentions of the author of a building’s design is strikingly modern. It seems, in itself, to be an original idea on his part.

3. Public and Private in De re aedificatoria

There are deep rifts in the scholarship on the question of whether Alberti was a totalizing theorist of architecture who was guided by the principle of harmony and adherence to design ideals and who "framed a series of mathematically supported theorems, that laid out the simple, legible forms that should govern all public buildings," or whether he "stands for close attention to context, to deep commitment to the histories of sites, buildings, and cities, for love of tradition." There are further divisions in the scholarship on the topic of whether the "totalizing" Alberti is "the first in the great series of humane utopians that stretches from Leonardo da Vinci in his own era to Robert Owen and Peter Behrens," or "the first in the grandiose series of tyrannical dystopians that runs from Tommaso Campanella more or less

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9 Grafton, Leon Battista Alberti, 263.
10 Ibid. Robert Owen (1771–1858) was a Welsh socialist utopian. Peter Behrens (1868–1940) was a German architect and a pioneer of the modernist aesthetic in architecture and design. He is also associated with utopianism.
directly to Le Corbusier and Robert Moses."\textsuperscript{11} According to Grafton, the first, totalizing Alberti described the architect as a godlike figure who imposed a mathematical order on unruly matter. In the ideal case, he could create whole cities from nothing, and he would choose a perfect site and divide the population into neighbourhoods segregated by occupation and class. He would use the mathematically perfect forms of sphere, arch, and dome as templates to frame buildings harmonious enough to serve for public affairs and public worship. And he would deploy a spatial rhetoric of broad piazzas, raised platforms and massive roads to ensure that these structures dramatically impressed those who saw them.\textsuperscript{12}

This vision supports the idea of the architect as "impresario of society and space."\textsuperscript{13}

The interplay of a totalizing voice with a more contextually sensitive voice in \textit{De re aedificatoria}, for some scholars, reveals the influence of Vitruvius, whose "central enterprise" was to "hold in creative tension the two apparently opposed ideals of universal, mathematical proportion and local, site-specific adaptation."\textsuperscript{14} It seems that, when Alberti speaks of public buildings and public works, he uses this more totalizing voice, and when he speaks of private buildings, he focuses more on site-specific adaptation. Throughout the treatise, however, it is unmistakable that Alberti is the "author" of his complex approach to architecture, that in the work as a whole he outlines his ideals for public and private buildings, and that it is his great hope that his vision for the construction of the human environment would be applied after his time.

\textsuperscript{11} \textit{Ibid.} Robert Moses (1888–1981) was the highly controversial "master planner" of New York City and its suburbs in the mid-nineteenth century.
\textsuperscript{12} \textit{Ibid.}, 263.
\textsuperscript{13} \textit{Ibid}.
\textsuperscript{14} \textit{Ibid.}, 270–271.
3.1 The Public Purpose of the Discipline of Architecture

The aim of the following discussion is to study how Alberti describes public buildings and private buildings, and how these two types of architecture might be understood in terms of his ethical system, which, as has been demonstrated in previous chapters, prioritizes public good over private interests. In *De re aedificatoria*, he openly states that the architect and architecture serve the republic, thereby suggesting the overarching public purpose of the discipline of architecture. In his panegyric to the city of Florence (*Laudatio florentinae urbis*) the humanist from Arezzo Leonardo Bruni (c.1370–1444) had earlier emphasized that the great architectural monuments of Florence reflected the glory and honour of its citizens, while the Florentine Giannozzo Manetti (1396–1459), in his *Della vita civile*, included an appendix that emphasized the importance of impressive public buildings in civil society.15 Christine Smith identifies a "trend in early Humanist historiography in which the built environment was used as historical evidence."16 Alberti's work on architecture can certainly be seen as part of this historiographical movement, but rather than merely describing the buildings themselves as *faits accomplis* that symbolize republican greatness, he shifts the emphasis to the architect's prospective contribution to the republic, and also sets out prescriptive guidelines for architects to follow when designing cities and the important buildings within them.

In the prologue, Alberti emphasizes the very public role of the architect in society:

Demum hoc sit ad rem, stabilitatem dignitatem decusque rei publicae plurimum debere architecto, qui quidem efficat, ut in ocio cum amo nitate festivitate salubritate, in negocio cum emolumento rerumque incremento, in utrisque sine periculo et cum dignitate versemur. (13)

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16 Ibid., 50.
To conclude, then, let it be said that the security, dignity, and honour of the republic depend greatly on the architect: it is he who is responsible for our delight, entertainment, and health while at leisure, and our profit and advantage while at work, and in short, that we live in a dignified manner, free from any danger. (5)

He proceeds from this premise to undertake the innovative task of describing, in ten books, how to design architectural monuments and residences that allow citizens to live well, both in public while at work and in private while at leisure. From this unequivocal endorsement of republican values and how they are reflected in the work of the architect in the very first pages of De re aedificatoria, it seems that any reading of the rest of the text must presuppose the priority of the public ideals served.

Indeed, much of De re aedificatoria is devoted to describing the importance, and the proportions, of great public buildings, including bridges, city walls, roads, piazze, official buildings, and other landmarks in the built environment of either princely or republican greatness. And the importance for Alberti of the impressions that great architecture creates cannot be underestimated. For example, he advises on the appropriate width and straightness of a road that leads to a powerful city as follows: "Cum ad urbem applicuerit, si erit civitas clara et praepotens, vias habere directas amplissimas condecet, quae ad dignitatem maiestatemque urbis faciant" (305–307) ("When the road reaches the a city, and that city is renowned and powerful, the streets are better straight and very wide, to add to its dignity and majesty" [106]). Within the city, however, the roads should wind:

intra urbem vero non directa sed fluentum more in hanc atque in hanc atque iterato in hanc ipsum esse partem molli flexu sinuosam condecet. Nam, praeter illud quod ea quidem, ubi prolixior videbitur, ilic urbis amplitudinem opinione adaugebit, prefecto vehementer quoque conferet ad gratiam ad usus commoditates ad temporumque casus et necessitates. (307)

Within the town itself it is better if the roads are not straight, but meandering gently like a river flowing now here, now there, from
Alberti advocates meandering roads to make a town appear larger than it actually is, and to create more opportunities for visitors to be impressed by the various façades they meet as they wind their way through the streets:

Etinem et quanti erit hoc, ut rectantibus ad singulos gradus sensim novae aedificiorum facies obiicientur; ut cuiusque domus egressio et prospectus ex media viae ipsius amplitudine dirigatur; ut, cum alibi nimia laxitas indecora sit et etiam insalubris, hic ipsa quoque vastitas conducat! (307)

And it is no trifle that visitors at every step meet yet another façade, or that the entrance to and view from every house should face directly onto the street; and where elsewhere too much openness will be disagreeable and unhealthy, here the large scale is welcome. (106)

The way in which a visitor to a city might be impressed is described quite differently depending on whether the visitor is approaching the city or finds himself within the city. It is also interesting to note how the road that leads to the city contrasts starkly with nature, while the roads within the city mimic nature within a built environment. The grand, wide roads that approach a city slice through the more sculptural natural landscape with rational, straight lines that suggest empire, while within the city walls, the roads meander like a river through the urban landscape, offering opportunities for the observer to be delighted and surprised by the unexpected just beyond the next curve. The description and importance of impressions made by urban architecture on observers cannot be underestimated and belie a debt to Vitruvius, who similarly focused on how architecture is experienced by its beholders who, walking through a city, observe and feel the power of its great buildings.
3.2 The Division of Public and Private Architecture in De re aedificatoria

Just as Cicero was careful to keep public legal and social matters separate and discrete from private ones in his works such as De legibus, De re publica, and De oratore, Alberti likewise chose titles for his ten books on the art of building that serve to distinguish between public and private in architecture. With great authority, he subdivides his treatise into ten books, many of which highlight in their titles an inherently public or private subject for discussion. For example, Book IV is entitled "De universorum opere" which translates literally as "On works with a universal nature," and which is rendered more loosely in the English edition as "On Public Works." In this book, Alberti stresses the universal civilizing function of public services in cities:

Universis urbs et, quae urbis partes sunt, publica omnia debentur. Urbis habendae speciem causamque si ex philosophorum sententia esse hanc constituemus, ut vitam eo ducant accolae pacatam et, quoad fieri possit, vacuum incommodis omnique molestia liberam, profecto iterum atque iterum excogitasse oportet, qui ponatur loco sit et linearum ambitu. (IV, 2 p. 273)

17 When analyzing the text of De re aedificatoria, the terms "public architecture" or "public building" and "private architecture" or "private building" are used instead of "public and private space," because they more clearly echo the language Alberti uses in the treatise. While he does not specifically adopt the terms "public space" and "private space," he does frequently speak of "spatium." The concept of "space" is a hotly debated topic in Renaissance architectural theory. Many scholars of architectural theory argue that the concept of "space" as we know it did not exist in the Renaissance, and that the word then meant "distance between two points" or "interval of time." Through his study of the term "spatium" in De re aedificatoria, Branko Mitrović makes a convincing argument that in addition to a few instances where the term signifies or denotes "distance," Alberti more frequently employs the term to describe not "distance," but rather a "segment, part of space" or "place as part of space." Often in these instances, "area" and "spatium" are identified together, where "area" means "site" and "spatium" has a very broad meaning that is connected to place and to use. Serene Greed of the Eye, 189–194 and esp. 191. Tschudi's article "The Shape of Space" analyzes the meaning of "area" in De re aedificatoria as a revolutionary way of conceptualizing architectural space that did not exist before, because it conceives of a site as three-dimensional and because through this term, Alberti defines space as "an autonomous unit" that is "volumetric." He also notes that "area" is translated as "spazio" in the early Italian translations of the work. "Area," for Alberti, is three-dimensional and refers to a "spatial continuum" that is "first and foremost conceptual, and seems to result from a new philosophical-scientific view on principles at work in the arts. In fact, Alberti introduces the term in architecture on the basis of his previous knowledge of painting" (42–45).
Everyone relies on the city and all the public services it contains. If we have concluded rightly, from what the philosophers say, that cities owe their origin and their existence to enabling their inhabitants to enjoy a peaceful life, as free from any inconvenience or harm as possible, then surely the most thorough consideration should be given to the city's layout, site, and outline. (95)

This book on public works deals in detail with roads, walls, bridges, the harbour, and piazze. Other parts that deal primarily with public buildings are Book VII, "Sacrorum ornamentum" or "Ornament to Sacred Buildings" (sacred buildings are classified by Alberti as public), and Book VIII, entitled "Publici profani ornamentum," or "Ornament to Public Secular Buildings." A substantial portion of De re aedificatoria is devoted to private buildings. Book IX is titled "Privatorum ornamentum," or "Ornament to Private Buildings." Many types of private residences are included in Book V, "De singularum operibus," or "On the Works of Individuals," in which Alberti ostensibly sets out to discuss the homes of different classes of persons within the city, but in fact discusses at equal length certain more public environments in the domain of citizens who have public duties, including military and naval camps, the citadel, public auditoria, schools, hospitals, temples, government buildings, and courts.

In Book VII, Alberti divides architecture into two categories: public architecture and private architecture. Public and private architecture are both, in turn, subdivided into sacred and profane architecture:

Aedificia igitur alia publica, alia sunt privata; tum et publica atque item privata aut sacra quidem sunt aut profana. De publicis prius. (529)

Buildings are either public or private; both public and private may be further subdivided into sacred and profane. To deal with public buildings first. (189)

This decision to deal with public buildings first ("de publicis prius") is in itself an indication that in Alberti's thought public precedes private. However, despite these seemingly strict
delineations, even Alberti concedes that however we may strive to make clear distinctions, in architecture, as in life, they are not always possible to maintain. Hence his admission that there is much overlapping of public and private functions in both types of constructed spaces. For example, he repeats on more than one occasion the classical idea that a house is a miniature city, "domum alibi pusillam esse urbem," (399) and conversely, that the city is like a large house: "Ferme igitur aeque omnia in ea astruenda considerasse oportebit, quae circa urbis opus pertineant" (399) ("With the construction of a house, therefore, almost everything relevant to the establishment of a city must be taken into account" [140]). Everything that was relevant in his discussions of building a city in previous books still applies, but on a different scale. Homes, like cities, should "offer every facility and every convenience to contribute to a peaceful, tranquil, and refined life" (140) ("quae ad vitam faciant pacate tranquille atque laute adendam" [399]). The basis of this thinking is from ancient philosophy, as Alberti points out in the Prologue:

\begin{quote}
Quod si civitas philosophorum sententia maxima quaedam est domus et contra domus ipsa minima quaedam est civitas, quidni harum ipsarum membra minima quaedam esse domicilia dicentur? uti est atrium xistus cenaculum porticus et huiusmodi. (65)
\end{quote}

If (as the philosophers maintain) the city is like some large house, and the house is in turn like some small city, cannot the various parts of the house—atria, xysti\(^\text{18}\), dining rooms, porticoes, and so on—be considered miniature buildings? (23)

In the preceding passage, Alberti builds on a well-known concept from ancient philosophy to introduce quite a novel thought: that each part of the house be considered a "miniature building" with its own integrity and internal rationality. And indeed he extends this analogy when he discusses how the salon and atrium in a home might be compared to the forum and public squares in the city:

\(^{18}\) This term means the garden walk in front of the porticoes, or the courtyard. In their edition Orlandi and Portoghesi translate the Latin term as the Italian "cortile." De re aedificatoria, 64, note 2.
Ac veluti in urbe forum plateae, ita in aedibus atrium sala et generis eiusdem habebuntur: loco non reiecto non abdito nec angusto, sed prompta sint ut caetera in eas membra expeditissime confluant. In has quidem scalarum et itionum apertiones, in has convenarum salutationes et gratulationes terminabunt. (339–341)

The atrium, salon, and so on should relate in the same way to the house as do the forum and public square to the city: they should not be hidden away in some tight and out-of-the-way corner, but should be prominent, with easy access to the other members [parts of the building]. It is here that stairways and passageways begin, and here that visitors are greeted and made welcome. (119)

It is clear from this passage that the atrium and salon of a private residence are public spaces within a building that would formally be classified as private architecture. That Alberti likens these spaces to the forum and the piazza emphasizes the overlapping of public and private functions in any built environment.

3.3 The Overlapping of Public and Private Functions in Architecture

Book V of *De re aedificatoria* is arguably the most complex of the ten books. Situated in a privileged position in the middle of the entire work, it deals both with private residential buildings and official public places of work of different categories of persons within a city. The buildings inhabited by or administrated by rulers, governmental representatives, judges, clerics, military personnel, and magistrates are all discussed at some point in the chapter. Alberti differentiates the discussion at hand from that of Book IV, which concerns public works of a universal quality, accessible to the entire community. In the first paragraph of Book V, he distinguishes zones or edifices that are accessible to the public as a whole from buildings, both public and private, that are in the domain of "higher members of society" ("dignioribus") [333]) and "lower members of society" ("ignobilioribus"). He admits that this is a "large and complicated matter" ("Quo in re et varia et ampla et difficili explicanda"
(333) and begins by discussing the homes and buildings of single rulers, be they kings or tyrants.

After introducing the topic, he takes a step back to outline the common characteristics of all homes, whether palaces or the more modest residences of professionals and common citizens, beginning with the fact that a private residence has different zones within it, some of which are more public or private than others. In the context of this discussion, he again draws a comparison between houses and cities:

Sed sic, ut quemadmodum in urbis ita et in aedibus istiusmodi alia universorum esse alia paucorum alia singulorum dicamus. (339)

We shall but state that in houses, as in towns, some parts are public, others restricted to the few, and others for single persons. (119)

Other aspects that all homes should have in common are the inclusion of a portico and vestibule as well as an atrium and salon that are intended as meeting places (which, as already indicated, are akin to the forum and piazza in a city). In his description of the other common features, Alberti is preoccupied primarily with security and secrecy. For example, it is important to have only one main entrance "to prevent anyone's removing anything or entering without the knowledge of the doorkeeper" (120) ("Rursus habebit aedes aditus non multiplices, sed unicum, quo ianitore inscio ingredi nemo aut asportare quippiam possit" [341]). He also recommends a private side door for the sole use of the master of the house:

adderentque posticulam secretiorem, qua inscia familia solus dominus admittere occultos tabellarios et internuntios egredique ex arbitrio possit, prout tempora rerumque modus ferat. (341)

there should also be a more private side door, for the master of the house alone, to enable him to let in secret couriers and messengers, and to go out whenever the occasion and circumstances demand, without the knowledge of his household. (120)
In addition to these aspects that should be present in all houses, he recommends secret hiding places for valuables and escape routes in case of need:

Illud pervelim non deesse, abditissimas latebras occultissimos recessus et celata diffugia ipsi patri familias vix agnita, quibus adversis casibus argentum vestem seque, si id ita mala tempestas tulerit, salvet. (341)

I would also recommend the inclusion of secret hiding places, concealed in recesses, and hidden escape routes, known only to the head of the family, where he might keep his silverware and clothing in difficult times, and even hide himself, should the situation become so grave. (120)

This discussion is somewhat reminiscent of parts of Book III of Della famiglia, where Alberti, through the voice of Giannozzo, develops the idea of the "privato maschile," which emphasizes that the secrets and writings of the master of the house are not to be shared with his wife, and that access to his study and the family's precious "libri di ricordi" are his sole domain.\(^\text{19}\)

It is interesting that Alberti should choose to concentrate on these "secret" architectural features that he recommends for all homes instead of perhaps discussing sleeping, eating and recreational zones, which would have been a more conventional and predictable way to guide the discussion. This is a prime example of how Alberti is very much the "author" of the spaces that the people of his cities inhabit; he chooses which aspects of the home to highlight for discussion, and is obviously making recommendations about the organization of living space.

One of the most striking aspects of the royal palace in the case of a principality, and of a high-ranking official's house in the case of a republic, that differentiates them from the homes of private citizens is that they have a more distinctly public character. These are the most public of private dwellings because of the amount of official entertaining that persons in

\(^{19}\) See Part 1.3 of Chapter 3.
these positions must do. Alberti goes to great lengths to explain the hybrid nature of the homes of urban leaders, and goes into extensive detail when describing the proportions and other characteristics of the public and semi-public areas of these homes:

Inter principum et privatorum aedes hoc maxime interest, quod earum utraequae suam in primis naturam sapiunt. In hac quidem, quae plurimorum sunt usibus addicatae, numero et amplitudine excellere; in altera, quae paucorum aut singulorum sunt, cultiora magis quam amplissima fieri convenit. (341)

And yet between the prince's and a private citizen's house there is an intrinsic difference in character. Since the palace of a prince must accommodate a large number of people, it should have rooms notable for their number and size. Whereas a private house, being intended for smaller groups or for individuals, should have rooms that are elegant rather than large. (120)

It seems that even the private quarters of the palace should display a public quality, while the public quarters of a citizen's home should bear a more private character, a distinction which Alberti expresses in the following terms:

Tum et hoc interest, quod in his etiam singulorum receptus naturam sapiant principum necesse est, quae quidem plurimorum sint, quando nusquam in regum domibus non superfluit multitudo: in alteris vero privatis domibus partes, quae plurimorum sunt, ita quoque posuisse iuvat, ut ne plus quidem quam sibi tantum prospexisse patrem familias ea aedificatione videatur. (341–343)

Then again in the former [the palace], even private quarters must have a regal quality, as though public, since there is no part of the royal household into which the crowd will not spill; whereas in a private house, even in public quarters it is best to avoid giving the impression that in having it built the head of the family has looked any further than to his own needs. (120)

In the ruler's home, the quarters of the wife, the husband, and the servants are separate and distinct, each forming its own zone and having its own pavilion and roof, but Alberti

20 The inclusion of the qualifying phrase "as though public" in the English translation seems to be an embellishment of the original text. The Italian translation reads "nelle abitazioni principesche, destinate a molta gente, anche le parti riservate a singole persone devono spirare un'aria di regalità, poiché sempre nelle case dei re vi è gran folla" (342).
recommends that they be joined by covered walkways (343). He re-iterates that the wife's quarters should be separate from her husband's, except for the room containing the marriage bed:

Tota uxoris domus omnino a principis viri domo secernetur, praeter id quod ultimum conclave et genitalis lecti dormitiones utrisque communia patebunt. Hostio et ianitore eodem uno tota amborum domus claudetur atque custodietur. (343)

The apartments of his wife should be kept entirely separate from those of the prince, except for the most private rooms and the chamber containing the marriage bed, which should be common to both. Their quarters should be reached from the outside by the same door, guarded by a single keeper. (120–121)

The advice that the room with the marriage bed should be accessed by only one guarded door recalls Alberti's discussion at the beginning of Book V regarding security issues to be addressed by the architect in the design of any home.

Because a ruler's palace is also a place where official business is conducted, and "where the prince might sit on tribunal and give judgment" (121) ("ubi et princeps ius dicturus ad tribunal sedem statuat" [345]), Alberti recommends an interesting design feature to control whom the prince meets and under what circumstances. Taking his cue from Seneca, he recommends that the prince be selective about whom he sees, and how many people he sees at once:

Comperio apud Senecam primum omnium Graccum, mox Livium Drusum instituisse non uno loco audire omnes, sed habere turbam segregatam, et alios in secretis recipere, alios cum pluribus, alios cum universis, uti amicos primos et secundos eo pacto notaret. (345)

I find in Seneca that Graccus, followed by Livius Drusus, was the first not to grant everyone an audience at once, but to divide up the people, and receive some in private, some in company with others, and some en masse, thus distinguishing close friends from secondary acquaintances. (121)
Alberti goes a step further, recommending that in addition to carefully composing his audiences, the prince might receive and dismiss his visitors through various doors in his inner chambers:

\[
\text{Id si istiusmodi in fortuna aut licet aut placet, ianuae et diversae fient et plures, quibus alia atque alia parte recipiant ac receptos mittantet quos nolint excludant sine contumacia. (345)}
\]

If you are wealthy enough, you may prefer to have a number of different doors; these will enable you to dismiss your visitors in a different part from where you had earlier received them, and to exclude any whom you do not wish to receive, without causing offense. (121)

In this instance, Alberti recommends an architectural design that lends itself to the strict control of the prince's interactions, one that allows him to receive alone those with whom he is closer, to receive others in smaller or larger groups, and to deny access to those he wishes not to see. The availability of several doors for receiving and dismissing visitors also prevents others from knowing his business. The parts of *De re aedificatoria* that deal with the design of a prince's residence might well be read in concert with Piero's novella in Book IV of *Della famiglia*, in which a language of secrecy is used to describe courtly culture, and in which the idea of an "udienza privata" with the highly public figure of the prince, is introduced. 21

3.4 Private Dwellings: City Life vs. Country Life

When Alberti writes about family dwellings in Book V of *De re Aedificatoria*, it seems that he does so not in the "totalizing" voice referred to above, but rather in his second voice, paying great attention to site, environment, and the capacity of these dwellings to help those who reside in them to live well. What is perhaps most significant, however, is the

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21 For a discussion of Alberti's elaboration of the idea of the "secret chambers of princes" and his use of the language of an "udienza privata" with the prince in *Della famiglia*, see Chapter 2, Parts 2.5.2 and 3.3.2.
disproportionate amount of attention Alberti devotes in this part of Book V to the country villa as opposed to the city homes of princes and gentlemen. This might be viewed as part of the essential tension in Alberti's work between public and private, and of the very strong undercurrent in his work that seems at times to favour, or at least express a longing for, a retreat from the public despite the overarching ethical message in his oeuvre of the priority of the public good and public works over private, personal interests and property. As discussed at length in Chapter 2, this tension was already expressed, by means of architectural metaphors, long before Alberti wrote *De re aedificatoria*, within Book III of *Della famiglia* (1433) in the context of the debate between Lionardo, who represents a commitment to public virtù and Giannozzo, who prefers private life and its pleasures. When Lionardo makes his case for public life, he does so most passionately and convincingly in the previously cited passage, which merits recitation for the purposes of this discussion:

\begin{quote}
Non in mezzo agli ozii privati, ma intra le pubbliche esperienze nasce la fama; nelle pubbliche piazze surge la gloria; in mezzo de' popoli si nutrisce le lode con voce e iudicio di molti onorati. Fugge la fama ogni solitudine e luogo privato, e volentieri diede e dimora sopra e' teatri, presente alle conconzioni e celebrità. (224)
\end{quote}

Giannozzo, on the other hand, is the epitome of the acquisitive individual: "E' si vuole vivere a sé, non al comune," (221) he states, and the best place to carry out a life unfettered by public concerns is at home with one's family. These key passages are followed by Giannozzo's long description of his dream of living year-round at a country villa that is self-sustained by its own agricultural production (240–246). In what Paolo Marolda has called "l'elogio della villa," Giannozzo describes the villa as "uno proprio paradiso" where one can escape "questi strepiti, questi tumulti, questa tempesta della terra, della piazza, del palagio"

\[^{22}\text{He discusses country residences at length in Chapter 17 while dealing with town homes in a cursory fashion in Chapter 18.}\]

\[^{23}\text{Crisi e conflitto in Leon Battista Alberti (Rome: Bonacci Editore, 1988), 40–57.}\]
and "nascondersi per non vedere le rubalderie, le sceleraggine e la tanta quantità de' pessimi mali uomini." In one's villa one can experience "felicità non conosciuta," and live "con manco vizio, con meno maninconie, con minore spesa, con più sanità, maggiore suavità del vivere" (245).

Not only in *Della famiglia*, but also in other literary works that Alberti wrote before composing his great work on architecture, he develops ideas on the delights and privacy that country life affords. In his brief Italian work, *Villa* (1438), for example, Alberti describes how a gentleman should go about choosing the perfect country property. Clearly inspired by Giannozzo's longing for country life in *Della famiglia*, *Villa* similarly does not so much discuss the actual physical structure of the home on the country property as it goes into great detail about choosing the right site. What to plant, which animals to keep, how to organize the harvest, how to ensure efficiency in the labourers, exposure, and so forth, are also all discussed at length with a view to instructing the gentleman on how to maximize the productive use and enjoyment of his personal paradise.

As was noted in Chapter 3, in the *Intercenales* Alberti also speaks in the first person of villa life in the dedicatory letter of *Uxoria* (c. 1438) to Leonardo Bruni. There, he describes how he himself wrote the short work from the peace and tranquility of his villa: "Cum a strepitu forensium negotiorum, que quidem multas ob causas tibi cognitas et probatas fastidire occuperam, in villa" (472) ("I had retired to my villa to escape the bustle of public affairs, which I had come to loathe for reasons which you know of and approve" [134]). In the dedication of the Italian version of *Uxoria* to Piero di Cosimo de' Medici, he explains that he wrote the work "in villa fra le selve in ozio al quale a questi tempi per buona ragion me diedi" (516), which is less overtly critical of urban life than the dedication to Bruni. These references to Alberti's escape to his villa to write, and the contrast with public life, are echoed
in some of the *Intercenales* themselves. For example, the cuckolded husband of *Maritus* repairs to his villa to calm his spirits and to devise his strategy for punishing his wife, the lovesick Frigidius in *Amores* is taken away from town to country by his friends in an effort to cure him of his illness, and the pregnant widow in *Vida* goes to her villa to hide her secret and to give birth unbeknownst even to her servants. Perhaps in these latter examples from the *Intercenales*, the expressed antitheses between town and country may be interpreted as simple literary *topoi* that pay lip service to many sources from ancient writers to Boccaccio. However, when Alberti's more in-depth discussions on the relative merits of villa life and city life are taken into consideration it seems that his message carries more weight than that of a mere commonplace.\(^{24}\)

All the examples from Alberti's literary works that refer to the villa certainly inform his description of the physical attributes of the ideal country property in Book V of *De re aedificatoria*, for it is clear that in the decades leading up to the composition of his architectural treatise, he had already been thinking and writing about the villa. In Book V, finally, the villa that he had been imagining in less specific terms in previous works, begins to take shape.

When Alberti initiates his discussion of private buildings in Chapter 14 of Book V, he begins with the description of a house as a microcosmic city that offers its inhabitants the opportunity to live well, and focuses on the need of the family to find as many conveniences and comforts as possible under one roof. In the second paragraph, he makes an argument for why a country residence might be preferable, citing space and building restrictions in the city as one of the main impediments to constructing the ideal family home:

\[
\text{Privatam domum familiae gratia ponendam constat, ut in ea commodissime acquiescat. Satis commoda nequicquam erit sedes,}
\]

\(^{24}\) On the *topos* of town versus country in Alberti, see Pearson, *Humanism and the Urban World*, 23.
The private house was obviously first constructed for the family, as a convenient place of repose. It will not be comfortable enough unless everything the family requires lies under one roof. A large number of men and things cannot be accommodated as freely in the city as they can in the country. Why is this? In urban building there are restrictions such as party walls, dripping-gutters, public ground, rights of way, and so on, to prevent one's achieving a satisfactory result. In the countryside this does not happen; here everything is more open, whereas the city is more restrictive. (140)

Chapters 14 through 16 deal mainly with site, farming methods, flora, and fauna. They are reminiscent of both Giannozzo's laud to country life and Alberti's short work, Villa. In terms of site, Alberti recommends that "an adverse climate and porous soil are to be avoided; building should be undertaken right in the countryside, at the foot of the mountains, in a well-watered and sunny spot, in a healthy region, and in a healthy part of that region" (140) ("caelum calamitosum, terram cariosam fugiendum, medio in agro ad montis radices aquosa aprica salubrique in regione et salubri parte regionis aedificandum" [401]). It should be neither too remote nor too populated, but rather, located where "provisions are plentiful, and life sweet and free of danger" ("cum rerum copia et vitae iocundidate et sine periculo" [403]) and where "family life will not be plagued by visits from acquaintances who are passing by" (141) ("et res familiaris praetereuntium hospitum frequentia haud multo infestetur" [403]). Ideally, it would be located not too far from the family's town house:

si erit non aliena a porta urbis sed proximiore, qua commodius expeditiusque sine maiore vestium apparatu et sine populo interprete possis cum coniuge et liberis urbemque villamque frequens ad arbitrium repetere. (403)
if the villa is not distant, but close by a gate of the city, it will make it easier to flit, with wife and children, between town and villa, whenever desirable, without the need to dress up and without the need to attract anyone's attention. (141)

Earlier, in Chapter 6, Alberti had suggested that those with important roles in the city might consider living at the periphery or even outside the city walls. He observes that "the wisest princes have withdrawn not only from the range of the crowd but outside the city altogether, to avoid being continually plagued by common people with little motive behind their visits" (126) ("Et prudentissimos video principes non modo extra vulgi frequentiam verum et ab urbe secessisse, nequis plebeius nisi magna impulsus re molestiore assiduitate infestet" [357–359]). He approves of Virgil's advice that leading citizens locate their homes at least away from the centre of the city:

Intellexit quidem primatum aedes et sui et familiae gratia a vulgi ignobiliate et fabrorum tumultu longe abesse convenire, cum caeteras ob res, ob delitias commoditatesque spatio ror ortorum amoenitatum, tum ne tanta in familia tam multiplici tam varia lasciviens iuventus, dum omnium ferat sibi et cibo potuque alieno plerunque insaniat, maritorum querimonias excitet, tum etiam nequid improba salutantium ambitio plus satis patronos inquietet. (357)

He [Virgil] understood that leading citizens would best have houses well away from the common crowd and working masses, for their own sake and for their families'. One reason for this was the delight and charm of living among open spaces, gardens, and country pleasures; in addition, it would prevent the lusty youth of a family so varied and large, of whom hardly any would live on his own, from being spoilt by the meat and drink of other men's tables, or from giving husbands cause for complaint; what is more, it will protect patrons from being unduly disturbed by well-wishers. (126)

This suggestion that youth be protected from the corruptions of city life by 'moving to the suburbs' is also discussed in Book III of Della famiglia, where Lionardo questions whether it would be wise to bring up one's children away from the city, because it is there that "la gioventù impara la civiltà, prende buone arti, vede molti esempi da schifare e' vizii."
Their exposure to honour, fame, and glory in the city "commove a sé stessi incita a virtù, e proferescesi ad opere faticose e degne di immortalità." Lionardo wonders whether these great lessons could be learned "in villa fra' tronchi e fra le zolle" (246). In the course of this discussion, Giannozzo concedes that youth should be brought up in the city, but only as a way of "vaccinating" sons against the evils of public life. While he claims that "se i figliuoli miei non avessoro in età a conversare se non con buoni, certo a me piacerebbe averli cresciuti in villa," he understands that this is not realistic because "egli è sì piccolo il numero de' non pessimi uomini, che a noi padri conviene, per essere sicuri da'viziosi e dai molti inganni loro, volere ch'e' figliuoli nostri li conoscano" (245). He takes Lionardo's point about the city as a factory of dreams: "siano nelle terre le fabriche di quelli grandissimi sogni, stati, reggimenti, e fama" (246). However, Giannozzo's perception of the evils of city life overshadow any desire for public fame and glory, and he voices his alternate dream of withdrawal to villa life where "si truovi quiete, contentamento d'animo, libertà di vivere e fermezza di sanità" (246).

City life is not to be enjoyed, but rather, endured. Alberti's approach to villa life in *De re aedificatoria* is expressed with a similar longing for withdrawal, but simultaneously acknowledges the necessity of balancing one's public responsibilities in town with the delights of villa life.

In Chapter 17 of Book V of *De re aedificatoria*, the physical attributes of the actual villa finally begin to take shape, and Alberti assumes the role of author, or master designer of the ideal villa. He reiterates that a villa, like a palace or any other home, has areas that are universal (or public), areas for the many that might be classified as semi-private, and areas for single persons that are private ("Quomque, uti diximus, aedium partes aliae universorum aliae plurimorum aliae singulorum sint" [415]) In this instance, however, he uses subtly

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25 In *Crisi e conflitto*, Paolo Marolda refers to Giannozzo's contention that "un periodo di vita in città è raccomandabile ai giovani come 'vaccinazione' profilassi contro vizi e pericoli da evitare" (51).
different language to refer to these three zones than he had with respect to the palace earlier in Book V, where the three types of physical spaces are described as being for different groups, that is "universorium," "paucorum," and "singulorum" (339). While in Chapter 6, the in-between-spaces were described as "paucorum" or reserved for the few, in Chapter 17 he refers to "plurimus," or a good number of people. In the design of the villa, the public zone seems to be that which is outside the gates, where horse races and games might be played:

quae universorum sunt, imitabantur aedes principum. Spatia quidem pro foribus usurparunt amplissima curriculorum equestriumque certaminum, quae iuventutis iaculum et sagittam longe exuperent. (415–417)

Of these, the public ones should imitate the house of a prince, There should be a large open area in front of the gates for chariot and horse races, its dimensions greater than the distance a young man could hurl a javelin or throw an arrow. (145)

Within the gates are the areas reserved for the many, a sort of semi-private zone for quiet recreation:

Intra fores itidem, quae plurimorum sunt, non deerunt ambulationes gestationes natationes, et areae cum virentes tum siccae, et porticus et emicili, quibus ad gratos per bruman soles senes confabulentur, et famiglia diem agat festum, aestate fruantur umbra. (417)

Likewise within the gates there should be no shortage of semiprivate spaces,26 walkways, promenades, swimming pools, areas both grassed and paved over, porticoes, and semicircular loggias, where old men may meet for discussion in the welcome winter sun, and where on holidays the family might pass the day, and where in summer grateful shade may be found. (145)

In the interior of the villa, the "heart" or "bosom" ("sinum") of the house, or atrium, is deemed the most important, acting like a public forum toward which all other parts converge.

It should be large, light, generous, open and noble, and a gentleman may choose to

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26 "Places for the many" would be a more literal translation.
incorporate more than one such area in his villa, varying the design of each to suit his tastes. Next in importance are the dining rooms, followed by bedrooms and finally living rooms.

After discussing the design of the vestibule, chapel, windows, balconies, porticoes, and readdressing the importance of the site itself, Alberti discusses summer and winter dining areas, and within the context of that discussion, outlines certain requirements concerning the hearth, chimneys, pantry, and kitchens.

The exclusively private quarters of the home refer mainly to the bedrooms. Here Alberti gives very special instructions on the location and characteristics of the sleeping quarters of the various members of the family. He gives an extremely broad definition of family in this chapter:

Familiam constituent vir et uxor et liberi et parentes, et qui horum usu una diversentur, cuatores ministri servi; tum et hospitem familia non excludet. (417)

The family consists of the husband, wife, children and grandparents, and their live-in domestics, including the clerks, attendants, and servants. Any guest is to be included in the family. (146)

Mirroring the discussion of the sleeping quarters of the prince and his wife from earlier chapters, Alberti recommends separate quarters for husband and wife. However, instead of a separate, guarded room with the marriage bed (as was the case in Alberti's discussion of the palace), in the villa each apartment would have both its own door and a common interior door to allow them to visit one another privately at will:

Sua cuique aderit ianua, et praeter id commune aderit posticulum, quo mutuo se possint petere sine intereprete. (427)

Each room should have its own door, and in addition a common side door, to enable them to seek each other's company unnoticed. (149)

The husband's bedroom should be connected to his library, and the wife's to her dressing room. The grandfather is afforded his own room that is "warm, sheltered, and well away from
all the din coming from the family or outside" (149) ("tepentem obiectam semotam ab omni
familiae atque externorum strepitu" [427]) and should have its own little fireplace and "other
comforts of the body and soul" (149) ("et quae alia valitudinarii exigunt animi et corporis
gratia" [427]). Off this apartment are the rooms where the children, teens and their nurses
would sleep. Girls were to live as separately as possible from the males and granted
comfortable quarters carefully controlled by the head governess. (149) Guest rooms would be
located as close as possible to the vestibule, separated from the rest of the family. Of
particular interest is his recommendation that the young men sleep in rooms close to those of
the guests in order to cultivate relations with them ("Praetextati27 libere e regione aut
nonlonge ab hospite diversabuntur familiaritatis fruendae et fovendae gratia." [427]) In this
instance, even the bedrooms acquire a semi-public function, as they become an area where
the young teenagers of a family might network with guests and improve their future prospects.

In Chapter 18, Alberti outlines the characteristics of the city home. The more
fortunate, wealthy citizens would ideally pass the summer at the villa and spend the winter in
town, which is shadier and softer ("umbrattiles et molliores") than the sunnier, more open,
and breezier countryside. The city house is described as offering what is necessary for a
dignified and civilized existence, while at the same time striving to recreate, to the extent
possible, the delights that villa life affords:

Sat iccirco es, si quae ad usum civilem oportuna sunt, intra urbem
cum dignitate et salubritate praestantur. Quoad tamen locorum
angustiae et luminis copia patientur, omnem sibi villae
amoenitatem atque iocunditatem aedes urbanea arripient. (433)

27 Alberti's Italian and English translators have opposite opinions on the meaning of "praetextati."
While Orlandi and Portoghesi claim it refers to "giovinetti," more particularly young Romans who
until the age of seventeen "indossavano la toga praetexta," Rykwert, Leach and Tavernor claim that
the word refers to young men over the age of seventeen. The former interpretation is more accurate.
All that is required of a city dwelling is that it offer, within a dignified and salubrious setting, whatever is necessary for a civilized existence. Yet, as far as the limited space and light will allow, it should assume all the charm and delight of a villa. (151)

In an interesting twist, the most private of family dwellings, the villa, serves as the model for the city home, which, by virtue of its location within the city, has a more public character. The actual description of the city home is very brief, and focuses on how different floors and areas of the city home have distinct uses. For example, the higher the floor of the house, the nobler the rooms and their uses. Alberti also includes a paragraph on where and how the family's valuables and other possessions should be kept or displayed, an idea that is reminiscent of the parts of Book III of Della famiglia that deal with household management, or "masserizia." 

Architectural language is a powerful tool that Alberti uses to convey various points of view on the relative merits of public life and private life. In De re aedificatoria, he, in effect, becomes the "author" of public and private space and of how citizens interact in their built environments. The attention that he devotes to private residences in Book V (and in particular his emphasis on residences outside the city as the model for those within the city) might be seen as contradictory to the overarching message in many of his writings, including De re aedificatoria itself, of the predominance of the public good over private interests, and the importance of the civilizing function of public works.

However, when one considers that the stress he places on private residences pertains mostly to public figures, and that he discusses at length how certain areas within these homes are designed to satisfy, to varying degrees, public function, it may be argued that the private realm remains firmly in the service of the public in his architectural thought. Alberti’s predilection for country life as a welcome relief from the stresses of public life for key public

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28 See Part 1.3 of Chapter 3.
figures in Book V of *De re aedificatoria* may be best understood as temporary respite from, rather than as an alternative to, public engagement. In this sense, the message of *De re aedificatoria* on private life is quite different from Giannozzo's complete rejection of public life in favour of private, family life in *Della famiglia*. The architect is responsible for designing both public and private buildings, and for building the city in a way that maximizes the comfort level of its inhabitants. Nevertheless, even when designing city homes and country villas, Alberti, the author of the first modern work of architectural theory, remains a public figure executing a public function.
Conclusion

This dissertation brings into focus Alberti's perspectives on the public and the private, and how they relate to one another, in his legal, philosophical, literary, and architectural works. The detailed examination of *De iure*, and its contextualization in the tradition of both early legal humanism and the later movement of historical jurisprudence, is key to grasping how Alberti's legal studies influenced many of his writings. While it would be mistaken to read Alberti's *oeuvre* through a purely juridical lens, it would be equally inappropriate to ignore the fact that Alberti spent a decade of his life engaged in legal study, or to forget that "giuristica è la formazione dell'Alberti."\(^1\) Alberti's legal philosophy is as much a part of the multi-disciplinary 'conversation' that is at play in his work as are his other foundational studies, including mathematics, physics, and the full spectrum of the *studia humanitatis*. The significance of the analysis of *De iure* is two-fold: not only does it bring to light a relatively neglected work, but it also establishes a new approach to Alberti's better-known literary texts.

The short treatise on law was written quickly, "di getto,"\(^2\) from memory and knowledge, and "without the aid of books" ("nullo librorum adiumento"\(^3\)). It recalls both old thoughts and new things. An analysis of the tract in Chapter 1 reveals that Alberti's concepts of 'public' and 'private,' and the inherent superiority of the former over the latter in his moral philosophy, are derived from Roman law definitions of these terms, whereby public law deals with constitutional and governmental matters and private law concerns dealings among two or more citizens (i.e. in contract, tort, property, family, or criminal law). Alberti's world-view of the *telos* of the common good and the priority of public over private interests that is

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1 Quaglioni, "Per un commento al *De iure*," 217.
3 Alberti, *De iure*, S1
expressed in *De iure* becomes critical to the exploration, in later chapters, of how Alberti understands these concepts in *Della famiglia*, *Intercenales*, and *De re aedificatoria*. Also important, however, is Alberti's very clear statement in *De iure* that there are forces that exert pressure on what he calls the "public system of living life well" ("publica bene degende vite ratio" [S26]). In the actual practice of jurisprudence, he writes, the truth does not always shine forth; indeed, "it often happens that trickery lies hidden under coverings" ("plerunque evenit ut tegmentis dolus lateat" [S23]) so that "sometimes error seems to have the scent of truth, and fraud integrity, and treachery good faith" ("interdum error veritatem, et fraus integritatem, et perfidia bonam fidem sapere videatur" [S23]).

In *De iure*, there are several antitheses in play that are held in careful balance: theoretical and practical concerns, questions of what 'ought to be' and what 'is,' of being and seeming, of old and new. The dominant message of the treatise might be said to be Alberti's stated commitment to the priority of public over private interests and also to social utility. However, within the boundaries of this framework, he does recognize the pressures that private interests place on the public good. This scenario plays itself out in the other writings examined in the dissertation, especially in instances where the 'framing narrative' contradicts other points of view presented in the work in question.

As Chapter 2 demonstrates, *Della famiglia* lends itself well to an analysis in light of *De iure*; the dialogues on the family concern predominantly socio-political issues and echo many of the concepts that Alberti outlines in his work on law. Just as in *De iure* public law is always presented as being superior to private law, so too in *Della famiglia* is the public good of the city state served by the private world of family relations. Consequently, in the dialogues, public and private are expressed primarily in juridical, or in juridically derived terms. Alberti's focus on the priority of the "public system of living well" is evident at various
points in the text:  i) his discussion in the Prologue to Book I of public virtù and good laws; ii) his emphasis in the preface to Book III on the public utility of developing the volgare as the language of communication; iii) his explanation in Book I of the key role that the family plays in exalting the city by ensuring the sound pedagogical formation of future generations of citizens; and iv) his presentation in Book III and elsewhere in the text of Lionardo's passionate defense of public life. In these most authoritative parts of Della famiglia, that is, where the author addresses the audience either directly or through the interlocutor who is most likely aligned with his own views (namely Lionardo), the private world serves the public, and the (private) family exalts the (public) city.

However, there are characters who challenge this dominant view. In Books III and IV, respectively, Giannozzo and Piero focus on the enjoyment of private life and survival strategies for the family in an increasingly courtly context, rather than on the imperative of public virtù and its constitutive elements. In Giannozzo's world-view, enjoying private goods at home without concern for the public good is the ideal ("E' si vuole vivere a sé, non al commune" [221]). Piero turns Lionardo's perspective inside-out with an astute account of his life as a diplomat in a courtly milieu. In this case, the (public) figure of the prince exalts the (private) family. These and other interlocutors present differing points of view not only about the relative merits of public life and private life, but also about the related concepts of friendship and prudence. The sheer number of interlocutors in Della famiglia adds to the complexity of the questions of the public, the private, and the sometimes vague areas of intersection of the two, such as friendship. To make matters more complex, the literary genre of the dialogue lends a richness and ambiguity to the discourse and allows for the presentation not only of a dominant vision that privileges the public good (and therefore utility), but also of various responses and alternatives to the prevailing view.
The analysis of *Della famiglia* presented here also examines passages of the text that explore in detail the mechanics of what happens when private, personal interests collide with the public good. In these instances, secondary, non-juridical meanings of private that carry connotations of secrecy and masking might be said to form the subtext of the dialogues and to deviate from the dominant message of the author. These scenarios or passages recall the passage of *De iure* in which Alberti discusses the artificial "coverings" (apparent truth, integrity, and good faith) that mask the corresponding aspects of trickery (error, fraud, and treachery) in the administration of justice (S23). The aspects of *Della famiglia* that are consonant with the key passage from *De iure* include Piero's distortion of Aristotle's typology of friendship, the introduction of the idea of private counsel for princes, and the significant way in which characters such as Giannozzo, Piero, and Adovardo self-consciously choose dissimulation as a strategy for social engagement. Both the strategies of dissimulation and Alberti's unconventional manipulations of such concepts as prudence and liberality are discussed at length in the dissertation, and are also compared with Machiavelli’s and Castiglione’s later and better-known treatment of these topics. The in-depth analyses of public, private, and the related concepts of friendship, prudence, private counsel, and dissimulation in *Della famiglia* should constitute new contributions to Alberti scholarship.

The third chapter, which deals with private and public aspects of marriage and infidelity in *Della famiglia* and in *Intercenales*, focuses on Alberti's emphasis on the preservation of public reputation in marriage on the one hand and dissimulation in and about secret love affairs on the other. This approach calls attention for the first time to the various approaches to infidelity suggested by the different interlocutors in *Della famiglia* and the selections from the *Intercenales*. Aspects of conjugal friendship, the public reputations of Florentine husbands and wives, their dignity and decorum, and their perception by their
servants are also emphasized in the marital relationships as examined and interpreted here. The idea of "il privato maschile," which includes the hidden world of a husband's writings, his "libri di ricordi," and his comings and goings that must be kept secret from his wife, are highlighted as being exemplary of this characteristic. The examination of the interlocutors' thoughts about unfaithful wives in *Della famiglia* serves as a point of departure for an analysis of four works in the *Intercenales*, or *Dinner Pieces*, namely *Uxoria*, *Maritus*, *Amores*, and *Vidua*. In addition to linking the four *Intercenales* thematically, the detailed reading of these stories, and, where applicable, of the letters of dedication accompanying them, goes beyond the usual cursory treatments found in the existing literature.

This chapter clearly demonstrates that in the parts of *Della famiglia* examined and in the selected stories from *Intercenales*, what is 'public' sheds its juridical meaning; it does not refer so much to the public good as it does to reputation or public perception and it infers an open, outward, and performative aspect. Accordingly, the cuckolded husband in *Maritus* is concerned with his honour, and the lovesick Friginnius in *Amores* finds that the pathology of love ruins his chance to gain public recognition and fame as a man of letters. In this analysis the descriptions of what is private have much in common with the discussions in the previous chapter on the secondary meanings of private and their associated connotations of secrecy and covertness. It follows that the husband in *Maritus* ensures that no one will ever know of his wife's affair, and that he secretly punishes her, letting her quietly waste away. In *Vidua*, meanwhile, the wise old woman coaches the beautiful widow to hide her pregnancy and to secretly enjoy time with her lover.

The salient differences between the ways in which Alberti conceptualizes public and private in the texts examined in the first and second chapters as compared with the third are likely attributable to genre: many of the selections concerning the theme of adultery are
novellas, or quasi-novellas, that deal with amorous subject matter and have distinct Boccaccian echoes in terms of both form and content. Furthermore, it is important to note that the marriages and the love affairs Alberti describes are not generally cast in terms that suggest true intimacy. Instead, a common thread that runs through the discussion of marriage in Book III of Della famiglia, Uxoria, and Maritus is that both the private and the public assume a physical, spatial quality. This perspective highlights the difference between what is inward and what is outward, to the extent that in these stories what happens between spouses in the home happens 'in private,' and should be kept that way, while what happens outside one's front door happens 'in public.'

In the last work analysed in the dissertation, De re aedificatoria, there is certainly a sense that what are defined as 'public' and 'private' in architecture might also be described as juridically derived, for in Alberti's great masterpiece on the art of building, the public is described as that which is common to all citizens, and the private is defined as that which is common to smaller groups of individuals or to single persons. The spatial meanings of public and private that were observed in some Intercenales, however, are applicable to parts of De re aedificatoria too. Alberti defines public and private buildings as quite separate and distinct, much as he differentiates sharply between public law and private law in De iure. The analysis of public and private architecture provides a fresh perspective on De re aedificatoria by demonstrating how his descriptions of private residences relate to his statements about the public function of architecture. As a close analysis of the text of Book V attests, there is a difference between, on the one hand, Alberti's official views on public buildings and the republican purpose of great architecture expressed elsewhere in the treatise and on the other hand, his great attention to the details of private residences and to the important matter of ensuring that those who live in them might do so as well as possible. Despite the apparent
tension created by the emphasis Alberti places on private country residences in Book V, in his work on architecture, as in his treatise on law, the private remains in the service of the public. The study emphasizes the public, civilizing function of both the architect and architecture for Alberti, regardless of whether he is discussing public works or private residences.

Through an investigation of the concepts of public and private in Alberti’s work, we gain a more precise and more nuanced understanding of early modern concepts of public and private and, by extension, of the origins of our now very different experience of public and private life. The dissertation as a whole sheds new light on how Alberti conceived of and wrote about 'the public' and 'the private' in Quattrocento Italy, and, as a result, deepens our understanding of his legal thought as well as his ideas about family, friendship, society, and the public and private spaces in which humans interact. The tensions and ambiguities perceived in his writings that seem to contradict the overarching and unequivocal priority of the public, common good in his legal thought are an indication of his 'double vision,' his ability to both prioritize the public in his work and to "sense keenly the ontological instability and epistemological insecurity of the human condition."4

In addition to shedding new light on the concepts of public and private in Alberti’s writings, and offering new and original readings of a selection of his lesser- and better-known works, this study has also revealed many possibilities for future research. The study of friendship and dissimulation as aspects of public-private interfacing might be expanded into a more comprehensive project that analyzes a broader array of his writings, including Momus and more selections from the Intercenales. A more detailed treatment of Boccaccian echoes in Alberti is also worthy of further consideration, just as a deeper examination of Alberti's

4 Kircher, Poet's Wisdom, 293.
sources and a comparison of the two humanists' strategies of narrative framing could shed more light on the often ambiguous quality of some of Alberti's works. Further concentration on the textual similarities between Alberti and Machiavelli as well as other theorists of dissimulation could also prove fruitful.

Finally, the unmistakable spirit of innovation that pervades Alberti's writing might be viewed not only on its own terms but also in relation to how 'the new' was perceived by his predecessors, contemporaries and successors. This is certainly an area that warrants further attention. Alberti was constantly, and self-consciously, striving to say or write something new; he was fascinated by and wrote about the inventions of his contemporaries, especially those who occupied themselves with painting, engineering, and architecture. He was also keenly aware of, and wrote about, contextual differences in time, place and circumstance that placed limits on the extent to which (and the manner in which) aspects of ancient culture could be applied to his world.

One need only consider his personal emblem, a winged eye with the inscription "quid tum," which means "what next?," to garner a sense of both his perspicacity and his keen desire to innovate. In the Prologue to Momus he writes that "it is the duty of the writer to undertake to write nothing that his prospective readers will find familiar and obvious" ("ut scriptoris officium deputem nihil sibi ad scribendum desumere quod ipsum non sit his qui legerint incognitum atque incogitatum"). It is not surprising that in the same passage, Alberti identifies a hierarchy among writers, just as he claims, for example, that public precedes private in law and in architecture. At the top of the chain is the writer who succeeds in creating something completely new and unorthodox. Next in rank is the writer "who uses an original and surprising literary genre to treat known and common ideas" ("qui cognitas et
communes fortassis res novo et insperato scribendi genere tractarit").\textsuperscript{5} At the lowest level are common, ordinary writers who have nothing special to say. As this study illustrates in various ways, there is nothing common or ordinary about Alberti's writings: whether he is creating something completely new or expressing known ideas in new and unexpected ways, Alberti's innovative thinking has a distinctly public character that is driven by the closely related principle of the \textit{telos} of the common good.

\textsuperscript{5} All the above citations are from \textit{Momus}, 4–5.
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