Homicide in North Italy: Bologna, 1600–1700

by

Colin Samuel Rose

A thesis submitted in conformity with the requirements for the degree of Doctor of Philosophy

Department of History
University of Toronto

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Abstract

The North Italian Papal State of Bologna suffered high and at times increasing rates of interpersonal homicide throughout eleven sampled years of the seventeenth century. The powerful criminal court of Bologna, the Tribunale del Torrone, prosecuted homicides as capital crimes through the deployment of inquisitorial process and a public image of impartial justice; but its officers remained unable to overcome deep impulses to revenge and vendetta among the various populations of the city and hinterland. In sentencing homicides, judges erred on the side of exile over execution, and when judges attempted to condemn participants in vendetta to death, they found themselves made party to revenge violence. The court’s inability to effectively police interpersonal violence was indicative of a developing state whose institutions and social structures were failing.

Socio-economic crises of the early-seventeenth century contributed to this deteriorating situation. In particular, the Great Plague of 1630 overturned social norms and, in the “world upside down” that followed, ordinary Bolognesi of the contado committed more homicides in pursuit of
gain or in protection of fragile resources. The stresses of endemic rural poverty bore heavily on rural violence.

From rural bases, republican and oligarchic factions of urban nobility launched a renewed assault on papal authority in the mid-sixteenth century. A civil war broke out in the city's streets, and homicide rates peaked at levels exceeding any thus far documented in early modern Europe. Officers of government bodies and of the criminal court were killed on multiple occasions.

This dissertation contextualizes these trends through interdisciplinary approaches to the history of violence and homicide in the west, and by qualitative analysis of patterns emerging from quantitative data collection. By combining these two approaches, the massive wave of mid-century violence is placed into a long history of Bologna's failure to establish a meaningful civil society.
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1 Introduction

Bartholomeo Minconi, a 40-year-old salt smuggler from Lugo, did not have the profitable day he hoped for in the market outside Medicina, a large commune directly east of Bologna, in April of 1670. A notary from the criminal court of the Torrone recorded his brother’s testimony the next day, itself informed by the gossip of “many and diverse persons”: Bartholomeo had attempted to break up a fight between two of his fellow townsmen and smugglers, Francesco Zanconi and Baldissera Vetria. The pair had come to words over “a certain wagon of grain,” which presumably was stuffed with their contraband. When words left them “injured, both of them brought themselves forward with their guns in hand,” and the men squared off to fight. Francesco pulled the trigger first, but his weapon jammed. Because all involved were neighbours, Bartholomeo Minconi chose to intervene in this brewing duel; he died tragically in the crossfire. According to his brother, Bartholomeo was a peaceful citizen who had offered to settle the debt between the Zanconi and Vetria out of his own funds.1 The smugglers’ conflict, rooted in their illegal trade, was borne of their familiarity with each other and might have been quelled by its virtues if Bartholomeo quelled the tension. It came to violence in Medicina from Lugo, in the Romagna, and occurred in the bright of market day in a crowded square, where onlookers hid in doorways but still watched in fascination. A dispute over an unspecified debt between men who otherwise cooperated in their illegal trade left a third man—also party to the trade—dead in the square, consequently turning an argument into a homicide. Bartholomeo paid for his amicizia with his life—he was but one of sixty-one people in this province of some 225,000 to die violently in Bolognese lands in that late-century year.

The city and province of Bologna, Italy, suffered high rates of interpersonal homicide throughout the seventeenth century. This dissertation argues that a resurgence of frequent revenge

1 Archivio di Stato di Bologna (hereafter ASBo), Tribunale del Torrone, Atti e Processi (hereafter Torrone), 6954/1, in fine. The brother's account paints Bartholomeo as a peacemaker, and at least one witness agreed that he was well known and respected in Medicina's market, unlike the two who came to violence. But Francesco Mingoni finished his statement with a list of Bartholomeo's goods that he now wanted to retrieve, in particular a horse that had been seized on a surety he could not afford, and he himself named the witness who spoke glowingly of Bartholomeo.
and political homicides reflects the dissolution of socio-economic stability in Bologna amidst the crises that North Italy saw in the seventeenth century.\(^2\) The pattern that emerges in what follows challenges models hitherto used to explain the decline of violence in the west and the role of elite populations in effecting that change. Qualitative analysis of a large body of homicide trials demonstrates how a fragile, trilateral peace established between the Papacy, Republican and Oligarchic factions of nobility by 1600 crumbled under the assault of plagues and crises beginning in 1630.\(^3\) Despite their city exhibiting all the trappings of a “civilizing process,” elements of each broad faction of nobility rejected papal institutions and waged civil war on their officers in the three decades following the deadly plague of 1630. The powerful criminal court of Bologna, the Tribunale del Torrone, was made party to the revival of vendetta violence between urban nobles seeking the reestablishment of feudal privileges in their rural lands. Only in the 1670s, following the 1664 exile of a large swath of the local nobility, did homicides fall to rates approaching those of the early 1600s. Bologna in the mid-seventeenth century should be considered a failed state with respect to both the level and character of homicidal violence that prevailed in town and country.

During the entire period under consideration, ordinary Bolognesi killed each other in conflicts that sometimes seem very familiar to modern readers or conversely are sometimes baffling. They killed for love or lust, for financial gain or to prevent financial ruin, to avenge a wrong or to shame an enemy. They killed in tightly knit, face-to-face communities and neighbourhoods—themselves deeply concerned with the amount of violence they suffered, and possessing formal and informal means to

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\(^3\) This negotiated peace was established following decades of conflict between papal Legates, Republican factions of the nobility who sought to advance their positions through governance in the Senate and other institutions, and vestiges of the Bentivoglio Oligarchy. In this long struggle, the criminal court became an active agent in the pacification of the violent sectors of each set of noble factions. Andrea Gardi, "Lineamenti della storia politica di Bologna: da Giulio II a Innocenzo X" in *Storia Di Bologna* (Bologna: Bononia University Press, 20052008), 3–69; M. Cavina, “I luoghi della giustizia” in ibid., 368–373; Giancarlo. Angelozzi, *La Nobiltà Disciplinata : Violenza Nobiliare, Procedure Di Giustizia E Scienza Cavalleresca a Bologna Nel 17. Secolo* (Bologna: CLUEB, 2003).
sanction and resolve violent conflict. Despite claims by Spierenburg and others that the vendetta disappeared by the seventeenth century, violence in early modern Italy always had the potential to become cyclical; as such, the importance of peacemaking institutions cannot be overstated.\(^4\) The ordinary people of Bologna and its environs found a powerful agent of peace in the Tribunale del Torrone, which adjudicated quarrels that turned homicidal under the guise of criminal justice, and whose state purpose was not punishment but the prevention of further violence. The Torrone’s ostensibly neutral forum offered better arbitration and mediation of disputes, through a system of exile, reconciliation and pardon, than did the patronage of biased noble landlords and employers. Although they still killed each other, the non-elite people of Bologna increasingly brought their conflicts to the Torrone’s attention from 1600–1700 either before or after they did so.

There were thus two processes at work in Bologna from 1600–1700 that acted upon the level and character of violence. First, predating and predicting the outburst of civil war in the 1650s, ordinary Bolognesi engaged the services of the hegemonic criminal court, which promised more accessible justice for the labouring and artisan groups of urban and rural Bologna. The Torrone encouraged this process through a series of reforms that broadcast the court’s supposed impartiality, strengthening the regime’s image as well. In many ways, the court’s growing strength was a factor in the second process underway: high-level politics accompanied by civil war. Recidivist nobility of both Republican and Oligarchic leanings resumed vendettas between their clans and turned their violence upon the agents of the court when it sought to intervene; these sectors of nobility claimed exemption to the court’s jurisdiction based on feudal privilege and rejected papal governance of their affairs. The court in turn ground that resistance down with a policy of prosecution and banishment which, slowly at first and suddenly in 1664, removed the offending families from the Senatorial tree. When the court was able to foster an atmosphere of thick social trust in the early years of the century, homicides were fewer and more mundane, unconcerned with high politics or the markers of a society cracking at the

margins. When that trust disintegrated under natural disaster and the re-emergence of anti-papal factionalism among noble clans, Bologna suffered higher numbers of revenge, resource-based and political killings.

1.1 Interpreting Early Modern Violence

Until the late twentieth century, violence as a historical phenomenon was largely relegated to the edges of political histories of Renaissance and early modern Europe. Warfare and engineering interested some historians of the Renaissance, but mainly Anglo-American scholars were focused on the vibrant and seemingly united communes and republics. Famous incidents such as the Pazzi Conspiracy of 1478 attracted attention because of their relation to high politics and the severe repercussions they entailed; even then, this brutal murder was considered part of a struggle for freedom and liberty. Lauro Martines’ early venture into the history of violence in the Italian communes did not attempt a comprehensive analysis of the place of violence in their streets, but instead focused on the prevalence of factional politics as a means of lionizing and defending the republican interests of those cities’ elites. In many ways, the violence of Italian cities was incompatible with their projected identities as civic republics of virtù-ous men, and much of it was easily ignored by both contemporary and modern writers. There is still a lack of rigorous accountings


of violence in Italian states, let alone a comprehensive national synthesis on the level that now exists for England, the Netherlands, much of Scandinavia and the United States.\(^8\)

Thus, one aim of this dissertation is to make the Italian peninsula, with its voluminous and wide-ranging archives, legible in a pan-European and now American discussion on homicidal violence in the \textit{longue durée}. As noted by Roth’s Historical Violence Database, the accumulation of homicide data sufficient to paint a national picture of Italian violence (if that were desirable) is beyond the scope of one researcher. The aggregation of reliable data sets from Italian city states must start somewhere, though, and this dissertation represents the first mining of north Italian archives for meaningful criminal figures on homicide in the early modern period.\(^9\)

1.1.1 Counting the Dead: The Long-Term Decline

Interest in homicide rates as a quantifiable measure of violence began in medieval England in the 1970s, when James Given and Barbara Hanawalt reviewed available sources to get a picture of indictable and reported violence in the middle ages.\(^10\) Homicides served as a measure of the growing strength of the monarchy and the assize system of itinerant courts. While apparently common, homicide was felonious and punished with execution when juries pronounced guilt; but it could be ameliorated by a king’s pardon.\(^11\) Hanawalt worked with both judicial records and the records of


accidental death and injury to broaden the historian’s view of violence away from the courts.\textsuperscript{12} From her studies of medieval Oxford, we have the picture of a Hobbesian society that still dominates the public imagination of medieval England: Hanawalt’s early statistics led her to conclude that in medieval England, “little popular support was given to law enforcement and life was generally rough and short in duration.”\textsuperscript{13} Aware of his source limitations, Given did not attempt to establish modern homicide rates for medieval England, but he made significant headway in showing who killed whom and under what circumstances. Given and Hanawalt were among the first European historians to turn a sociological eye to the problem of violence. Published during the crime wave that occurred in the West during the 1970s and 1980s, Given’s work was much concerned with how government and society could act to reduce lawlessness, and less so with the seeming reality of a medieval world that abjured law in favour of brutality.

Given’s work dovetailed with that of John Beattie, who brought an interest and expertise in the workings of English courts to bear on the seventeenth and eighteenth centuries, establishing what is for many the most familiar picture of early modern crime and justice.\textsuperscript{14} Beattie answered Given’s question about the role of the state and the courts in influencing crime and society; he laid out a comprehensive schema of court activities and crime that documented how both the refinement of judicial machinery and the introduction of alternative penal forms (such as transportation, a legal term narrowly applicable to his time and place) acted decisively on the character of English crime.\textsuperscript{15} Beattie’s comprehensive overview of the prosecutions of two English courts was part of a conversation among English historians mining local archives with considerable success.\textsuperscript{16} By augmenting his own

\begin{thebibliography}{9}
\end{thebibliography}
statistics with a wealth of local information, Beattie created a national synthesis that early on identified the eighteenth century as the critical period in which the modern judicial state formed, and in which its powers changed the incidence of crime in England from a pattern of retributive and predatory violence to a society plagued by crimes of poverty and deviance.

Beattie's agglomeration of local studies prompted a debate over exactly how effective this method was in creating a stable picture of long-term change.\(^\text{17}\) As today, the question concerned the validity of statistical evidence for historical argument: could the fragmented and dispersed archives of English courts, incomplete at best, realistically represent the picture of crime in the past? Studies repeatedly showed courts prosecuting fewer violent offenses, particularly fatally violent crimes, from the medieval through the early modern periods. How were historians supposed to interpret these statistics? Ted Gurr first called attention to the need for a critical synthesis specific to the study of violence.\(^\text{18}\) A profusion of studies on the courts in England has since broadened the picture of English crime and violence, incorporating the historiographical innovations of the 1990s and 2000s.\(^\text{19}\)


This large body of historical research about Western crime and violence has recently—and significantly—discovered an undeniable decrease in the number of homicides and other violent crimes committed by men against other men, during the course of routine social and economic activities. The interpretation of violence in the West has been dominated by the practice of confirming, augmenting and explaining apparent changes in violent behaviour. The need for comparative synthesis led a group of European scholars to form the International Association for the History of Crime and Criminal Justice (IAHCCJ) in 1978; in 1997 its annual publication, Bulletin, became the bilingual journal Crime, History and Societies, the home of much of this debate. In its colloquia and the emergent publications, the IAHCCJ established a framework of discussion that situated violence in town and country within coherent schema. In this and other journals, historians and criminologists amassed a body of European local and national studies that documented snapshots of crime and violence. By 2003, criminologist Manuel Eisner created the database that seemed to confirm the pan-European decline in interpersonal violence. With the broad picture of homicide statistics showing an irreversible decline in fatal violence beginning in the late medieval period, historians required an explanation that accounted for these numbers.

1.1.2 The Civilizing Process

To explain the long-term declines in interpersonal violence observed by historians of England, the Netherlands and Scandinavia, European historians in the 1980s and 1990s embraced the work of a hitherto-obscure sociologist, Norbert Elias. Elias’ work had focused on the transformation of elite

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20 Rousseaux and Dwyer, “Crime, Justice and Society in Medieval and Early Modern Times.”


European sociability in the absolutist courts of the eighteenth and nineteenth centuries, particularly that of Versailles. There, he argued, French elites traded territorial and political ambitions for social and cronyistic favours: by forcing elites to rely upon their civility, a new set of courtly manners ultimately modified the basic structures of human interaction to make the nobility of France genteel and polite rather than crass and brutal. The means of effecting this change were deeply cultural, rather than legalistic or formal. It was no far leap of logic to move this kind of analysis to interpersonal relations across the continent, especially in the context of the visible reduction in violence. Pieter Spierenburg worked the most to bring “the civilizing process” to the fore in the discussion of violence, and his work continues to dominate the discussion, though it has attracted its critics.

Spierenburg and others identified honour—especially male honour—as the cultural trait that most conditioned the practice of interpersonal violence in the European past. Elite men of the medieval period were violent because they practiced an honour code that made volatile, emotional responses to insults and slights the necessary standard of manhood. These historians mainly examined male honour, and a literature developed that showed how changes to male honour codes


26 Here these scholars echo some standard twentieth-century views on medieval nobility, which were well out of vogue by the time the civilizing process was taken up, but which remain classics of medieval historiography. Cf. Johan. Huizinga, The Autumn of the Middle Ages (Chicago, Ill.: University of Chicago Press, 1956); Stephen D. White, ed., Feuding and Peace-Making in Eleventh-Century France (Burlington, VT: Ashgate/Variorum, 2005); Tuten and Bilbao, eds., Feud, Violence and Practice: Essays in Medieval Studies in Honor of Stephen D. White (Burlington, VT: Ashgate Pub., 2010); Stephen D. White, Re-Thinking Kinship and Feudalism in Early Medieval Europe (Aldershot: Ashgate Variorum, 2005).
first rendered public violence ritualistic and performative and then distasteful and criminalized.\textsuperscript{27} Honour as an analytical framework brought Italian and French historians into the discussion; for each culture, important works have documented how conscious shifts in elite men’s honour codes made civility, politeness and diplomatic friendship a measure of nobility, rather than the previous quick recourse to and skill at predatory violence.\textsuperscript{28} In Bologna, Angelozzi argues that these changes to honour were wrought in the seventeenth century through a process of “disciplining” by means of a new chivalric code, the \textit{Scienza Cavalleresca}, which prized above all a refined knowledge and grace as the litmus of male nobility.\textsuperscript{29} The civilizing process and changes in masculine honour knit together neatly, and the interaction of honour and the long-term decline in interpersonal violence has thus borne the weight of much analysis. Structures of masculine honour mattered, as did structures of the relationship between male honour and judicial structures.

1.1.3 Social Strategists

The focus on honour, particularly masculine honour, as the emotive force driving levels of violence in a society was countered by historians and criminologists in the late-1990s and 2000s who saw violence participating in a much wider range of human interactions than solely honour-based conflicts. A loosely knit counter-school has emerged that, while not openly rejecting the terms of the civilizing process, has drawn out the more functional roles of violence in premodern sociability and reduced the hold of grand-scale psychological processes on the day-to-day practice of violence. Historians writing in this mould are no less concerned with the long-term dynamics of violence, but are more interested in the points where the decline was interrupted, and the political, social and economic contexts of those interruptions. Randolph Roth, for instance, has engaged directly with the

\begin{itemize}
\item \textsuperscript{27} Spierenburg, ed. \textit{Men and Violence : Gender, Honor, and Rituals in Modern Europe and America} ([Columbus, OH]: Ohio State University Press, 1998).
\item \textsuperscript{29} Angelozzi, \textit{La Nobiltà Disciplinata}; Muir’s work on the Friuli also employs the civilizing process, among other frames, to analyze masculine honour in Edward. Muir, \textit{Mad Blood Stirring : Vendetta & Factions in Friuli during the Renaissance} (Baltimore: Johns Hopkins University Press, 1993).
\end{itemize}
civilizing process theory to argue that its framework and conclusions may not be as over-arching as previously presented, and has embraced evolutionary psychology as an alternative perspective on violence.\(^{30}\) This dissertation engages most directly with this school of thought, and draws from it the concept of social trust to explain variations in homicide rates and, more importantly, characteristics.

Social trust as an analytical concept has its roots in American sociology and has been developed for early modern history by Edward Muir, in his work on factional violence and community bonds in early modern Italy.\(^{31}\) A modified form also comprised the central framework of Roth's *American Homicide*.\(^{32}\) With violence, the concept of social trust implies that when individuals and communities recognize, accept and mutually adhere to their societies' structures and hierarchies, fatal violence will be limited in its frequency.\(^{33}\) Social trust as an analytical concept helps us to understand homicide rates in early modern Italy since we have a strong documentary record of individual, community and political relationships, preserved in the city's judicial records, its senatorial correspondence and its legislation.

By employing violence as a measure of social trust, scholars have also taken it as a strategy of social interaction, employed when necessary to demonstrate one's particular dominance or right.\(^{34}\) In


\(^{33}\) Roth lays out four conditions under which homicide rates will stabilize or fall; these conditions are developed for Bologna here. Ibid., 18.

this view, homicide rates will rise when killing is perceived as a reasonable way to achieve one's goals, and when one has the resources and skills to accomplish it. Carroll uses the example of French nobility of the seventeenth century, who met Louis XIV's centralizing tendencies with violence as long as suited their purposes of continued judicial power in their feudal territories. When the nature of political power moved from physical control of agrarian resources to the more complex forms of politics necessary to run a bureaucratic state, French nobles waived, but did not surrender, their right to vindicatory, punitive and predatory violence. We shall see how Bolognese nobility exhibited a similar strategy, and how their right to violence was reasserted in the atmosphere of diminished social trust prevailing after the 1630 plague.

If violence was a social strategy, then it was but one of many; its use was dependent on one's resources and took place within defined social spaces. Daniel Lord Smail refers to violence as part of a consumptive strategy of social conflict, which involved individuals, courts, communities and physical environments in an interlocking web of conflict prosecution and resolution, and mediation and arbitration. Violence was one of many options available to medieval Marseillaise, and men, women and children of various stripes and social orders employed it creatively in the judicial marketplace. Like Roth, Smail's functional and resource-based approach to violence has led him to embrace a scientific approach to history, what he as termed the "Science of the Human Past," based on the organic history of the brain as an organism. Smail's wide-ranging interest in violence as a deep human behavior also encompasses economics, and specifically debt, to account to for the types of judicial and quasi-judicial violence prevalent in late medieval Italy. Smail's functionalist approach to


violence includes it as part of humanity's natural skill set, an approach not many historians are yet willing to make, despite the recent calls by non-historians to do so.\textsuperscript{38}

For most functionalist thinkers on violence, its use and character are highly contingent on local circumstances and exhibit particular characteristics depending on the economic, demographic, religious and ethnic composition of a given community or set of communities. The Iberian Peninsula has proven fruitful ground for research demonstrating that violence between communities of different faiths was much more complicated than simple narratives of Christian and Muslim antagonism allowed.\textsuperscript{39} Indeed, the pre-\textit{reconquista} society that emerged from these studies is one in which Christians, Jews and Muslims at local levels may have borne strong ties to one another through business, friendship or family.\textsuperscript{40} Incidents of forced baptism were contested by some Christians while town councils worked to protect minority groups during ritual periods of violence.\textsuperscript{41} Common to all of the functionalist approaches to violence is an interest in the controlled or structured elements of violence that tended to limit its virulence and viciousness, such as community expectations that peacemakers would uphold their sworn oaths.


1.1.4 Ritual and Performance

These structures of control and limitation that seem to govern much early modern violence attracted the interest of a generation of historians heavily active during the 1970s to 1990s and still influential today, and who were interested in the ritual frameworks of early modern life. Early modern Europe, and “Renaissance” Italy in particular, presented historians with a vibrant world of ritual activity. Inspired by Geertzian anthropology, social historians exploited rich Italian archives to create “thick descriptions” of the many forms of political, social and playful ritual that seemed to characterize Italian city states. In the 35 years since Civic Ritual in Renaissance Venice, the “ritual turn” became a leading school of interpretation of social history. Male sodalities and their highly structured ritual lives were an obvious target for fruitful inquiry, but the trappings of civic pride, religious identity and personal relationships were familiar to readers of ritual history. Historians of gender also used the ritual framework to analyze the construction and performance of gendered behaviours; masculinity, in particular, has been recognized as a performative, ritual set of relationships and behaviours. So too with the concept of violence, which gives the historian examining ritual behavior much to unpack: as Anton Blok argues, there is no such thing as


senseless violence, and all violence carries meaning.\textsuperscript{45} Ritual is thus the fourth historiographical school with which this dissertation engages; the school of thought is wide and flexible enough that it has since branched into multiple schools of interpretation.

Natalie Zemon Davis was the first to explore how the seemingly destructive violence of crowds could in act be deeply infused with ritual significance.\textsuperscript{46} Her early work, collected in 1975 as \textit{Society and Culture in Early Modern France: Eight Essays}, relied heavily on the interpretation of ritual behaviours to make meaning of the chaotic French sixteenth century. Through examining records in Lyon, she found cohesive ritual languages spoken in common by artisans and labourers and lawyers which moved at levels much deeper than the divides of religion and state or even the arrival of the printed word could reflect.\textsuperscript{47} Seeking to recover the voices of people who did not usually appear in chronicle narratives, Davis examined petitions for pardon, vast archives of which documented hundreds of French men who had killed and gave their highly structured—and ritualized—explanations for their violence.\textsuperscript{48} \textit{Fiction in the Archives} established some of the abiding schema of early modern violence that inform researchers today. First and foremost, Davis cautioned researchers not to take pardon-seekers at their word and established the wide degree of legal literacy that even peasants were able to summon up in support of their claims. She argued that the process of crime, punishment and pardon—the judicial process—was itself a ritual process in which criminals understood the roles they had to play in order to save their necks and judges allowed them to play these roles.

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\textsuperscript{47} “Printing and the People” ibid., 189–199.
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Davis and Muir share an interest in the close, anthropological reading of the documentary evidence of relationships, behaviour and social organization. Muir's work on the rituals of Venetian political and civic life led him to study the *Terra Ferma* and the Venetian dominions in Friuli, where during the sixteenth century a feudal code still loomed large in the law and the state was absent but for itinerant soldiers guarding Venetian lands from Imperial raids. A frightful massacre of one family and its partisans by another in Udine in 1511—apparently the inspiration for what would become Shakespeare's *Romeo and Juliet*—provided the case study from which Muir expanded to discover a land where performative and ritualized feudal power was made real by violence and control of natural resources, in particular the region's waterways. To Muir, the “Cruel Carnival” of 1511 was a violent outburst by a dying form of nobility that would later abandon violence in favour of fashion and elegant dinners. The language, pageantry and performance of violence, alongside the tremendous level of savage killing, were what mattered to Muir. Unpacking the details of testimony about the massacre at Udine opened up a world of highly metaphorical violence, in which degradation of one's enemy both lifted one closer to the heavens and made dogs and dogmeat of the defeated foe. The deep entwining of violence, kinship and animal degradation focused Muir's attention on the ritualized and ritualizing elements of even the most explosive incidents of violence.

Where Muir focused on the exceptional rituals of violence that accompanied the final stages of an ancient vendetta, Robert Davis was more interested in the rituals of the mundane, the commonplace and the popular. Again, Renaissance and Early Modern Italy provided a wealth of materials that seemed to show violence permeating the daily lives of Italian cities. Any historian with a passing familiarity with Italian judicial archives will be familiar with the ubiquity of thrown rocks in the records of daily life. Davis made this behaviour meaningful to anthropologically minded ritual historians. The thrown rocks of Perugian boys were not merely the disruptive behavior of unsupervised brats: they spoke a language, often conservative, that represented the artisan and

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50 Ibid., Introduction.
peasant undercurrents of Italian politics.\textsuperscript{51} Thrown rocks could indicate the dissatisfaction of a community with a ruler's bread policies, or with a town council's most recent decisions; they could also be brought to bear as instruments of civic defense, when marauding condottieri might threaten the city. Davis showed how complicated the ritual significance of youthful violence could be by examining the multiplicity of meanings attached to the common rock and its projection by force.

The ritual elements of rock-throwing led Robert Davis to tackle the more obvious and elaborate violence of Venetian bridge-fighting, variously known as the Battagliole dei Canni (Battles of the Sticks), the Battagliole dei Pugni (Battles of the Fists) or the Guerre dei Pugni (Wars of the Fists).\textsuperscript{52} In this seminal work on the popular culture of violence in Italy, Davis masterfully decoded the chaotic and brutally violent bridge fights that regularly occurred in Venice. These were not animal expressions of brute competition by the brain-dead artisans and fishermen of the city's lower classes. Rather, the violent competitions between neighbourhood groups for control of the city's liminal spaces were exercises in the formation of neighbourhood and civic identities, of masculine hierarchies and heroics, and of modern organized sport. The increasing state regulation of the bridge fighters robbed them of some of their fatal violence but none of their masculine bravado, as new forms of competition and new definitions of “champions” emerged to replace the armed and armoured fighters of the fourteenth century. Although the violence was real, the antagonisms were in many ways affected: rivalries between two loosely knit factions, rooted in early Venetian communal politics, were exploited, developed and made theatrical by a state apparatus that recognized the ritual power of organized, spectacular violence.

State use of ritual violence is itself an important element of early modern society. Michel Foucault and Pieter Spierenburg have both interpreted the state's treatment of the criminal and the criminal's body across the medieval and early modern periods. For Foucault, the Ancien Regime was


\textsuperscript{52} R. C. Davis, \textit{The War of the Fists: Popular Culture and Public Violence in Late Renaissance Venice} (Oxford: Oxford University Press, 1994).
distinguished from the modern penal state by a violent and punitive obsession with the bodies of subjects; mutilation, execution and desecration were the means by which the state, demonstrated the total power it held over criminals.\textsuperscript{53} Spierenburg's interpretation of capital and corporal punishment, much like his work on homicide, relies heavily on the notion of the Civilizing Process to explain the transformation of European penal practices from violent, theatrical execution to policies of exile, incarceration and fiscal punishments.\textsuperscript{54} Spierenburg argued the violence and theatricality of early modern judicial punishment was not just a means for the state to inflict terror. Rather, Europeans accustomed to the sights, smells and sounds of blood and death found the imposition of justice to be enormously entertaining and considered executions to be among the city's periodic festive productions. As courtly values disseminated throughout society and new manners and sensitivities inculcated themselves in cultures, people turned away from the violent theatre of death in disgust.

The social historians of ritual who approach execution look at the ways that communities participated in public executions, and how the actions taken by the state to kill condemned criminals spoke a language of justice and retribution that re-enacted the very misdeeds of the condemned. An execution's purpose was to reintegrate the soul of the condemned into the community of Christians and, eventually, heaven. Historians of Italy are fascinated by the groups of laymen who formed confraternities dedicated to comforting the condemned on the eve of their execution and escorting them as calmly as possible to the gallows, where the condemned were encouraged to accept responsibility for their crime, repent of their sins, and welcome the good death that would allow them to join Christ in Heaven.\textsuperscript{55} This interpretation focuses on the elaborate pageantry of death, in which the condemned was carted through the city's streets to visit the scene of the crime (where he or she could be multilated); the homes of the most offended victims; the seat of judicial authority; and finally, the hanging grounds, where the grim theatre was completed with the final act. Religious ritual


\textsuperscript{54} Spierenburg, \textit{The Spectacle of Suffering}; Spierenburg, \textit{Violence and Punishment}.  

\textsuperscript{55} N. Terpstra, "Theory into Practice" in \textit{The Art of Executing Well: Rituals of Execution in Renaissance Italy} (Kirkville, Mo.: Truman State University Press, 2008).
and spiritual process were the means to pacify the condemned, which helped to further the broader goal of social peace in fraught circumstances. We shall see below how the elaborate scenography of execution disappeared in the seventeenth century, but the ritual elements and purpose of state violence remained very similar. The ritual view of violence, and particularly execution, allows the historian to unpack the deeper languages of behaviour that are more contingent on time and place than the behaviour itself: at different times, violence means different things, and the ritual characteristics of a society and its violence help to elucidate that meaning.

1.1.5 Cultures of Violence and Peacemaking

A more recent wave of historians, cognizant of violence’s ubiquity in early modern Europe, ask how societies aimed to reduce levels and manage forms of violence through non-judicial means. The early appearance of public peacemaking rituals, such as the Medieval Peace of God movement, grew out of Christian discomfort with high levels of feuding violence among nobility, and how people made peace became an important part of how they prosecuted feud.\(^\text{56}\) Again looking to twentieth-century anthropology to interpret the records available, historians readily applied the notion of “the peace in the feud” to both medieval and early modern violence.\(^\text{57}\) Within this framework, it is accepted that pre-modern societies generally featured a given level of violence, which was mainly considered legitimate and accepted within local cultures. This legitimacy and acceptance meant that violence needed a corollary, found in the form of semi-organized processes of peacemaking that existed across Europe. These peacemaking forums could be instituted permanently alongside the legal system, as in the arbitration systems in both France and Germany.\(^\text{58}\) They might also be more

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\(^{56}\) For a full exploration of the origins of the Peace of God movement, cf. G. Duby, *The Chivalrous Society* (London: Arnold, 1977); A more recent treatment of medieval feuding is the collected articles of Stephen White, in *Feuding and Peacemaking in Eleventh-Century France*.


\(^{58}\) Nicole Castan was among the earliest to place arbitration alongside the judicial regime. John Bossy’s influential anthropologically informed history was important in pushing scholars to look at how violence and peace interwove. N. Castan, *Les Criminels de Languedoc : Les Exigences D’ordre et Les Voies Du Ressentiment Dans Une Société Pré-
itinerant, such as the travelling Jesuit companies of Southern Italy in the seventeenth century. In whichever form, these “cultures of peacemaking” have been exploited as a foil to the early modern period’s endemic violence, used by historians to demonstrate how societies in the grip of banditry, noble predation and endemic warfare organized productive co-habitation in both town and country.

Cultures of violence and peace were thus born not from a state-led drive towards peace, nor from changes to humans’ innate capacities for violence. Daniel Smail has at various times referred to a consumptive culture of violence, peace and justice, a culture of “common violence,” and a predatory culture of judicial violence. In none of these analyses was the state the primary actor in the culture of violence and peacemaking in Mediterranean Europe. Rather, the state provided forums for a litigious population eager to impose structures of justice on their conflicts. Marseilleises were readily prepared to dismiss much vindicatory or revenge violence as justified and unobjectionable. Smail’s more recent work argues that, more than providing the space for litigation, medieval and early modern courts also abetted the predatory debt-collection and economic oppression of urban and rural nobility and notables. But violence is not here framed as a problem for the state to solve; rather, Smail’s perspective argues that social and cultural norms of the medieval and early modern Mediterranean accepted a wide degree of violence, abetted much of it, and also included limits to its open practice. Smail’s interest in the recurrence of these “cultures” of violence and peace across time

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61 D. Smail, “Violence and Predation in Late Medieval Mediterranean Europe.”
and place has led him to embrace “deep history” and a biological approach to social history.\textsuperscript{62} The biofunctionality of violence, with its destructive and constitutive implications for human society, is manifested in different forms in different places at different times, but should not be seen as exceptional in any of those forms.

Italy’s “Culture of Violence” is closely associated with its historical practice of male honour. In the Iberian context, analysis of violence rests much more on the social relationships engendered by a multi-faith and multi-ethnic population in a peninsula that co-existed happily on some levels but was riven by sectarian and religious strife at the state level. Both David Nirenberg and Mark Meyerson analyze Christian-Muslim-Jewish relations with an eye to the complex webs of friendship, kinship, economic interdependency and religious affiliation that conditioned medieval and early modern Iberian violence.\textsuperscript{63} Mass conversions were often contested events wherein Christian communities might defend their Jewish or Muslim neighbours—sometimes with violence—or actively turn on their local Jewish or Muslim population, participating in popular pogroms which were not always under the control of royal authority. Iberian religious violence was at once destructive of a perceived “other” and also helped shape communal and religious identity among its perpetrators.

Recent work has produced a series of collected volumes on the cultures of violence of particular times and places, and here, too, Italy stands out for the richness of its archival opportunities. In the proceedings of a dedicated conference held by Georgetown University in 2010, authors argue once again that early modern Italians' obsession with masculine honour led them inexorably to the hot-blooded, quick-to-violence culture of masculinity that apparently characterized early modern Italian men.\textsuperscript{64} A more nuanced set of ideas is found in Stuart Carroll's collection that

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\item \textsuperscript{62} D. Smail, \textit{On Deep History and the Brain}; Smail, “Neuroscience and the Dialectics of History”; Smail, “Neurohistory in Action”; Smail, “In the Grip of Sacred History.”
\item \textsuperscript{63} D. Nirenberg, \textit{Communities of Violence}; Nirenberg, “Mass Conversion and Genealogical Mentalities”; \textit{Christians, Muslims, and Jews in Medieval and Early Modern Spain}; Meyerson, \textit{A Jewish Renaissance in Fifteenth-Century Spain}.
\item \textsuperscript{64} S. Cohn, ed., \textit{The Culture of Violence in Renaissance Italy: Proceedings of the International Conference: Georgetown University at Villa Le Balze, 3–4 May, 2010} (Firenze: Le lettere, 2012).
\end{itemize}
focuses on the post-medieval west in general. In his introduction, Carroll argues that historians of violence should resist ascribing too much agency or putting too much weight onto fluid, unstable and often fluctuating notions such as honour. They should, he argues, look alongside moral and behavioural codes to determine the functional roles of much interpersonal violence within the constraints and boundaries of particular societies. Rather than a focus on honour, the essays in *Cultures of Violence* deal with the gendered and religious overtones of interpersonal and state violence; with the transformation of vengeance and vindictory violence within the context of developing courtly societies; with the role of class in violence in the nineteenth and twentieth centuries; and with the legitimization of various types of maritime and aerial violence in the modern world. Although Carroll et al do not explicitly address Italy, they nevertheless remind Italianists that the Italian honour code is less exceptional than it first appears; functional readings of the violence apparently produced by rigid adherence to honour can offer more nuanced interpretations of past actors' behaviour and the goals of violence as social strategy.

Spierenburg has similarly offered a collected volume on European violence, in which the focus is once again on the long-term mutability of violence and rates of violent crime. Like Carroll's volume, Spierenburg's *Violence in Europe* draws connections between long-term trends and contemporary problems and issues, but the perspectives here developed are less functional than in *Cultures of Violence*. Sociological and gendered perspectives dominate the volume, and it concludes with an interpretation of the long-term decline of violence and its transformation into more controlled modern expressions of masculine competition, such as sport. Another recent collection, edited by Jonathan Davies, returns analysis to a cultural mode. Essays in this work argue that in many


67 Spierenburg, *Violence in Europe*.

instances violence forms part of an Italian popular culture, such as during sede vacante when the “world turned upside down” in Rome until a new pope could be elected.\textsuperscript{69} In this work, the analysis is decidedly cultural—violence is discussed in terms of the language used to describe it; the connections between a painter's peaceful outer life and the violent imagery he produced; ritualized and socially-constitutive codes that informed the practice and limits of violence; and the role of violence as a performed or assumed behaviour during particular times of the life cycle, such as during a young man’s student days. Davies' and Spierenburg's works are in almost complete opposition in their approaches to violence: the local versus the European, the immediate versus the long-term, and the cultural versus the social and political stand as defining elements of violence and society.

A more recent historiographical school looks to modern science and philosophy of the emotions to explore and analyse the emotional contexts and processes of early modern violence. Like the cultural analysis of violence, an emotional analysis rests heavily on the words that accompanied each deed: emotional histories of violence tend to focus on witness and, if possible, suspect testimony, or victim statements. A recent volume edited by Susan Broomhall and Sarah Finn collects a number of these analyses of early modern Europe.\textsuperscript{70} The scholars collected therein take familiar issues of early modern crime and violence—judicial punishment, religious violence, interpersonal killing, medical treatment, and “violent language”—and subject them to an emotional analysis that teases out the roles of anger, dishonor and love in cases of interpersonal, religious and political violence. The history of emotions, in all its senses, remains a developing field at the moment and one expects to see more high-quality research emerging from this promising confluence of method and interdisciplinary analysis.

“Culture” thus looms large over the study of violence in many forms. As an analytical tool, culture allows historians to make individual sense of the many familiar-looking yet functionally

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diverse practices of peacemaking and violence, of extra-judicial conflict resolution, and of the state’s growth through the use of terrifying physical power. The lens of culture is now the dominant historical mode through which much behaviour, ideology, communication and societal structures are interpreted; so too with violence. By eschewing the large-scale and the comparative, cultural studies of violence focus on the intricacies and details of a society’s prescriptions for and practice of violence. Incorporating a range of literary and historical sources, they seek to locate the meaning of violence and peacemaking within societies, without significant analysis of the incidence and characteristics of violence itself.

1.1.6 Gender and Masculinity

A fifth school of historiography that bears upon the study of violence and homicide is gender history—in particular, the more recent development of the history of masculinity. I include in this field histories of pre-modern childhood and adolescence, which have much to do with the distinct socialization of boys and girls during that era. Violence and particularly homicide are inherently gendered, though both foundational and recent work suggest that women participated to a large degree in small-scale neighbourhood and domestic violence, some of which made it to the courts but much of which did not.\(^7^1\) It bears repeating that approximately 99% of accused killers in this sample of 658 adult homicides were men. This statistic aligns with the findings of many studies of homicide across time and place.\(^7^2\) As victims, women accounted for slightly more reported cases of homicide, but men still remain the recorded victims of homicide in numbers over 90%. Unreported homicides of female victims, in particular domestic homicides by partners and husbands, are perhaps the most


likely “dark figure” of homicide statistics that are unreachable through judicial and medical sources, though they remain well represented in literature and art.

The study of the gendered characteristics of violence thus tends to gravitate towards the construction, performance and elaboration of masculinity through violence. Historians of gender and masculinity generally agree that these constructions are neither universal nor ahistorical, and they mutate considerably depending on time, place, class, environment and other contingent variables. Socialization looms large in the development and construction of masculinity, and thus gender historians interested in violence looked early on to the upbringing of children and adolescents within social worlds governed by masculine honour codes; in short, these studies showed how patriarchy reproduced itself in children. Both boys’ and girls’ education played a role in this, but the impulse to violence was taught to Italian boys as preparation for their roles as dominant father figures, businessmen and civic leaders. Girls, and in particular poor girls, were directed towards an interior life of work and domestic servitude through an increasingly disciplinary process of enclosure in many forms, including convents and workhouses. Semi-ritualized, male adolescent group violence was a feature of European towns and villages throughout the medieval and early modern period and it was widely accepted by community and social norms, if not the law.

The violent tenor of male childhood and adolescence has fascinated and troubled historians. Some have focused on the activities of official associations, such as civic theatre, and have generally

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seen any disorder as an unpleasant side note. When early modernists have addressed seriously the problem of youth violence, they have located its function and meaning in four distinct but related approaches. First, the “steam valve” explanation sees youth violence as a controlled expression of adolescent tension, and locates its origins in the familial and social structures of the early modern city. The second approach gives youth violence a communal function; it helped perpetuate community norms and relayed social frustrations to elites, often catalyzing more widespread political violence against local or external authorities. To a third strain of historians, the group violence of young men allowed them to amass male respect and loyalty amongst an in group by targeting designated outsiders such as women and foreigners. Finally, the semi-organized violence of young men has been referred to, anthropologically, as part of a series of rites of passage that marked the transition of males from the isolated and protected world of childhood to the competitive environments of adult men. These strains rarely address the problem as one of youth violence per se, preferring to analyze the broader societal structures to locate the meaning of youth activity.

Boys grow into men, and the socialization into violence that boys of all social classes received was ingrained into codes of honour, social status and patriarchy. Recent work on Italian masculinity

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has shown how adaptable its violence was to changing fashions and technologies. Roman nobility took up travelling by carriage with enthusiasm, and status conflicts that had previously been fought over whose party had the right of way walking next to a wall were fought in the seventeenth over whose carriage had the right of way at an intersection. The impulse to violence remained very real, even if the channels through which masculine affront were triggered changed as a result of technological advancements. Duelling, too, supposedly took the place of semi-covert revenge and vendetta plots, and rules and rigid adherence to a gentleman’s honour became the measure of victory in limited arenas of bloodshed. Nevertheless, the performance and elaboration of masculinity in all its forms retained the element of violence as a threat, an act or a symbol.

Microhistory has brought to the fore many of the colourful ways in which early modern Italian men built and demonstrated their masculine virtù through chicanery and violence. The streets of Rome were a veritable theatre of manhood where complex obligations and social networks involved members of Rome’s many cosmopolitan communities. The work of the Cohens has shown how deeply social mores usually associated with the nobility, such as honour (whether male or female), penetrated social hierarchies and appeared in eerily similar forms in all socioeconomic groups. Time and again, the Cohens' male subjects explained their disorder and violence as part of a process by which they were demonstrating to the world around them their masculinity and their right to certain privileges because of their virtù. Indeed, male solidarity expressed by violence became essential to

81 Hunt, “Carriages, Violence, and Masculinity in Early Modern Rome.”
82 M. Cavina, Il Sangue Dell’onore: Storia Del Duello (Bari: GLF editori Laterza, 2005).
contemporary understandings of community.\textsuperscript{85} In the equally complex world of Venice, by the
seventeenth and eighteenth centuries, a libertine form of masculinity had emerged that involved
gender-bending, sexual experimentation, and a continued fascination with violence and the
Carnivalesque.\textsuperscript{86} Interrogating the words and deeds of the men of the lower classes has shown how
the performance and elaboration of masculinity's many forms was common to men of all classes and
accounted for a great deal of their violence—which itself formed an integral part of masculine
identities.

Alongside the development of using masculinity as a lens to study violence, historians of
gender have paid increasing attention to the ways in which women participated in crime and violence
as perpetrators, aiders and abettors, intervening bystanders, and provokers of conflict. Studies of
women’s homicide in early modern Europe have largely focused on women as victims of domestic
violence or as perpetrators of infanticide.\textsuperscript{87} Kesselring and Butler both argue that most prosecutions of
accused female killers in England were for infanticide by young, single women, and these conclusions
are built upon a large body of prosecutions of early modern English women.\textsuperscript{88} For Italy there is no
comparable measure of the prosecution and treatment of infanticide, though it has not escaped the
attention of historians. Individual trials for infanticide and abortion opened new and fruitful avenues
to study the formation of community ties and loyalty in peripheral villages governed by distant

\textsuperscript{85} Muir, “The 2001 Josephine Waters Bennett Lecture.”

\textsuperscript{86} E. Muir, \textit{The Culture Wars of the Late Renaissance: Skeptics, Libertines, and Opera} (Harvard University Press, 2009), 13–60.

\textsuperscript{87} Marco Cavina, \textit{Nozze di sangue: storia della violenza coniugale} (Laterza, 2011); Kesselring, “Bodies of Evidence”; Laura
Hynes, “Routine Infanticide by Married Couples? An Assessment of Baptismal Records from Seventeenth Century Parma,”
492–512.

\textsuperscript{88} Kesselring, “Bodies of Evidence”; Butler, “A Case of Indifference?”
monarchies, or to expose the complex early modern mindset surrounding life, the soul and the law.\textsuperscript{89} Neither of these approaches has sought to measure the incidence of either infanticide or abortion, recognizing that the judicial, parochial and medical records in Italy are insufficient to do so. Infanticide trials in seventeenth-century Italy are very rare. Both Laura Hynes and Gregory Hanlon have pointed to a tendency to prosecute young, single mothers, as others have noted in the English case.\textsuperscript{90} By extrapolating sex ratios at birth from parochial baptismal records, Hynes and Hanlon both posit that fluctuating ratios of male and female infants indicate the widespread and culturally accepted practice of sex-selective family planning by infanticide among married couples in Emilia and Tuscany. Others suspect that abortion and other forms of birth control were a common form of family planning. A study of sex ratios among Bolognese baptisms is beyond the scope of this dissertation, but it must address the prosecution and treatment of infanticide by both court and communities in Papal Bologna.

Thirty years of gender history has done much for the study of violence, both focusing historians' attention on the critical notion of masculinity and its formation and demonstrating the wide range of women's agency and participation in crime and violence. Marital violence and domestic politics were an early field in which feminist historians provided necessary innovation: recognizing that much early modern domestic violence was accepted culturally and a husband's right to correct his family mostly went unchallenged in courts, they sought other ways to illuminate how women and families negotiated men's violence and created networks of mutual support that might allow them to escape violent marriages.\textsuperscript{91} As early historians to accept the post-modern credo that construction trumps structure, historians focusing on gender relations or childhood asked how the violent masculinity of the pre-modern West was taught and inculcated to generations of peasant, artisan,


\textsuperscript{90} Hanlon, “L'Infanticidio di coppia Sposate in Toscana Nella Prima Eta Moderna”; Hynes, “Routine Infanticide by Married Couples?”

\textsuperscript{91} Ferraro, “The Power to Decide.”
merchant and noble men. When it became clear that women were in fact as visible in the public criminal sphere as men, historians shifted their attention to crimes women were accused of committing, and how women, communities and courts negotiated roles of gender and hierarchy.92 Gender history is critical to the study of violence precisely because violence is, at the fatal level, such an overwhelmingly male phenomenon. Why this is so must be unpacked.

Violence is thus an analytical field that is highly flexible and open to interpretation through many different methodologies, theoretical lenses and explanatory frameworks. The six explored here most inform this dissertation, but at this point, the historical, humanist and social scientific literature is too great for any one project to review comprehensively. On top of the more traditional literature, there is also a growing interest in neuro-biological studies of violence, which some historians have embraced with enthusiasm.93 These historians, drawn by the similarities of violence across time and place, seek to identify the deeper core structures of humanity that underlie the contingent construction of masculinity and violence in different times and places.94 It remains to be seen whether these studies will have a significant impact on the scholarship of early modern European violence.

This dissertation thus studies the characteristics and frequency of homicidal violence in Bologna through a combination of these schools of interpretation. It tests rates of identified

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homicides in Bologna against patterns and characteristics predicted by the civilizing process, noting how a nuanced reading of homicide trends complicates the broader European picture of violence. It shows how a veritable world-turned-upside-down in the wake of the Great Plague of 1630 created new forms and performances of homicide, and how both state and communities attempted to create new cultures of peacemaking in place of feuds. It examines the social networks and strategies operating during a mid-century breakdown in civic peace to determine what functional role violence played for particular communities. Finally, it integrates women into the study of homicide as killers and victims, arguing that the assumptions made about Italian court practices from English evidence do not bear out for the state of Bologna and that there are good reasons to suspect that infanticide in Emilia was rare. Broken down, too, are medieval tropes about the character of women’s adult homicide formulated by earlier criminal historians of Italy.\textsuperscript{95} A study of violence must, like violence itself, remain flexible if it is to make meaning of the often confounding combination of social factors that produce a homicide.

1.2 The Scene of the Crime: Seventeenth Century Bologna

Bologna enjoyed, or perhaps suffered, a unique physical, political and social environment amid the seventeenth century Italian states. These characteristics and the political, social and economic processes they engendered significantly impacted the patterns and prosecutions of fatal violence within Bologna’s borders. Like many “absolute” Italian states of the period, it had an oligarchic political history of domination by a few powerful local families, whose descendants remained heavily involved in Bolognese politics under the reasserted papal regime of the sixteenth and seventeenth centuries. Bologna’s political flavor proved decisive in its history of violence: unlike other Italian states, during the period of “absolutist” government, Bologna’s nobility remained riven by the violent factional identities that had dominated the late-communal period. The conflicts that emerged from these societal rifts triangulated powers in Bologna: Republican (or anti-Bentivoleschi) noble factions of the late medieval and early modern period, which included branches of the Pepoli

\textsuperscript{95} Trevor. Dean, Crime and Justice in Late Medieval Italy (Cambridge: Cambridge University Press, 2007), chap. 6.
and Paleotti families, worked to advance their family interests and power through the newly established papal government, by participating in the reformed Senate and assuming authority over civic offices, such as the Pio Cumulo della Misericordia managed by Giovanni Pepoli.\textsuperscript{96}

The vestigial supporters of the Bentivoglio oligarchy that dominated fifteenth-century Bologna, the Bentivoleschi nobles which included families such as the Malvezzi and Barbazza, antagonized both the nobles who accommodated papal power as well as the papal government itself. The government of Bologna—led by a Papal Legate, or ambassador/governor—faced the difficult task of identifying the members of each faction from among a deeply intertwined population of nobility whose networks of family power stretched over much of North and Central Italy.\textsuperscript{97} This three-way struggle for social and political authority cast its shadow over much of the social conflict and interpersonal violence of Bologna’s nobility and urban artisan communities. Moreover, its physical position on the Peninsula made it an important and highly trafficked centre of trade and transit, giving it a cosmopolitan population and at any given time, a large body of itinerant travelers spending limited time in the city. A series of crises over the seventeenth century exacerbated the already unstable political and social orders of Bologna. Still, other Emilian states confronted the same

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challenges from noble and artisan populations, and the ways in which Bologna endured these challenges help us to understand its complicated history of interpersonal violence.


Much of the troubled history of the seventeenth century in Bologna had its roots in the violent factionalism that characterized the medieval commune and oligarchy. From the medieval period, Bolognese politics and civil society were severely unstable, and frequent, violent changes of regime were the norm during the fourteenth and fifteenth centuries.\(^98\) In this crucible, the major noble

lineages of Bologna honed their practices of revenge-as-politics, blending personal rivalry and affront with membership in city bodies such as the Senato in order to advance family fortunes through a combination of private warfare and political action. During this period, urban power was very much rooted in rural land: the leading noble families of the oligarchic period (Pepoli, Bentivoglio, Lambertazzi) possessed large feudal domains bequeathed by emperors and popes, from which they launched attacks against other nobles and whose tenants they used to staff their urban retinues. Homicide and violence were regular aspects of the struggle for political power, and civil and criminal justice in Bologna developed in the realities of that unstable situation.

Justice, and the right to dispense it, remained a critical privilege of the medieval oligarchs. In their rural holdings, they possessed the authority to arbitrate and punish civil and criminal disputes among their serfs.99 Magnates—the elite among oligarchic nobility—used this power as a means of dispensing favours and raising funds through fines and fees.100 Rural justice was thus beholden to the capricious favouritism of a violent local elite, and it became an effective tool for factional nobility to grow their bases of both manpower and revenue. In short, justice was partial: the ability for Bolognesi to receive some kind of redress for wrongs done against them was dependent solely upon the strategic goodwill of a violent elite, whose judgment might be swayed by money, donations of goods and foodstuffs, or promises of loyalty and future service. Bolognese contadini lived their lives under the shadow of these magnate lineages, whose factional battles for control of the urban core were fought largely by retainers gleaned from rural landholdings. The retinues that comprised the fighting men of each faction often found themselves in the sway of magnates through the magnate’s skilled manipulation of justice and the right to arbitrate conflicts.

99 The rise of the Torrone from this system was first documented by Tiziana Di Zio, “Il Tribunale Del Torrone,” Atti E Memorie (Romagna) 43 (1992): 333–48.

The medieval period was characterized by frequent violent changes of regime, and in each transition, the structures of civil society were rebuilt anew in accordance with the outcome of the most recent factional conflicts. Within the city, justice was officially the jurisdiction of the Podestà, a foreign judge employed on limited terms and therefore suggested to be an impartial judge unbefehlens to powerful local interests. However, the ability of podestà to dispense impartial justice was compromised by the monetary obligations of accusatory procedure, which placed the burden of cost onto a complainant in either a civil or criminal denunciation. Magnates and their followers also intimidated and assaulted those who might bring complaints against them. Like in Florence, the magnate lineages of Medieval Bologna were defined less by economic power than by lifestyle and shared cultural and military interests. Alliances shifted constantly, and each new regime change brought the threat that lineages that had recently dominated the city might find themselves proscribed, their families banished or severely restricted, and all decrees, concords and, importantly, sentences given out under the previous regime cancelled.

A similar situation obtained in the fifteenth century, when the Bentivoglio oligarchy consolidated its control over Bologna and the reinvigorated papacy in Rome looked outwards to the remnants of the old papal states, seeking to re-establish its territorial power in north Italy. Wishing to restore a territorial buffer around Rome that would allow the papacy to develop as a political entity in line with the city-states of the Italian peninsula, fifteenth-century popes reasserted their claims to direct governance of this part of Emilia, which had traditionally fallen under the pope's influence during the imperial-papal tensions of the high medieval period. The reassertion of papal authority over Bologna in the fifteenth century was a piecemeal and violent project, challenged by local oligarchies that wished to retain their outsized local power. A major reformation of government power occurred in 1464, when the city's Anziani were reorganized into the council of Sixteen, the

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Sedici Riformatori. These sixteen leading members of local nobility represented “communal” interests to the papacy. As under later iterations of papal rule, a critical issue concerned the privileges (of justice and taxation) afforded to the Bolognese nobility. Unlike the popes of the sixteenth and seventeenth centuries, however, Paul II (r. 1464–71) hoped that granting concessions and privileges to elite sectors of the nobility would convince them to accommodate papal rule. Yet, concessions were not granted equally to all nobility, and many of the tensions, rivalries and hatred that had constituted noble politics under the medieval commune continued to divide noble factions well into the renaissance period.

Continued resistance by elements of the local oligarchies, and particularly the refusal of the Bentivoglio clan to adapt to papal rule over Bologna, led Pope Julius II (himself ambitious to see the glory of the Papal state restored) to conquer the city in 1506 and to abolish the Bentivoglio oligarchy. This episode in Bolognese history fits into two broader contexts. The first is the Italian Wars of the late-fifteenth and early-seventeenth centuries that saw North Italy become a battleground between invading French armies and the various Italian, Spanish and German alliances that countered their advance. Second, Julius II’s 1506 occupation of Bologna was a local power struggle between adherents of the Bentivoglio oligarchy, vestiges of the medieval republican communes, and the people of Bologna who saw the Bentivoglii as tyrants. The occupation shows how the elite politics of Italian cities were significantly intertwined by the sixteenth century. The noble populations of various cities were closely linked by marriage, diplomacy, trade and warfare. In attempting to govern Bologna, the papacy had to deal not only with recalcitrant local elite but also with the extension of their networks into many positions of power across the peninsula.

The sixteenth-century popes took a much harder approach to the governance of Bologna than had the fifteenth-century popes, who had been unable to govern effectively in the face of the

103 Ian G. Robertson, Tyranny under the Mantle of St Peter: Pope Paul II and Bologna (Turnhout: Brepols, 2002), 25–49.
104 Ibid., 79–88.
105 Angela De Benedictis, Una guerra d’Italia, una resistenza di popolo: Bologna 1506 (Società editrice Il Mulino, 2004).
Bentivoglio oligarchy. Julius II was unwilling to tolerate such resistance, and when the Bentivoglii revolted against papal rule in 1509, he expelled them from the legato and razed their urban palace, replacing it with a sporting field for university students—a significant act, given what we now know about the fluidity of exile. During the next thirty years, factional strife dominated Bologna’s streets and canals, and the papal legates took hard stances against noble agitation, hanging dozens of leading oligarchs. Judicial privilege among the nobility was a focus of sixteenth-century papal government in Bologna: Julius II vowed to strip the nobility of the right to adjudicate conflicts in their territories, and he and his successors further subjected them to papal courts and, eventually, the Tribunale del Torrone.

Sixteenth-century legates also worked to accommodate noble ambitions into the program of papal governance, albeit without the free concessions given out in the fifteenth century. In particular, a series of land grants made in the mid-century to families hitherto minor oligarchs of the Bentivoleschi party such as the Barbazzas and Malvezzi, allowed them to grow their power from a rural land base. This transfer of urban social power to a grounded, resource-based power in the contado allowed these families to grow in stature as the seventeenth century approached and to play a larger role in urban politics. Moreover, around 1586, the Senate of Forty was expanded to included fifty members of leading families, including some branches of Bentivoleschi families recently enticed into the papal fold with rural lands. The Legates’ intention in these accommodating moves was to reduce the levels of anti-papal tension present among sectors of the nobility by providing them with useful civil service through which they could advance their families’ fortunes. Many noble houses effectively followed this path and, through membership in the Senato, in various collegii, and in

106 N. Terpstra, “Theory into Practice.”
various government boards, gained access to the wider network of Italian elite families that bound the centralizing governments of the Italian peninsula through elite social ties.  

By 1600, then, Bologna had endured more than two centuries of instability, rapid regime chance and violent domination by entrenched factional nobility. These nobles exercised power over the urban core of the province by drawing on men and resources from their rural landholdings. Moreover, they claimed the right of justice for themselves, adjudicating conflicts among their serfs and tenants in the countryside and exempting themselves from podestarial jurisdiction. With each regime change came a period of violence and instability, followed by a limited accommodation and a diminution of violence as one faction slowly dominated the other. The instability of Bolognese politics appears as a generational phenomenon, with each new generation of clan leaders fighting among themselves to re-establish hegemony over Bologna. The addition of the papacy to this volatile socio-politics made the factionalism of Bologna a murky, three-way affair. The papacy’s nascent rule was challenged initially by members of both Republican and Oligarchic factions, with elements of those factions accommodating papal rule in the latter half of the sixteenth-century in exchange for membership on various councils and administrative bodies. The major families on either side of the Republican-Oligarch divide (the Pepoli and Paleotti, the Barbazza and Malvezzi) variously participated in government and appear to have frequently stymied the efforts of legates to reform councils from within.  

This environment of deep factional instability remained a powerful social force in early-seventeenth-century Bologna, which should be considered a period of accommodation and quiescence as outline above. The seventeenth century, then, witnessed the failure of the Bolognese legation as a state project. A failure to achieve a functional civil society in which conditions of social trust were strong and reliable is the hallmark of papal governance in Bologna, and the


evidence of that weak state lies in its inability to restrain homicidal violence across the seventeenth century.

1.3 Defining and Prosecuting Homicide

This dissertation does not answer the question of why people killed each other; it instead explores the ways they killed each other, the relationships of killers and victims, the locations and spaces where homicides stained the ground, and the ambiance of a particular time and place—seventeenth-century Bologna—that fostered extreme levels of bloodshed. It engages six frameworks of interpretation as outlined above, all of which engage in some way with the ideas of Norbert Elias, and all of whose conclusions are beholden to the database of violence established by Manuel Eisner, which has grown in collaborative research since its first publication in 2003. The definitions and understandings of homicide this research employs are hybridized from the best historical scholarship available, augmented with readings in the psychology, sociology and anthropology of violence.

What constitutes homicide is an easier question than what constitutes violence. To William Miller, enmeshed in the generational feuds of Icelandic lore, violence as an analytical concept was “hydra-like,” its definitions always “perspectival” involving at least three actors: the victim, victimizer and the witness. In any given act, these three or more actors may have different and overlapping views on whether the act was violent, how so it was violent, and against whom that violence was directed. This fact complicates the study of historical violence because modern scholars reading historical documents bring their modern perspective on Violence with a Capital V. Most modern readers would agree that burning a sack full of cats constitutes Violence, and that it is abhorrent or at least amoral. Yet cultural historians have shown us that animal cruelty featured strongly in the ritual


lives of early modern Europeans and performed vital community functions.\textsuperscript{113} The study of violence is fraught with this definitional problem, and attempts to determine just “how violent” a society was become mired in relativism and comparison.\textsuperscript{114}

Homicide is easier to define since its basic meaning is that someone is dead. This \textit{sine qua non} of homicide makes it an attractive object of study for historians concerned with unknown figures of unreported crimes in sometimes fragmentary documents: a body is difficult to hide forever, and someone’s death usually aggrieved somebody else, who then sought some kind of justice. From a stripped-down judicial standpoint, a homicide occurs when someone dies of unnatural causes, warranting an investigation into that death.\textsuperscript{115} Scholars define it starting from this point, subsequently narrowing their analytical criteria. Spierenburg, for example, includes infanticide and the fatal violence of children and adolescents but excludes state and police homicides.\textsuperscript{116} Roth, in his work on homicide in early and modern America, includes all of these categories, but excludes non-adult homicides and disaggregates his homicide rates into discrete categories emerging from his database, each with their own sub-definitions.\textsuperscript{117} The disagreements in analytical definitions between these two scholars, who represent the foremost arguments in the debate on historical homicide, are the result of


\textsuperscript{114} Cf. Neal Garnham, “How Violent Was Eighteenth-Century Ireland?,” \textit{Irish Historical Studies} 30, no. 119 (May 1, 1997): 377–92. Garnham concludes that eighteenth-century Ireland was more violent than England, but about as violent as rural parts of France at the same time. He is clear that this \[WHAT?] was “excessive” and blamed “a state that lacked both the means and the will to intervene,” p. 392.

\textsuperscript{115} This is the most basic understanding at work among \textit{Torrone} notaries, who, in about 40 cases in this sample, initiated \textit{processi for homicidium} which were revealed to be accidental deaths or other non-culpable deaths.


methodological, evidentiary and institutional differences discussed below. As a result of these same considerations, this dissertation employs its own modified analytical definition.

658 investigations or trials into homicide, 675 including accidents and infanticides, inform this analytical scheme. Of these, 22 trials dealt with incidents that involved more than one victim. There were 19 double homicides, a figure which includes situations in which both the intended victim and his/her assailant were killed; two triple homicides; and one brawl that resulted in five deaths. The large majority of homicidal acts, then, resulted in only one body, although they often involved more actors as both aggressors and victims. The number of killers is almost double the number of victims, although that number is itself misleading as well. In certain years, individual violence appears to have been the norm, particularly towards the end of the century under consideration. During the middle decades, group violence became prevalent, particularly from 1632 to 1660; in each of these years, the number of killers was close to, or more than, double the number of victims. This indicates a strong cooperative or factional element in the violence that plagued Bologna in the mid-century, and it suggests roots in changing social structures that affected groups and classes of individuals collectively; in these years, the high levels of in-group violence practiced by nobility and increasing levels of violence between social classes demonstrate how violence can function as a barometer of social stability and economic aspirations.

From these characteristics we can more easily define homicide in early modern Bologna. At its most basic level, “homicide” referred to a death that required explanation—that is, was not apparently natural—and may have been caused by the act or omission of another individual or group. The presence of a body that alarmed somebody was enough to initiate a judicial process in the Torrone. Analogues exist to our modern typologies of homicide, ranging from accidental death or death by negligence to first-degree murder. In Bologna, the primary categories of homicide prosecuted by the Torrone were:

- **Homicidio casuale**: This term usually refers to a homicide whose cause is suspected to be or has been shown to be accidental; these include certain traffic incidents, falls, worksite
accidents and some drownings. An additional important category of accidental death is accidental shootings, often by young boys, of their siblings or friends. These cases were prosecuted as homicides and usually dismissed with the registering of a peace accord from within the family group. While some of these *homicidi casuali* are self-evidently accidental and can thus be excluded from an analysis of externally inflicted death, others present a degree of ambiguity that was felt even by the notaries and judges investigating the incident. These have been included in the overall homicide rate and account for a total of 25–30 cases, depending on the researcher’s ultimate judgment as to what may have occurred.

- *Infanticidio:* Infanticide is a crime that was prosecuted with varying degrees of assiduousness at different times and in different places, and which is extremely difficult to track with any means of statistical validity. Infanticide is generally defined as the killing of infants less than one year of age by one or more parents. Problems of reporting and discovery make the potential “black figure” for infanticide extremely large, a problem which Gregory Hanlon has proposed to solve by the induction of infanticide patterns through comparison of sex ratios at baptism to expected universal sex ratios at birth.\(^{118}\) This method still lacks a means to provide precise measures of infanticide in either numbers or gender proportions; as such, it can only hint at historical possibilities without providing concrete evidence.

Tentatively accepting the assumption that substantially more infanticides occurred than were prosecuted, but unable to track these infanticides in any documentary fashion, this dissertation accounts for 17 cases of infanticide prosecuted by the Torrone over the course of the century; infanticide investigations occurred in the last two years of the sample, 1690 and 1700, in 1660, in 1640 and in 1630 and 1610. The other five years do not contain any records of infanticide trials. The presence or absence of investigations for infanticide should not be taken as evidence of the act’s prevalence; rather, they reflect the court’s current

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preoccupations. Tridentine reform called for the reporting of all births outside of wedlock, a requirement which theoretically reduced instances of infanticide by removing from a single mother the opportunity to birth a child in secret and dispose of it without anyone noticing. All cases tried by the Torrone were for the killing of newborn infants, often discovered shortly after the birth. These cases are ambiguous at best and often break down into a “she said / the neighbour said” situation, in which no satisfactory evidence could prove the circumstances of the child’s death (or life) beyond a doubt. These cases generally ended in the mother’s conviction, and in some cases, the father’s as well; punishments ranged from banishment to execution.

- **Homicidio**: This is the largest typology of homicide identified by the Torrone and is a catch-all for violence that occurred spontaneously, over the course of an argument, or following some previous altercation. Critical to its distinction is that homicides in this category tended to be crimes of opportunity or at least lacked clear signs of forethought and planning. Again, this is an ambiguous category whose borders may overlap with both **homicidio casuale** and more serious infractions. It refers primarily to the circumstances immediately preceding the attack and does not reflect the nature of the relationship between the killer and the victim, a variable which is critical in determining the killer’s motivation and in classifying the homicide in more detail. These cases account for the large majority of prosecuted homicides and may correspond to modern notions of manslaughter and second-degree murder.

- **Homicidio appensate**: This is the analogue to modern (and pre-modern British) concepts of homicide with malice aforethought, or first-degree murder. This category appears most often in cases where the Torrone believed the murder to have been part of an ongoing relationship of enmity, often expressed as vendetta or revenge killings. Of course, revenge killings were often not labelled **appensate**. The geographies of violence can indicate a great deal about whether a killing was planned or not; for instance, those that take place in churchyards before or after mass speak to a deliberate decision to engage in violence in a culturally significant area. **Homicidio appensate** is a term Torrone judges used primarily to indicate their awareness
of a recent past of conflict between the parties, but it does not definitively isolate these cases from other homicides that also contain obvious elements of planning and preparation.

- *Homicidio cum qualità assassinamento*: *Assassino* is a false cognate for English speakers. It refers not to killing for payment or by hire but rather to the forced taking of goods from someone’s person; this is distinct from pick-pocketing and other minor forms of theft in that it was primarily a monetary crime, rather than object-driven, and distinct from armed robbery of houses or businesses in that it usually took place on a roadway or other route of transit.¹¹⁹ It is related closely to banditry. *Homicidio cum qualità assassinamento* occurred when these violent waylays resulted in the victim’s death. They were generally discovered when a search of the victim’s cadaver revealed an empty purse, a message bag that had been emptied on the ground, or a jacket whose inner lining had been shredded in search of hidden pockets. Conversely, these crimes could be identified as “assassinations” when witnesses noted that the murder was motivated by the chance for material gain.

These five categories represent the Torrone’s view of homicide; its most severe punishments were administered to those who committed infanticide and *assassinamento*, crimes which were considered more serious due to the helplessness of the victim or the craven motivation for material surplus. As signifiers of the Torrone’s priorities, they indicate that the court viewed a large majority of homicides as typical manifestations of enmity and anger in the city and countryside over which it held jurisdiction.

This study creates an additional set of typologies that more clearly reflect the subtleties and intricacies of homicides, and which refer to the relationships between killer and slayer; the degree of forethought; the group or individual nature of the act; and the level of predation that separates a homicide that occurred during a street fight from one that happened late, at night after a victim had been stalked home. These categories are artificially imposed by the researcher for the purpose of

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grouping homicide cases by similarity, identifying those which present more similarity than is at first visible if the categories of the *Torrone* are left unmodified. They comprise two main groupings that identify an act as either spontaneous or planned—each of these groupings divides into several sub-categories that reflect similarities in multiple variables.

Spontaneous homicides are rarely as spontaneous as they seem, and when analyzing cases in which violence erupted in the spur of the moment, it is important to remember that even the most sudden conflicts tend to have a history of their own; the issue in these cases is whether the parties entered into the situation intending for their history to determine the course of that interaction. These motivations can usually only be ascertained by a close reading of the cases and the perspectives of victims and witnesses, although the geography and timing of homicides also speaks a great volume here. For instance, cases in which an assailant waylays a traveler on the road can be either spontaneous or planned; whether or not the assailant lay in wait, and for how long, and what time the attack occurred may help indicate whether the attack was a crime of opportunity or a pre-planned instrumental attack directed at a habitual enemy. With that said, the database that informs this dissertation divides the 701 homicide cases, both spontaneous and planned, into the following sub-categories:

- Male-on-male equal-status social confrontation: These homicides are among the most common of all cases, and include a wide variety of incidents, motivations, number of parties, locations and social classes. These are conflicts that well up in the course of everyday life, for instance during a game of lawn-bowling in which one player accused another of unfair play.\(^{120}\) The parties are not differentiated significantly by their social status in any of these cases. Their homicides are the regular barometer of the stability of community and social trust.\(^{121}\)

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• Male-on-male differential-status social confrontation: Less common than cases of spontaneous violence within social classes, these cases refer to violence committed either “upward,” by relatively low-status individuals against their superiors—as when, on New Year’s Eve 1631, a blacksmith rejected a nobleman’s demands for respect and obeisance, and then emerged victorious in the ensuing firefight\(^\text{122}\)—or to violence committed “downward,” as when a member of the powerful Malvasia clan killed his employee Andrea during an argument over the spoils of the 1610 grape harvest.\(^\text{123}\) A large numbers of these homicides indicates the dissolution of trust in social hierarchies and institutional structures.

• Male-on-male familial conflict: Fratricide was by no means unknown to early modern Bolognese, nor was violence between family members who were not related by blood. The archetypal familial homicide is fratricide, of which there were several over the century, in all social classes ranging from itinerant groups of gypsies\(^\text{124}\) to the highest nobility.\(^\text{125}\) Within the lower classes, fratricide occurred over similar issues, and within all classes, fratricides occurred in the course of drunken arguments.\(^\text{126}\) Given the ubiquity of kinship and its metaphors in Italian social life, familial violence, too, is a measure of local stability and the strength of neighbourhood bonds.\(^\text{127}\)

\(^{122}\) ASB, Tribunale del Torrone, Atti e Processi, II.138.5922.

\(^{123}\) ASB, Tribunale del Torrone, Atti e Processi, II.138.4264, folio 231.

\(^{124}\) ASB, Tribunale del Torrone, Atti e Processi, II.138.6946, unnumbered fascicolo, 1670.

\(^{125}\) ASB, Tribunale del Torrone, Atti e Processi, II.138.5857, folio 299, 1632.

\(^{126}\) ASB, Tribunale del Torrone, Atti e Processi, II.138.6635, unnumbered fascicolo, 1652.

• Male-on-female familial conflict: Uxoricide accounts for a small number (7, approximately 1%) of cases across the century, and it occurred primarily within peasant and artisan families. The relative absence of uxoricide should not be taken as an indication of low levels of domestic violence by any means. Currently, there is no statistical analysis of the prevalence or absence of marital violence in Bologna that would allow for a proportional analysis of fatal violence.128

• Male-on-female social conflict: The largest proportion (10) of these cases concerns jilted lovers or the jealous clients of prostitutes. The relationship between killer and victim matters here: was he her lover, jealous of her and enraged by the overtures of other men? Or was he a spurned potential partner, denied sexual access by a woman he considered to be a libertine, knowing that she regularly had relationships with other men, and furious that she should reject him? Both relationships are evident in the record of violence, and they provide a window into the intricacies of broken social and amorous relationships.

• Female-on-male familial violence: There is one case of husband-killing in the records, from 1690, in which a wife was convicted of poisoning her husband. This is an extremely rare phenomenon in early modern Bologna and will be explored in detail below.

• Female-on-infant familial violence: The large majority of female killers who acted alone (7/10) were prosecuted for infanticide. Without a doubt, more infants were killed by desperate parents faced with the brutal algebra of necessity in a rural society of endemic poverty, than led to trials in the Torrone; lacking a verifiable number for these cases leaves researchers imputing a level of violent behaviour to mothers and fathers that cannot be shown without sensitive reading of the appropriate sources.129


129 Hynes, [WHAT SOURCE?]520-30.
Female-on-female/female-on-male social conflict: Women were not frequent killers, and those who killed outside their family were often aiding and abetting their male relatives in the prosecution of their conflicts (9/11). Female killers were an extremely small minority, particularly if one ignores imputed infanticides and female participation in primarily male conflicts. The two definitive cases of female-on-female homicide both stem directly from a woman's attempt to guard fragile resources during vulnerable times of the year.

This schema is more useful for the organization of a database than for deployment in a dissertation, in part because the sample size for many of the categories is so small, while male-on-male violence overwhelmingly dominates the record of homicide. But it helps to define the terms of this argument: that the social structures influencing peace in Bologna suffered through the seventeenth century and that homicidal violence accompanied their suffering. Homicide, for early modern Bolognese and for this dissertation, was the wrongful killing of another person that required composition to either the victim's kin or to the state. Pace Roth, this included police or law enforcement murders; from Spierenburg, it included adolescents, who still needed to make peace even for accidental killings. When the Torrone ruled a death an accident and all indicators point in that direction, this dissertation excludes that death from homicides; but when an accident was protested as a homicide or satisfaction made to the victim's kin, that death is included as a homicide. This is admittedly an expansive analytical definition. But it encapsulates the ubiquity of fatal violence in this early modern society, even at its most peaceful. With aggregate homicide rates never reaching lower than about 13/100,000, early modern Bolognesi saw many killings. Their grief over wrongful deaths pushed them to seek redress, which brought them to the notaries of the Torrone.

1.4 Method and Sources

Two tasks animate this dissertation, necessitating a combined quantitative and qualitative method in order to ground Bologna’s high levels of violence in the society of seventeenth-century Italy and the Papal states. The first is to establish the incidence and frequency of homicide prosecutions in Bologna across the seventeenth century. To do so, this dissertation makes its argument through the collected homicide trials of Bologna’s powerful court. At its simplest, the research method employed
here is one of counting and naming—a nominal body count, in which over 90% of cadavers are identified by name and origin, provides the underlying data for anthropological and sociological reading of the trials themselves. To accomplish this task, I surveyed homicides prosecuted by the Tribunale del Torrone in approximate ten-year gaps: the sampled years are 1600, 1610, 1620, 1632, 1640, 1652, 1660, 1670, 1680, 1690 and 1700.\textsuperscript{130} This dispersed sample allowed me to reliably assess the Torrone’s activity during eleven years across the century, and to create a database of homicide characteristics that tracks the details of homicides across 41 fields of attribute data. In total, the database tracks 658 trials investigating 701 homicidal events; infanticides and accidental deaths are not included in the database, and instead given their own treatment in Chapter Six, since their social contexts and the court’s approach to these crimes required separate analysis. Furthermore, records of execution for the entire period under consideration (1600–1700 inclusive) document 551 capital punishments carried out in Bologna in the seventeenth century.\textsuperscript{131} However, the analysis of Bolognese homicide here moves beyond the accumulation of numbers and names: a comprehensive study of homicide and its prosecution cannot rest solely on a statistical count of violence, even though it must provide one.

The database thus tracks homicidal events, killers and victims to establish the basic incidence and frequency of prosecuted homicides in seventeenth-century Bologna. Beyond dates, locations and names, it collects additional qualitative and quantitative information about killings. Theis data include the age of victims and killers, where available. A victim’s age is easy to come by: it was estimated in most body inspections, which were performed by a notary and two witnesses, one of whom was usually a medical doctor (in urban contexts, affiliated with the university medical school) or a barber-surgeon (in rural cases, usually the local mender of broken arms). The age of killers was recorded much less frequently, and very rarely in a concrete form—killers were often described as young, giovane, without a specific age being given. Age is important for our understanding of

\textsuperscript{130} These are conserved in the Archivio di Stato di Bologna under a dedicated fonds, Tribunale del Torrone, Atti e Processi (hereafter Torrone) which contains some 12,000 bundles spanning the period 1550–1800.

\textsuperscript{131} Archivio di Stato di Bologna, Gonari delle Giustizie seguite in Bologna del 1050–1730.
homicide because of the universal preponderance of young men as killers.¹³² The difficulty presented by Bologna’s data, which does not include a reliable amount of age data for killers, is that the database is unable to account for the ages of killers in a concrete fashion; using guides like the term giovane, or inferring a killer’s general age from the identified age group and social station of his peers allows some compensation for this fact, but the consequence is that the ages of killers do not bear significant statistical weight in this analysis. However, equally significant patterns in homicide prosecution do lend themselves to a statistical reading and are used to establish the broad characteristics of fatal violence in Bolognese society.

These patterns include the seasonality of homicides, which in Chapter Three is revealed to be regular and perennial. So too with the division of weaponry used in homicides: as Chapter Three reveals, firearms played the largest part in accomplishing homicides, with edged weapons (from bread-knives to broadswords) filling in the majority of the remainder. The gender of killers and victims is also reliably recorded in all homicide trials, making analysis of the levels of participation of men and women in fatal violence possible and reliable: the results are, as noted above, weighted very heavily on the male side. This data all enters the database as quantifiable: they are, by their nature, concrete and countable.

Certain data required a quantitative approach to establish the characteristics of homicide, but were initially presented in a qualitative form, requiring modification to contribute meaningful to a statistical picture of the characteristics of homicide in North Italy. The relationships of killers and victims are qualitative data that nevertheless form an important aspect of the quantitative survey of homicide: how were killers and their victims related, if at all? The many qualitative terms used to describe relationships in early modern Italy—the range of immediate family terms, plus broader relationships like amico, padrone, servo and other terms denoting some form of social or economic relationship, make clear identification of relationships difficult in a database. To integrate a picture of relationships into the quantitative survey that forms the basis of this dissertation, relations were

¹³² This phenomenon is well-known and well-established. Cf. Daly and Wilson, Homicide, 18–20, 137–40.
coded in a process known as *qualitative coding* that allows qualitative data to be separated into categories and sub-categories. Each of the seven categories of relationship (from “First-Degree Consanguinity” to “Unknown / Stranger” is assigned a number that allows for direct comparison between large numbers of trials to determine larger patterns of relationships in the commission and prosecution of homicides. This allowed for relationships to participate in the statistical basis of the dissertation and to form one of the axes of analysis that are laid out in Chapter Three. Qualitative coding is an important aspect of the history of violence, one whose characteristics are not always immediately reduced to numbers and must be modified for analysis as a body of data. A similar method of qualitative coding was applied to the professed or imputed motivations of killers when they are available in trial documentation, and is explored further below.

The quantitative survey conveys the general patterns of homicide across the seventeenth century in Bologna, the shape and contours of its prosecution; but it elides the deep social, economic and political contexts in which men and women killed one another. Here the quantitative research, heavily influenced by sociology’s insistence on the accumulated weight of numbers, is buttressed by traditional historical and anthropological interpretations of broader cultural currents. Thus, the sharp rise and fall of homicide rates that emerges in this dissertation is not interpreted in a vacuum: rather, it serves as a guide for focused analysis of the moments when homicide patterns changed drastically. Qualitative analysis determined, for instance, that the rise in prosecuted homicide rates beginning in 1632 emerged at least in part from a broad reaction to the Legate Bernardino Spada’s quarantine policies, which gave draconian new powers to the court and its officers; it also emerged in part from the general dissolution of social order that accompanied the epidemic, leading to conflicts over resources and land, and renewed agitation by anti-papal factions of the nobility. Economic disasters, such as the decline of the hemp and silk trades in Bologna and repeated poor harvests and faminescares, also contributed to shifts in the social characteristics of homicide and the prevalence of certain societal groups, such as artisans, in homicide records. The nominal count of homicide can convey, in

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133 On the complementarity of qualitative and quantitative approaches to research, Cf. Carl F. Auerbach, *Qualitative Data: An Introduction to Coding and Analysis* (New York: New York University Press, 2003), chap. 3.
the absence of perfect data and the rigorous statistical analysis that perfect data permits, homicide patterns, but it relies on qualitative analysis to supply the setting and the context for the tales of violence documented in *Torrone* trials.

Qualitative analysis also boosts our understanding of the extreme spike in homicidal violence of 1660. Removed from the long history of antagonism and negotiation between popes and nobility, much of the violence in that year appears capricious and unexplained. However, by investigating the long context of violence as well as the immediate political, economic and social environments in which it occurred, the violence of mid-century Bologna reveals itself to have been an all-out civil war between loosely defined but well-known factions of nobility, their retainers and their followers. “Senatorial” nobles such as the Paleotti, who had accommodated themselves to papal rule and realized that opportunities for social advancement lay in participation and negotiation within the absolutist state, found themselves and their employees under assault by “oligarchic” noble families, such as the Malvezzi, whose commitment to independent rule had only been strengthened by rural land grants intended to mollify rebellious nobles in the mid-sixteenth century.134 Sometimes drawn from the ranks of Senatorial families, officers of the court also became targets and soldiers in this war, from low-ranking thief-catchers and *sibiri* to salaried judges who had condemned noble killers. Factional violence and other forms of revenge killing generally possess long histories, and fitting individual episodes into those histories is critical to understanding their significance. Moreover, this spike in violence occurred in the context of new legislation that redefined the legal status of nobles and their followers, setting limits on practices, such as loitering in large groups while wearing factional livery, that were associated with noble violence—acts that were, by the seventeenth century, criminalized by the secular court. These contexts require exploration if the mid-century civil war is to be legible to modern historians.

Finally, qualitative analysis of cultural norms and categories assists in approaching homicides that resist quantitative analysis because of their low incidence or the lack of firm data establishing that a death was, indeed, a homicide. In particular, this applies to infanticides, accidental deaths, and accidental shootings committed by children in the home. In four cases, a child between the ages of five and fifteen, playing with an absent parent’s schioppo or shotgun, accidentally discharged it and killed another child between five and fifteen. In these cases, the Torrone investigated the death as a homicide and absolved the child and the child’s parents of judicial penalty only after peace was made between families and a fine paid to the court. So too in the three cases in which children were run over by carts or carnival floats; drivers made peace with families and were absolved of penalty beyond fines and fees. Regardless, the initial investigations treated the deaths as homicides, and further reading of the case materials in the context of Torrone legislation on accidental and vehicular deaths is necessary to make a final determination.

The core of legislation produced by the Senate, Legates and Torrone over the sixteenth and seventeenth centuries provides prescriptive context for its homicide investigations and trials. Broadly, judicial legislation in Bologna during this period was aimed at improving the court’s appearance of transparency to as broad a swath of the population as possible: in short, to demonstrate open access to justice to all. Decrees largely focused on notaries as potential fonts of petty corruption or on noble overreach of authority in the contado. Throughout this dissertation, analysis of homicide trials is buttressed by the court’s administration and legislation: when trends in prosecution, such as in infanticide or domestic homicide, accompany legislation directed at those forms of killing, it becomes clear that the Torrone’s wide net remained unable to catch the most private of homicides that targeted society’s most vulnerable.

That an unknown “dark figure” of undiscovered homicides surely exists beyond the corpus of judicial materials at this dissertation’s core is an unfortunate fact of early modern research into violence and crime. The evidence is persuasive that homicide, due to its heinousness and high visibility, is the act best able to shed light on this dark figure: it is rare for a murder to go
undiscovered. Randolph Roth and Eric Monkkonen, scholars of the modern period, have both argued for the “capture-recapture” method of historical homicide research, in which journalistic and other non-state data on homicide augments a homicide count (and therefore, homicide rates) derived from legal / judicial sources. The closest seventeenth-century Italian approximations to the sorts of mundane crime reporting that might add homicides to the count here (derived from the constellation of Torrone judicial sources) are perhaps the guerre di ottava rime and other petty items of print peddled in cities across the peninsula. However, these were more likely to advertise snake-oil cures for the plague or to recount semi-reliable tales from regional and far-flung wars and politics. They were not interested in the murder of wives by husbands or children by families—the very kinds of homicide least likely to fall into the judicial trap, least malleable to concerted judicial and political will and most culturally conditioned in their patterns of prosecution and punishment. Chronicle evidence, the next approximate, also tends to erase the histories of Bologna’s back alleys in favour of murders of nobles in piazza, homicides which certainly attracted judicial attention. Parish records of burials, which inconsistently note cause of death, might slightly supplement the count but their survey remains beyond the scope of this dissertation. For an advanced early-modern state such as Bologna, the judicial record of homicide, which includes medical testimony and civic denunciation, is the closest approximation to homicide’s incidence that is likely to emerge without sustained research burial records, which themselves promise no certain return.

This dissertation does not, therefore, attempt a perfect reconstruction of homicide rates per 100,000 population in Bologna across the seventeenth century. Rather, using the rates at which the Torrone prosecuted wrongful death as a basis for comparison over time, it outlines the shape of

homicidal violence in Bologna across the century. It argues that its prosecution by a centralizing, secular criminal court bred reactionary violence among certain sectors of the nobility before its machinery was able to effectively eliminate much of those factions. Nor does this dissertation claim that the prosecution or incidence of homicide is reflective of wider patterns of violence in this part of early modern Europe. How often and why early modern Europeans killed one another is a worthy enough topic of study without needing situation in the robberies, insults, thefts and quarrels that otherwise populate the criminal archives. The nominal count of prosecuted homicides is mined quantitatively as a guide to qualitative analysis of the trends, contexts and social effects of frequent interpersonal killing as a fact of life in early modern Bologna.

Two issues loom large in qualitative analysis of homicide trials; one complicates our reading of cases and therefore necessitates consideration of the other. Motivation, or its narration by killers, witnesses and pre-mortem victims of homicide, is notoriously difficult to parse in historical settings where the impulse to violence is triggered by emotions and situations unfamiliar to modern readers. Often what appears as a mundane conflict is explained in superficial terms by participants and witnesses: on 2 August 1610, two men in Manzolino quarreled over who owned a hat, and one of the men died; witnesses ruefully stated that the slayer killed a man over woven straw. Are we to take this as the motive and cause of this unfortunate death? Randolph Roth and others argue for three elements to motivation or cause in homicide: the immediate, the proximate and the ultimate. In this case, the immediate cause of the homicide was a quarrel between two men over hat ownership. However, the proximate cause should be seen as the stress and strain of a long harvest season in blistering heat, where the loss of a hat could mean dehydration, sunstroke, potential illness, or worse. Beyond that, the ultimate cause of the recourse to fatal violence in a fight over a seemingly small item was the endemic poverty of Northern Italy that kept farm labourers and peasants tied to a mezzadria system of land that left little surplus for peasants as a guard against frequent famines that had

139 ASBo, Torrone, 4254, f.51.
wracked Northern Italy since the 1590s. This example shows how the motivation for or cause of homicide can be multifaceted, related at once to an immediate outburst of emotion and anger while being grounded in the rhythmic contexts of social life and the deep structural fault-lines that existed in the economy and society of early modern Italy.

The complicated picture of motivation in early modern homicides forces historians to build upon their interpretations of homicide cases by paying close attention to the relationships between killers and their victims, and the local and regional communities in which they all moved. Violence strikes close to home, and homicide among people at least acquainted with one another represents the large part of killings surveyed historically. How closely the killer and victim were related helps to shed light upon the emotional and social contexts of their conflict or the killer’s predation of the other. Established relationships of conflict or amity can place the killing in its own history. Similarly, the absence of any apparent relationship between killer and victim can point historians to material motives or the not-insubstantial role of alcohol in much spontaneous male-on-male violence. The combination of qualitative analysis of the multiple causes of homicides and assessment of homicidal relationships illuminates the nuances of culture and social action that a focus on homicide rates alone masks. This twin focus also helps to orient this dissertation’s argument towards the shape of homicide in Bolognese communities and its prosecution by the powerful Torrone, instead of attempting a strictly statistical assessment of homicide rates and characteristics.

1.5 The Shape of Homicide in Early Modern Bologna

The homicides investigated in this dissertation were all investigated or prosecuted by the Tribunale del Torrone, which became a particularly vivid symbol of papal rule by consolidating its control over criminal law in Bolognese territory. The Torrone refined its process and practices

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throughout the seventeenth century. It employed its judicial apparatus not to dominate and punish the bodies of a population, but to attract ordinary Bolognesi to its services rather than taking their litigation to a noble padrone for sponsored resolution. It possessed specific legislative powers and experimented with firearms regulation across the century, with policies ranging from a complete ban on firearms to the mustering of an armed rural militia. Aware that its police force was “one step removed from the very criminals they were hired to catch” the court attempted to regulate and professionalize the sbirri who carried out its arrests. In punishment, the Torrone demonstrated a considered and restrained approach to violence. Contumacy and consequent exile were the most likely and common results of homicide trials. By mid-century, exile was more often under the threat of galley service than of death. Executions in Bologna became fewer and fewer, averaging less than 2 per year in the 1690s. Executions were more often for robbery or counterfeiting than for homicide, and the elaborate theatre with which Foucault characterized ancient regime executions had long disappeared. Few killers were executed due to the Torrone’s role as both an adjudicator of conflict and a potential party to it. The court preferred to leave killers alive and to foster the conditions under which peace might be made and the killer returned to his community and pardoned. (Ch. 2: The Tower of Justice)

However, the presence of a centralized and bureaucratic criminal court failed to achieve the reduction of homicide rates seen under similar circumstances in England and the Netherlands. Rather, as Chapter Three demonstrates, Bolognesi continued to kill each other at high rates in the pursuit of revenge and romance, to defend their families and properties or to take someone else’s. In large part this is due to the decline of trust in political and social institutions over the course of a series of economic, natural and political disasters in mid-century. (Ch. 3: Homicide in Bologna, 1600-1700)

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143 Foucault, Discipline and Punish, chap. One.
Violence in the rural world was conditioned by environmental and economic instability. The Torrone made haphazard efforts to provide security, justice and conflict resolution to rural communities, eventually drawing rural Bolognesi into the judicial fold. Still, the Great Plague of 1630 severely impacted demographic structures, property portfolios, and labour markets. The thirty years following the plague saw drastic changes in rural homicides, particularly in conflicts over property, food and money. Prosecutions for some forms of homicide, like infanticide, are unique to the contado and present particular analytical challenges. Homicide in the contado was much less susceptible to police and judicial action than it was within the city, where the apparatus of the state was stronger and more visible. Achieving general regional stability by the end of the century aided rural communities in returning homicide rates to where they were in 1600. (Ch. 4: The days after no future: Rural Homicide after the Great Plague)

Urban homicides were more governed by tensions re-emerging from cracks in Bologna’s political regime. In particular, radical factions of Bologna’s nobility rejected the civility on offer by papal magistrates. After a period of quiescence, leading noble clans such as the Barbazza and Malvezzi returned to, and amplified, the private warfare and practices of vendetta-as-politics that characterized the medieval regime. Other noble families, such as the Paleotti and the Pepoli, advanced their interests through papal bureaucracy and governance, and so responded with violence to renewed oligarchic agitation. These resurging nobility formed and presented their masculine and political identities through skillful violence, using swords when guns were easily available. In mid-century, anti-papal sentiment peaked with a series of murders of judicial and governmental officers by aggrieved nobles and their henchmen. Although rooted in the politics of rural power, this process was primarily an urban one. (Ch. 5: It’s good to have land: The noble defense of privilege through violence)

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Domestic and family homicides prevailed in both town and country. Almost one seventh of sampled homicide prosecutions accused the victim's relatives by blood or marriage. Uxoricide loomed large in the records of domestic violence and appears in generally consistent numbers across the century. The court responded more harshly to uxoricide and other domestic homicides than to banal male-male interpersonal violence. Fratricide occurred among all classes during disputes over inheritance, legitimacy and property divisions. Families fought amongst themselves but more commonly as units. Internal hierarchies within these families proved critical to making peace between kin groups. The imagery and metaphor of kinship is ubiquitous in avenues and rituals of peacemaking, pardon and social reintegration. Records of violence show that one’s kin were a source of both comfort and conflict. (Ch. 6: Kinship and Homicide in Early Modern Bologna)

The disruption of social peace that occurred in Bologna across the seicento complicates our understanding of the sharp decline of interpersonal violence in much of Europe during the same period. The resurgence of noble factionalism following a period of quiescence shows that the civilizing process—or better, civilizing processes—was contingent upon the participation of multiple orders of society. When a powerful sector, such as noble families whose rural privileges were sharply curtailed by successive papal legates, rejected the terms of central authority, gains made in creating a more ordered elite class were lost and violence resurged. However, the acts of Bolognese nobility also counter a strictly functionalist argument in which violence is part of a considered political strategy: by the seventeenth century, papal rule over Bologna was a reality and the most successful Bolognese nobles recognized this fact and accommodated themselves to its new institutions.

Moreover, it was artisan and laboring communities that drove the Torrone's ascension as the supreme court of the land. In the turbulent judicial marketplace of late-medieval and early-modern Bologna, during multiple transitions between oligarchic, podestarial, feudal and papal justice, Bolognese communities over time voted with their feet. The increasing volume of testimony dedicated to the mundane struggles of everyday life buttressed and helped to finance the court's displacement of the patchwork of seigneurial tribunals that operated in the shadows of rural fiefs. In Bologna, where the nobility retained their capacity to violence in the face of a centralized judicial
regime, any civilizing process that occurred was the result of blacksmiths, butchers and farmers settling their conflicts on paper, beneath the shadowy bulk of the *Torrone*, rather than with knives in the hot summer fields of Medicina, on narrow mountain roads near Camugnano or behind taverns in Castel Bolognese.
2 The Tower of Justice

2.1 Introduction

The centralized criminal court of the *Tribunale del Torrone* was the papal answer to the medieval turmoil in Bologna. After Julius II conquered the city of Bologna in 1506 and expelled the Bentivoglio oligarchs, he was faced with the difficult task of restraining the city's nobility and curbing their independence. After the failed Bentivoglio rebellion in 1509, Julius vowed to strip the noble families of their traditional rights and privileges. This meant removing the nobles' right to exercise justice both within the city, by influencing the operations of the podestarial court, and in their feudal territories of city's hinterland, through the direct operation of criminal and civil courts of first instance. The urgency and importance of this task reflected the conquest's unique characteristics as both an episode of the Italian wars of the late fifteenth century and as a popular rebellion of the city's people against the elite families' tyrannous rule. The city's papal sovereign needed to curb the noble class's hereditary privileges of justice, while its inhabitants wanted the efficient and reliable vehicle for conflict resolution they had received under medieval courts.

The first decades of the sixteenth century found Bologna's courts in flux as a result of the conquest. Gradually, the Papal Legates—Cardinals installed as city governors by the papal overlord—increased the power and reach of the criminal court and inserted papal representation firmly into the system of criminal justice. The inefficiencies of podestarial justice drove plaintiffs, lawyers and jurists toward a centralized legatine court. The judges and notaries of the *Tribunale del Torrone* cemented inquisitorial and summary procedures and claimed a monopoly over criminal justice in Bologna and its entire environs. As a project of papal absolutism, the *Tribunale del Torrone* represented the ideal goal of the early modern prince; the court became perhaps the most functional arm of papal absolutism, more efficient and effective at its task than the *Senato*

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was at legislating. But the process was a slow one: the Torrone finally secured its judicial monopoly at the end of the seventeenth century. Paradoxically, it was able to do so because of, not despite, the nobility’s continued resistance to the court’s jurisdiction, which culminated in a wave of violence in the late-seventeenth century. Rural bolognesi increasingly brought their conflicts to the Torrone for resolution, rather than to a court operated by local feudal powers. The central court’s less capricious and more efficient solutions made it the better option for bolognesi of all stripes. The mixed use of summary justice and inquisitorial process made this victory possible.

The medieval period was dominated by extreme changes in the judicial process and featured a decisive non-linear evolution from accusatorial to inquisitorial procedures. The Torrone’s basic structure and function was established by the mid-sixteenth century, however, in a period when similar courts were developed elsewhere in Italy; it persisted in much the same shape until the eighteenth century. In response a powerful and rebellious nobility, the court established a structure more professional than the courts operating in contemporary states. In Florence, for example, Cosimo I had effectively redirected Florentine nobility away from oligarchical competition and towards bureaucratic service as the route to political power. Brackett sees the centralized criminal court as an important aspect of sixteenth-century Florentine governance and surveillance. It extended the reach of the Medici dukes into the quartieri of the city and the many ville of the Tuscan state, much as Cosimo I had used patronage and clientage to staff major charitable institutions and hospitals.147 Despite the continued existence of multiple criminal courts in Rome throughout the sixteenth century, the increasing

centralization of Roman political power around the College of Cardinals brought these courts into closer operation and influenced the use of inquisitorial procedure by all. Nevertheless, Roman criminal tribunals remained, as Irene Fosi argues, inefficient, ineffective and incapable of delivering justice.¹⁴⁸

The first half of the sixteenth century witnessed the development of these courts in the many duchies that sprang up across the Lombard plain and throughout central Italy, such as Parma, which became the hereditary duchy of the Farnese in 1548 and cemented its criminal jurisdiction with the public execution of a large group of nobles in 1612.¹⁴⁹ In Siena, the Medici courts pacified a politically restive urban nobility and adjudicated the minor quarrels of everyday life in rural hamlets such as Montefollonico.¹⁵⁰ Venice operated central urban courts but was unable to establish a reliable jurisdiction in its vendetta-ridden terra ferma empire.¹⁵¹ In the South, in the Kingdom of Naples, representatives from the Royal Court served as a court of second appeal for rural plaintiffs whose feudal overlords retained a robust local privilege of justice.¹⁵² These structural differences between North and South were perhaps not significant, as Hanlon and Torre

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¹⁴⁸ G. Signorotto and M. A. Visceglia, eds., Court and Politics in Papal Rome, 1492–1790 (Cambridge: Cambridge University Press, 2002); P. Blastenbrei, “Violence, Arms and Criminal Justice in Papal Rome, 1560–1600,” Renaissance Studies 20 (2006): 68–87; I. Fosi, La giustizia del Papa : Sudditi e tribunali nello stato pontificio in età moderna (Roma: Laterza, 2007). Blastenbrei argues that the ineffective justice of Rome was a result of “the lasting refusal of the great majority of the Roman population to cooperate with the organs of the papal criminal justice, and the predilection of the average Romans for arms,” but does not provide reasons why these two situations should have obtained.


The consolidation of the *Torrone* in Bologna was a process that lasted almost a century and a half, from at least 1525, the court’s earliest mention in documentary evidence, to the late 1660s when, following a decade of noble violence, the city expelled the leading members of the nobility. Indeed, the court truly eliminated the last vestiges of feudal jurisdiction only in the eighteenth century, following significant reforms instituted by Benedetto XIV.\footnote{G. Angelozzi and C. Casanova, *La giustizia criminale in una città di antico regime*; Angelozzi and Casanova, *La Nobiltà Disciplinata: Violenza nobiliare, procedure di giustizia e scienza cavalleresca a Bologna nel XVII secolo* (Bologna: CLUEB, 2003); Angelozzi and Casanova, *La giustizia criminale a Bologna nel XVIII secolo e le riforme di Benedetto XIV* (Bologna: CLUEB, 2010); T. Di Zio, “Il tribunale del Torrone,” *Atti e Memorie della Regia Deputazione di storia patria per le provincie di Romagna* 43 (1992): 333–348; Di Zio, “Il tribunale criminale di Bologna nel se. XVI,” *Archivi per la storia. Rivista dell’Associazione nazionale archivistica italiana* 1–2 (1991): 125–135.} An explanation for the long and arduous nature of this process may be found in the functional use of criminal justice in early modern Italy. The theoretical purpose of the court, according to its *Constitutione* of 1556, was to prosecute and punish malefactors.\footnote{ASBo, *Assunteria del Torrone, Bandi e Stampe, Constitutiones Turroni Bononie*, 1566, f. 1r–4v.} However, a thorough understanding and reading of its *processi* and the records of punishment indicate that, as under the earlier courts, its functional purpose was different: officials, plaintiffs and defendants viewed the court as a forum for conflict resolution. Accusatorial procedure traditionally placed the judge as an arbitrator between two private parties. The *Torrone* served a similar role, although it made dispute resolution a public matter between the court, the imputed criminal and his or her kin, the victim

\footnote{ASBo, *Assunteria del Torrone, Bandi e Stampe, Constitutiones Turroni Bononie*, 1566, f. 1r–4v.}
and his kin, and the communities around them. Initiated at the instance of a local bailiff or by a private citizen through a *denuncia* to the court, *ex officio* processi drew entire communities into an elaborate process in which men, women and children explained to the notaries and themselves the circumstances of a murder, arson, or a simple fight between two drunks in a bar. Through this process they confronted and discharged strong emotions, such as the impulse to revenge, and were guided by notaries’ skillful questioning towards reconciliation and, perhaps following a period of enforced separation of the parties, finally towards forgiveness. The purpose of the *Torrone* was not to execute every murderer in the papal state, but to prevent cycles of revenge violence from breaking out in both urban and rural contexts, and among all levels of Bolognese society. Indeed, analysis of the court’s execution patterns reveals that the state executed very few killers in comparison to the number of condemnations of those in custody. Inquisitorial procedure in Bologna thus allowed the state to expand its role in conflict resolution into the daily life of the most remote villages. While subject to occasional reform, the court retained its basic structure throughout the sixteenth and seventeenth centuries and grew in power as *bolognesi* resolved quarrels through its channels rather than the violent sponsorship of feudal nobility.

### 2.2 Origins and Structure

Tracing the emergence of the *Torrone* in the early-sixteenth century is difficult, but the issues that ultimately cemented its authority are clear. As Angelozzi and Casanova note, there was no foundational legislation that establishes the court, although its earliest appearance in documentary evidence is from sometime around 1525. During the initial decades of the court’s operation, it existed alongside a podestarial court and other vestiges of medieval justice in Bologna. A *bando* of 1535 detailing process and punishments to be enacted against homicides bears the authority of the podestà, an authority which was certified by the Legate Innocenzio

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157 Ibid., 24.
Cybo’s bando clearly shows that the podestà still held primary criminal jurisdiction in the 1530s, but that Cybo recognized the problems with access and objectivity that came along with it. In early 1536, he published ordinances for access to justice for the poor under the podestarial system. By this bando’s provisions, every Saturday the podestà chose one member of the Auditori di Rota to dispense summary justice in the podestà’s court for the following week. He also selected a procurator to act in defense of the poor, and reserved to himself the right to select an advocate for anyone who did not have one. Perhaps most importantly, the names of those selected for duty were posted on each and every palazzo in the city, as well as in main piazza and churches, so that all bolognesi would know who their agents were. Although still operating primarily under a podestarial judicial regime, in the early-sixteenth century, Bolognese officials were already addressing the problems of access and fairness that centralized justice was supposed to resolve.

The 1540s seem to be the critical decade in which the Torrone really emerged. Indeed, the first appearance of the Torrone in the bandi and proclamations of the Legates came on 14 February 1541, under the legateship of Bonifacio Ferrara. In a bando entitled Reformationes Turroni Bononiae Ferrara laid out the procedure and compensation of judges and notaries in criminal cases falling under the Torrone. Bonifacio stipulated the fees notaries could charge for receiving and inscribing a denunciation from a massaro (45 soldi for a homicide, 3 soldi for all others); the protocol for payment to notaries (absolved killers paid a ten scudi fee, while false accusers were responsible for the accused’s court fees); and the quality of persons hired to assist the court (doctors performing autopsies had to be registered with the Torrone in order to do so). A year later, the new vicelegate Fabio Mignanelli released a comprehensive list of “the salary and emoluments of the Judge and Notaries deputed to the Criminal Office” without specifically

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158 ASBo, Bandi e Notificazioni, Serie 1, No. 3, f. 6–8r.
159 ASBo, Bandi e Notificazioni, Serie 1, No. 3, f.13.
160 ASBo, Bandi e Notificazioni, Serie I, No. 3, f. 95.
referring to the *Torrone*. In 1542, the Legate Contarini published a *bando* written by a notary of the “Turroni Bononiae,” calling for the arrest and relegation of two men who had killed their enemy in a church. In 1545, Contarini released a *bando* in the name of the *Auditore del Torrone* that referred to the court’s 1542 banishment of all prostitutes from the *contrada* of Cento Trecento and exhorted all landlords to rent rooms only to honest people. Finally, a 1548 *bando* illuminates the participatory and public aspirations of the *Torrone*, a court that gradually inserted itself into daily life in the city and *contado*. This *bando* exhorted all *contadini* to take note of any crimes they saw, to rouse their communities to alarm, and to chase evildoers as a community with intent to bring them to justice. Community participation in justice—inquisitorial process initiated by a vigilante mob—became a crucial aspect of *Torrone* procedure and a hallmark of its legitimacy. Both the *Torrone* and its embryonic procedures made their documentary mark in the 1540s after a period of incubation beginning around 1525.

The *Torrone*’s structure differed significantly from the structures of contemporary courts such as the *Otto della Guardia* in Florence. Brackett argues that the Medici dukes maintained a policy of non-professionalization, drawing the eight judges of their criminal court from the broad pool of general applicants who staffed the Florentine bureaucracy as a whole. These judges served in teams of three and were served by a staff of notaries and bureaucrats who knew the system intimately and ensured its smooth functioning under what Brackett terms “citizen-judges.” In Venice, the major courts such as the *Dieci della Notte* and the *Cinque alla Pace* were

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166 Ibid., 14–20.
presided over by the patrician-merchants who made up the Venetian political class.\textsuperscript{167} In the multiple courts with criminal jurisdiction in Rome, a professional jurist known as the procuratore fiscal co-ordinated the activities of a diverse body of judges with various professional backgrounds.\textsuperscript{168} By the 1550s, the Torrone's structure was more formalized and more professional than any of those courts.

At the apex of the Torrone's hierarchy of authority was the professional judge known as the Auditore del Torrone, who served with full authority and whose office attracted a reputation for autocracy.\textsuperscript{169} This was a perennial post limited only by the judge's age and interest—unlike medieval Bolognese and contemporary Florentine counterparts, who served in rotating terms of between two and six months.\textsuperscript{170} Torrone judges appear to have taken their posts quite seriously, unlike Otto officials who may have seen the post as an opportunity to increase their personal incomes. Torrone judges could serve long terms, giving them a wide knowledge of and deep investment in the daily matters of city and country life. For instance, the Senato on 24 May 1661 celebrated the retirement of Signore Giuliano Laureti, who served as the Auditore of the Torrone for ten years beginning in 1651.\textsuperscript{171} His encomium reveals the ideal qualities of a Torrone judge: he was praised for observing the Constitutiones that governed Torrone procedures and financing; for ensuring that poor contadini were not extorted or terrorized by sbirri; and for curbing Torrone officials' abuses of power in the investigative visitations known as cavalcate (ridings-out). A Torrone judge was supposed to be bound by the rules, compassionate to the city's helpless poor,
and just in his application of laws: the Senate heaped high praise on Laureti for dispensing impartial justice to all.

Beneath the Auditore were the sotto-Auditori or giudici, whose function was primarily to assist the Auditore with cases outside the city that required a judge on site. They, like the Auditore above them, were theoretically bound by the 1566 Constitutiones Turroni Bononie that structured the court and its officers’ duties.\(^{172}\) This document does not specify the number of sotto-Auditori, but there seem to have been between two and four of them at any given time. Primarily acting to deliver judgments when plaintiffs were unable to appear in Bologna, the sotto-Auditori were functionally eclipsed in importance by the eight notaries of the Torrone, who constituted its working core and performed most of the work of investigating, interrogating and collating evidence during the court’s processi. The sotto-Auditori could dispense judgments, which were reviewed and confirmed by the Auditore.

The brunt of the Torrone’s work fell on the court’s notaries, who were responsible for recording all the documentation relating to the court’s investigations, from denunciations to final sentencing, supplications and pardons. The Torrone employed eight notaries, seven of whom shared equal competency to hear cases and one of whom was designated the caponotaio and appointed the other seven. These men performed most of the court’s daily work and were often responsible for investigating crimes in the contado when a sotto-auditore was not present. They received a salary based on their seniority as well as commissions and fees for the variety of services they performed, such as copying a supplication into a criminal processo or inscribing a letter of safe conduct.\(^{173}\) Like notaries in many positions in many cities, the notaries of the Torrone developed an early reputation for their unfairness and partiality, as well as their openness to bribes. Much of the reform work done throughout the Torrone’s hold over Bologna was aimed at

\(^{172}\) ASBo, Assunteria del Torrone, Bandi e Stampe, Constitutiones Turroni Bononiae 1566.

\(^{173}\) These salaries are listed in ASBo, Assunteria del Torrone, Bandi e Stampe, Constitutiones Turroni Bononiae, 1566, f. 14r–19v.
eliminating notarial abuse from the court in order to provide better justice for bolognesi who did not have the resources to influence judicial process. The earliest attempt to ensure a standard of professionalism and dedication, and fiscal responsibility among the Torrone’s notarial staff was the subjugation, in 1560, of the office of caponotaio to the officials of the Monte di Pietà, who were henceforth responsible for his selection and his salary.174

This move had two major effects. The first was that the notarial staff of the Torrone, already adept and drawn from the ranks of the city's university graduates, became instantly more professionalized and authoritative with the oversight of one of the city's oldest and most venerable charitable bodies. Henceforth, Torrone notaries were a prestigious body of men with a great deal of power. The integration of the office of caponotaio with the Monte drew together two large administrative bodies. Justice became inextricably linked to both debt and charity through the nexus of the court and public finance. Money flowed from the Torrone, via fines, into the Monte, and the Monte's longstanding presence in the city linked the new court to a respected city tradition. The Monte raised the Torrone's stature while the Torrone buttressed the Monte's fundraising.

The second major impact of the integration of the caponotaio into the Monte is that the court became an active agent of papal authority. While the court's stature and authority were raised, they were linked closer than ever before to the house of the Legate and his administrative staff, who governed the Monte and thus exercised a great deal of influence over the selection of the Torrone's caponotaio. The Monte's governance of the notarial staff drew the court closer to the city government and also afforded the Legate the power to approve or negate the selection of staff. For instance, in 1588, the city's ambassador to Rome used the Monte to protest the Legate's choice of a caponotaio. The Legate conceded that he would not decide alone, and instead nominated a candidate favoured by his sister; the Torrone was forced to accept the result.175 The governance of

174 Angelozzi and Casanova, La giustizia criminale in una città di antico regime, pp. 37–40.
175 Ibid., 40.
the court’s notarial staff by the Monte both increased the staff’s professional status, and probably ensured a supply of well-trained and experienced notaries; it also decreased the court’s judicial independence, by drawing the notaries under the authority and purview of one of the city’s most powerful centrally governed bodies.

Beneath this administrative structure of Auditori, sotto-Auditori, and notai, the Torrone was supported by a staff of the rudimentary law-men known as sbirri, who were tasked with keeping order in many of Italy’s cities and who attracted a reputation for violence, corruption, and being “one step removed from the criminals they captured.” Chief among these was the baroncello, sometimes called the barigello. As defined by the Torrone's constitutiones, the baroncello was responsible for maintaining an armed force of both mounted sbirri and footmen to keep order, arrest delinquents, collect witnesses, and transport them to the Torrone for imprisonment, interrogation and possible torture. Unlike his medieval antecedents, the baroncello did not have limits on the number of men he could employ, and he enjoyed a wide deal of discretion in choosing their arms as “he judge[d] to be good,” both defensively and offensively. The baroncello and his band of sbirri were further responsible for delivering citations and summons to imputed criminals and witnesses in both the city and the contado; for patrolling the city’s streets at night to ensure compliance with weapons regulation and public decency ordinances; for guarding the city’s gates along with the militiamen of the Senate and Legate’s household; and for protecting the notaries and judges of the Torrone as they went about the oft-unpopular work of investigating local crimes in a framework of legal centralization. While noble clans retained households of famigliari and high-ranking officials were afforded the right to a retinue of bravi, the sbirri of the Torrone constituted the official forces of law and order in Bologna, as much responsible for keeping the peace as they were for arresting delinquents.


177 ASBo, Assunteria del Torrone, Bandi e Stampe, Constitutiones Turroni Bononiae, f. 20r–25v.

178 Ibid., f. 20r.
In turn, a network of informers and “friends of the “court” supported the urban sbirri were supported in their thief-catching by providing tips and information on crimes recently committed or the location of fugitives. They worked almost exclusively in the urban setting, leaving rural crime reporting to local officials. Some of these messengers worked in the open as couriers and messengers and collected emoluments for shuttling information from the streets to the court, such as Alessandro Rubiano, who reported two separate killings on 24 and 25 July, 1660.\textsuperscript{179} These messengers could be long-time contacts of the court: Lorenzo Mazzoni, a cursor curius Turroni, reported three killings in 1660, and three homicides a decade later, in 1670.\textsuperscript{180} Others, perhaps more similar to a confidential informant than a message boy, appear only anonymously in the records as “amic[i] della corte”\textsuperscript{181} or, when they had ties to a particular sbirro, such as the baroncello Pietro Zanotti, as “suo confidente.”\textsuperscript{182} These anonymous informants were more likely to report events in the contado if their local massaro had failed to do so.\textsuperscript{183} Whether anonymous or named, the messengers of the court formed a crucial link in the network of communications, information and intelligence that allowed the Torrone to operate and to cement its exclusive criminal jurisdiction during the seventeenth century.

In challenging the feudal nobility for jurisdiction over the rural villages and hamlets in the Bolognese contado, the Torrone continued the medieval office of massaro. The massaro was a local official, appointed from local ranks on an annual basis. As under the medieval inquisitorial antecedents of the Torrone, and as in other medieval and early modern Italian cities, the massaro served to bring notice of crimes from the contado into the city and under the Torrone’s purview.

\textsuperscript{179} ASBo, Tribunale del Torrone, Atti e Processi, 6812, in fine; 6796, in fine.
\textsuperscript{180} Ibid., 6787, fasc. 16; 6789, in fine; 6798, in fine; 6953, in fine; 6953, in fine; 6956, in fine. Giovanni Mioli was also working as a cursore di Torrone for a decade or more, from 1670 to 1680, 6936, fasc. 37; 7175, fasc. 37.
\textsuperscript{181} Ibid., 6948, fasc. 7; 6634, in fine.
\textsuperscript{182} Ibid., 6947, fasc. 16.
\textsuperscript{183} Ibid.
His duties for the Torrone were outlined in the *constitutiones*, which stipulated that each *commune* should have one *massaro*—and one only, or the extras would face a fine of ten *scudi*.\(^{184}\) This allowed the Torrone to have one point of access and information in each of the major communes of the *contado*. Each *massaro* was responsible for reporting crimes in his jurisdiction (usually a village but sometimes two or three) to the court offices in the *palazzo comunale*, where a notary would decide whether it was dealt with summarily or whether a full process was warranted. This direct access to information allowed villagers to bring even minor conflicts right to the central court, significantly eroding the feudal nobility's hold on the dispute resolution in the most far-flung mountain hamlets and the dense agricultural plain surrounding the city.

The tight vertical integration of informational networks allowed the Torrone to maintain detailed records and to prosecute crimes efficiently using *ex officio* inquisition procedures. Each link in the chain of reporting played an important role in the judicial process. The *massari* and their urban and suburban counterparts *mestrali* and *ministrali* (functionally the same office) acted as local bailiffs, arousing the citizenry and detaining criminals if possible, and then relaying the crime to the central court. After the *massaro* made his *denuncia*, the notary investigated the crime, with the help of *sibirri* and the *massaro*'s local knowledge, before reporting his findings to the judge, who then compiled the evidence and pronounced a sentence for disputation by lawyers. Urban informants relayed information between involved parties, and secret denunciations came in from rural hamlets via the court's few rural spies. With this elaborate structure of communication and authority cemented by the late-sixteenth century, the Torrone employed inquisitorial process in new and professional ways to increase its control over all sections of Bolognese society, beginning with the artisan and merchant classes and gaining control over the rural peasantry before pacifying the nobility in the late-seventeenth century.

The essential elements of the inquisition procedure were common across Italy by the fourteenth century and employed by the Torrone since its inception in the first half of the

\(^{184}\) ASBo, *Assunteria del Torrone, Constitutiones Turroni Bononia*, 1566, f. 27, section 124.
sixteenth century. These elements were *ex officio* initiation of process on the grounds of
denunciation or *publica fama*, a concern with the “truth of the facts” over the relative weight of
arguments, and a resolve to punish crimes rather than resolve conflicts.\(^{185}\) The *Torrone*
incorporated these elements and shaped them to create a powerful court with a wide and varied
jurisdiction that included a wealthy urban centre with a large population of international
students; merchants and pilgrims; a densely populated agricultural plain stretching to the north
and along the Po valley; and a collection of mountain hamlets dispersed in the passes to the south
that guarded access to Tuscany and central Italy. Particular crises engendered reforms to the
*Torrone’s* procedures to make it more fair and accessible to all *bolognesi*. The banditry crisis at the
end of the sixteenth century and the Great Plague of 1630 both provided an opportunity for the
*Torrone* to expand its framework of social control over rural militias and urban curfews. This great
expansion of power was achieved primarily through the *Torrone’s* efficient use of *inquisitio*, and
was contested for well over a century by elements of the leading families of the medieval
oligarchies—the Pepoli, the Barbazza, the Malvezzi and others. The *Torrone* finally succeeded in
quashing their unsanctioned feudal courts in the 1660s, with the banishment of a large swath of
nobility that followed a decade of vicious public violence. Each of these episodes allowed the
*Torrone* to incorporate more elements of social control, conflict resolution, and governance of
everyday life into its competence. While the shape of its procedure—from denunciation to
investigation, interrogation and torture, to sentencing and to petition and pardon—remained
essentially unchanged, the evolving complexity of the court's documentation and shifts in its
patterns of punishment demonstrate how the *Torrone* dominated criminal jurisdiction in
Bologna, almost two centuries after Julius II first quelled the oligarchs.

### 2.3 Procedure

Inquisitorial procedure was at the heart of the *Torrone’s* approach to crime and conflict
resolution. Using a selection of homicide trials spanning the seventeenth century alongside trials

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for non-fatal assault, private warfare, and accompanying administrative materials, I document each stage of the *inquisitio* procedure, noting how its usefulness in finding the “truth” of a crime actually made *inquisition* more useful than accusation procedure in arbitrating conflicts, as opposed to punishing them. A series of reforms in the 1590s boosted the court’s credibility by forcing its notaries and officials to be more transparent in their dealings with the public, by condemning the practice of taking bribes by notaries and *sbirri*, and by publicly advertising the strictly regulated fees that they charged for various services. These reforms were designed to bring ordinary *bolognesi* further into the *Torrone*’s fold. Finally, the court’s use of violence—torture during interrogation, and corporal and capital punishment—demonstrate how the *Torrone* strayed from *inquisitio*’s lofty goals of ensuring that all crime was punished, and indicate that the court was far more interested in containing and suppressing cycles of revenge violence than it was in punishing individual acts; its contrary treatment of thieves indicates that its treatment of theft, too, was meant to dampen the victim’s impulse to revenge by providing satisfaction through the court’s channels. These procedures made the *Torrone* a useful option for *bolognesi* seeking resolutions to conflicts that otherwise might have been arbitrated by the local feudal noble, thus allowing the court’s control of everyday life to expand throughout the seventeenth century.

Fundamentally, the *Torrone*’s success relied on ordinary peoples’ participation in this elaborate network of information. Simply put, for *inquisition* to function, the court had to be made aware of crimes. The *massari* and *mestrati* of Bologna’s *contado* and *città* played a crucial role in this first phase of criminal process, the denunciation. Because homicide engendered emotions among whole communities, trials for this heinous act provide the clearest, fullest view of criminal trials in action. But how was the court in Castiglione made aware of a man who was robbed and killed on his way to sell some livestock in Bologna? Or of a landlord’s murder at the hands of his delinquent tenant, who had refused to pay rent? The *massari* and *mestrati*, as local bailiff

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187 Ibid., 6782, *in fine*. 

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figures, provided the first response in case of major crimes such as this. Upon the commission of a crime, the victim or any witnesses were obligated to inform the local official, as in the case of the robbery-homicide noted above. Here, the victim's wife first went to the local massaro to report the crime. The massaro served both as the Torrone's contact in the area and also as the source of public participation in justice: upon hearing of a crime, he was obligated to first ring the tocsin and gather all the local men in the square. With all the men gathered, the massaro led a search party to apprehend the delinquent, which in the vast majority of cases was a fruitless attempt (the 30 minutes it would have taken to ring the bell and gather the men provided a useful window of escape to killers, who were generally local and against whom the community bore no particular animosity). The search party would typically search the accused's home and the homes of his parents and brothers, if they were in the same town. With the criminal having fled, typically into a self-imposed exile in Modena before the trial process even began, the massaro's second obligation was to inform the court of the crime with or without the consent of the victim or his relatives.  

Travelling to the court's central office in Bologna's palazzo comunale, the local official presented his denuncia to one the Torrone's eight notaries, who were arranged about the palace's courtyard and who shared equal competence over crimes of all sorts.

A typical denunciation went as follows:

Comparisse il Massaro di Roffeno e per vigore del suo ufficio denoncia qualmente a meza notte in circa col batere a la sua porta e facendosi a la finestra vide che erano doi homini armati e domando chi e la risposero uno di loro 'io son Gio Batista della Becara e cosi vi denunciiamo che questa note siamo stati assaltati da gente che siano tirati delle archibugiate ma non siano colso e noi li stiamo tirato a loro e ne abiamo amazato uno e lo abiamo conosciuto et è Gio Maria Stanzati modenese bandito del Stato di Bologna’ e non dissero al tro et andorno via e il Massaro è andato a cercare il

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188 This was not a popular job. Locals angry at seeing a friend or relative reported to the court harassed and sometimes assaulted these rural bailiffs as they travelled to Bologna. See: the edict exhorting people to let their massari execute their duties in peace, ASBo, Bandi e Notificazione, Serie I, No 5, no folio, bando of 21 August 1585, “Bando che non sipossi gridar dietro alli Contadini che conducono Delinquenti in mano della Corte”. The Torrone also expected these massari to act as first-line surveillance, particularly with regard to bandit activity, ASBo, Bandi e Notificazione, Serie I, No 5, no folio, bando of 5 September 1584, “Bando che li Massari debbano quando passano li Banditi per li loro Communi venire Subito a denonciarli”.

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This denunciation from 1652 appears in two written copies, one brought to the notary by the massaro of Roffeno and then copied into the trial by the notary. Whether given orally or in writing, a denunciation was first reported by the massaro, mestrale or any of the other officials and semi-officials who might have been involved in transmitting news of a crime to the court. As the denunciation above indicates, the system relied at its base on the voluntary participation of individuals and communities—in this case, two men confessing that they had killed another man. The men knew the Torrone’s law that violent outlaws could be treated with impunity, and were confident that they had committed no legal wrongdoing. Indeed, they were not reporting the homicide that they had committed but rather the assault by bandits that they had endured.  

While most often submitted in an official capacity, denuncie were also given by a variety of other actors.

Chief among these semi-official sources for information on crimes were the physicians and barbers of the city’s major hospitals and the villages. Peter Blastenbrei has claimed that the relazioni dei barbieri of Rome were a unique source in that city, but they are present from an early period in Bologna, collated among the other stages of Torrone processi (a boon to historians, these are grouped together in dedicated fascicole rather than separated among dispersed archival fondi). In Bologna, physicians and surgeons were required to make denunciations sometime before 1588, as evidenced by a 1588 decree against “the doctors and barbers who do not

189 ASBo, Tribunale del Torrone, Atti e Processi, 6611, in fine.

190 Banditry in absentia, usually temporary, continued its role as an important stage in the judicial process. See below for more on contumacy’s role as a “cooling off period.”

191 Blastenbrei, “Violence, Arms and Criminal Justice in Papal Rome, 1560–1603,” 69. Blastenbrei makes a persuasive case that these relazioni can give a rough idea of levels of violence, and they play a significant role in his larger study of crime in Rome.
Physicians at the Ospedale di Santa Maria della Morte (known as the Ospedale della Morte) and that of Santa Maria della Vita were required to, and generally did, submit reports of all suspicious wounds that they treated, noting their nature, judging the wound’s seriousness, and suggesting what type of weapon caused it. They submitted these descriptions for simple assaults as well as wounds that became fatal. If the notary deemed it appropriate, the surgeon’s report initiated a full Torrone process; at the very least, the notary was usually dispatched to interview the victim in the hospital before he was released or died. Like the massari, the city physicians and rural barbers permitted the Torrone to penetrate the dense community networks that might otherwise work to occlude crimes. Between the massari, the medici, and the amici, the Torrone’s intelligence and surveillance network gave papal officials the information necessary to effectively control the complex apparatus of the Bolognese state.

With a denuncia having been made, the notary decided whether the case warranted a summary procedure or a full inquisition. For simple assaults, minor dannos dato, and other small quarrels, the notary recorded the denuncia into his casebook (of which a notary might produce 20 a year, between 300 and 600 folios each), assigned a simple fine according to the infraction, and sent the massaro back with the decision. For more serious cases such as robbery, serious assault, rape, arson, theft or communal disorders, the notary was dispatched to investigate the crime in situ and gather enough information for the judge to make a decision. In urban cases, a judge or sotto-Auditore often went directly to the investigation as well. For rural crimes, the notary and a group of sbirri embarked on a cavalcate to the village. A late attempt to keep track of the details of all of these cavalcati records 170 of these investigations between July and December 1689, which gives a sense of how busy these notaries were. The dispatch of a notary and sbirri constituted

192 ASBo, Bandi e Notificazione, Serie I, No 5, no folio, bando of 31 December 1588, “Bando sopra quelli che non perseguittano li delinquenti e li medici e barbieri che non denontiano.” Importantly, this also reiterates the long-standing requirement that all citizens had a responsibility to report crimes to their local official.

193 ASBo, Assunteria del Torrone, Registro Cavalcati 1689–91.
the beginning of a full inquisition, which proceeded by beginning with an investigation of the immediate facts of the crime.

In cases of serious assault or homicide, this meant an inspection of the wounds or the body. If the victim was in the hospital, this was usually performed by the doctor who reported the wounds and two witnesses, the notary and a medical assistant. If the victim was in the streets, his house or otherwise outside the city, this inspection was performed by the notary and two locals who knew the victim. Generally in threes, although sometimes with a fourth, these men described the victim's appearance, clothes, and possessions; the nature, location and cause of all visible wounds; and the victim's name, age and origin. In cases of poisoning and other ambiguous deaths, a physician might perform an autopsy.\textsuperscript{194} If the victim was not a local, the notaries might order that the body be left exposed in a public area until someone could identify it.\textsuperscript{195} They noted where the body was found, where locals had moved it to, and where the crime was alleged to have taken place. These body inspections are extremely important as they allowed the Torrone to fairly comprehensively track who the victims of violent crime actually were. More importantly, the inspections drew members of communities into the judicial process by holding villages accountable for identifying victims of crimes. This process brought the victim's close friends and relatives into direct contact with the apparatus of justice that was to resolve their claim against the people who had injured their kin. The body inspection phase of a trial doubled as both information-collecting and an opportunity for the notary to assess the local community's attitude towards the victim, the imputed and the crime itself. This attitude could then inform the notary's approach to the third phase of the inquisitorial trial.

The interrogation of witnesses was a varied affair, dependent on the nature of the crime, the witnesses being interviewed, the victim and his or her status, and the notary's personal preferences. Some crimes warranted the interrogation of three witnesses, others of hundreds. If

\textsuperscript{194} ASBo, Tribunale del Torrone, Atti e Processi, 5876, f. 432v–435v.

\textsuperscript{195} Ibid., 5869, f. 395–400.
the victim was of a high enough status to afford a lawyer, this phase might be doubled by the
provision of witnesses for the accused after the initial phase of notarial interrogation. But despite
the multitude of ways in which interrogating witnesses might proceed, a few general patterns
stand out. First is that interrogation was never piecemeal: the notaries always had a plan and a list
of both witnesses and questions they were after. The initial list of witnesses was formulated on the
basis of both the denuncia and the initial investigation, and it usually included the immediate kin
(particularly mothers and sisters) of the victim and imputed criminal, to establish a firm sense of
publica fama and each person’s role in his or her community. Citations were issued to both
witnesses and suspects to appear before the notary on a given day, with increasingly severe fines
for those who did not appear at the appointed times. Several prepared lists of questions survive as
miscellanea in the casebooks, such as the one prepared for the interrogation of Domenica
Bertazzori, a former servant of Giulia Zaccaria, in 1600.196 Like many others, Domenica’s
interrogation proceeded from simple to complex questions: did she know why she had been
called by the notaries? Had she spoken to any other witnesses who were called by the Torrone?
How did she know the victim? Why did she leave her service? How long did she work for her
mistress before leaving? Did she know if there had ever been any arguments between her mistress
Giulia and her killer Giulio? Did she know if he had repeatedly offered her 4 ducatoni for a broken
Cetera? Again, what was the nature of her service to Giulia, where did she stay after leaving her,
and why did she leave? Was she aware that if she was lying, she would be sent to prison, and did
she admit that Giulio had fired her from Giulia’s service? Had Giulia told her many times to go to
Giulio’s and get either the Cetera or the money? These were the questions the notaries decided
beforehand, before writing “ed altri interrogatori ad arb[itri]o dell’interrogante seconda importarà
l’occasione delle rispose.” The interrogation of witnesses, a technique used by the notaries to
investigate the social network of entire communities rather than isolated crimes, was both highly
orchestrated and extremely flexible, making it very useful for compelling the loyalties of bolognesi.

196 Ibid., 3232, loose folio.
It is perhaps noteworthy that this list from 1600 was prepared in Italian, rather than Latin, indicating that the interrogation room was a more vernacular space than we might imagine.

Of course, recalcitrant witnesses could be threatened with worse than prison if they refused to cooperate. As part of the interrogation phase, both witnesses and accused criminals could be tortured by the court, which maintained records of torture sessions. The Torrone only tortured using the strappado and, although a comprehensive statistical analysis is precluded by the sheer size of the Torrone’s archival holdings, it appears that the use of torture declined across the seventeenth century along with the use of capital punishment. As a legal proof, torture remained within the Torrone’s competency, but functionally, it became less important and less prevalent because it was ineffective at attaining reliable information, and more often overwhelmed or broke a prisoner than it caused them to confess deep secrets.\textsuperscript{197} In cases when torture might have been effective, witnesses were often sufficiently cognizant of the legal strictures surrounding torture that they could avoid it—for example a witness could have a doctor certify to the court that their back was already too injured by labour and age to sustain a torture session.\textsuperscript{198} The legal restraints on torture were followed when it did occur, and authorities were careful not to maim or permanently disfigure suspects or witnesses, such as Anna Trevisana, whose torture was abruptly ended when a doctor declared that her arms could not sustain another drop of the rope.\textsuperscript{199} While the selection here precludes the comprehensive review of torture that would give a full picture of its use and prevalence, torture was used at least into the 1630s as a means of proof in interrogation. If in custody, witness and suspect alike could be tortured.

With an initial round of witness interrogations completed, further citations were issued by court officers. Typically, someone accused of a violent crime that carried a heavy fine or corporal

\textsuperscript{197} Cf. ASBo, Tribunale del Torrone, Atti e Processi, 4216, f. 83r–5v; 3202, f. 286.

\textsuperscript{198} Ibid., 3270, f. 153r.

\textsuperscript{199} Ibid., 5904, f. 437v–440v.
punishment fled the locale in the aftermath and took up residency either elsewhere within
Bologna’s borders or in one of its neighbouring states. Sbirri posted citations in major villages and
border towns calling the imputed to appear for interrogation and sentencing. Three citations were
issued before a criminal was declared absent, at which point he could be killed with impunity—
indeed, a cash reward or even freedom could be given to the bandit who killed him. With the
citations dispensed and the criminal either in exile or recovering from interrogation, the notary
collated the evidence and gave it to the judge, who then reviewed it and presented his view of the
crime and his sentencing. If present, advocates for the accused were then given the opportunity to
review the evidence and present counter-arguments and technicalities. The vast majority of
crimes, however, were resolved without lawyers’ input. The judge determined every step of the
process, evaluated the evidence, and pronounced sentence.

Judges had a wide arbitrium with which they could determine punishments according to
the qualities of the crime, the victim and the criminal. The death sentence could be applied in
cases of theft, assault to officials, homicide, sodomy, counterfeiting, heresy, rebellion, banditry
and spying. However, the actual application of capital punishment declined significantly over the
seventeenth century, following a spike in the 1580s during the campaign to cleanse bandits from
the contado. Throughout the early years of papal rule of Bologna and until the 1540s, the
Legates used the power of the podesta’s court to summarily execute significant members of the
anti-papal opposition. But with the Legate established and the Torrone integrated into the judicial
system by the late-sixteenth century, capital punishment lost its usefulness and became another
emblem of inefficient and ineffective medieval justice. While the period 1540 to 1600 saw Bologna
execute 917 men and women, this number was only 556 from 1600 to 1700, an average of 5.5 a year

200 ASBo, Bandi e Notificazione, Serie I, No. 5, no folio, bando of 31 October 1584.
compared to the average 15.25 from 1540–1600. In the final three years of the seventeenth century, one person was executed annually, and none had been executed in 1696. A large spike in executions in the 1640s reflects the increased presence of disbanded armies and deserters in North Italy following the Thirty Years War; a similar spike in 1630 reflects the increased hold of the Torrone over the city during a major crisis (the plague), and most of the eleven men executed in 1653 were involved in the brazen and public murder of the Torrone sotto-Auditore Giacinto Pungelli. The pattern is clear: the Torrone executed criminals who represented a threat to the security of the state and the court’s hold over that state. As the court grew more powerful with each of the crises noted above, execution was less useful as a demonstration of the Torrone’s power, which by the late-seventeenth century was better represented as mercy, demonstrated in the exile, rather than execution, of the last remaining bentivoleschi in the 1660s.

With capital punishment waning, the Torrone instead used convicted criminals to man the oars of the papal galleys in the Mediterranean. Sentences could range from one year of service to perpetual galley service, which was a functional death sentence that fell on someone else to carry out. Punitive incarceration was possible but rarely employed, since it was both expensive and considered extremely cruel. Corporal punishment could be employed for minor quarrels and disputes, while mutilation and maiming were reserved for heresy and other deviant categories. However, most people who committed simple infractions received a simple fine, the amount of which was left to the judge. Pecuniary punishment made it possible to avoid overly harsh punishment of poor bolognesi while making some kind of exchange—even a few quattrini—the basis for the court’s acceptance of the criminal back into society’s fold. This was the true purpose of punishment for minor crimes: not to hurt or mutilate, but to balance crime and punishment—to order compensation for the offence committed so that normal societal relations could resume.

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202 Ibid., 121; ASBo, Gonari delle Giustizie seguite in Bologna del 1530 al 1730.

203 Cf. Damasio Zavagli’s sentencing to ten years of galley service at the age of 22. ASBo, Tribunale del Torrone, Atti e processi, 6592, in fine.
This drive to balance offenses—through punishment or vengeance—perhaps explains a great deal of the prevalence and importance of outlaws and contumacious bandits in North Italy later in the sixteenth century and well into the seventeenth. Under the Torrone’s inquisitorial system, contumacious banditry became the de facto punishment for a wide swath of crimes. Some criminals in custody were explicitly punished with banishment, such as the gang of young men following a murder in 1700. Others were banned because they were contumacious, and were exiled with the provision that they would be executed if they were found, such as a certain Sabbatino, who had fled into the contado after robbing and murdering the priest who employed him as a servant. Lombard and Central Italian bandits had a deserved reputation for theft, murder, rape and robbery, and the Torrone first took action against them in the 1580s and 1590s, resulting in the late-century spike in executions noted above. The 1580s and 1590s saw a great deal of legislation exhorting bolognesi to assist in reporting and capturing bandits whenever possible; employing a carrot and stick approach, these bandi promised significant rewards to those who turned in bandits, and threatened heavy punishments against individuals and communities who failed to do so. The campaign to purge the Bolognese contado of violent bandits was part of a broader project in the Papal States, and some of this legislation thus appears in the pope’s name. Because bandits could remain highly involved in their local communities, the campaign against bandits provided the Torrone with an opportunity to penetrate those communities through carrot-and-stick participation in the judicial system such as catching bandits for reward.

If the numbers of captured and killed bandits is any indication, the success of the late-sixteenth-century campaign against bandit criminals was considerable but was nevertheless transitory and depended to a large extent on the continued participation of the bolognesi least under the Torrone’s thumb. This group, the contadini, made their livings on farms near the borders

204 ASBo, Tribunale del Torrone, Atti e processi, 7535.2, fasc. 8; 7536, fasc. 31.
205 Cf. the latest of the sixteenth century, which promises contadini 200 scudi for killing a capobandito and 400 for turning him in alive. ASBo, Bandi e Notificazione, Serie I, No. 5, no folio, bando of 6 July 1593.
206 Ibid., bando of 23 July 1585.
of Modena and Ferrara, the closest significant states to Bologna and the most popular destinations for exiled and banished bolognesi. The need to maintain the vigilance of these contadini and their capacity to repel bandit incursions led the Torrone to decree, on 17 June 1614, that all contadini in these borderlands were required keep in their house at all times at least one, and preferably two, loaded wheel-lock archebuses, and had to carry one with them at all times when out in their fields and around their villages. This obligation made the contadini the first line of defense against invading bandits, but also resulted in a flood of firearms to the contado that continued to plague the Torrone through the rest of the century. Within two and a half years the decree was reversed, due to the many disorders and homicides that accompanied the sharp rise of firearms ownership. The Torrone's experiment with militia control of bandit incursions only served to create conditions under which bandits flourished and everybody was armed. The problems caused by banditry continued to plague the Torrone throughout the seventeenth century.

Most important, and often left out of discussion, is the fact that banditry was often a temporary stage in a criminal process that could stretch for years, and even decades. Following a homicide, the killer most often fled the district and was banned as a contumacious killer, to be executed if captured, but as noted above, this sentence was rarely carried out. However, while under ban, the killer himself could be killed with impunity unless he was able to make peace with his victim’s family, and thus receive pardon from the Legate. The final stage of the Torrone’s process, the crucial acts of peacemaking and pardon, mediated the ban and allowed the offended party and his or her kin a period of separation in which the violent emotions engendered by social conflict could be tempered, and hatred turned first into forgiveness and then friendship. Here the Torrone’s goals to prevent the outbreak of cycles of violence and to ensure that peace was obtained as the default condition of society are most obvious. While not explicit in the documentation, many trials imply that notaries and officials of the Torrone applied a great deal of

207 ASBo, Legato, Bandi, 1600–1700, bando of 7 June 1614.
208 Ibid., Bando of 20 December 1616.
pressure on victims and their kin to accept their enemies’ overtures for peace. Forged with the sponsorship of the court, the peace accord brought the temporary state of outlawry to a close and reintegrated the offender into Bolognese society.

A peace accord—the formal instrument by which an enmity was brought to a close—could be difficult to obtain while the contumacious offender was formally subject to judicial murder upon sight, and thus bandits had to seek ways to influence the course of events from beyond the borders. The most common means for this to occur was through the sponsorship of a noble family. In 1600, the Ronchetta and Tozzi clans of the district of Aiano, in the mountains south of the city, engaged in a vendetta exchange which left at least three dead and many others assaulted and wounded. By November, the violence had moved from Aiano and into the city as the two families brought their networks of kin and friendship into the conflict. The quarrel attracted the attention of the Torrone, whose notaries arranged for a peace conference between the leading members of the family in the palace of Signore Galeazzo Paleotti, a member of one of Bologna’s leading noble families. This conference was ultimately unsuccessful because one of Ronchetta family’s young scions, Battista, the nephew of the capofamiglia, refused to make peace along with his other male relatives; nevertheless, a peace accord was signed between the two families and young Battista was confined to house arrest in Bologna until he capitulated to the peace. In fact, he and his cousin Nicola fled into contumacy rather than face that punishment.

In many cases, the process was much less fraught, and peace became a regular aspect of the process of criminal justice that we have reviewed. Of the 658 homicide trials collected in this sample, at least 212 were settled with a notarized peace accord that was granted by the victim’s kin to his killer and which brought the process to a conclusion, allowing the killer to commute his sentence of banishment, galley service or death to a pardon, and return home to his community.

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209 ASBo, Tribunale del Torrone, Atti e Processi, 3173, f. 147; 3184, f. 298–418; 3185, f. 162–326r; 3246, f. 176.

210 Ibid., 3246, f. 176–185v.

211 Ibid., 218.
Often these pardons stipulated a further period of separation between the parties, such as a three-year period in which the killer could not return to the village where he committed the homicide, but was otherwise free to move about the legato. The formulation of peace became such an important part of Bologna’s criminal process that by the 1650s, an entire government council, the Assunteria de Liti e Paci, was formed to facilitate peacemaking between high-ranking noble families. Although it does not seem to have been a very active council, the Assunteria was involved in forging a peace in at least one major conflict, which involved members of the Ghisilieri, Bentivoglii, Ercolani, Malvezzi, and Calderani. It was mediated by high-ranking members of the Fibia and Pepoli families. It is difficult to overstate the importance of peacemaking for the criminal court of Bologna in the seventeenth century. These formal structures for making peace and ending conflict allowed the Torrone a full measure of social control, which augmented their use inquisition procedures in increasing the court’s effective hold over bolognesi from all areas of the legato.

2.4 The Public Trust: Reforming the Torrone

The Torrone was not, at first, the sole forum for judicial resolution in and around Bologna. The medieval and Renaissance judicial regime was podestarial and had limited control over the contado, while its role in the city was more responsive than proactive in the control of violence. As noted in the introduction, the Torrone first rose from the ashes of the medieval courts as a means for the Pope to eliminate the nobility’s practice of operating private courts on feudal lands in the countryside. It emerged, then, as part of a judicial marketplace in which control of the population was bid on by the papacy, by Republican families such as the Pepoli who wished to see power flow from the Senate, and by Oligarchic factions such as the Malvezzi who wished the papacy banished and the Bentivoglio reinstated. What the Torrone offered, according to its own

212 ASBo, Assunteria de liti e paci, Atti dell’Assunteria e di Paci, 1658–72, f. iv–53r.
213 Blanshei, Politics and Justice in Late Medieval Bologna.
documentation, was a regular and predictable justice available to all subjects, free of the web of allegiances and kinship that plagued seigneurial justice in feudal courts.

If its offer was an impartial justice available to all Bolognesi, the Torrone needed to make the case that its functionaries, and particularly its notaries, were accountable and that their work was and appeared to be transparent. Gaining effective jurisdiction over the farthest reaches of the jurisdiction required establishing a measure of social trust in its institutional capacities. In essence, this meant that the Torrone’s judges and notaries were challenged to prove to contadini that they offered better forms of conflict resolution than did the arbitration of feudal landlords, who might be swayed in their judgment by factors outside of the conflict at hand.  

What did early modern people want from their courts? They were not dupes of a sinister and omniscient Foucauldian panopticon: if the residents of Aiano, the small hamlet that hosted a violent feud at the turn of the century, wished to hide their troubles from the authorities in Bologna, they could. The city was 42 km away in a straight line, and the winding paths along mountainsides made it farther still. Hanlon notes that “justice” carried specific meanings for early moderns, that were at once simpler and more complex than its modern ideal. Justice fell somewhere between vengeance and restitution for rural seventeenth-century Italians, and lordship meant finding the proper balance between these factors in order to promote the continuance of social peace and the abeyance of local conflicts. Hanlon’s Tuscan peasants, however, were living in an area that was expressly feudal, under the legal jurisdiction of an established Marchese. In Bologna, central and peripheral authorities often found themselves in conflict, a situation complicated by the fact that the central authority of Bologna’s court was a peripheral arm of Roman power. In a judicial marketplace such as early modern Bologna, where

215 Hanlon, “Justice in the Age of Lordship.”
216 Ibid., 1008.
users of the court employed litigation and prosecution among many strategies of conflict, the *Torrone* was challenged to represent its justice as the most reliable justice.

To that end, the papal legates and the *Torrone* itself initiated a series of reforms to criminal procedure in the late-sixteenth and early-seventeenth centuries, designed to give justice at least the appearance of fairness and transparency. Already by 1576, under the signature of Gregory XIII, the *Torrone* had a publicly posted rubric of fees and emoluments payable to notaries for their services.\(^{217}\) Cardinal Legate Antonio Maria Salviati, in 1586, promulgated a *bando* that publicized his rules for the timely delivery and execution of court citations, in response to complaints about the “frauds and evils of the executors of the city and *contado* of Bologna,” which stipulated that all citations from the court were to be delivered within four days of being written.\(^{218}\) This *bando* was the carrot in improving the lot of city officials dealing with the messy business of delivering court citations, and transporting witnesses and suspects to the city. The stick had come a year before—in 1585, Salviati had published a decree stipulating that anyone who harassed or assaulted *Massari* or other *contadini* acting in the court’s name would be subject to three drops of the rope in public and a stiff fine of 50 *scudi* (minors were merely given 50 lashes).\(^{219}\) Salviati’s successor, Enrico Gaetani, soon after assuming the Legation, publicly castigated shopkeepers who did nothing to stop crimes in commission, but also offered rewards for those who did—his *bando* described both *premio* and *pena* for those who intervened to prevent crime or neglected to do so.\(^{220}\) These late-sixteenth century *bandi* envisioned *contado* communities that regularly accessed the resources of the court, because it presented itself as a reliable (and reliably priced), neutral alternative to local justice.

\(^{217}\) ASBo, *Bandi e Notificazione*, Serie I, No. 4, *bando* of 20 October 1576. This particular document is a Latin text distributed to officials, which calls for vulgar translations to be posted around the city.

\(^{218}\) ASBo, ibid., Serie I, No. 5, *bando* of 10 February 1586.

\(^{219}\) Ibid., Serie I, No. 5, *bando* of 21 August 1585

\(^{220}\) Ibid., Serie I, No. 5, *bando* of 19 February 1587
The sixteenth-century campaign against banditry was also an opportunity for the city to access rural communities by involving them directly. Throughout the 1580s, bandi regularly exhorted communities to report and apprehend bandits whenever possible, as Legate Salviati did on 12 June 1585, specifying that communities should if possible apprehend the capo bandito of a group in order to weaken the whole.221 In 1589, the Vice-Legate Camillo Borghese offered denominazione, the lifting of a ban from oneself or a relative, to anyone who killed or captured a bandit, while reminding subjects of the penalties for not doing so.222 This strategy of drawing contadini into the Torrone’s orbit through their participation in capturing bandits paid off. On 4 March, three days after Borghese had promulgated his denominazione, the Auditor of the Torrone signed off on Francesco di Sante Minozzi’s pardon for acts of banditry and peacebreaking, because Francesco had killed the notorious bandit Domenico Malagei.223 By requiring the participation of contadini in the control of rural violence, Borghese was attempting to break apart the webs of allegiance and codes of omertà that operated outside city walls. Criminals themselves were offered respite if they turned in bigger fish, as when Borghese offered immunity to any accomplice who would name his co-conspirators in an attack on Count Ridolfo Campeggi, or when he extended the premìi offered for the capture of bandits even to capobanditi who turned other capi in to the court.224 By the dawn of the seventeenth century, the he court sought opportunities to insinuate its agents and its judicial protocol into the farthest reaches of the Bolognese state.

The reform of Torrone procedures continued and a new public rubric, published in Italian in 1595, laid out the judicial process and the roles of notaries and judges, including especially the caponotaio’s responsibility for the conservation and security of the goods and pledges of witnesses. In 1599, Vice-Legate Orazio Spinola published a reform of Torrone record-keeping that

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221 Ibid., Serie I, No. 5, bando of 12 June 1585.
222 Ibid., Serie I, No. 5, bando of 1 March 1589.
223 Ibid., Serie I, No. 5, bando of 4 March 1589.
224 Ibid., Serie I, No. 5, bando of 25 August 1589, bando of 6 July 1593.
would have significant effects on the documentary record of the judicial process—a boon to future historians, though likely just more paperwork for the staff of the Torrone. In this decree, Spinola dictated that two copies of every *sentenza* were to be maintained, one in the ongoing books of acts kept by the Torrone and one immediately deposited into the archive. More than this, the decree also empowered notaries to assign sentences in the absence of a judge, who would later confirm them. This change in process enabled notaries to adjudicate many of the summary cases of conflict encountered in the *contado*, and it increased the pace of justice since witnesses and suspects no longer faced the long walk to Bologna to receive adjudication. At the same time, because the decree empowered notaries, it altered the form of their record keeping in a way for which historians should be grateful. Criminal *processi* were now required to be kept integral, with all materials from denunciation to petition and pardon either conserved or copied into *fascicoli* organized by notary and by date. A single *processo* was now located in a single *busta* and conserved in a single archive. This allowed for the efficient and timely management of archives and for easy access to records of past *processi*, which court users could request for a fee. The reforms of the late-sixteenth century were all intended to draw users to the court by advertising its neutrality and its efficiency, and by offering tangible benefits to those who participated in its judicial program.

While the Torrone sought to improve its public relations through community involvement in controlling crime, the it was also reforming its internal conduct in the early-seventeenth century. In 1607, Cardinal Legate Iustiniano published the *Ordini da Osservarsi dalli Notari del Torrone, cosi intorno alle Cause, come alle loro Mercede,* a document which lists in painstaking detail the duties and responsibilities of the eight Torrone notaries. The rules are clear and numerous. Notaries were required to, among others:

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225 Ibid., Serie I, No. 6, *bando* of 1 November 1599.

226 ASBo, Assunteria del Torrone, 3c, *Constitutioni e bolle del Torrone, 1488–1623,* *Ordini da Osservarsi dalli Notari del Torrone, cosi intorno alle Cause more alle Mercedi loro,* 1607.
• Fully “stendere,” or render, the process without leaving gaps in the text to fill in by memory later, and note this with the phrase “non se adstringens” at the end.

• Write directly in the books of processi, never on sheets of paper.

• Only take the names of complainants if they were freely given.

• Never investigate the background of complainants during a process.

• Report to the caponotaio, every fifteen days or whenever a book was filled, the names of all those processed at their bench during that time. Notaries were also required to submit those books promptly to the archive, and maintain an index of all loose paper, acts and other documents separate from the books, which was also to be submitted to the caponotaio.

These requirements were all intended to ensure the integrity of Torrone processi and to reassure users of the court that its powers would not be turned upon them. The right of anonymous complaint and the ban on background checks by notaries protected complainants from judicial prejudice and from the possibility that their adversary might hear of their complaint. These measures were enacted to protect the integrity of the process and prevent notaries from taking advantage of their positions at the expense of court users. Two further measures were meant to ensure a timely process: first, quarrels and complaints were to be immediately shown to the caponotaio who would judge whether to pursue an investigation. The second gave urgency to rural justice by stipulating that when a notary was called to the contado, he had to go immediately; if he could not be found at the office or at home, the messenger was to immediately report this and a substitute notary would be sent. These rules of order for notaries were meant to counter a reputation for greed and self-interest within courts, and to bring users to the Torrone as a reliable forum for justice.
Access to neutral justice was thus a pillar of the Torrone’s bid to win users in the contado away from illegitimate judicial forums. Justice, however, had its costs, most of which were borne by complainants or the court. The Torrone reformed this by shifting some costs onto the accused and absorbing others, while implementing measures to ensure access to justice by the poorest of Bolognesi. When the accused appeared, they were charged five gold scudi for a full defense, and three if they admitted guilt in order to receive absolution. If they were judged truly innocent, the court ate the expense.\textsuperscript{227} Witnesses under interrogation were required to pay the notary for his services, but these costs were eased (by 50\%) for minor crimes without bloodshed or when multiple family members were questioned (the family paid as one). If they could not afford the fees, the very poor had their costs reduced by up to 75\%. In a city where the judiciary had a long reputation for capriciousness and political manipulation, the Torrone advertised itself as separate from the internecine conflicts that dominated Bolognese society’s highest levels and affected its justice all the way to rural hamlets. The final stipulation of the 1602 Ordini was that the caponotaio face re-election every ten years, with the criteria for his re-election being that he had performed adequately and had not cultivated power and interest groups around the city.

The fiscal integrity of notaries was particularly important in this stage of the Torrone’s development.\textsuperscript{228} In this sense, Bologna was almost a century ahead of its ruling city, Rome, in effecting meaningful reform of notarial procedures in court (a second set of reforms, under Pope Benedict XIV, took place in the eighteenth century).\textsuperscript{229} These reforms make it clear the Torrone

\textsuperscript{227} Ibid., Ordini di NS Papa Clemente Ottavo Sopra l’osservanza delle Constitutioni del Torrone, e Altre* 1580, reproduced 1602

\textsuperscript{228} Laurie Nussdorfer details the development of the notarial profession in Rome, noting how by the seventeenth century it was highly regulated and restricted to a smaller number of notaries than in the Medieval. She argues that reform of notarial practice in Rome was motivated by papal financial needs, and that popes viewed the notaries of Rome as sources of venal income. Laurie. Nussdorfer, \textit{Brokers of Public Trust: Notaries in Early Modern Rome} (Baltimore: Johns Hopkins University Press, 2009), 143–150.

\textsuperscript{229} Nussdorfer, \textit{Brokers of Public Trust}; Angelozzi and Casanova, \textit{La giustizia criminale a Bologna nel XVIII secolo e le riforme di Benedetto XIV}. Nussdorfer notes how meaningful reform of the Roman notarial class occurred only in the eighteenth century.
was responding to a general mistrust of its notarial staff; it is equally clear that to do so was not an easy task, as the reform measures were repeated in Torrone legislation throughout the century. Beyond the processual stipulations already noted above, which guaranteed the integrity of investigations, several regulations touched directly on the comportment and behavior of notaries themselves. The limits on what notaries could charge were particularly emphasized, which indicates a general concern with notarial greed. The 1607 reforms included a wide ban on accepting any emoluments or bribes by notaries beyond those laid out in the salarial tables that were published publicly.\textsuperscript{230} Since much of their work with the public involved copying various acts such as petitions, memoriiali or paci that emerged from cancelled processi, notaries were explicitly limited in what they could charge for copying services: $\frac{1}{2}$ a Giulio for memoriiali; for copies of renuncie or paci, no more than one lira. The notaries were also responsible for receiving the sureties given by parties where the court had imposed a peace accord. For homicides, the notary took $\frac{1}{2}$ a scudo; for non-mortal bloodshed, three Giulii from each individual party to the peace; for simple assaults without bloodshed, three Giulii in total sufficed.

The 1602 document, the Ordini da di NS Papa Clemente Ottavo, first published in 1583, is more explicit about the emoluments and the limits on notarial salaries.\textsuperscript{231} Fees for notarial services were generally low, and moreover, they were pegged to the severity of the crime under investigation. Thus, in most corporal or pecuniary cases, the fee for a notary to compile the paperwork was 2 scudi; but if the possible fine for the delict was 2.5 lire or less it was reduced to 3 soldi, whereas if it was 200 lire or more, the scudi were augmented by 7 soldi. These fees were halved in cases of minor conflict without bloodshed. In the name of efficiency, the Torrone allowed notaries and subjects to combine multiple crimes into a single processo, which could then be paid for with a single fee. This document went so far as to prescribe a complex schema of fees

\textsuperscript{230} ASBo, Assunteria del Torrone, 3c, Constitutioni e bolle del Torrone, 1488–1623, Ordini da Osservarsi dalli Notari del Torrone, cosi intorno alle Cause more alle Mercedi loro, 1607.

\textsuperscript{231} Ordini di NS Papa Clemente Ottavo Sopra l'osservanza delle Constitutioni del Torrone, e Altro" 1583, reproduced 1602.
for individual paper acts, and it ran three manuscript folios on each side. Every document conceivably produced by a notary of the Torrone was given a price, with possible modifications and reductions noted alongside the circumstances that warranted them. The collection and management of these fees was then regulated under a series of provisions that make clear the Torrone's goal of improving the trustworthiness of its notaries. The regulations were as follows:

1. Messengers and notaries, in the course of their duty, may not accept any money except that laid out in the fees.

2. All citations, messages and informazioni must be delivered as soon as possible and without delay to assure “the swift passage of justice”.

3. Only the Caponotaio may receive or disburse payments.

4. Copyists may not write on the original books, on pain of being fired (or worse, at the Governor’s discretion)

5. Any ex-notaries who attempt to access the records of justice will be banned from the state.

6. There should be no more than 8 substitute notaries, and they must remain in close proximity to the offices of the Torrone, and they will change posts every 8 days; notaries should be prepared to pass on records to substitutes in case they are unable to work.

Trials may not be taken out of the office or copied, unless given signed permission by the Caponotaio and his reviewer; all copies made must be equal to and of equal quality as originals.
The measures implemented to reform notaries’ behaviour are illustrative of the widespread distrust to which the Torrone was responding. Ordinary Bolognesi could be forgiven for viewing the court as an intrusive force. Witnesses were reticent to give information to notaries for fear that it might be used against them in the future and could be maddeningly uncooperative.\textsuperscript{232} As the Torrone remained a representative of papal, and therefore non-native, power, Bolognesi continued to treat many criminal acts as civil conflicts, bringing them instead to the vestiges of podestarial justice, such as the Tribunale della Rota.\textsuperscript{233} Aware of these difficulties and the general distrust of professional notaries among the population at large, the judges of the Torrone and their masters in the Senate sought to improve the public image of the court’s visible faces—the notaries who for the most part handled the daily operations of justice.

This late-sixteenth-century series of reforms differed significantly from the early attempts by papal governors to ensure a regularly operating court. In the 1530s, ease of access had been critical, and legislation had dictated that one member of the Rota per week be assigned the duty of handing down summary justice to all face-to-face complainants with minor quarrels.\textsuperscript{234} A 1535 statute laid out the rubric of punishments for fatal violence, in an attempt to regularize the investigation and punishment of homicides.\textsuperscript{235} The punishments were surprisingly harsh: anyone who committed a homicide was immediately banned from the state, under pain of ultimo supplicio (the death sentence); no pardons were to be granted to homicides, even if the killer was able to make peace with his or her victim’s families, and even if the banned killer in turn killed one or several other bandits; multiple homicides were ineligible for the lifting of the ban. These were unexpectedly harsh measures for a court that, in both its medieval antecedents and in its mature form, much preferred the composition of banishment to debt, and tended to use justice as

\textsuperscript{232} Cf. ASBo, Torrone, 3258, 1600, f. 78r–81v in which a witness seems to be deliberately wasting the notary’s time by expounding on the many reasons he could not know the answer sought.

\textsuperscript{233} Angelozzi and Casanova, \textit{La giustizia criminale in una città di antico regime}, 43.

\textsuperscript{234} ASBo, Bandi e Notificazioni, Serie I, No. 3, f. 13, \textit{bando} of 9 February 1536.

\textsuperscript{235} Ibid., f. 6–8, \textit{bando} of 3 August 1535
the means to force conflicting parties to make peace—a pattern it shared with other Mediterranean courts that developed over this period. The mid-sixteenth century turn to repression is probably best explained by the papacy’s need to assert authority and dominate the rebellious people of Bologna. The aim of these homicide punishments was almost certainly the expulsion of significant numbers of factional supporters from the province, easing the Legates’ ability to maintain order and peace in the streets and byways.

By 1600, then, the Torrone had enjoyed some 60 years of authority over Bologna. In that time it had made significant headway in eliminating the noble prerogative of justice, but many of the noble clans continued to operate feudal courts in the contado. It had, however, become the only legitimate criminal court of Bologna, and had piggybacked on medieval offices like the massarius, which allowed institutions to achieve a certain continuity of tradition as well as to insert a trusted insider into rural villages. The homicides that occurred at the turn of the century reflect this trend: Bologna was beginning to recover from the traumas of the papal conquest, and interpersonal violence was generally prosaic: revenge, romance and robbery dominate the records of 1600, uncomplicated by high politics, rebellion or disaster. Indicted homicide rates were comparable to other Italian cities such as Rome at the same time. The Torrone took an active interest in discerning, investigating and ultimately adjudicating homicides, but its approach was not necessarily punitive. Rather, it sought to establish a forum under which peace could be made—or forced—between the killers and their victims. Establishing itself as the sole font of criminal justice was not the first step in a Foucauldian transformation of sovereign power, but rather the new court’s appropriation of the larger Mediterranean pattern by which

237 The earliest mention I find of the Torrone in statutes is 1541. ASBo, Bandi e Notificazioni, Serie I, No. 3, f. 95.
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communities transmuted debts of violence into financial and social liabilities.\textsuperscript{240} Sentencing and execution rates for homicides were negligible, and the city focused its violence on those who robbed pilgrims or those who forged keys. The homicides that occurred in 1600 and 1620 and the treatment they received from the court demonstrate a city relatively “civilized” by the standards of the age.\textsuperscript{241}

2.5 The View from 1620: The Torrone Ascendant

The seventeenth century dawned on a Torrone affirmed in its status as the sole criminal forum in Bologna, and on a population who continued to use violence as a regular strategy of social conflict. However, the homicides that occurred in these years indicate a period of stability in this society, where violence was primarily mundane and did not challenge the presiding hierarchies and structures of social and political authority. Factional violence is practically absent from the record of homicides in 1600, and most homicides occurred in the course of arguments between people who knew each other and whose conflicts had a limited social scope. Public noble violence was not an issue in these years. Broad swaths of the population brought their minor and mortal quarrels to the Torrone for adjudication, such that sometime in the 1620s the Torrone reformed its record-keeping to account for the mounting volume of both the number of cases and the effusive statements taken in their investigation. A fragile peace reigned over Bologna, and the Torrone took much of the credit for it, developing a reputation for autocracy and haughtiness.\textsuperscript{242}

The early century’s relatively low rates of indicted homicides are legible in this light. Early modern Bologna was a society in which the primary purpose of criminal justice was not to eliminate the criminal, but rather to ensure the conditions of peace and order were restored within the communal body. Those communities, in turn, had good reasons to turn to the Torrone

\textsuperscript{240} Foucault, \textit{Discipline and Punish}; Smail, “Violence and Predation in Late Medieval Mediterranean Europe.”


\textsuperscript{242} Angelozzi and Casanova, \textit{La giustizia criminale in una città di antico regime}, 43.
to resolve minor quarrels before they turned to homicidal violence, knowing that the minor fine
they might pay was less onerous than the hardships of exile, the expense of securing a notarized
pardon, or the possibility, however slight, that the *Torrone* might hang a killer if he was caught.
The indicators of a relatively thick atmosphere of social trust were present in Bologna at the time:
significant political upheaval lay in the past and the future; a criminal court was effectively
combining exemplary punishment for theft with mediation of social conflicts; and the local
nobility had recently come together with the papacy to clear the roadways and mountain passes
of dangerous bandits. Run-of-the-mill violence remained commonplace throughout these years,
and the records of homicides are far outnumbered by the records of fistfights, slaps, thrown rocks
and even missed gunshots. Early modern *Bolognesi* were accustomed to conflict and tolerated a
great deal of violence in their communities, and at the turn of the seventeenth century, they were
able to restrain it such that fatal violence remained comparatively low for the region. The
remaining years of the seventeenth century destroyed that equilibrium as first plague and then
political upheaval reared their ugly heads.

2.6 Reform

If the *Torrone* was instituted in order to bring a measure of regularity and reliability to the
complex judicial system that Sarah Blansheii has described above, the ambitions of Legates, judges
and notaries made it a much more powerful instrument of control and coercion than its founding
members had envisioned. A document printed sometime after the death of Paul V in 1621 reveals
the growing ambitions of its judges in a “proposal-response” format. This document, entitled
“Ricordo di alcuni past.ri da trattarsi dagl’Illustriissimo Signori Confessori et Assonti del Torrone col
moltro Illustriissimo et Eccelentissimo Signore Auditore di esso Torrone, con le rispose da esso Signore
Auditore date a capo per capo” establishes the parameters of the *Torrone*’s responsibilities, as seen
by the court’s judge. The judge’s responses to the suggested limits on Torrone activity indicate his view of the court as the state’s primary office of social control.

Each of the proposals addresses a topic of the Torrone’s authority that was contentious and provides the Torrone’s justification for its use of that authority. The first proposal put forward by the Confessori was that the Torrone should not involve itself in minor quarrels such as dannno dato or parole ingiuriose, as these were not important enough to garner its attention. The judge responded that if these crimes might lead to enmity, greater quarrels and violence, then the Torrone should involve itself. On the second point, that the Torrone should not seek out additional witnesses but instead be satisfied with information provided in initial testimony, the judge responded that if he felt it necessary, and depending on the case, the Torrone would seek other witnesses. Both of these points reflect the Torrone’s ambition to act without significant limits on its range of options, and to pursue using whatever means it could for the resolution of quarrels across the legato. Third, the confessor stated that sbirri should not injure or otherwise mistreat prisoners “as they presently do for no good reason.” The judge fully agreed but despaired of how to achieve that goal, as prisoners were often uncooperative in their arrest. Fourth, the Torrone was not ride into the contado except for homicides, assassinations, and other grave crimes, to which the judge simply responded that he could not think of a single instance in which a cavalcate was dispatched for a crime other than those cited. The fifth, sixth and seventh points address notarial abuses, and the judge agreed that notaries should cease their corrupt ways, although he had already tried everything he could think of and thought that the good done by catching criminals outweighed the bad of a bit of notarial graft. The next three points all address the

243 ASBo, Assunteria del Torrone, 3a, Constitutiones Turroni Bandi e Stampe, “Ricordo di alcuni past.ri da trattarsi dall’Ill.mi SS.ri Conf.e et Assonti del Torrone col molto Ill.mo et Ecc.mo Sig. Auditore di esso Torrone, con le rispose da esso S.r Auditore date a capo per capo”, N.D. (1627?), no folio.
244 Ibid.
245 Ibid.
246 Ibid.
Torrone’s procedures for capturing and interrogating suspects, and the judge agreed that the Torrone should provide a quick and transparent process.

By the end of this document, the responding judge was getting positively impatient with his reviewers. He brushes off the notion that notaries should submit all receipts every three months, saying they already did so—to him. He similarly rejected the reforms instituted by Paul V in Rome, arguing that they were designed for Rome and would not function in Bologna. He did agree that notaries should make a better effort to faithfully record the exact words of witnesses, except that sometimes details might be excluded to protect witnesses. Taken as a whole, the fourteen points disputed in this document make clear that the Torrone viewed its role in Bologna as a unique vehicle for the resolution of conflicts and diffusion of peaceful order throughout both the city and contado. From his first response (that the Torrone had authority to insert itself directly into even the most minor quarrels of contadini) to his fourteenth (that the Torrone was a repository of sensitive information, over whose publication the court held responsible custody), this judge declared the court’s sweeping competence and independence, downplayed its corruptions, and justified its domination of Bologna on the grounds that the city was unique and required the Torrone’s guiding hand.

Moments such as the plague of 1630, when increased jurisdiction of daily life allowed the Torrone to increase its power and justify those increases, were tempered by a series of reforms to mitigate the court’s independence and ensure a transparent fiscal and judicial structure. The first of these reforms occurred in 1563, with the subjugation of the Torrone’s finances and the office of the caponotaio to the officers of the Monte di Pietà.247 Another series of reform attempts took place in the 1590s and 1600s, when the court’s eager campaign to gather information about banditry in the contado gave rise to notarial corruption. In 1595, Vice-legate Annibale Rucellai published his Ordini da Osservarsi nel Foro Criminale del Torrone di Bologna, both as a broadsheet posted in public spaces around the city and contado and as a document provided to the Torrone as

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247 Angelozzi and Casanova, La giustizia criminale in una città di antico regime, p. 36.
its guiding orders.\textsuperscript{248} This document defined the scheme of payments and emoluments for notaries, and the procedures they had to follow in keeping records of cases. It was supported in 1596 with a bull by Pius V giving the Monte authority over all of the Torrone’s notaries in addition to the caponotaiolo, and confirming the court’s jurisdiction over all areas of the legato.\textsuperscript{249} Another bull, published in 1602, reproduced the same schedule of fees that dated back to 1580.\textsuperscript{250} The first fifty years of the Torrone’s operations witnessed reforms designed to professionalize and standardize its notarial staff and eliminate the types of petty corruption for which they were known in many public offices.

Five years later, in 1607, the Legate Giustiniani pushed the reforms further, making the Torrone’s casebooks and its finances transparent and accountable. A new set of ordini governed the documentation of cases and the preservation of evidence.\textsuperscript{251} Notaries were ordered to transcribe testimony word for word, instead of in shorthand; to bring evidence to judges at an appropriate time in the investigation, not before or after; to interrogate witnesses individually, rather than in pairs or groups, and to record their testimony directly into the casebooks; and they were not to conduct interrogations for “serious crimes” without a judge’s order or assistance, nor to accept any more payment than stipulated in the rubrics for defense examinations. Notaries were not to interrogate every person who came in to make a denunciation, but were to take that person’s name and write the denunciation in full with its date. These rules all managed the relationships between notaries and witnesses or suspects, regulating the dynamic between the parties to ensure that notaries did not abuse their positions. The next series ensured that cases

\textsuperscript{248} ASBo, Assunteria del Torrone, 3c, Constitutioni e bolle del Torrone, 1488–1623, “Ordini da Osservarsi nel Foro Criminale del Torrone di Bologna,” 1595, no folio.

\textsuperscript{249} Ibid., “Per il Torrone,” 1596, no folio.

\textsuperscript{250} Ibid., “Ordini di NS Papa Clemente Ottavo Sopra l’osservanza delle Constitutioni del Torrone, e Altro,” 1602, no folio.

\textsuperscript{251} Ibid., “Ordini da Osservarsi dalli Notari del Torone, così intoro alle Cause, come anco alle Mercedi loro,” 1607, broadsheet.
would be preserved adequately and would be accessible for future use: copyists were not to write on original processi in any way; as soon as the notary has finished a processo (“in neat, legible writing”) he was to record the case in the caponotaio’s notebook. Similarly, denunciations and quarrels were to be sent immediately to the caponotaio, who reported daily to the legato; every two weeks, or when they completed a casebook, notaries were to report to the caponotaio the names of everybody processed at their bench and turn over all their books as soon as they were filled; finally, they were to retain a full inventory of their own papers and turn this inventory over to their successors. A third set of orders publicly regulated the scheme of payments notaries could receive for making copies of pardons and registering peace accords, and it stipulated situations when they were forbidden to charge for these services (such as when a process was canceled, but a full pardon not granted). These fees were low, a matter of soldi and quattrini for the most part, and many, such as for receiving copies of pardons and grazie, were dependent on the person’s ability to pay.

The Torrone thus emerged as the singular dominant court in the legato of Bologna, the response of a frustrated papal overlord to the continued violent resistance of an ancient and powerful nobility. As the first half of this chapter demonstrates, medieval criminal justice was inextricably linked to the fractious, turbulent and bloody politics of governing the city. When the Bentivoleschi were expelled in 1512, control of the courts and the criminal law became an extremely important element of the city’s governance, and was used for the first thirty years to eliminate vocal elements of the noble opposition to papal rule.252 By the 1540s, papal control was more solid, and the Torrone emerged to cement that rule among all sectors of society, including rural labourers, urban artisans and feudal nobles. The court’s dense informational network, a necessary function of its procedures, allowed it to maintain detailed records of the goings-on of the entire distretto. This network emerged as the bureaucratic face of inquisitto, providing judges and notaries with the necessary background to resolve disputes to the satisfaction of all parties. Its staff were not perfect, and were subject to a series of reforms that culminated in the early

252 Terpstra, in The Art of Executing Well, pp. 121–123.
eighteenth century under Benedetto XIV. These reforms sought to bring clarity and accountability to the work of its notaries.

The sheer volume of the Torrone’s archive, and its long tenure as the central criminal court in Bologna, indicate that it achieved some success in its aims. This is in part because it served the purpose that people wanted: a forum for the public, not private, resolution of disputes that involved entire communities alongside the victims, criminals, and the central court. Much of this progress was illusory, and the judges of the Torrone had a vested interest in promoting the success and impartiality of its processi. They wielded inquisitorial procedure as the supposedly neutral alternative to capricious feudal justice. As the city’s governance stabilized through the sixteenth and seventeenth centuries and was cemented with the final expulsion of fractious nobles in 1664, the Tribunale del Torrone modified the inquisitio procedure to ensure that it effectively upheld state power while simultaneously increasing the penetration of its power into all corners of the legato and into the minutiae of Bolognese daily life. With absolute rule came central, inquisitorial criminal justice, both to empower the city’s new sovereign and to reduce the hold of its vicious nobility over the conflicts and concerns of the contadini, blacksmiths and wool-sellers of the legato.

2.7 State Homicide: Executions 1600–1700

The uneasy peace of the early-seventeenth century was built on a late-sixteenth century campaign of repression and execution in the contado and a law-and-order push in the city. Beginning in the 1580s, a strong push to secure the roads and mountain passes around Bologna took the lives of many bandits and made bandits of many men. A society’s stability and the strength of its social and political institutions reflected not only in the behaviour of the population, but that of the state as well. In its punitive approach to violence, the Torrone demonstrated that its primary concern was not the vengeful punishing of private conflict. When it executed people it did so because their crimes damaged the court or other city institutions, or

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253 Angelozzi and Casanova, La giustizia criminale a Bologna nel XVIII secolo e le riforme di Benedetto XIV.
because they were thieves. The court was paranoid of threats to its authority and leery of intervening with a heavy hand in private homicides that it viewed, rightly as per the population’s wishes, as properly resolved through peacemaking channels. These early years of the century thus show little institutional stability: although the court was legitimate enough to adjudicate many homicides, it achieved this legitimacy through the violent repression of threats to its authority. The execution patterns of the century’s first three decades bear this out.

![Figure 2.1: Executions in Bologna, 1600-1700.](image)

In the decade 1590–99, the Torrone executed on average 18 people a year, according to the journals kept by the city’s confraternity of comforters, the company of Santa Maria della Morte. A detailed look at those numbers reveals that spikes in the comforter’s journal found in the Archivio di Stato in Bologna list 255 executions between 1600 and 1629, or 8.5 executions per annum, and 46% of the century total. A mere 28 of those executions were for homicides, and in most of those cases the court did not execute the killer because of the homicide itself. Rather, executions of homicides fit into the more general pattern of executions exposed here. Perpetrators of homicides were executed when their violence had threatened the institutions of society, such as the court, the family, or state relations. Thus, in 1600, the first nobleman of the

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254 Terpstra, “Theory into Practice”, in The Art of Executing Well.
century died at the hands of the Torrone: Signore Francesco Bezzelli of Verona, who in August had murdered his servant in Piazza San Martino while visiting Bologna.\textsuperscript{255} He was not hanged for this offense, however. Bezzelli pinned the murder on a local street urchin named Pietro, and held his story long enough for the Torrone to sentence the street urchin to death for attacking a nobleman’s retinue. When further questioning revealed Bezzelli’s ruse, he was hanged for perjury and abuse of the Torrone, not for the murder of his servant. Bezzelli’s high status made this execution atypical, and he was decapitated rather than hanged, though his head was posted on the gates facing Verona.\textsuperscript{256} He was one of ten executed in 1600.

In other years 1600–1629, the number of executions ranged from 1 (in 1615, 1616) to 21 (in 1625). The one man killed each year in 1615 and 1616 were hanged as thieves, which remained common.\textsuperscript{257} In 1625, of the 21 people killed, ten were killed in groups of two and three for various robberies, thefts and murders committed during their careers as bandits.\textsuperscript{258} The others included a serial robber, a robber who had falsely accused someone of murder, and a jailbreak. Six of the 21 were killers: a mother sentenced for infanticide was beheaded on 6 August; a priest who violated his orders by shooting Signore Cesare Ghisilieri was decapitated on 10 May; and the man who stalked Alessio Bignardi dalla Palla and murdered him was hanged and quartered on 31 May. On 9 August, Tomaso Ambrosini was hanged after he killed his brother-in-law, and on 23 September Girolamo Alborano was hanged as a bandit for outlawry he incurred after killing the sbirro of Medicina. On 6 December, one other killer was hanged for hunting his victim at night before killing him. The homicides the Torrone punished with death were unusual, not bred of the ordinary conflict within communities that accounted for the large majority of homicides committed. The victims were unusual: an infant and a relative by marriage. The killers—a young

\textsuperscript{255} ASBo, Torrone, 3227, f. 358.

\textsuperscript{256} ASBo, Gonari, execution of 27 Sept. 1600.

\textsuperscript{257} Ibid., executions of 27 June 1615 and 3 September 1516.

\textsuperscript{258} Ibid., Executions of 1 February 1625, 23 August 1625,
mother and a priest sworn against violence—were similarly unusual. The circumstances were sinister: high-ranking men stalked through the streets and eliminated at night, not during an open conflict. These killers were executed not because they killed, but because their killings broke the line of social conflict and threatened social trust. And then, still, homicides remained in the minority of executed crimes.

With 21 executions, 1625 was the most active year in the century for the Torrone's hangman, due in large part to the four multiple executions that took place. Eighteen were executed in 1627, and 17 each in 1607 and 1610. In 1627, 16 of the executions were of thieves, and only one of a killer (who had killed his wife, and was also technically a thief since he killed her for her jewels).\(^{259}\) One other man was hanged for counterfeiting Venetian ducats.\(^{260}\) In 1607, two of 17 executions were for homicide, both of priests in religious orders.\(^{261}\) None of the 17 in 1610 was for homicides. Again in these years, the vast majority of executions were for theft, particularly when it involved breaking and entering, or took place on roadways with threats of acts of force.

Why execute robbers and not killers? Why did the Torrone treat theft as though it were a greater threat to society than murder? Theft is a qualitatively different act than homicide: violence was a social act that could occur between relations and friends as a legitimate, albeit disruptive, aspect of community. Even a homicide did not preclude the killer’s reintegration into that community if he was able to make peace with the aggrieved kin and foreswear the conflict. Theft, on the other hand, is inherently anti-social. It occurs outside of community relationships and is often committed by outsiders. The thief was more contemptible than the killer; thus the state, by taking action against thieves, sowed belief within communities that the court was a legitimate recourse for aggrieved parties. Communities wanted punishment of theft and mediation of violence, and the Torrone strengthened its hold on justice by giving them both. The laws of

\(^{259}\) Ibid., execution of 9 October 1627.

\(^{260}\) Ibid., execution of 27 September 1627.

\(^{261}\) Ibid., executions of 18 August 1627 and 13 October 1627.
banditry and peace allowed the court to bind both communities and criminals to itself in ties of petty financial obligation which served as guarantors of fealty. By executing thieves, the Torrone made itself the forum that mediated homicidal conflicts, paradoxically by neglecting to physically punish the killers.

The Torrone executed people mostly by hanging. From 1600 to 1629, 194 of 255 (76%) executions were performed by hanging. By the seventeenth century the court had for the most part dispensed with the elaborate theatre of execution that it had used in the sixteenth century to demonstrate its firm hold on power and the bodily consequences of deviance or rebellion. Most of these condemned were not subject to the public humiliations of being carted around the city and tortured at the sites of their victims’ houses or the locations of their crimes. Instead, they were conducted solemnly from the Torrone’s jails in what is now the Palazzo Comunale and hanged in the Piazza Maggiore or the Piazza del Mercato, now the Piazza VIII Agosto and still the site of a weekly market. Hanging was the most frequent means to execute criminals whose crimes, while warranting execution, were generally prosaic in nature.

More elaborate modes of execution were reserved for those who committed crimes against the state or particularly heinous crimes. On 10 March 1600, two men were taken from the prison in a cart to the Piazza Maggiore where they were each give two “large cuts.” From there, bleeding, they were processed to the bank of M.r Taddeo Ghelli, which they had robbed, and cut twice more; twice again they were sliced open at the house of the Procuratore Grati, and twice more at the gate “beneath the butchers”. Finally, back in Piazza Maggiore and beneath the Ringhiera, the balcony from which members of the senate and the Legate watched, the right hands of both men were amputated. There, they were hanged and quartered. These men were not simple thieves and their execution was calibrated to reflect their diversi delitti. First, they had


263 ASBo, Gonari delle Giustizie, execution of 10 March 1600.
robbed Ghelli’s bank of 15,000 *scudi d'oro* in coin and then fled to Hungary. When Ghelli’s agent, the *Procuratore* Grati, caught up with them in Vienna, they shot an archebus at his notary. Somewhere in their adventures, they had also killed a butcher named Taddeo Abelli. They suffered for each of these crimes in stages along their execution, and their deaths were meant to give satisfaction in turn to each of the aggrieved parties, including the butchers’ guild. These spectacular, moving theatres of death were rare, however, and rarer still as the years passed. The next occurred in 1601, when the young man from Cesena (a foreigner, importantly) who had killed S.r Alessandro de’ Bianchi was processed through the streets, had his hand cut off in front of the Palazzo Bianchi, and was hanged and quartered in the piazza. The next similar spectacle would not occur until 1606.

Spectacular executions in this period were reserved for severe crimes of morality and crimes against the state. Robbing pilgrims on their way to Rome would get you hanged, as would abducting a woman and holding her hostage to rob her. Two prisoners who might have avoided the ignominy were put in the cart after they murdered a guard, took his keys and money, and broke out of prison. Finding the gates out of the palace barred, they locked themselves in the *Cancelleria* until the Torrone’s *sbirri* retrieved them. They were brought in a cart to each city gate before returning to *Piazza Maggiore*, where they were torn with hot pincers, tied to stakes, had their throats cut and were quartered. These were not ordinary crimes: pilgrims were sacrosanct and under the papacy’s protection; the woman’s abduction, with intimations of violation, compounded the already capital crime of robbery. The escaped prisoners challenged the authority of the court and the city and killed a court agent in the process: their grim fate was necessary, in the Torrone’s eyes, because their crime challenged institutional strength.

Accused heretics and homosexuals were also burned in this period, five of each between 1600 and 1629. These men were not investigated by the Torrone, but its officers imprisoned the

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victims and carried out the execution. Five men were burned between 1607 and 1614 for sodomia or “il peccato nefarioso.” The Torrone investigated cases of sodomy only when the complaint was of violation, usually of someone’s son. These men appear to have been processed as sodomites in the Archiepiscopal court, and the language used—the nefarious sin—demonstrates that for this society, homosexuality fell into the narrative of sin and purgation; fire became the means to cleanse the sin. The case was similar for the five alleged Lutherans burned: one of them died alone in 1618, and his comforter’s noted that “He conversed in the Conforteria, and left assured of himself with a moral security of his sin.” Four more died together in 1622, after some sort of “abuse done publicly in San Petronio the previous day.” The record of their execution is accompanied by a panic-stricken comforter’s notes on the growing fears of Lutheranism in the city. With the exception of one counterfeiter (whose coins challenged both the power of the state and God, since they faked papal currency), only accused sodomites and Lutherans died by fire.

The Torrone, then, continued to execute significant numbers of people in the early-seventeenth century, exercising the physical power that constituted the heavy stick of the push to pacify Bologna and its countryside. But the target of its violent repression was not itself the violence of Bolognesi. As recorded by the elite men of Santa Maria della Morte, the crimes that merited execution were those that challenged institutional structures, such as the system of property ownership which theft and robbery abrogated, the power of the court which Francesco Bellezzi the Veronese nobleman demeaned with his perjury, or the Catholic dogmas that made sodomy and Lutheranism actionable sins. The Torrone did not execute killers who killed in the course of conflict within, or even between, communities. In large part, this is because most killers

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266 Ibid., executions of 10 November 1607, 23 January 1610, 7 August 1610, 20 February 1613, 18 August 1614.
267 ASBo, Torrone, 4290, f. 212r.
268 ASBo, Gonari, execution of 5 November 1618.
269 Ibid., 4 executions of 28 November 1622.
270 Ibid., execution of 16 October 1610.
immediately fled to contumacy and incurred de facto capital sentences of banditry—but these were mediated with a fine and a peace accord, not with their heads. 271 As the example of the Ghelli bank bandits shows, plaintiffs would go to extraordinary lengths—even Hungary!—to apprehend criminals, and extradition treaties between Bologna and neighbouring states had existed since at least 1539. 272 The Torrone’s execution policy demonstrates that violent conflict between its subjects was not its primary concern and warranted state violence only when the violence was combined with more nefarious issues. Again social and institutional trust worked on homicide: by giving communities room to make peace among their members in the semi-formalized channels of mercy, contumacy and fines over execution, the Torrone encouraged users to bring these very complaints to the court for mediation. At the same time, the court assured its users that outsiders who robbed their homes or abducted their daughters would be punished with maximum severity, thereby further buttressing its power.

In many ways both the Foucauldian and Eliasian readings of the decline of execution in Europe are correct: as the court amassed power and control in Bologna, and as urban and peasant communities exercised its non-violent avenues of justice, the need for exemplary execution became less pressing—even for crimes that breached the contract between state and citizen. The influence of papal justice was wielded through soft measures, such as mediation, rather than through the rack and the rope. But contra Foucault, the state was not engaged in a sinister project to survey the thoughts of ordinary citizens or to imprison their movements: the Torrone took a practical and measured approach to justice that considered the impact of its decrees in terms of whether they would breed or quell distrust and conflict among the population, and against the judicial system. Nor, as an Eliasian reading would have it, did the Torrone actively disseminate a

271 Cf. the work of Daniel Smail, who has developed the most convincing view of the mediating, and collecting, role of Mediterranean courts, and of the function of contumacy within their jurisdictions. D. Smail, “Violence and Predation in Late Medieval Mediterranean Europe”; Daniel Lord. Smail, The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264–1423 (Ithaca: Cornell University Press, 2003), http://www.loc.gov/catdir/toc/ecip043/2003010112.html.

new set of non-violent values through its penalties. Its approach to justice presumes a broadly casual acceptance of the efficacy, if not desirability, of some violence in social action, but it sought to channel the social fallout of that violence away from revenge and towards peace. Meeting interpersonal violence with state violence eroded the Torrone's ability to slow revenge violence, and executions rapidly declined to negligible levels over the remainder of the seventeenth century.

While the state and people of Bologna suffered through the crises of the mid-seicento that bookend much of this dissertation's argument, the Torrone executed 210 people from 1630–1659, of whom 205 were men and five were women. The early years of this period were dominated by executions for thefts and crimes specific to plague and quarantine, which are explored further in Chapter Five. Executions of killers in the 1630s (14 out of a total 56) breached the understanding of violence's normalized place in society that informed much of the Torrone's approach to justice. Murderers were hanged when they preyed on victims, especially if they did so as part of a conspiracy or for heinous material ends, such as receiving an inheritance before the plague arrived.\textsuperscript{273} When homicides breached the acceptable social boundaries and a servant killed his master, the Torrone executed the servant; so too with a husband who was condemned for poisoning his wife.\textsuperscript{274} Only four of the 14 executions for homicide were carried out after 1635, indicating that the execution of killers in the early 1630s was largely related to the continuing disorder wrought by plague in those years.

The 1640s also saw the Torrone executing killers primarily when their crimes transgressed the reasonable defense of self, kin and community that judges usually met with non-violent judicial intervention. The threat of marauding soldiers, recently deserted from the Italian campaigns of the Thirty Years' War, resulted in a higher tally of executions overall in the 1640s (85

\textsuperscript{273} ASBo, \textit{Gonari}, executions of Francesco Riccabene 2\textsuperscript{nd} January 1630, of Francesco di Giovanni, soldier, 4 May 1630, of Mariano Imadesi 16 March 1630, of Domenico Magnani 18 December 1632.

\textsuperscript{274} Ibid., execution of Giacinto Sabbatini 7 May 1631, 18 December 1631.
from 1640 to 1649) than in the previous decade. Fully 29 of the 85 condemned criminals in this decade were soldiers condemned for various delicts, from desertion to homicide (compare to three soldiers among the 56 executed in the 1630s). Outside of the soldiery, slayers were condemned to death for the same reasons as in the previous decade: they killed in ways that damaged hierarchical structures of society and threatened the state's ability to administer non-violent conflict resolution. The husband and wife hanged in 1640 for burying their daughter's husband in a field after killing him opened the decade, and the hanging of a hired assassin of a Casalecchio man closed it in 1649. The overall growth of executions in Bologna during the 1640s betrays the fault lines cracking in Bolognese society: soldiers caused disorders in the contado and the basic hierarchies of social order and conflict resolution were under threat by the radically altered economic and demographic circumstances of the post-plague world.

The Torrone seemed less concerned with order and apparently had fewer soldiers troubling the provincial during the 1650s, when the number of executions dropped by over 50% to 42. With 21 of these executions carried out as punishment for homicide, this decade had the largest proportion yet (50%) of executions for killing. The signs of Bologna’s brewing civil war were visible in the court’s efforts to pacify internecine and anti-papal revenge violence through demonstrative executions. Three of these executions were for the murder of a Torrone judge, an incident explored further in Chapter Four. Two more were for the killers of two members of the powerful de Grassi clan who had profited during the papal occupancy through participation in the newly reformed senate. The other 15 were primarily urban: servants and minor players of noble houses who did their part for their clans by killing one another in Bologna; and the homicides

276 ASBo, Gonari, executions of Diamante Mori and Domenico di Lumese Bonvoglii, 17 January 1640, of Alessandro Brighani, 6 November 1649.
277 Ibid., executions of Filippo Stefanini, Mario Stefanini and Francesco Vitale, 26 April 1653.
278 Ibid., executions of Alessandro Barbieri, 14 February 1652, and of Giovanni Antonio Malisardi, 5 May 1657; Gardi, Lo Stato in Provincia.
associated with robbery and predation that accompanied the breakdown of social peace in mid-century Bologna. The executions of the 1650s show a court straining against that breakdown and attempting to firmly quell the resurgence of public violence and revenge-as-politics.

The court obviously changed its approach in the 1660s: there were only 27 executions across the decade, the fewest so far in the century. Nine men were executed for homicide, showing that the court retained a heightened interest in violence. But, following the drastic measures taken to pacify the nobility in the 1660s, its focus returned to the interpersonal violence that transgressed acceptable social orders: the nine executed killers were all condemned for uxoricide, peace-breaking or being paid assassins. In this period, when the factional disorders wracking the city brought homicide rates to an urban civil war of 104/100,000, the court did not execute noblemen. Again, the slippery concept of social trust helps to explain this: in the fragile political arena of Bologna, the court’s overreach in condemning the nobility’s traditional practices by executing its violent members would only rend the breach further. Better to attempt mediation or, as happened in Bologna, remove the problem through large-scale political exile.

The rapid decline in executions continued through the remainder of the century, with only 85 carried out 1670 to 1700. A minor spike occurred in 1671 and 1672, a time of poor harvests and elevated grain prices; bread riots in Bologna in 1671 led to three executions, and homicides involving resources and violence against authorities were punished with execution as well. Another tumulto in the city in 1677 saw four men hanged for sacking the bottega of Antonio Maria Uttini. Thefts and counterfeiting coins—crimes that broke boundaries of property and ownership which were guaranteed by law, and crimes which threatened the sovereignty of the pope in Rome or his representatives in Bologna—remained the primary target of judicial violence during these decades. The violence prompted by noble factionalism in mid-century had dissipated and the court returned its attention to the mundane regulation of social and economic life that occupied its primary interests: achieving primacy as Bologna’s judicial forum for resolving social conflict.
2.8 Conclusion

The period from the late-thirteenth to the late-seventeenth century was bracketed by two attempts to control the nobility—that of the popolo in the earlier period and that of the reform popes and legates in the later period. The popolo attempt failed, and the fourteenth and fifteenth centuries witnessed an erosion of due process and the development of abbreviated trial procedures. That period also saw a policy that sought to implement social control “top down” by combining leniency (peace accords and poverty pleas) with exemplary punishments against rebels. The transition from the podestarial courts to the Torrone marked the establishment of a new, more centralized, administrative system of justice; but only gradually did it evolve into an instrument of control that finally curbed the nobility’s power and offered a venue for resolving disputes, bringing litigants to court instead of to blows. It did so in part by returning to and amplifying the late-thirteenth-century emphasis upon fact-finding and interrogating witnesses, and by the use of peace accords and letters of pardon to broker reconciliation—again a continuity of a medieval practice.  

In this sense, the maturation of the Torrone system was also a “bottom-up” process: litigants of all stripes turned to the courts, just as they had turned away in the fourteenth century with the decline of accusation procedure. Yet the Torrone also differed significantly from the podestarial courts, not only in its centralization and professionalism, but in its emphasis on making dispute resolution a public matter that involved entire communities. The long transition from private to public justice proceeded between the thirteenth and seventeenth centuries in an uneven manner. But by the end of the seventeenth century, the public dimension in criminal justice had reached a new level of efficacy and cohesion.

As the Torrone grew in power, the scope of its presence in Bolognese life made it more than a forum in which social actors resolved their differences. Judges of the Torrone could promulgate legislation concerning law and order: as early as 1583, auditori declared new public

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security measures and an official policy against bandits.\textsuperscript{280} The court’s judges were closely linked to the Legatine government; in 1596 the Auditore del Torrone also served as the vice regent of papal authority in the city.\textsuperscript{281} Firearms regulation and the roles of rural bailiffs and militias also fell under the Torrone’s administrative purview. The Torrone’s self-advertising as a neutral and impartial forum for conflict resolution was misleading in this light; centralized criminal justice and the Torrone’s active efforts to control behaviour through legislation and decree were critical to the maturation of papal rule over Bologna.

\textsuperscript{280} ASBo, Bandi e Notificazione, Serie I, No. 5, bando of 5 September 1584.

\textsuperscript{281} Ibid., Serie I, No. 6, Bando of 11 March 1597.
3 Homicide in Bologna, 1600–1700

3.1 Introduction

On 19 October 1600, the patriarch Francesco “Righo” della Ronchetta was taken from his prison cell and brought to the palace of Signore Galeazzo Paleotti in Bologna. There, Paleotti, a member of a prominent Senatorial family who was sponsoring a peace conference between the feuding clans from Aiano, was waiting with a notary. The notary demanded from Francesco della Ronchetta an account of all the men in his kin group and their last known whereabouts. Francesco obliged. He had seen his cousin Taddeo Tanetti just the evening before, when Taddeo had visited him in prison and was then sent to find a good lawyer. The notary and the Signore Paleotti fixated on Battista della Ronchetta, Francesco’s nephew and the oldest member of the clan’s younger generation. When Francesco had last seen his nephew three months before, their parting words had been ominous: Battista had said, “I have been shamed and I hold myself one who does not want peace.”

This was a problem, because just the day before, Giovanni Pellegrino Tozzi had been shot dead within city walls, and Battista had spoken his parting words as he stormed out of the peace conference that brought together these feuding shepherds. Francesco supplied the tantalizing hints of a backstory: “The peace we were making was between the Tozzi and the Righi and we the Ronchetti, and the hatred is old between the Ronchetta and Tozzi and Righi houses, for which many men have died.” It was this feud that Paleotti was attempting to mediate, during which process Battista had been taken into his household as a servant. When Battista had refused to make peace and fled the house, Paleotti had expelled him from service. Battista was now presumed to have killed Giovanni Pellegrino Tozzi while pursuing his unsatisfied vendetta.

282 ASBo, Torrone, 3246, f. 178r.
283 Ibid.
284 These are not the wealthy noble factions of sixteenth-century Friuli, though the case looks similar in many ways. The Ronchetti and Tozzi were minor landowners, holders of local power in their mountain pass but with no wider influence or power. These were small mountain folk with vital hatreds of their own. Cf. E. Muir, Mad Blood Stirring:
This rural feud between minor landowners and the efforts made by Bolognese authorities to quell its violence encapsulate both this chapter’s argument and Bologna’s the sociopolitical situation at the opening of the seventeenth century. In 1600, the Tribunale del Torrone had effectively established its jurisdiction and a measure of peace over the urban core: within the city, homicide rates between 1600 and 1620 were comparatively low when measured against contemporary rural rates or later urban ones. Moreover, following the bitter conflicts between papal authorities and the local nobility that occupied much of the sixteenth century, certain families of the city’s nobility, such as the Paleottis noted above, had accommodated papal dominance and become active members of the city’s Senate, or had entered the papal ranks through the Chapters of both the Cathedral and the Basilica. Yet the authority of judges and notaries remained fragile, especially outside the safety of city walls, where a legally disciplined population was more of an ideal than a reality. The campaign waged against banditry in the papal states in the late-sixteenth century had indeed made the roads and waterways safer places, but borderlands remained fraught with local conflict. The state struggled to penetrate the communities of the many villages and hamlets that dotted both the plain and the mountain valleys to the south. More to the purpose of the papacy, the cleansing of bandits had directed the energies of a restless nobility towards violence that served both themselves and the state. By securing the roadways that ran through their traditional landholdings, nobility performed their feudal duties that they maintained were their hereditary privilege even a century after the papal conquest. Here, hanging bandits stood in for dispensing justice, though many nobles also re-

Vendetta & Factions in Friuli during the Renaissance (Baltimore: Johns Hopkins University Press, 1993), in particular Chap. IV, 110–133.


286 Cf. the bando of 21 August 1585 assigning punishments for those who harassed, assaulted or otherwise impeded massari as they carried out their duties, particularly transit of prisoners. The theme of this bando repeats throughout the seventeenth century. ASBo, Bandi e Notificazione, Serie I, No 5, Bando of 21 August 1585.
established illegitimate feudal tribunals in their lands at this time.\textsuperscript{287} At the beginning of the century, then, the Torrone had made headway on reining in interpersonal violence within the city and was reaching to the contado to extend its sphere of influence.

The homicidal violence that occurred in 1600, 1610 and 1620 reflects this uneasy stability. More homicides were investigated in 1600 than in either 1610 or 1620, a fact which demonstrates the court’s continued concern with rural banditry and its attempts to assert more control over rural areas. The homicides that did occur took place primarily in the orbit of family and sociability, and could be considered typical of a society with strong institutions and strong social bonds but which suffered endemic poverty in both urban and rural contexts, not to mention extreme economic inequality. Love and lust feature in many of the homicides that occurred in these samples, as does highway robbery and the pursuit of vendetta in person and by hired proxy. It is clear that at the outset of the seventeenth century, the Bolognese contado remained a dangerous and violent land, while the city itself was comparatively peaceful. What separated the century’s early years from the rest was the absence of any major noble feuding that characterized medieval and, as this dissertation demonstrates, Baroque Bologna. Artisans, labourers and merchants killed each other, their families, their lovers and occasionally their employers. The success of the sixteenth century had been the relative pacification of the fractious local nobility, a peace which depended upon the papacy’s ability to co-opt noble violence into civil society, as had been done in the recent contado campaigns. A civilizing process took place in Bologna during the sixteenth century, consciously wrought by Julius II and his successors, often with great bloodshed.\textsuperscript{288} However, civilizing processes are fragile at best, and Bologna’s artisan and laboring classes continued to practice a quotidian violence that reflected the instability of their lives in a profoundly stratified early modern city.

\textsuperscript{287} Angelozzi, \textit{La Nobiltà Disciplinata}, chap. 3.

\textsuperscript{288} N. Terpstra, “Theory into Practice: Executions, Comforting and Comforters,” in N. Terpstra, ed., \textit{The Art of Executing Well}. 

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This chapter draws its analysis primarily from 675 investigations into unexplained deaths drawn from the Torrone’s archives in approximate ten-year gaps. In each year, every investigation and trial into a cadaver—including those that begin and end with a body inspection—were collected into the database, which was then winnowed to represent only deaths confirmed as homicides by the notaries of the Torrone and their medical witnesses. All pertinent variables were drawn from deep reading of the trials themselves. The run of investigation / trial evidence totals more than 1000 buste of processi conserved in the Archivio di Stato di Bologna. All years except the sample from 1652 are complete. Some 25% of the buste from 1652 are water-damaged beyond usability, necessitating an extrapolation of homicide rates from the 75% of buste that permitted analysis (several years on either side of 1652 were in worse condition, which necessitated this approach). These sources permit a broad reconstruction, gleaned from a large body of judicial materials, of the primary characteristics and patterns of homicidal violence in the eleven years spanning 1600 –1700.

3.2 Characteristics of Homicide in 1600

This dissertation works with “Indicted Homicide Rates” of killings investigated, adjudicated and resolved by the Torrone. These indictments are a reliable guide to the general levels of fatal violence extant in the region. Although it is impossible to say whether the Torrone was made aware of every killing, the rates are comparable to other Italian cities at the time; the “black figure” of unreported homicides is likely small, and would only serve to paint a bleaker picture of Bologna’s experience in the seventeenth century.

Population figures for the city throughout the seventeenth century were drawn by Bellettini from a variety of parish censuses and other surveys that were undertaken at irregular intervals by Bolognese and church authorities. Population figures for the contado are more difficult to come by, but from the figures that were collected also appear to have been relatively stable throughout the seventeenth century; an early period of growth was followed by a drop after 1630 and a steady rise back to pre-plague levels. The average

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population throughout the century was about 65,000 city inhabitants and 165,000 rural inhabitants, for a total provincial population of approximately 230,000 individuals.\(^{291}\)

In 1600, we have firm figures for both città and contado. Bellettini accounted for 62,844 city-dwellers and 144,951 paesani, for a provincial population of 207,795 individuals.\(^{292}\) This puts 1600 towards the low end of population figures, though not so much as to appear extraneous. The Torrone accounted for 58 homicides from January to December, 1600; removing accidents (6) and one infanticide trial leaves 51 definitive cases of killing. Using the Torrone’s accounting, indicted homicide rates for 1600 were 30.2/100,000 in the city, 27/100,000 in the contado, and 28/100,000 as an aggregate rate for the province. Having extracted infanticides and accidents, we arrive at definitive homicide rates of 25 urban, 24.1 rural, and 24.5 aggregated for the province. This places 1600 towards the high end of the spectrum of homicide rates for the years sampled here, with the fourth-highest aggregate rates next to 1632, 1652 and 1660. A comparison to modern homicide rates also provides a meaningful benchmark for these aggregate figures. According to the United Nations Office for Drugs and Crime Global Study on Homicide 2011, the homicide rate of the province of Bologna, and much of North Italy, was somewhere below 1/100,000 in 2005, making it one of the safest areas of Europe in terms of homicidal violence.\(^{293}\) Thus, the seventeenth century in Bologna started with a relatively high incidence of violence, which was particularly so when one factors in accidents and infanticides; the occurrence of violence was also approximately equal in the city and the contado. This near parity of rates is typical of the end of the century, as will be shown below, but is not a pattern that carried throughout the century. Indeed, the divergence between urban and rural rates is indicative of varying attempts to control violence in the city and to cleanse the contado of disorder; it also indicates that social structures changed around major

\(^{291}\) Ibid., 48.

\(^{292}\) Ibid., 25–27, 48.

events of the century such as the plague of 1630. The characteristics of urban and rural violence could be quite different, however, a fact which again indicates the Torrone’s tenuous hold over the contado.

Thus, in 1600, we account for 51 homicides, 16 of which were urban and 35 rural. Within this annual count, however, there are significant fluctuations by season and month. The annual rhythms of homicide are fairly predictable, although they fluctuated mildly year by year. In 1600, homicides occurred as shown in Figure 1 below.

Fig. 1: Homicides/ Month 1600

Fig. 3.1: Homicides per Month, 1600. Source: ASB, Tribunale del Torrone, Atti e Processi, II.138.3171-3264.

Figure 1 demonstrates the annual rhythm of violence in Bologna in 1600. This pattern was a typical pattern and remained a near-constant characteristic of homicide across the century. The year began relatively peacefully, with three deaths occurring in January and two in February,
before a rapid spike to six each for the months of March and April. The early months of spring were often considerably more violent than the first months of the year, and Blastenbrei (among others) is quick to attribute the spike to disorders and social inversion surrounding Carnival.\textsuperscript{294} While this was true in Bologna in certain years, it does not appear to account for the sharp uptick in violence during March and April of 1600: none of the killings had the hallmark features of carnival violence—namely, spontaneous public aggression fuelled by alcohol intake during or following the festivities. In one case, which occurred 30 March 1600, a group of young men, several of whom were banned and likely snuck into the city during Carnival, came to blows outside the Palazzo Bentivoglio, and one of them ended up dead.\textsuperscript{295} The argument appears to have predated the encounter, and Carnival appears to have played only a minor role, if any, in its flaring up at that time. Carnival violence is more visible in other years throughout the century, and it is easily identified by the presence of masked revelers and itinerant groups of singing drunks. If anything caused the higher number of homicides in March and April, it is likely related to the social and labour rhythms of the season, but it cannot be pinned specifically on Carnival from an analysis of the homicides themselves. The only homicide that specifically displays these traits was one of the two in February, indicating not only that Carnival was relatively early in this year but also relatively peaceful in terms of fatal violence.\textsuperscript{296}

The spike in homicides in spring was followed by a lull in May, with 2 homicides investigated, before summer inaugurated an annually typical season of high temperatures, high tensions and explosive tempers. June and July were, in many different environments and geographic areas, months in which the mad blood stirred.\textsuperscript{297} In North Italy, this is partly explained

\begin{footnotesize}
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    \item \textsuperscript{295} ASBo, Tribunale del Torrone, Atti e Processi, II.138.3202, f. 28.
    \item \textsuperscript{296} ASBo, Tribunale del Torrone, Atti e Processi, II.138.3192, f. 104.
    \item \textsuperscript{297} Shakespeare, Romeo and Juliet, III.1.4; Blastenbrei, “Violence, arms and criminal justice” finds a totally distinct pattern for Rome in which violence declines during the summer months, as people fled the oppressive heat of
\end{itemize}
\end{footnotesize}
by the agricultural calendar, according to which people harvested the winter and spring supply of
grain and grapes in late summer and fall; by June, these supplies were often running low in poorer
sections of the population. June and July were thus difficult months to begin with. They also were
the time to settle scores. Three of the six homicides that occurred in June appear to have been
vengeful, for previous insults perceived or real. Two more occurred in the course of a heated
argument between a group of soldiers and a mixed group of students and artisans who resided in
Bologna. The fatal brawl occurred in a brothel during arguments over the soldiers' perceived
treatment of the meretrici. In July, six of eight homicides were brought on by sour relationships
between acquaintances, for shoddy business dealing (1), for inappropriate relations with
someone's female relatives (2), for perceived failings of the clergy (1) or for other longstanding
hatred and rivalry (2).

August continued this trend of high violence, but as the population prepared for the late-
summer and early-fall harvest, land rights played a more significant role in the month's violence
(2), and family reputation was at stake in 2 cases as well. In one of these cases, a son killed his
father's second wife, who he accused of being a prostitute prior to marrying his father; the other
occurred during the Ronchetti-Tozzi feud discussed at the opening of this chapter. The first of
the remaining two involved the murder of a servant by a Veronese nobleman who had
attempted to blame a local Bolognese street urchin for the crime; the other was an unsolved
mystery in which the eleven-year-old victim's mutilated corpse was found in the woods after he
had been sent to trade a horse in the nearby town of Barbarolo.

298 ASB, Tribunale del Torrone, Atti e Processi, II.138.3252, f. 223.
299 ASB, Tribunale del Torrone, Atti e Processi, II.138.3224, f. 275.
300 ASB, Tribunale del Torrone, Atti e Processi, II.138.3228, f. 358; II.138.3227, f. 279. This Veronese nobleman was
the only person indicted for homicide who was executed in 1600. ASBo, Gonari delle Giustizie seguite a Bologna del
1600 a 1750, execution of 9/27/1600.
September witnessed another brief lull, with only four homicides, but October proved violent. This was typical of October, the end of the harvest season for both grain and grapes. This was a time when agricultural labour was drawing to a close, and exhausted Bolognese lashed out against relatives and enemies alike. Three cases were of men killing lovers or potential lovers.\textsuperscript{301} One cousin murdered another in the pursuit of a vendetta between two factions; one man killed his acquaintance over unpaid debts; two masons killed a young man of the Alberti over his shameful treatment of a lady; and another young man killed his fellow dancer in an argument over a girl. Two of the remaining homicides went unsolved, and the last was part of the feud from Aiano.

By November, violence had returned to the low level seen at the beginning of the year, and would stay there through December. The four cases over those two months all involved conflict within families. The male-on-male violence characteristic of the hot months (when land, women and other social and material resources were all hotly contested) was not a feature of the end of the year. A father killed his daughter's persistent suitor; a man hired a bandit to murder his uncle on the road to his mother's house; a brother murdered his sister for unclear reasons; and a longstanding rivalry between two families from Luminasio was resolved with the murder of the 25-year-old scion of the Frasanetti family. Thus concluded twelve months of violence in Bologna, ending as they began: with a whimper that rose to a scream in the summer months, before dying off as the weather turned cold and people's thoughts turned first and foremost to survival through the winter.

The Torrone’s failure to regularly record the ages of killers is an impediment to a full reconstruction of homicide. Criminologists, sociologists and historians agree that the vast majority of homicidal violence is committed by males aged 18–35, which roughly corresponds to the vague period that early modern Bolognese referred to as “youth.”\textsuperscript{302} However, although they

\begin{footnotesize}
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\item[\textsuperscript{301}] ASB, Tribunale del Torrone, Atti e Processi, IL.138.3257, f. 29.
\item[\textsuperscript{302}] Daly and Wilson, 284–288; Eisner, 112–115; Spierenburg, A history of Murder, p. 90; on Italian youth, cf. O. Niccoli, Il seme della violenza: Putti, fanciulli, e mammoli, (Rome: Laterza, 1995); Elizabeth Crouzet-Pavan, “A Flower of
\end{itemize}
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may not have been able to regularly or accurately record the ages of slayers, the notaries of the Torrone collected the vast majority of the ages of victims, via a protocol of the Torrone’s trial process. The surgical reports noted in the introduction above, which were common to early modern Italian judicial systems, assiduously noted the gender, age, appearance and clothing of homicide victims, and also of assault victims on their way to becoming victims of homicide.\(^\text{303}\)

Thus, we have a reliable indicator of the ages of these victims, for approximately 500 of the 700 total deaths including infanticides and accidents. This cannot reveal in any concrete way the ages of killers, although age can indicate in a rough way the social networks in which the victim operated. In many cases where a victim seems unusually old, he was the elder party in a faction, attacked by the younger men of another faction.

In 1600, the average age of a homicide victim was 33, with outliers on both sides. The three infanticides prosecuted in this year dragged the average down, while the accidental deaths of two 70-year-old men and a 55-year-old brought it up. Another 45-year-old died after falling to the ground while being chased around the rooftops by sbirri; his death remains in the homicide count. At the same time, 12-year-old Francesca balances out the death of 50-year-old Paolino Rossi.

Removing all the outliers, the picture is essentially unchanged, and the average age of victims stays at 33. There are some patterns within each age grouping. Older victims were more likely to die as a result of targeted attacks, such as when Ercole de Benedetto answered his door late at night only to be shot in the face by a party of his enemies.\(^\text{304}\) Deaths that occurred in the heat of

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\(^{304}\) Cf. Blastenbrei, 70, for more on the relazioni dei barberi. Here, as in many other ways, the Torrone proves itself ahead of the curve in judicial organization. Whereas in Rome these relazioni are in a separate archival fondo and were considered a supplementary tool of judicial activity, in Bologna the relazioni formed a crucial part of any criminal investigation into violence. When they do not begin a process, they are the first recourse after initial denunciation; they are conserved as a part of the entire criminal process, in the same fascicolo as witness testimonies, interrogations, sentences and appeals.

\(^{304}\) ASB, Tribunale del Torrone, Atti e Processi, II.138.3204, f 297.
argument, or in other spontaneous outbursts of violence, were more likely to involve young men, as in the post-Mass argument that led to the death of 25-year-old Francesco Frasanetti.\textsuperscript{305} Women tended to die older than men, as a proportional measure among the smaller absolute numbers of female victims. In 1600, apart from 12-year-old Francesca, who in fact died while defending her mother from a lover's enraged son,\textsuperscript{306} no woman under the age of thirty appears to have been killed, although it should be noted that three of the eight women killed in 1600 were not identified by age during inspections of their bodies. In Bologna, at the beginning of the seventeenth century, the years from 15–35 were particularly dangerous for active young men, although there was no guaranteed safety in age.

We have more reliable information for the sex of killers than for their ages, and equally reliable information for the sex of victims. Of the 51 definite homicides that occurred in 1600, 43 (84\%) involved male victims, and in every one of these cases except one where no killer was ever identified, the killers were also male. In the 8 (16\%) cases involving female victims, all of the killers were also male. Thus, once putative infanticides are removed from the sample, the murdering class of 1600 was entirely male. The number of killers per victim is also worthy of analysis, as collective action can indicate not only forethought and violent intent but also the social regularity of violence as a means of fostering both competition and cooperation. The 51 homicides were committed by 81 killers; 14 (27.5\%) of the homicides were committed by groups of two or more men working in concert. Of these, there were three groups of four killers, four groups of three killers, and eight pairs of killers. These groups were composed of family members, co-workers, or faction members. The factions were based around a core of family members—in this year, the Ronchetti and Tozzi clans who actively feuded throughout 1600. Additionally, an unknown number of sbirri contributed to the death of Michele di Cheli during a botched arrest in

\textsuperscript{305} ASB, Tribunale del Torrone, Atti e Processi, II.138.3253, f. 301.
\textsuperscript{306} ASB, Tribunale del Torrone, Atti e Processi, II.138.3195, f. 303.
Budrio in April.\textsuperscript{307} Group violence was not abnormal in seventeenth-century Bologna, and its prevalence speaks to the powerful role in male sociability that violence continued to play at the outset of the seventeenth century. This role, emergent from the strong bonding power of cooperative violence and its communicative effectiveness, would not abate through the century, demonstrating that civilization and violence went hand in hand in Bologna.

Further, for any given year, it is important to analyze the means of homicide as an insight into the psychology and immediate situational emotions of homicidal acts. Killing is difficult and requires the killer to overcome significant psychological barriers to the taking of a life.\textsuperscript{308} As a general rule, this difficulty lessens with the killer’s physical distance from his victim, and with the psychological distance provided by advanced weaponry.\textsuperscript{309} This means that it is easier to bash someone with a rock than it is to strangle him with bare hands; easier to stab someone with a pitchfork than with a dagger; and, importantly, much easier to shoot someone with a firearm from ten paces than to stab him up close. By the beginning of the seventeenth century, firearms ownership was common in the province of Bologna, a situation exacerbated by a piece of 1614 legislation mandating firearms ownership among rural Bolognesi to combat bandit incursions.\textsuperscript{310} In 1600, the 58 total deaths, including the removed infanticides and accidents, were accomplished with the variety of weapons as shown in Fig. 2.

\textsuperscript{307} ASB, Tribunale del Torrone, Atti e Processi, II.138.3200, f. 151.


\textsuperscript{309} Ibid., Section III, Introduction.

\textsuperscript{310} ASBo, \textit{Bandi Intorno al Torrone, Bando che gl'Habitanti ne'Communi convincini alli confini di Prencipi esterni debbano tenere in casa gl'archibugi, portarli con essi, correre alla stremita}, 7 June 1614.
In 1600—and in all but two of the eleven years sampled across the century—the largest proportion of homicides were committed with rudimentary firearms known as the archibugio a ruota or the archibugio a fuoco, which were increasingly common across North Italy. Twenty (39%) of the 51 confirmed homicides were committed with a firearm, indicating that the firearm was the go-to choice for violence by the beginning of the century, a trend that is fully in line with the psychology of homicide as well as the contingent historical situation in north Italy. This situation, explored in detail below, witnessed a flood of firearms into the contado in the late-sixteenth and early-seventeenth centuries, making the archibugio a cheap and easily available weapon to a wide variety of social groups, despite aggressive legislation to require licenses for firearms and to ban their possession or use in populated areas.

The second most commonly used tools in homicide were a variety of edged weapons. From knives and daggers (though rarely the elite stiletto) to swords, and including agricultural and pastoral implements such as hoes, pitchforks and boar-spears, these weapons accounted for 17
(33%) of our confirmed killings. Firearms and edged weapons were the primary means used to kill in 1600, followed by an unusually large proportion (in this sample) of “unknown weapons” from seven cases (13%) that were definitively homicides, but whose circumstances of the death were unclear. The six drownings noted in Figure 2 were all deemed accidental, making the next category of homicide blunt weapons, such as purpose-designed clubs or whatever piece of wood was handy; these were used in 5 homicides (9%). Projectiles (rocks), poison, and strangulation accounted for one homicide (2%) each. Although killers had a wide variety of weapons and weapon-like tools at their disposal, in 1600 they first chose the archibugio and then the blade to commit their violence, indicating a comfort with violence and a familiarity with weaponry that pervaded all levels of society, wherein violence could be seen as a useful or functional mode of communication. With only minor exceptions, this pattern held across the century, despite repeated attempts by Legates to curtail gun violence and the assiduous efforts of urban sbirri to disarm the populace.

The question remains, who were the killers and victims to one another?\(^{311}\) The relationships of the killers and victims are broken down by number of homicides in Figure 3. The Torrone established the relationships between killer and slain in most cases. In 1600, 22 (43%) of killers were known to their victims and were of the same social group or community, and of roughly equal social status. Ten killers slew family members, though none killed an immediately consanguineous relative. In-laws were the more likely family member to murder. Four killers did so, either exercising or protesting authority.

\(^{311}\) On the relationship between violence and kin networks, cf. Raggio, Faide E Parentele; Smail, “Factions and Vengeance in Renaissance Italy. A Review Article.”
We do not know the relationships between the killer and his victim in 15 cases. Usually a relationship is unclear only in cases where a killer is never identified, thus making it impossible to determine how or if they knew their victim. Three of these cases, in which the killer was identified, were homicides committed by people whose relationship to their victims is unclear. They might have known each other: a priest was killed by a group of workers, and two soldiers were killed by a group of Bolognese in the course of a brothel argument turned brawl. Those three homicides clearly fit into the category of spontaneous male-on-male conflict. Another, in which a group of people called out their victim’s name and then gunned him down in his doorway, was clearly the denouement of some sour relationship. Homicides that were committed by persons totally unknown to the victim and in which the killer was identified

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312 ASB, Tribunale del Torrone, Atti e Processi, II.138.3224.
313 ASB, Tribunale del Torrone, Atti e Processi, II.138.3223.
314 ASB, Tribunale del Torrone, Atti e Processi, II.138.3204.
included the murder of a Roman by two Bolognese during the course of an argument,\textsuperscript{315} and a roadside robbery committed by bandits.\textsuperscript{316} Thus, the vast majority of homicides in 1600 were in fact committed by people who knew each other at least by name and acquaintance, rather than between strangers.

That situation bespeaks a relatively stable society in which violence occurred in the course of daily conflict, an unfortunate reality that early modern Italians were accustomed to and, indeed, embraced to a large extent. But these homicides were censured not by the repressive action of state forces, but by a court-mediated process of community censure. Killers were sentenced as guilty in 28 of 51 indicted processi, and in fifteen cases, the record notes that they later received pardon after making peace with their respective victim’s relatives. Of the 28 sentenced to hang, only one did so, for reasons explored below. The Torrone did not police violence with the use of violence at this time, and in every case, the condemned men suffered exile for lengthy, often indeterminate, periods of time. Rooted in persistent Mediterranean structures, this customary approach to conflict resolution functioned when social trust was relatively thick and communities could withstand the occasional violent rupture.

This brings us back to our feuding shepherds from Aiano, and the chaos that their ongoing conflict inflicted on their local areas through 1600. In the several criminal processi that arose from the disorder, no one was punished. Nobody executed, nobody found to be primarily responsible for the disquiet, and only a few of the parties formally banished, though none in perpetuity. Yet the judge of the Torrone still clearly took an active interest in the goings-on of small montagna towns, enough that he brought the feuding principals together under a banner of peace. The peace conference shows several things. The factionalism of Bolognese nobility was not binary antagonism against papal rule. Some of the nobility had advanced their family fortunes through accommodation of papal rule. These families supported the Torrone project and participated in its

\textsuperscript{315} ASB, Tribunale del Torrone, Atti e Processi, II.138.3200, f.73.
\textsuperscript{316} ASB, Tribunale del Torrone, Atti e Processi, II.138.3171, f. 301.
judicial program, acting as elite sponsors of peace accords between rural Bolognesi. Here the Paleotti family filled this role, and Signore Galeazzo, acting as a good patron, sought to bind these families to the peace by bringing young Niccolo della Ronchetta into his service. By 1600, the Torrone had won the acquiescence of certain Bolognese nobility, who by this point were grouped loosely into papal (oligarchic) and anti-papal (republican) factions.\textsuperscript{317}

Moreover, the Torrone and Paleotti had the ability to host such a peace conference, apparently without significant coercion: by their report, the patriarchs of each family had voluntarily confined themselves to the city and had pledged themselves to the peace conference. In the day-to-day life of the feud, their word was bond in their home territories, and violence was restrained to the peripheries of each faction; servants primarily suffered the violence. When both Francesco della Ronchetta and Antonio Tozzi removed themselves from their local hierarchies tensions flared and Niccolo, the son of Francesco, murdered his counterpart, Giovanni Pellegrino Tozzi. Ironically, by imposing the peacemaking process, the Torrone inadvertently amped up this feud's violence by removing it from its home territory, where local social hierarchies had hitherto limited its bloodshed. That the Torrone was established as a legitimate peacemaking body did not mean that it was effective in making that peace.

3.3 1610 and 1620: A Peaceful City, a Blood-soaked Plain

The situation seemingly only improved in the next two decades. Immediately apparent in the homicide records of 1610 and 1620 are a significant drop in the number of urban homicides and a general reduction in levels of violence. Bellettini gives population figures for both city and contado in years close enough to 1610 and 1620 that they function as good estimates. In 1606, the city's population was 65,417 and the contado's 161,983, for a provincial population of 226,500.\textsuperscript{318}


\textsuperscript{318} Bellettini. 25–27.
The Torrone trial records accounted for 34 total homicides in 1610, with the majority (29) concentrated in the contado and an extreme, and slightly dubious, low of five in the città. These absolute numbers translate to an overall homicide rate of 15, a rural rate of 18, and an urban rate of 7.6. Removing five accidents, three from the contado and two within the walls, as well as one infanticide, we are left with 28 definitive homicides, 3 in the city walls and the remaining 25 in the contado. These figures translate into consolidated homicides rates of 12.4 in aggregate, 15.5 in the contado, and an urban rate of 4.6. The urban figures for this year and for 1620 appear remarkably low in comparison to the years on either side; it must be noted, however, that the decade 1610–1620 and the years on either end featured a strong push, to reduce crime within the city walls and to restrain the violent groups of noble retainers who were deemed responsible for the majority of urban violence.319 Urban violence tumbled significantly in the first three decades of the seventeenth century before the shock of the 1630 plague inverted that pattern.

Bellettini provides population figures for the year 1617 of 67,871 for the city and 171,976 for the contado, making a total population of 239,847.320 Note here the rapid growth of the rural population since 1610, which gained 10,000 inhabitants in a decade, and approximately 27,000 from 1600 to 1620. Perhaps accompanying the rapid population growth, a slight increase in homicide numbers between 1610 and 1620 also increased the indicted homicide rate. Using the Torrone’s accounting of homicides, the year 1620 featured five urban homicides and 36 rural homicides for a total of 41 deaths. These figures translate into homicide rates of 7.4, 21 and 17, respectively. After removing from consideration another six fatal accidents, the final count of homicides for 1620 stands at three urban, 32 rural and 35 in total. The revised homicide rates for these counts are an urban rate of 4.4, a rural rate of 18.6 and a total rate of 14.6. Thus, despite the sharp drop in homicide rates between 1600 and 1610, particularly in the urban environment,


320 Bellettini, 26–27.
violence rebounded with a slight increase in homicide rates in the ensuing decade, indicating that whatever successes the police forces of Bologna may have had in curbing homicidal violence were fragile and temporary, subject to the pushback from a population that continued to view violence as an appropriate expression of social tension and as a means to resolve it. The city was well under heel, if the Torrone's holdings are reflective of actual homicides in the city.

As in 1600, violence in these two years followed a fairly regular annual rhythm, although there are some slight differences between the three years. The distribution of homicides by month for the year 1610 is shown in Fig. 4 below.

Fig. 3.4: Homicides by Month, 1610. Source: ASB, Tribunale del Torrone, Atti e Processi, II.138.4203-4323.

As shown in Fig. 4, 1610 began bloodily before levels of violence grew towards their customary summer highs. The one death noted for January was the putative infanticide mentioned above, in which a male infant was found in a canal; no trial ensued because it was impossible to identify the child.\footnote{321} Carnival was also generally peaceful this year, with no homicides occurring in February. In March, the Torrone investigated an apparent suicide\footnote{322} and

\footnotetext{321}{ASB, Tribunale del Torrone, Atti e Processi, II.138.4209, f. 23.}
\footnotetext{322}{ASB, Tribunale del Torrone, Atti e Processi, II.138.4228, f. 16.}
the vicious murder of a woman’s lover by her husband and in-laws, which was accompanied by significant non-fatal violence enacted against the unfaithful wife.\textsuperscript{323}

There were three homicides in April 1610, putting the month on the low end, while during May notaries were dispatched to investigate four homicides, including those of a young noble who killed a young lawyer over a gambling debt,\textsuperscript{324} and two Bolognese sbirri who transported “one of those guys who castrates pigs” into Tuscan territory before killing him.\textsuperscript{325} The one homicide shown for June is illusory, as it was accounted as a homicide by the Torrone but appears more to have been an accident of negligence that occurred during the procession of the Holy Sacament, when a spontaneous horse race got out of control and a horse trampled a man of seventy.\textsuperscript{326} The first six months of 1610, compared to 1600, were peaceful, with a total of nine homicides committed in March, April and May and no definitive homicides noted or investigated by the judges and notaries of the Torrone in January, February or June. The low number of homicides is suspect, but counter-balanced by the obvious dedication of involved parties to denounce, publicize and pursue justice for wrongful deaths. This assiduousness was mandated by the Torrone’s officials, and backed up by punishment with stiff fines.\textsuperscript{327} Although it remains possible that the low count for the early months of 1610 reflect poor records management by the Torrone rather than an actual lack of violence, the weight of evidence given by the other ten years in the sample make this an unlikely scenario. This is best seen as a reminder that violence, like all phenomena, will only follow human-created patterns to a certain extent and cannot be predicted with much regularity.

\textsuperscript{323} ASB, Tribunale del Torrone, Atti e Processi, II.138.4220, f. 301.
\textsuperscript{324} ASB, Tribunale del Torrone, Atti e Processi, II.138.4238/1, f. 22.
\textsuperscript{325} ASB, Tribunale del Torrone, Atti e Processi, II.138.4232, f. 348.
\textsuperscript{326} ASB, Tribunale del Torrone, Atti e Processi, II.138.4238/1, f. 168.
\textsuperscript{327} ASB, Bandi intorno al Tribunale del Torrone, “Notification alli massari, saltari, ministrali & altri di portare le denoncè”, March 27 1690.
The summer months of July and August brought homicides, with four and three cases respectively. Three cases in July appear to have been murders committed during arguments over women, or in one case, the uxoricide of a wife by her husband, who was alleged to have another paramour in Modena, and who used the knife he had been given by his mother-in-law. The fourth was a murder committed after the victim shot the killer’s dog, which was barking at him. The three August homicides were all cases of male-male conflict, all of it spontaneous, and in two cases the victim and the killer were known to each other. Included among the vicious murder of a foreigner and that of a trespasser on noble hunting grounds is a case that exposes the extreme poverty endemic to rural Italy in the seventeenth century, in the course of which two contadini both lost their hats. When only one hat was found, an argument ensued and one of the contadini died on his way home after the beating he had received. The absence of urban homicides made the summer of 1610 unusually peaceful. Rural homicides committed during arguments over women were prominent in July, while August contained cases typical of that time of year: arguments that took place in the course of agricultural labour or hunting.

September thus stands out as the bloodiest month of the year, with 8 homicides noted by the Torrone, one of which was an agricultural accident and thus has been removed from the sample. The seven remaining cases include the double murder of two brothers who had bought land out from under their neighbours; the murder of a field labourer by his noble employer; the killing of a woman’s lover by her jealous husband; the hired killing of a pharmacist by his

328 ASB, Tribunale del Torrone, Atti e Processi, II.138.4240, f. 301.
329 ASB, Tribunale del Torrone, Atti e Processi, II.138.4223, f. 351.
330 ASB, Tribunale del Torrone, Atti e Processi, II.138.4254, f. 51.
331 ASB, Tribunale del Torrone, Atti e Processi, II.138.4275, f. 83.
332 ASB, Tribunale del Torrone, Atti e Processi, II.138.4261, f. 231.
333 ASB, Tribunale del Torrone, Atti e Processi, II.138.4264, f. 175.
business partner, and two cases where the killer remained unclear. In one of these unclear cases, the brothers accused of shooting their co-workers (for a local noble family) were acquitted, and the death remained unsolved; in the other, no killer was ever identified in an extremely complex trial process that stretched over more than 800 folios in a self-contained busta. This extremely violent month was followed by a peaceful October.

The Torrone accounted for a total seven homicides in October and November. Two are removed from the final statistical count. One of these was a clear and obvious infanticide in which an infant was found in a canal with a rope and rock tied around its neck. However, statistical consistency demands that this case be treated equal to other, more murky, cases of infanticide. The other was an accident in which a cannon exploded during a ceremonial celebration, killing the unfortunate soldier tasked with loading and firing it. Removing those two cases leaves five homicides between October and November, two in October and three in November. Both of the October homicides appear to have accompanied robberies, one of an 80-year-old man and the other of the 35-year-old socio to Signore Emilio Varchetta. The three November killings took place over two events. One was a double homicide, of a father and son, in the course of negotiations over the sale of livestock. The other was a shooting that occurred during the course

334 ASB, Tribunale del Torrone, Atti e Processi, II.138.4273, f. 49.
335 ASB, Tribunale del Torrone, Atti e Processi, II.138.4276, f. 83.
336 ASB, Tribunale del Torrone, Atti e Processi, II.138.4263.
337 ASB, Tribunale del Torrone, Atti e Processi, II.138.4290, f. 303.
339 ASB, Tribunale del Torrone, Atti e Processi, II.138.4228, f. 7.
340 ASB, Tribunale del Torrone, Atti e Processi, II.138.4266, f. 397.
341 ASB, Tribunale del Torrone, Atti e Processi, II.138.4284, f. 331.
of a late-night argument, the causes of which are unknown. These late-season homicides are typical of the time of year, when winter was approaching and resources began to grow scarce; many robberies-turned-homicides tended to occur in these months, as did disputes over agricultural property such as livestock.

With no homicides in December, 1610 ended peacefully. It had remained fairly nonviolent, with a spike in homicides in September. 1620 exhibited a much higher degree of summertime violence, with homicides at a high level from April through August. This pattern is shown in Fig. 5 below. 1620 was also, according to Angelozzi, the beginning of the period in which the recalcitrant nobility of Bologna began to push back against the Legates’ law-and-order program, which sought to curb their traditional rights to violence and prerogatives to render justice as they saw fit. Thus, following a continuation of the early-century lull in homicides, the decades after 1620 saw a rapid increase in the total scale of homicidal violence, which peaked in 1660 before rapidly falling off to levels approximately equal to rates of homicide from earlier in the century. The monthly pattern for 1620 is shown below.

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342 ASB, Tribunale del Torrone, Atti e Processi, II.1358.4287, f. 301.
Homicides in 1620 occurred more regularly through the summer than in 1610, with typical low levels at the beginning and end of the year. Extracting an accident leaves January homicide-free, while removing a carnival-time accident leaves one homicide in February, a pseudo-duel that nearly ended poorly for the killer before his second stepped in and the two of them stabbed their opponent to death.\(^{343}\) In March, a *sbirro* was killed by a young barber in the city,\(^{344}\) and a farmer shot an employee of the Pepoli who was trespassing in his chestnut groves.\(^{345}\) 1620 had a fairly peaceful spring before violence began to erupt in April, with six confirmed homicides.

Four of the six April homicides occurred during the course of habitual arguments between men who knew each other and had previous enmity or friendship. In one other, a putative goat-

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\(^{343}\) ASB, Tribunale del Torrone, Atti e Processi, II.138.5031, f. 303.

\(^{344}\) ASB, Tribunale del Torrone, Atti e Processi, II.138.5037, f. 75.

\(^{345}\) ASB, Tribunale del Torrone, Atti e Processi, II.138.5043, f. 301.
rustler shot the owner in the mouth after being caught in his victim’s stall at night. The last looked a little too much like a suicide for the Torrone to write it off completely as such. Both confirmed homicides in May occurred during the course of arguments over livestock—in one case over the division of profits among cousins of the sale of some beasts, and another in which a woman guarding her sheep threw a rock at a ten-year-old girl, hitting her in the head and killing her. In all of these early-season homicides, the victims were known to their killers and vice-versa. Rarely did Bolognese kill strangers, particularly at times of the year when the resources of survival could be threatened more easily by family, friends and neighbours. Social peace could be easily maintained in these conditions, especially with passers-by.

June was extremely violent, and in cases in which a motive is clear from the record (four of eight) the story is familiar. A man was killed in a case of mistaken identity by a cuckolded husband out for his wife’s lover,346 and a massaro was killed by his socio’s creditor.347 A traffic jam on a crowded roadway ended when one carter simply pushed through, knocking another driver off his cart, beneath the wheels of another.348 The final case whose motive can be imputed shows the Mediterranean pattern of combining conflict in legal arenas with more direct means.349 Bolognese were equally willing to prosecute conflicts on multiple fronts and demonstrated this fact when a Giovan’Maria reacted to a lawsuit against him in the Foro Civile by murdering one of the witnesses testifying against him, who was also his opponent’s cousin.350 The other four cases from June are much murkier, due to the state of the records (both in terms of organization and preservation).

346 ASB, Tribunale del Torrone, Atti e Processi, II.138.5059, f. 349.
347 ASB, Tribunale del Torrone, Atti e Processi, II.138.5055, f. 333.
348 ASB, Tribunale del Torrone, Atti e Processi, II.138.5051, f. 505.
350 ASB, Tribunale del Torrone, Atti e Processi, II.138.5049, f. 401.
In July, the five homicides that occurred included two very similar to that of Giovan’Maria: in one, a man accused in the Torrone of stealing a length of canvas killed his accuser,\textsuperscript{351} and in the other, a man killed the accused thief.\textsuperscript{352} The month also included homicides in the course of arguments over debt, during the arrest of two bandits taking refuge in a hostel, and a gruesome case in which a decomposed body was found strung up between trees in the woods.

The four confirmed homicides in August bring to the fore the modern concern with youth conflict, and bullying in particular. Throughout the century, cases occurred in which a young boy, usually a servant to an artisan or a noble family, was killed by an older boy in the same employ, during the course of habitual harassment and intimidation. Such a case occurred in August 1620, as did a revenge killing prompted by the theft of furniture, a roadside robbery by bandits, and the murder of one of Hercole Pepoli’s socì by the socì of Pepoli’s brother Filippo. This was followed in September by the revenge killing of a young contadino, following a protracted conflict between two families that had already seen beatings and assaults before escalating to a public shooting on a roadside.

The remaining six homicides that occurred between October and December 1620 included two uxoricides and the murder of a husband by his wife’s lover and his son. The seeming high proportion of familial homicides in 1620 should be placed against the comparative absence of urban, noble violence between the young men of the major noble clans. That kind of public disorder was precisely the target of the Torrone’s anti-violence program, which limited specifically the number of arms licenses granted to noble retainers and the numbers in which they could travel.\textsuperscript{353} The “civilizing process” theory strongly suggests that certain types of violence, specifically public, male-on-male violence, observed a precipitous decline throughout modernity.

\textsuperscript{351} ASB, Tribunale del Torrone, Atti e Processi, II.138.5076, f. 301.
\textsuperscript{352} ASB, Tribunale del Torrone, Atti e Processi, II.138.5062, f. 351.
\textsuperscript{353} ASBo, Bandi intorno al Torrone, “Bando dell’Arme, con la innovation d’altri bandi, ristretto al luogo, ville e distretto di Castel Bolognese: con la rivocatione delle Licenze,” 28 December 1612; “Bando in materia dell’Armi,” 20 December 1616; “Bando sopra l’Armi,” 29 March 1618.
while private, gendered violence such as domestic assault and murder remained relatively stable in absolute numbers, thus growing their proportional share of the overall homicide rate. The other three homicides from October–December 1620 were all of the first type: violence between young men prompted by arguments that often had precedence. In one of these cases, that of a foreigner, it is unclear if or how he knew his slayers; but in the other two, killer and victim were obviously acquainted, if not habitual friends. Active attempts to reduce public male violence were only moderately successful.

As in 1600, the average ages of victims in 1610 and 1620 fell towards the high end of what constituted “youth.” In 1610, a victim’s average was 30, and in 1620 it was 33. The same patterns generally hold true for 1610 and 1620 as they did in 1600: women tended to die older than men, and as the result of planned assaults; older men died primarily in the course of planned and organized killings; young men died in spontaneous outbursts of violence. However, the proportion of male and female victims shifted in the first and second decades of the century, such that in 1610 9% of victims (3) were female, and in 1620 12% were female, with male victims accounting for 91% and 88%, respectively. These are of course low numbers from which to draw any firm conclusions, but some tentative and familiar patterns emerge. The sex of killers was typically skewed towards males: male killers accounted for 95% and 98% of all killings throughout the two years, leaving 5% and 2% for females respectively. These men killed in groups in a similar proportion to the killers from 1600. Of the total 63 homicides throughout the two years, 20 (32%) were committed in groups of two or more, generally made up of family or faction members whose interests aligned, at least temporarily, well enough to make group homicide a useful social strategy. The demographics of fatal violence look similar across 1600 to 1620.

Curiously, in 1610, more killers used knives than guns, though these two categories still accounted for the vast majority of killings, as demonstrated in the figures below.

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354 Daly and Wilson, p. 284; Spierenburg, A History of Murder, p. 224.
In both 1610 and 1620 the large majority (53/63 confirmed homicides, 53/75 accounted by the Torrone; 84% and 71% respectively) were committed with either a firearm or an edged weapon. Firearms were obvious tools of violence, and did not serve any other purpose; edged weapons were multi-use tools depending on context, and although many Bolognese killed with edged tools such as a hoe, men and many women were accustomed to carrying a blade, ostensibly for cutting...
bread or eating. That more knives than guns appeared in this year’s record does not mean they were a preferred weapon, as six of the killings were done with both knives and guns. Conflicts that began with knives were often finished with guns, both of which were kept close at hand. How do we reconcile this fact with the extremely tight-knit, close-bonded rural communities and urban neighbourhoods in which violence occurred? Again, this chapter stresses that violence occurred primarily within known relationships, where the victim was at the very least acquainted with his killer and vice versa. The relationships in which homicides occurred in 1610 and 1620 are shown below.

Fig. 8: Homicidal Relationships, 1610

- Authority
- In-Laws
- Marriage/Affair/Lovers
- Acquaintance
- Consang Beyond 1st
- 1st Degree Consang
- Unknown

Fig. 3.8 Homicidal Relationships, 1610. Source: ASB, *Tribunale del Torrone, Atti e Processi*, II.138.4203-4323.
As Fig. 8 and Fig. 9 demonstrate, the majority of homicides occurred between people who knew each other at least by sight. The large categories in which the relationship is unclear (8 cases each year) do not contradict this: in these cases, it is primarily because the identity of the killer remained unknown that we do not know the relationship he had to his victim. In many cases, such as the robbery/murder of Battista Parenti in Gaggio in 1620, the killers may have known their victim; indeed, they knew enough about him to judge his stall worthy of breaking into. Familial homicides, such as parricide, occurred at relatively low rates in these two years. The one instance of homicide in a first-degree consanguineous relationship was a case in which a sixteen-year-old youth allegedly beat his sister badly enough that she took ill and died two weeks later. With a smattering of homicides related marriage (or other amorous relations) in each year, the primary category remains the amorphous “Acquaintance”—a category which extends from deepest

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355 ASB, Tribunale del Torrone, Atti e Processi, II.138.5025-5107.
356 ASB, Tribunale del Torrone, Atti e Processi, II.138.4222, f. 299.
habitual friendship to a passing recognition and greeting in the road, and was often based on a shared hometown or neighbourhood. In the extremely social towns and neighbourhoods of early modern Bologna, these relationships were the playing field in which battles for status were fought, the theatre in which deeply felt verbal insults were acted upon, and the forum in which disputes arose and erupted into violence. Men do not, in the vast majority of circumstances, murder complete strangers. The records from Bologna confirm this modern phenomenon: homicides were most likely to be committed by an acquaintance of the victim.

Although more peaceful in both indicted homicide rates and in absolute numbers than 1600, both 1610 and 1620 suffered violence characteristic of a society in which institutional and social trust was at an acceptable level. Violence followed a predictable seasonal pattern with more homicides in the summer and during periods of carnival or harvest than during winter or spring. Public male violence was present though not excessive, and domestic violence attracted the attention of authorities and communities. Easy availability of both edged weapons and guns resulted in much bloodshed, but it was largely condemned by communities and killers often atoned. In this society, legislation such as arms bans might have encouraged some people to put away their guns, and people witnessed the court’s attempts to remedy its own failings, as it did when it initiated a massive criminal process against a group of *sbirri* accused of a litany of abuses. But though it may have achieved a semblance of peace in the streets of Bologna, the *Torrone* was still confronted by communities that employed violence both privately and publicly—and often fatally—to resolve their problems. More importantly, eliminating or even punishing that violence was not the goal of the criminal court. As the court’s records of execution demonstrate, when acting out homicides of its own, the *Torrone* was almost dismissive of criminal murderers.

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357 ASBo, *Torrone*, 4232, process against Fuzellini brothers, 1603; 4202, process against group of *sbirri*. 
3.4 General Characteristics of Homicide in 1632

The black death of 1630 struck the northern Italian cities harder than their Tuscan and southern counterparts. In particular, cities in the Veneto suffered the hardest, with Verona losing as much as a whopping 60% of its population, and Padua 59%; the Lombard cities also lost significant portions of their population, with Milan and Brescia each losing about 46%, and Bergamo 40%.\textsuperscript{358} Within Emilia, Bologna got off comparatively easy with a 24% mortality rate within the city; Parma, 100km and two small cities away to the west, lost as much as 50% of its population.\textsuperscript{359} The figure of 24% for Bologna is confirmed by Bellettini’s analysis of a city census undertaken in 1631, which gives a figure of 46,747 for the \textit{intramure} population, and of parish censuses undertaken in 1632, which provide a total figure of 43,114.\textsuperscript{360} These figures do not contradict one another, as the plague resurfaced in 1631 in a less-intense form that nevertheless accounts for the 3000-person drop in population between 1631 and 1632. Populations of the towns and villages of the \textit{contado} are not available, although Cipolla notes, from Tuscan data, that plagues tended to hit some rural settlements extremely hard while leaving others untouched, and that mortality in these cases added up to a proportional loss of population very similar to that in the urban centre.\textsuperscript{361} The closest population figure we have for the \textit{contado} beyond 1632 is 165,500 in 1652; in 1660, this had climbed to 177,457. Assuming that the rate of population growth was relatively stable (approximately 1200/year) throughout this period, we can extrapolate a 1632 \textit{contado} population of about 140,000, which then gives an approximate 20% mortality rate from pre-plague populations.

\begin{footnotesize}
359 Ibid.
361 Cipolla, p. 102.
\end{footnotesize}
With these numbers we can provide homicide rates for the post-plague society. The *Torrone*’s records from 1632 included only homicides that fit within the statistical analysis. No accidents or infanticides were included in the trial records, leaving the *Torrone*’s accounting in line with this study’s. In 1632, there were 16 homicides in the city, a small number compared to 61 in the *contado*, leaving a total count of 77. This translates into homicide rates of 6.9 for the city, 43.6 for the *contado*, and 42 for the province as a whole. The obvious discrepancy between urban and rural homicides is a focus of the next chapter. Here, it suffices to observe that the monthly rhythm of homicides was very similar to years prior, though there was a higher overall incidence of homicides, particularly in the first six months of the year. Fig. 10 shows the distribution of homicides by month in 1632.

![Fig. 10: Homicides/ Month 1632](image-url)

Fig. 3.10 Homicides per Month, 1632. Source: ASB, *Tribunale del Torrone, Atti e Processi*, II.138.5896-5972.
Within that rhythm, gender distributions of homicide remained similar to other years: 88% (68) of victims were male and 12% (9) female; and 98% (148) of the killers were male, compared to 2% (3) female killers. The average age of victims was 31.5, directly in line with typical early-century patterns of violence. The weaponry used, too, was fairly typical of broader patterns of violence, with most homicides committed using either firearms or edged weapons, as shown in Fig. 11 below.

![Fig. 11: Weapons used in Homicides, 1632](image)

Fig. 11. Weapons used in Homicides, 1632. Source: ASB, *Tribunale del Torrone, Atti e Processi*, II.138.5806-5972.

Thus, 1632 looks fairly typical in terms of the demography and means of homicide, although its homicide rates stand out as both high and disparate, with an extremely violent countryside and a peaceful city. Where it begins to look exceptional is in analysis of the relationships between killer and killed, which take a different form than in the years examined thus far. The distribution of relationships is shown in Fig. 12.
As Fig. 12 shows, the largest proportion of homicides occurred among people who knew each other more or less casually, through friendship, a shared hometown or otherwise. This was typical of most years. Where 1632 begins to stand out is the high level of homicides in which the relationship is unknown, or does not exist, and in the high level of homicides directed upwards or downwards through channels of authority. Both of these will be closely analyzed in the Chapter Four. A relatively high incidence of familial violence, particularly within marriage relationships, is also worthy of analysis. These high proportions make 1632 slightly exceptional, although the reasons for this exceptionality cannot be explained without delving deeper into the social environment of città and contado in the wake of the plague.

3.5 Homicides in 1640, 1652 and 1660: Civil War Brewing

As the population recovered, the social instability caused by the plague continued through the next three decades. Following a slight drop in absolute numbers and homicide rates in 1640, violence escalated rapidly between 1640 and 1660 to an extreme peak, before plummeting in the second half of the century to the lowest rates of the 11-year-sample. Thus, the civilizing
process may have held for the second half of the century, but only in the light of an extreme level of violence preceding its effects. Bellettini’s population figures do not reveal the rural population for 1640, but it can be estimated at 156,000 by assuming a fairly regular rate of growth in the post-plague era. By 1640, the urban population had rebounded to 55,911.\textsuperscript{362} Thus, in 1640, we can estimate homicide rates of 28.2 (44) for the contado and 19.7 (11) in città. These numbers reflect a drop in rural violence, counteracted by a rise in urban violence—pattern that characterizes much of the remaining sampled years, as urban rates first approached and then surpassed rural rates of homicide. Within those 55 homicides, 95\% (53) of victims were male, while 5% were female; 97.6\% of killers were male compared to 2.4\% female. The average age of victims was 32.9, squarely in the range of average age of death for homicide victims across the seventeenth century. Fig. 12 demonstrates that the annual rhythm of homicides in 1640 was much like that of 1632, with a high spike in the summer months of June through September and a bump during Carnival, and a generally elevated monthly homicide count throughout the year. The pattern shown in Fig. 13 should be familiar to the reader, as should Fig. 14, which demonstrates the continued dominance of firearms and edged weapons as the homicidal weapons of choice.

\textsuperscript{362} Bellettini, p. 25–27.
Fig. 3.13 Homicides by Month, 1640. Source: ASB, *Tribunale del Torrone, Atti e Processi*, II,138,5606, 5634, 5946, 6001, 6206-6398.
As shown in Figures 13 and 14, 1640 was an unsurprising year in terms of the amount and distribution of bloodshed. Its homicide rates were not extremely high, although the urban rate began to tick upwards at this point, from its early-century low of 4.4 in 1620 to 19.7 in 1640. The rural rate, while fourth highest overall, was only slightly above the rural average of 27.7, while the urban rate was well below the average of 25.9. By mid-century, the Torrone’s hold on peace and order within the city was slipping, but not yet to the catastrophic levels of violence that occurred in 1652 and 1660.

The relationships between killer and victim in 1640 show a high concentration of homicides among acquaintances, such as people from the same village, neighbourhood or profession. Small concentrations of in-family killing also occurred, with two homicides within the first degree of consanguinity, two within degrees of consanguinity beyond the first, two homicides within marital or other relationships, and one homicide within an “in-law” group. The vast majority of homicides continued to be of acquaintances of one degree or another. In only nine cases is the relationship between the killer and his victim unclear, making 1640 ripe for analysis of bloodshed within family and friend groupings. The spread of homicidal relationships in 1652 is shown in Fig. 15.
The Torrone’s records for the years surrounding 1650 are damaged and waterlogged, making an analysis of 1650 impossible. However, about 75% of the holdings from the year 1652 are in good condition, and these documents allow an analysis of 1652 with a sample size of 75%. Within this 75% sample of the year 1652, there were 85 homicides; expanding this sample creates a homicide count of 108, the second highest total count next to 1660. From Bellettini’s population figure for the city of 58,538 and an estimated rural population of 165,500, we can peg homicide rates for 1652 at 42.8 rural and 50.15 urban, with a total rate of 48.2. These homicide rates are radically higher than any from earlier in the century, except for 1632 which still falls well below the total homicide rate and whose urban rate is smaller by a factor of about six. The killers were 99% male, while the victims were 96% male. The average age of victims was 32.8—once again squarely in the expected ranges.

The annual rhythm of homicides in 1652 was more or less regular, with a large spike in March rather than February, and an extremely violent June (16 killings) next to a fairly average July (8 killings). The upshot of homicides in March is somewhat illusory. Almost half of the twelve recorded homicides from March actually occurred in one event: a vicious knife fight between two
rival factions that left five men dead. A sixth homicide in March was a case of police brutality in which a *sbirro* shot and killed a Bolognese *contadino* for unknown reasons. A typical late-summer / early-autumn surge was followed by a diminution of violence as the year's end approached. The ten homicides that occurred in May primarily sprang from previous enmity, as well as two cases in which citizens resisted the attempts of *sbirri* to arrest and transport prisoners. Otherwise, the homicides of 1652 were not unusual in scope or style, but were part of a wave of violence that saw homicide rates skyrocket a decade later. The annual rhythm of homicides for 1652 is shown in Fig. 16 below.

![Fig. 16: Homicides/ Month 1652](image)

Fig. 16: Homicides/ Month 1652

*Fig. 3.16. Homicides by Month in 1652. Source: ASB, Tribunale del Torrone, Atti e Processi, II.138.655-6662.*
As rates of violence climbed, so too did the prevalence of firearms in early modern Bolognese violence. Over half of the homicides still accessible in the preserved records of 1652 were committed with firearms, unlike previous years in which the proportion of firearms homicides fell somewhere below 50% of the total. Thus, firearms became the *modus operandi* of homicides by the mid-seventeenth century and played a significant role in the mid-century explosion of violence that shook the province. The other categories of weaponry played a small but significant role: with edged and blunt weapons accounted for a total of 25 killings between the two categories; the rest were essentially negligible, with a few ill-thrown stones and a strangulation rounding off the count. The weapons distribution for homicides in 1652 is shown in Fig. 17.

![Fig. 17: Weapons used in Homicides, 1652](image)

Fig. 17 Weapons used in Homicides, 1652. Source: ASB, *Tribunale del Torrone, Atti e Processi*, 6505-6662.
What began to change around 1652 were the social contexts of homicide and violence. The Pungelli murder was just one homicide among many in these years that emerged from conflicts between the city’s elite families and their rivals among each other and the city’s institutions. The collapse of order among elite classes took place amid a series of general crises in North Italy that followed the Great Plague, and economic and demographic stagnation were exacerbated by an increase in violence, particularly political and class-based homicides. Institutions such as the sbirri that may have commanded respect or at least fear prior to the plague the ties of blood or loyalty to one’s padrone were disregarded under the stresses of poverty and need. The extremely fraught class tensions that played a significant role in this wave of violence were visible in the homicidal relationships of 1652, which featured more relationships of vertical authority than in any year previous. These relationships are shown in Fig. 18.

![Fig. 18: Homicidal Relationships, 1652](image)

Fig. 18 Homicidal Relationships, 1652. Source: ASB, *Tribunale del Torrone, Atti e Processi*, II.138.6505-6662.

Beyond the typical prevalence of relationships of acquaintance, the major category of identified relationships was that of authority, such as when a group of nobles shot the Sub-Auditore Pungelli in the streets as a reaction to his judicial activity. Recall that Authority homicides also surged
briefly in 1632, following the destabilizing effects of the plague. The sudden shift in the social contexts of homicide constituted the unknown civil war made visible by analysis of homicide records: for approximately thirty years, significant sectors of Bologna’s nobility abandoned their allegiance to papal government and returned to the open practice of domination through violence, both against their putative vassals and against other elites including papal officers. By doing so, they rejected the disciplining process initiated by the Torrone in the early century, forcing the Torrone to react with extreme measures of its own.

Thus we arrive at 1660, the year that contained the highest total homicide counts in urban areas, the highest homicide rate for the città, and the highest overall rate. Bellettini provides population figures of 62,284 for the city, and 177,457 for the contado, making a total population count of 239,741. These population figures are very close to what they were in the early decades of the century before the plague, particularly the urban population of 1600 and the rural population of 1620. Thirty years after the plague, the total population had finally returned to approximately the same level as in 1620, yet the instability of the 1630s had lasting effects through the century. The Torrone accounted for 140 homicides throughout the year, of which four were classified as accidents and thus removed from the total count. The remaining 136 homicides, 64 in the city and 72 in the contado, result in massive homicide rates of 106 urban (more than twice the second highest rate, 42.8 in 1652), 41.7 rural (second to 1652), and 60.75 overall (the highest, by about 12 points). 272 of the 275 killers (98.9%) were males, while the remaining three (1.1%) were female. 131 (96%) of the victims were male, and 5 (4%) female. A victim’s average age (31.1) was slightly lower than previously years, but it was right in line with the overall average of the century (31). Thus, the basic characteristics of homicide did not change during this wave of violence, but in fact amplified in scope and scale. This escalation is further seen in the monthly rhythm of homicidal violence, which followed the same general pattern as the years previous, but with far greater numbers of homicides. There was an unusual level of violence early in the year, particularly in January; the characteristics of these individual homicides were similar to other early-year

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homicides throughout the century, and often sprang from habitual encounters such as dice-playing and street drunkenness in the dark months of winter. The rhythm of homicides through 1660 is shown in Fig. 19 below.

As Fig. 19 demonstrates, 1660 had a typical if extremely bloody season of violence, stretching from May through September. July saw 23 homicides, making it the single bloodiest month of the century in the sample under consideration; all of the other months stack up in the high range of homicides for that time of year as well. Like in 1652, the relationships between victims and slayers may tell us much about the mentality and objectives behind these killings. Additionally, the distribution of weaponry in such a violent year could indicate something about the emotional expression behind these homicides: where the archibugio can be considered more
impersonal, fired from a distance and removed from the close-up experience of homicide, edged weapons are the ultimate face-to-face means of killing, with the exception of bare hands. 1660 is one of only two years in the sample in which edged weapons outnumbered firearms, as shown in Fig. 20. 364

![Fig. 20: Weapons used in Homicides, 1660](image)

**Fig. 20.** Weapons Used in Homicides, 1660. Source: ASB, *Tribunale del Torrone, Atti e Processi*, II.138.6755-6819.

It is significant that edged weapons outnumbered firearms, even if they did so only by two homicides (61 to 59). It indicates that violence in this year was dominated by two groups: nobles accustomed to fighting and killing with the sword, and labourers and farmhands who employed

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364 The other year, 1610, featured an unusually high number of September homicides attributed primarily to agricultural arguments between labourers, often using the tools of their trade as weapons, giving edged weapons a bump in numbers for 1610.
tools as weapons, being unable to purchase, or attain a license for, the extremely regulated firearms that caused the lion’s share of homicides in years previous. It is significant that the destabilization of social trust manifested most strongly in elite and disenfranchised networks—those who had much to lose and those who had much to gain. Similarly, the relationships between killer and killed, as in 1652 and 1640, indicate a tide of violence predicated on tension between and within levels of social status and social-legal authority. These tensions grew from 1630, and were resolved sharply by the 1664 exile of nobility from the stato pontificio; by 1670, violence was on a clear downward track that continued until 1700. The relationships of killers and victims in 1660 are shown in Fig. 21 below.

![Fig. 21: Homicidal Relationships, 1660](image)

Fig. 3.21: Homicidal Relationships, 1660. Source: ASB, *Tribunale del Torrone, Atti e Processi*, II.138.6755-6819.

While relationships of acquaintance remained the dominant loci of homicidal violence, 1660, like 1652, featured a high number of homicides (15) that took place in relationships of vertical authority, either upwards or downwards. Note that this number is equal in absolute terms to the number of authority-based homicides that occurred 1652, but accounts for a smaller proportion of total homicides. This indicates that violence between levels of authority cannot account for the entirety of the very high homicide count from 1660; however, the same destruction of hierarchical
stability that led to these high numbers of authority-based killings may have resulted in the higher overall levels of violence within classes (the Acquaintance category) as well as between them. In an environment where violence was the normative response to challenges from high levels of authority, so too did it pervade relationships between people of equal status, who may have looked to it as a means to amplify and communicate their own status within a constrained framework such as the sociability of the drinking tavern. The relatively high count of intra-familial homicides, particularly in the categories of marriage and in-lawship, are also part of this process in which social status was contestable between rich and poor, noble and common, or young and old.

3.6 1670, 1680 and 1690: A Sharp Decline

Following the extremely high levels of violence that shook the communities of Bologna in 1660, homicide rates began to fall in fairly regular intervals after 1680. After the highs of 1660, there was a steep drop until 1680; 1670 and 1680 had very similar homicide rates that were approximately 60% lower than those of 1660. The larger proportion of this drop came in the city, which saw its homicide rate reduced by a factor of more than four, from 105.9 to 25.2 in 1670. This extremely rapid fall has been touched upon by Giancarlo Angelozzi, who notes that the 1660s were a decade of significant, hard-nosed criminal reform by the city’s papal Legate and the court’s officers. In this decade, weapons restrictions were tightened and the private retinues of the nobility limited and disarmed. However, it is disingenuous to pin either the violence of 1660 or its subsequent decline on the nobility alone. The artisans, labourers, professionals and vagrants all participated in Bologna’s “economy of violence” to advance their goals and achieve their aims. What happened following 1660 must therefore bear on them as well. The remainder of this chapter traces the late-century decline of violence to draw out patterns that may shed light on the features of and reasons for this drop.

Bellettini lacks firm population figures for 1670, and estimating from the nearest year provides approximate figures of 63,500 in the city and 173,000 in the contado, for a total population of 236,500, about 3,000 smaller than in 1660. After 1660, the population declined for the rest of the century—particularly the contado, which fell from 177,457 in 1660 to 165,433 by 1700. If the absolute numbers of homicides remained fairly steady, then homicide rates would rise as a proportion of the population; nevertheless, despite the decreasing population, homicide rates continued to drop, indicating a fall in both absolute homicidal violence and in homicidal violence pegged as a proportion of the overall population. Thus, in 1670, homicide rates were 25.2 in the city, 26 in the contado and 25.7 overall. 1670 was also the only year in which there were no women involved in any of the killings as either killer or accomplice (as accounted by the Torrone; there were no infanticide trials that year); 100% of the killers were male. 95% of the victims were male and 5% were female, which falls squarely within the expected range for victims.

Across the year, the pattern of homicides was fairly typical, although March featured an unusually high ten homicides, including a double fratricide in a gypsy camp near Sant’Agostino di Sotto, in which two brothers both perished in an archibugio duel that their mothers blamed on an argument between their wives.\(^{366}\) Otherwise, the year passed in normal fashion, with spikes in July and August that grew from a peaceful winter and spring (except March), and fell once again to a quiet autumn and December. Five homicides in each of February, April, May and October were a constant if not alarming level of violence, bookended by two each in January and November, and one in December. The pattern is shown in Fig. 22 below.

\[^{366}\text{ASB, Tribunale del Torrone, Atti e Processi, II.138.6946, unnumbered fascicolo.}\]
As shown in Fig. 22, July–September 1670 all featured high homicide counts, particularly July and August. The pattern falls within the expected ranges, however, and the year does not present as unusual besides a high count in March, which was also seen in 1652.

Where 1670 does stand out, however, is in the distribution of weapons used in committing these homicides. Fig. 23 shows the complete and total dominance of the archibugio as the weapon of choice in 1670, at a higher proportion (~2/3) than in any other year before or after. This may speak to the social station of the killers and victims, but not in any specific way: by 1670,
firearms were easily available at least through the black market, if not legitimately through a widespread licensing system.\textsuperscript{367}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{fig23.png}
\caption{Weapons used in Homicides, 1670. Source: ASB, \textit{Tribunale del Torrone, Atti e Processi}, II.138.6930–7950.}
\end{figure}

The prevalence of firearms as the weapon of choice in 1670 is beyond dispute. As in other years, the category of edged weapons includes not just swords and daggers but also agricultural and artisanal instruments, such as the cobbler’s awl used to kill an apprentice in the course of a fight over a perceived slowness in repairing a pair of shoes.\textsuperscript{368} Firearms came in primarily one type, making the \textit{archibugio corto alla ruota} (a short-barrelled, wheel-lock musket easily available

\textsuperscript{367} Blastenbrei, pp. 75–79.

\textsuperscript{368} ASB, \textit{Tribunale del Torrone, Atti e Processi}, II.138.6955, Fasc. 2.
when it wasn’t under extreme ban, and often when it was) the definitive weapon of choice. The re-emergence of firearms as a dominant means to kill indicates that the social tensions had threatened to break class structures in the mid-century’s wave of violence had begun to slacken by 1670; gone were the long blades of noble bravi and the daggers of aggrieved contadini, and the arquebus, the great equalizer, resumed its place in quotidian violence that was more easily divorced from the social and economic status of participants. This return to more normalized social relations is reflected in the relationships within which murders occurred in 1670, as shown in Fig. 24.

![Fig. 24: Homicidal Relationships, 1670](image)

Fig. 24: Homicidal Relationships, 1670. Source: ASB, Tribunale del Torrone, Atti e Processi, II.138.693-7050.

Following the wave of homicides in 1652 and 1660 that were directed upwards against representatives of political, legal and class authority, homicide returned to its more typical locus within families and friendships in 1670. The five authority-based homicides that did occur were primarily directed downwards on the social hierarchy, with the exception of a small farmer who killed his landlord in the course of an argument over danno dato on the Signore’s land, and a group of men who ambushed and killed a sbirro a week after he broke up a “dance party” at one of
their houses.\textsuperscript{369} The others were judicial murders committed by \textit{sbirri} and \textit{guardiani delle porte}, in an overreach of their normal duties.

The majority (32) of the year’s 61 homicides occurred within the category of acquaintance, which includes compatriots, friends, village rivals, business associates, and a wide range of other relationships. This figure is par for the course; the majority of homicides over the century occurred within one formulation of acquaintance or another. As in earlier years, the category “unknown” does not preclude there being a relationship of some kind; it simply indicates that the records have not made clear how the killer and victim knew each other. As commonly seen in other years, homicides that occurred within the first degree of consanguinity were fratricides, while in-laws killed each other to defend the status of their womenfolk or to press their claim on the same against recalcitrant relatives.

1670 thus began the decline in homicide rates that occurred throughout the latter half of the sampled years. However, this process was slow and did not really pick up until after 1680. The 1670s were a difficult decade, beginning with bread riots in Bologna in 1671 that saw the Torrone arraign multitudes of cittadini who participated in the disorders beginning in February.\textsuperscript{370} Although this analysis does not include the years between 1670 and 1680, the homicide counts of the two years are very close. In 1680, there were 56 total homicides investigated (extracting infanticides and accidents, which account for four more). Forty of these occurred in the contado and 16 in the city. Working from population figures derived from Bellettini of about 65,000 in citta and 170,000 beyond the walls, the homicide rates for 1680 thus amounted to 24.6 in the city, 23.5 in the contado, and 23.8 aggregate. These were marginally lower rates than in 1670, but it is apparent that, following the mid-century decades of bloodshed, the real decline of violence had yet to be felt.

\textsuperscript{369} ASB, Tribunale del Torrone, Atti e Processi, II.138.6961, Fasc 12, II.138.6954/2, Fasc 1. The phrase here is “Festa di Ballo”.

\textsuperscript{370} ASB, Tribunale del Torrone, Atti e Processi, II.138.6951.
The legacy of this instability is seen in the monthly pattern of homicides in 1680. There were an unusually high number of homicides in the first and last months of the year, as shown in Fig. 25 below. While the hot summer months of July and August both had high counts of homicide that were in line with other sampled years, May and June featured the lowest counts of the year, which is atypical. What stands out in 1680 is a high number of sbrro-on-sbirro killings that occurred between groups of Bolognese sbrri and between Bolognese and Florentine sbrri. There were also three instances of youths playing with or cleaning their firearms and inadvertently killing either themselves or relatives; as stated above, these cases remain in the count due to the inherently violent characteristics of firearms. Beyond these two atypical features of 1680, the typology of homicides was fairly normalized, with the majority falling into the recognized categories of both typology and relationship. The monthly count of homicides from 1680 is shown below.

![Fig. 25: Homicides/ Month 1680](image)

As we see above, in contrast to the slight bell figure that tends to occur in homicide counts across the year, 1680 witnessed a decline in violence over the spring months that jumped back up
in July before tapering off again beginning in September. At this point, it is appropriate to introduce the element of randomness into history; there is not always an answer to the question “why,” especially when considering the microcharacteristics of violence from a macrohistorical point of view. The annual rhythm of homicides—that is, the pattern we’ve seen so far—was not dictated by some external force acting upon and constraining human behaviour. In 1680, there were simply more people who acted upon the emotive impulses to violence in January and March than in May or June, despite the chilly weather and the increased difficulty of feeding one’s family through the winter. Alternatively, the drop in homicides in the summer months may reflect success by the Torrone and its officers in controlling and reducing levels of violence; these were the months most likely to contain spontaneous, unplanned outbursts of violence in the form of brawls and assaults. Only through an analysis of individual cases can the motivations and impulses that influenced a homicide’s timing be made clear in any way. These cases will be explored in greater detail in later chapters to draw out the intricate emotional situations that resulted in homicidal violence. However, it is still instructive to examine macrohistorical phenomena to trace broad behavioural patterns, such as distribution of weapons as means to commit homicide. The spread of weaponry in the homicides of 1680 is shown in Fig. 26.

Fig. 26, below, shows a strong preference for firearms among killers in 1680. By now, this is the expected distribution of weaponry in homicidal violence among Bolognese of both the citta and the contado. Although edged weapons remain fairly prominent in the sample of homicide cases, they still fall a distant second to firearms; this reinforces the proposition that the majority of homicides in 1660, committed with edged weapons, was a behavioural anomaly that should be explored in detail via a reconstruction of the social stations, prosopography, demography and relationships of the killers and victims within the cases of that year. Understanding fully who killers were, where they came from, and what their position in society was vis a vis their compatriots or superiors—in essence, the who, what, how, where, and when of homicides—can help reveal the why of particular choices they made in the commission of those homicides.371 For

371 Monkkonen, “New Standards for Historical Homicide Research.”
now, it suffices to observe the choices they did make, and conclude that firearms were the dominant mode of homicide throughout the majority of the seventeenth century; their prevalence, availability and sociocultural impact is explored more thoroughly in Chapter Four.

Finally, as in the other years considered here, it is important to expose the relationships that obtained between killers and their victims. These relationships are shown in Fig. 27, which presents a familiar portrait to the reader. As in all other years, the majority of homicides were committed by people who had an acquaintance, if not necessarily a friendship, with their victim. This included a shared hometown in which they would cross paths frequently, friendship through social acquaintance, shared employment, or habitual rivalry and enmity. Although the category is large and encompasses a spectrum of emotional connections that range from long-term hatred to deep affection, the unifying factor of these homicides was that the killer and victim were well-known to each other, but not related by blood or marriage. In the intensely social world of seventeenth-century northern Italy, these non-kin ties, and their strength, were closely connected to an individual's social status, and could draw that status up or down. Thus, this group of people

![Fig. 26: Weapons used in Homicides, 1680](image-url)

Fig. 3.26: Weapons used in Homicides, 1680. Source: ASB, *Tribunale del Torrone, Atti e Processi*, II.138.7144-7180.

Finally, as in the other years considered here, it is important to expose the relationships that obtained between killers and their victims. These relationships are shown in Fig. 27, which presents a familiar portrait to the reader. As in all other years, the majority of homicides were committed by people who had an acquaintance, if not necessarily a friendship, with their victim. This included a shared hometown in which they would cross paths frequently, friendship through social acquaintance, shared employment, or habitual rivalry and enmity. Although the category is large and encompasses a spectrum of emotional connections that range from long-term hatred to deep affection, the unifying factor of these homicides was that the killer and victim were well-known to each other, but not related by blood or marriage. In the intensely social world of seventeenth-century northern Italy, these non-kin ties, and their strength, were closely connected to an individual's social status, and could draw that status up or down. Thus, this group of people
was the most fertile territory for the dispute and establishment of status levels, a form of social competition that frequently led to violence and homicide. The relationships among killers and victims in 1680 is shown in Fig. 27 below.

![Fig. 27: Homicidal Relationships, 1680](image)

The one killing within the first degree of consanguinity was a case in which an older brother's bullying of his younger sibling went too far and thirteen-year-old Girolomo died, apparently from internal wounds sustained in a beating. In the two cases of Marriage / Affair / Lovers, one woman was killed by her lover, and another young man by his lady love's male relatives after he had requested her hand in marriage post-defloration. What we've seen in the distribution of homicidal relationships are relatively stable patterns of kin-group killings couples to significant fluctuations in the acquaintance relationships, which accounts for the vast majority of spontaneous or planned male-on-male homicides. These homicides and similar assaults were the primary targets of governmental efforts to control and reduce violence among the population, as they were the most public, visible and numerous in the casebooks of the Torrone's notaries. Thus, the efforts of the civilizing process were directed at and effective upon male-male social violence more than any other kind; the disruptions this process caused within the city's social
structure also resulted in a temporary spike of authority-based homicides alongside the waves of status violence that marked the resistance of elite and ordinary Bolognese to the state’s efforts to achieve a monopoly on violence and remove from citizens the prerogative to defend their status with direct action. 1690 would continue this trend, with a lower incidence of homicide, lower rates of homicide, and a peaceful summer that flared up only in August and September.

In 1690, the city’s population was approximately 64,000 and the contado’s approximately 167,000. In the decades on either side, the population was dropping both in the city and the contado, making 1690’s population smaller than 1680’s by about 4,000 people, and 1700’s smaller still, by about 2,000. The Torrone accounted for 47 total homicides including accidents and infanticides. Removing those leaves a total of 43, a number well below that of 1680 and higher only than in 1610 and 1620, which, as already noted, encompassed a period of particularly harsh security action within the city that resulted in extremely low urban homicide rates. In 1690, urban homicides accounted for about 1/6 of the total count (7/43); the remaining 36 took place in the contado’s plains and mountain settlements. From this absolute count of homicidal incidences, we glean an urban homicide rate of 10.9 (less than half that of 1680), a rural rate of 21 (compared to 23.5 for 1680), and an aggregate rate of 18.6. As noted above, the annual rhythm of this year presents much differently than previous ones, more akin to the peaceful summer of 1680 but with a surge in violence in the late summer and early months of fall. The monthly passage of deadly violence is shown below in Fig. 28.

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372 Bellettini, 25–29.
With a mere 2 and 3 homicides in June and July respectively, 1690 had a much more peaceful summertime than the rest of the year. The homicides that did occur in these months were, as noted above, most likely to be affected by the changes to criminal law and centralization of court powers that constitute Spierenburg’s modification of the civilizing process to pertain to violence.\textsuperscript{373} The decline of violence that occurred in the seventeenth century’s second half therefore affected particular types of homicide while leaving others relatively beyond the scope of government action; this phenomenon is well in line with the longue durée history of violence that has seen public, male-on-male violent confrontation shrink as a proportion of total homicides, to

a level where it is negligible in most rural and urban areas in the West today. As levels of public, male-on-male violence have dropped, domestic homicides and familial homicides have remained at a relatively steady level, thus assuming an ever-larger proportion of total homicides committed. This increasing proportion of familial and domestic violence is reflected in the relationships between killers and victims in 1690, in which the acquaintance category shrinks in comparison to the kinship, marriage and in-law categories. These relationships are shown in Fig. 29 below.

Fig. 29: Homicidal Relationships, 1690

Although the categories of first degree consanguinity, consanguinity beyond the first degree, and relationships surrounding love, sex and family did not grow in absolute terms, they nevertheless constituted an increasing proportion of total incidences of homicide, at approximately 25% of all events (11/43). This phenomenon may also be reflected in the distribution of weapons used to kill in this year. Although firearms remained the dominant mode

\[ \text{Daly and Wilson, pp. 284–286.} \]
of violence (25/43, or 58%), they also constituted a smaller proportion than in 1670, 1680 or 1652. However, looking at the cases shows that most of the edged or blunt weapons used were as likely to be trade tools used in the course of arguments between artisans as they were to be domestic knives used in the course of household arguments or family conflicts. The distribution of weapons in the homicides of 1690 is shown in Fig. 30 below.

![Fig. 30: Weapons used in Homicides, 1690](chart)

**Fig. 3.30:** Weapons used in Homicides, 1690. Source: ASB, *Tribunale del Torrone, Atti e Processi*, II.138.7344-7365.

Firearms thus remained in all years sampled but 1610 the primary method with which to kill, a fact which is not surprising given that the weapon’s purpose is fatal violence. If this study encompassed non-fatal violence in its measure of the social structures and functions of violence, edged and blunted weapons would play a far larger role in this tale. This study now turns to the final year of the sample, 1700, before reviewing homicide rates across the century to adjudicate claims for a civilizing process in Bologna over the course of the seventeenth century.
3.7 1700: At Century’s End

In 1700, the regular decline of homicide rates that commenced in 1670 continued, and homicide counts and rates were lower for the rural population than any other year in the sample. Urban homicide rates continued to outpace those of the century’s early decades, when they reached an extreme low of 4.4 in 1620. Bellettini provides precise population figures in 1700, with an urban population of 63,346 and a rural population of 165,433. The total population of the Province of Bologna was 228,779. Excluding two infanticides and four accidental drownings, the urban count for homicides was ten, the rural count was 21, and the total 31. These absolute numbers translate into homicide rates of 15.7 urban, 12.7 rural and an aggregate rate of 13.55. These rates thus bring us to the end of the statistical bell curve that marks the passage of homicide in Bologna over the century. The monthly progress of homicides in 1700 was fairly typical, with a spike in July and September that indicates the continuing role of “hot anger” in homicide tales, particularly those involving men drinking in taverns after long days in the fields or workshops. This monthly pattern is shown in Fig. 31 below.

Bellettini, 25–29.
Fig. 3.31: Homicides by Month, 1700. Source: ASB, *Tribunale del Torrone, Atti e Processi*, II.138.7515/2-7536/2.

As Fig. 28 demonstrates, the rhythm of homicides in 1700 is recognizable from analysis of earlier years in the century, despite a low overall count and low rates. As we have seen, carnival disorder did not play an overly significant role in fatal violence throughout the century, and 1700 continues this trend of a peaceful winter and spring before homicides began to spike in July and then again in September. The homicides that occurred in the early months of the year all displayed characteristics of pre-meditated homicides with a background story that involved both killer and victim, and usually a network of supporters and allies on each side. There was one exception to this, in the case of a young boy who in January was playing with his father’s *schioppo*, an early shotgun, when it went off and killed his 15-year-old sister.\(^{376}\) By April, this shifts to a pattern of male-male violence bred out of alcohol consumption, and to male conflict bred out of competition for the affection of women. In October and November, homicides continued to occur

\(^{376}\) ASB, *Tribunale del Torrone, Atti e Processi*, II.138.7516/2, fasc. 25.
out of spontaneous conflicts, but these were bred by material incidents such as the theft of grapes during the *vendemmia*, or grape harvest.\(^{377}\) With zero homicides in December, 1700 ended with a merciful whimper.

The use of weapons in 1700 continued the trend of 1680 and 1690, which saw the proportion of homicides committed with firearms drop, accounting for slightly less than 50% of the total homicide count (15/31). The remaining homicides were committed with edged weapons or blunt force weapons such as heavy sticks and clubs, as well as with bare hands. Some weapons were not identified in the record and thus fall into the category “Other.” The distribution of weapons in homicide cases in 1700 is shown below in Fig. 32.

Fig. 3.32 Weapons used in Homicides, 1700

<table>
<thead>
<tr>
<th>Weapon Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firearms</td>
<td>16</td>
</tr>
<tr>
<td>Edged</td>
<td>12</td>
</tr>
<tr>
<td>Blunt</td>
<td>4</td>
</tr>
<tr>
<td>Proj</td>
<td>2</td>
</tr>
<tr>
<td>Hands/Body</td>
<td>2</td>
</tr>
<tr>
<td>Drowning</td>
<td>2</td>
</tr>
<tr>
<td>Poison</td>
<td>2</td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
</tr>
</tbody>
</table>

Although firearms accounted for a smaller proportion of homicides in 1700 than it did in 1632, 1652 or 1670, they remained the most common tool for committing fatal violence. There is an instrumental logic here, in which killers used the weapons most likely to cause fatal damage without risking great damage to themselves; the range and brutality of the *archibugio*, although

extremely inaccurate beyond a short distance, make the firearm the best choice for those wishing to kill an enemy. Thus archibugio killings tended towards the premeditated murder with malice aforethought, particularly as the overall proportion of firearms killings was reduced. While extremely prevalent as spontaneous weapons of murder in more violent periods, archibugii became more likely to be used in the prosecution of long-standing conflicts than in the sudden rise to violence that characterized much male-male homicide. When violence flared up out of hand, killers reached for their knives, their tools or other handy implements of death.

Who were they killing? As could be predicted, more than half of the killings occurred in the “Acquaintance” or “Unknown” category, which as noted above did not exclude the existence of a relationship, but reflects its ambiguity. The relationships between killers and victims are shown in Fig. 33 below.

![Fig. 33: Homicidal Relationships, 1700](image)

**Fig. 33: Homicidal Relationships, 1700.** Source: ASB, *Tribunale del Torrone, Atti e Processi*, II.138.7515/2-7536/2.

Here again, we see a typical configuration of homicidal relationships, with the majority of them between two men who “had seen each other around town,” to use a modern colloquialism. Only two homicides occurred within families, and another three within relationships of romance, love and jealousy. Three homicides within relationships of authority speak to the different
configurations of allegiance and authority in early modern Italy, as they involved the brutal murder of a priest by his servant, the killing of a maestro di casa by a supplicant at the door, and the shooting of a drunk in a tavern by a sbirro.\footnote{ASB, Tribunale del Torrone, Atti e Processi, II.138.7515/2, fasc. 12, II.138.7515/2, fasc. 9, II.138.7536, fasc. 31.} As we have seen throughout this sampling, regardless of rates or absolute numbers, the majority of homicides tended to occur between men who knew each other at least by face, and were accustomed to a male culture that saw violence as legitimate recourse to challenges of status or position. Although homicide rates declined over the latter half of the seventeenth century, this characteristic remained unchanged.\footnote{Cf. the homicide statistics for Toronto, Ontario 2012. \url{http://www.cbc.ca/toronto/features/homicide2012/} accessed Nov. 18, 2013.} Efforts to curb this sort of violence reduced its proportion, but it remains the pre-eminent formation of homicide in human societies.

### 3.8 A Century Retrospecticus: The Bell-Curve of Violence

This chapter has examined the incidence of homicide in eleven years that spanned the seventeenth century, from 1600 to 1700 inclusive, as made visible through the records of the Torrone, Bologna's centralized and monopolistic criminal court. In individual analyses of each year, it has examined the objective level of homicidal violence and transformed that into a homicide rate measured as the number of homicides per 100,000 members of the population. Further, it has broken down the homicide cases from each year in an analysis of annual patterns, determining that the hot summer months of July and August were, almost without exception, a singularly violent time of any year, while the early and late months tended to be more peaceful. Homicides that did occur in the colder months tended to involve people more closely known to each other than those from the summertime, more likely occurred in a private space such as a home than in a public forum such as a churchyard or a piazza. This annual rhythm of homicides fluctuated lightly between years but still held true as a general pattern; there were more homicides in the summer months throughout the seventeenth century than in the early or late
months of the year, and summer homicides likely involved young men in some kind of social competition, either for material resources in agricultural settings or for the affection of women in the many osterie and piazze that dotted both the urban and rural landscape. The aggregate monthly homicides across the seventeenth century are shown in Fig. 3.4, and demonstrate a clear *longue durée* pattern of annual killings. This pattern is shown again in Fig. 3.5, which shows the average number of homicides per month across the century.

Fig. 3.34: Number of Homicides/Month, 1600–1700. Source: ASBo, *Tribunale del Torrone, Atti e Processi*, II.138.3171-7532.
This chapter also analyzed the means that killers used to commit homicide, and found a strong prevalence of firearms in all but two years throughout the century. In those years (1610 and 1660) where firearms did not account for the majority of homicides, they came close, falling just below the other primary category of weapons used to kill—edged and bladed weapons such as the ubiquitous *pugnale* that almost all Bolognese men carried with them as a tool, an eating utensil, and a means of self-defence and attack. The dominance of firearms as the preferred means to kill across the century is shown in Fig. 36 below, which records the use of weapons across all cases throughout the century. As this chart makes extremely clear, almost all incidents of homicide throughout the eleven year sample (constituting a total of 658 homicides) were committed with either a firearm or a blade. There was a strong instrumental logic here: people who killed tended to possess the means to do so, either by forethought or circumstance; the best tools for killing were the *archibugio*, with its range and utter destructiveness, and the *pugnale* (of whichever sort), with its penetrative ability and infliction of serious wounds. Other categories of weaponry, particularly the Projectile category (shorthand for thrown rocks) and the Blunt category.
(essentially clubs and sticks), account for very few of the total homicides, but are much more prevalent in the records of minor assaults and disturbances that pack the first 300 folios of each of the Torrone’s buste. Poison, traditionally seen as the quintessential weapon of female killers, appeared extremely rarely and was not in fact the dominant means of killing used by female killers, who employed more clubs and rocks than they did poison. Intentional drownings were similarly rare but not unheard of. All these patterns are shown in Fig. 36 below.

![Fig. 36: Weapons used in Homicides, 1600-1700](image)

We thus know the “when,” and the “how” of homicides in Bologna throughout the seventeenth century. The “who,” at least in terms of the killers, was more complicated, as the records did not reliably reveal the ages of killers; we do know, however, that the average victim of homicide in the seventeenth century was a male aged 31, and was equally likely to be a field labourer as he was a sword-wielding bravo of a noble house. The social stratification of homicide—or lack thereof—is analyzed in Chapter Five, which examines similarities and differences between urban and rural homicides, including distinct class-based patterns. We can here say a few more things about the identity of victims, however. Of the 82 victims whose marital status was made clear, 61 were married. This sample of 12.3% is not, however, large enough to
make claims about the broader social position of the remaining 87.7% of victims, nor is there a reliable sample indicating the marital statuses of killers.

Fortunately, we have better information for the prosopography of victims and killers than we do their marital status. 315 victims were identified by their employment or habitual occupation. The largest single bloc of victims were young men employed by households of varying rank—fitting, given what we know of noble and youth violence in this period. These were identified as garzone (18), servitore (18), socio (17) and famigliare (7), for a total of 60. The second largest bloc of victims (53) was the amorphous “contadino,” a term that refers to the general labour required of a rural existence in an extremely agriculturally intensive area. Lavoratori (9) could also be lumped in with the contadini, making the number of victims in these two blocs approximately equal. These two groups, the young, pampered men of wealthy households, and the labouring poor of both città and contado, were thus killed in almost exactly equal numbers in the sample of 315, with each accounting for about 20% of the total. This class dispersion indicates that violence was by no means a noble prerogative, although some of the contadini were killed by nobility. It is also true that some of the socii and famigliari were killed by artisans and labourers. The sting of violence was felt by all classes; indeed, analysis of the remaining, more specified blocs of victims by occupation (e.g. uccellatore, a bird-hunter, who could equally be placed in the contadino category, or dottor di leggi, a high-ranking official from a wealthy background) reveals that labourers, artisans, professionals and nobility all suffered violence in the course of their lives.

For the killers, we have prosopographical information for 367 individuals, out of the 1219 total killers indicted across the century. The occupations of the killers also fell primarily into two blocs. First, those who killed professionally, i.e. sbirri and soldati, together accounted for 54 killers. Just like the victims, the second largest of killers was the amorphous category of contadino, which included 47 killers without delving into those who were identified as contadini who performed specific work—farmers (7), chicken farmers (1), millers (8), gardeners (2). The non-specific lavoratore accounted for another 5 killers. Beyond soldiers, police and contadini, the servants of respectable households played a significant role in homicidal violence, with socii accounting for
40 killers, garzone another 20, and famigliari, 13. These were all professions in which the capacity for violence was a boon rather than an impediment, so it is not surprising to see high numbers of killers who were soldiers and police (the hired goons of noble and wealthy households) or rural labourers—who lived outside the safety of city walls, often near borderlands prowled by bandits and vagabonds. The urban, or at least town-based, professions that played significant roles in homicidal violence were also those where the capacity for violence was a useful characteristic. Barber-surgeons, with 9 killers, were among the most prominent of these urban botteghiere, along with blacksmiths (5), bakers (5) and spinners (4). Bricklayers featured as killers in 7 cases. Contrary to reputation, students did not play a more significant role in homicidal violence than any of these other groups; there were 5 student killers over the century. Other killers fell into a variety of professions and occupations, such as smugglers (4) and butchers (8). Banditry remained a minor problem throughout the century, and bandits who killed outnumbered bandits who were killed, with ten and 8 respectively.

We have even better records of the origins of victims and killers than we do their occupations. Of the 658 victims in the eleven-year sample, the records make clear the hometown of 502. It is important to note here that notaries recorded not the victim or killer's current place of residence, but the town in which they were born. Often this coincided with the current residence, particularly in the cases of young men killed or killing in the villages of the contado, but there was significant population mobility in the area, as the city's size relative to its hinterland fluctuated across the century.

The origin data for victims shows that approximately 25% (127/502) of the sample in which their origin is clear self-identified or were identified as being cittadini, city-dwellers of Bologna. Since approximately one-third of homicides occurred in the city (187), and since the origin sample was of 76% of the total homicides, slightly less than one-third of all victims had clear origins in the city; some of these victims died in the contado, and some of their rural co-citizens died in città. Of the 502 victims, the remaining 375 came from the densely populated
contado, with its myriad villages, settlements and semi-fortified towns, as well as from beyond the borders of the Bolognese Legato.

There were fewer foreign victims than there were foreign killers: a total of 5 Modenese, 7 Fiorentini, 1 Milanese, 1 Frenchman, 2 Piacentini, 1 Piedmontese, 1 from each of Ravenna and Rome, 2 Spaniards, 2 Germans, 1 Veronese and 3 Venetians. These victims were frequently killed in the course of the business that had brought them to Bologna, whether as students, as traders or as soldiers; osterie were the frequent locales of their deaths. The 348 remaining victims were scattered throughout the Bolognese contado, with concentrations in the semi-fortified towns of Castel Bolognese (7), Castel San Pietro (6), and Castello degli Albi (4), and in larger plains settlements such as Gaggio di Piano (5), close to the Modenese border, and Cento (4), north of Bologna. Six victims came from the mountain settlement of Luminasio, and four from that of Verignana di Sopra, to the south and south-east of Bologna, respectively. Thus, some 30% of victims originated from the city of Bologna itself; about 4% (27/658) were from outside the borders of the Legato, and the remaining 66% had origins within the province's many scattered towns and villages, with concentrations in the high mountain passes to the south, the borderlands west and north of the city, and the fortified towns that served as barracks and local centres of authority.

For the origins of killers, we have data pertaining to 743 individuals, constituting 61% of the total 1219 slayers. 184, or 24.76%, originated in Bologna, almost precisely in line with the number of killings that occurred in Bologna (187) but constituting a smaller proportion of total killers; more killers came into the city to kill than left it to do so. There were more foreign killers than foreign victims in terms of absolute numbers, and a larger proportion too, at 6.5% of the sample whose origins were known. There were 1 each from Castro and Ferrara, 14 from Florence, 2 from France, 4 from Milan, 15 from Modena (often bandits involved in cross-border violence), 3 Parmiggiani, 1 from Ravenna, 2 from the Romagna, 1 from Treviso, 3 from Venice, 1 from Verona and 1 from Volterra. These 49 killers all found themselves in the Legato of Bologna, having immigrated or travelled there, when they were indicted for a homicide committed within its
borders. The remaining 507 killers came from a similar spread of borderlands, mountain settlements and plain towns as did the victims: concentrations in Mogne (14), in the far southern reaches of the mountain passes; Crevalcore (8), north-west of Bologna and close to the Modenese border; and Budrio (13) and Medicina (9), both just east of the city, were the most visible markers of this pattern. Many of these killers committed their deeds in their hometowns, which resulted in high homicide counts for the mountain towns, border settlements and large plain agro-towns in Bologna.

Armed with this information, we can assess the incidence of homicide in Bologna throughout the seventeenth century, tracing the rise and fall of homicide rates to identify phenomena for further investigation. Fig. 37 traces the overall pattern of homicide rates, from early-century urban lows through a rapid rise in the mid-century, and finally through a diminution, particularly of rural rates, during the final forty years of the century. What stands out from this chart are the extremely low urban rates of 1610 and 1620, as compared to the years on either side, the extremely high urban rate of 1660, which surpasses all other measures across the century, and the steady fall of both rural and urban rates following the bloodbath of 1660.
Fig. 3.37: Homicide Rates in the *Legato* of Bologna, 1600-1700. Source: ASB, *Tribunale del Torrone, Atti e Processi*, II.138.3171-7532.

Homicides occurred in all corners of the *Legato*, as Map 3.1 demonstrates below. The largest single proportion of homicides (182/659 or 27%) occurred in the urban core, where about 25% of the total population dwelt. Homicides were roughly proportional to population, and their incidence and investigation traced the major highways of the *Via Emilia* and the Tuscan passes to the south. Larger population centres, such as Crevalcore to the north-west and Camugnano in the south-western pass, saw similar counts of indicted homicides, while the fortified towns of Castel Bolognese, Castel San Pietro and Imola featured the highest incidence of extra-urban homicide. Map 3.1 demonstrates very clearly that homicides in Bologna, if they followed any geospatial pattern, were ubiquitous in Bolognese communities across the state, affecting communities large and small and tracing roughly the lines of commerce and pilgrimage that made Bologna a crossroads for many Europeans.

Thus we have the long view of indicted homicide rates in Bologna for eleven years across the seventeenth century. In 1600, homicide rates were in the mid-20s, and there was near parity between urban and rural contexts; they then dropped sharply, particularly in the city, to among the lowest rates across the century, and the lowest for the urban *milieu*. In both 1610 and 1620, homicide rates in the city stood between 4 and 6 per 100,000 inhabitants, while in the *contado*,

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380 This figure is comparable to Daly and Wilson’s data for London c. 1250 and Spierenburg’s for Amsterdam 1560–1590. Daly and Wilson, 276; Spierenburg, *A History of Murder*, 70.
with rates of 15.5 and 18.6, homicide was at its most uncommon for all years except 1700. In 1632, following the devastating plague of 1630, homicide rates in the city remained low, while in the contado murders jumped to 43.6/100,000, almost exactly similar to the data Spierenburg provides for Rome in the period 1560–1585. Much of the violence in 1632 can be attributed to post-plague social restructuring and uncertainty regarding property rights and security in newly vacated lands, a phenomenon explored in detail in Chapter Four In 1640, rural rates corrected to a more modest high-20s, while the urban rate began to climb from its early century lows. Both rates rose to above 40 in 1652, which was the zenith of rural homicide rates through the century, at 50.15.

As mentioned above, the 1650s were a period of tension among Oligarchic and Republican factions of the nobility. This period saw these factions turn their collective ire against the officers of the Torrone, which sought to curtail both feudal and republican privileges to justice and violence. This conflict exploded in 1660, which witnessed a wave of killings that swept both the city and the countryside, bringing the urban homicide rate to 105.9. The rural rate in this year dropped, however, to 41.7, making the aggregate rate for the province 60.75, still well above any other known homicide figures for the period, and indeed for the previous century. In 1670, the urban rate dropped more than fourfold to 25.2, while the rural rate fell in line with it at 26; this situation remained through 1680, when the urban and rural rates were 24.6 and 23.5 respectively. Given that the rural rate dropped to only 21 in 1690, that year’s rapid drop in the urban rate of 1690, to 10.9, may reflect the final fruits of the long campaign to pacify the urban nobility. Finally, in 1700, the rural rate dropped below the urban rate to levels more in line with northern European rates of the period—12.7 and 15.7, respectively; comparable Italian figures do not exist.

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381 Spierenburg, A History of Murder, 70.
382 Angelozzi, La Nobiltà Disciplinata., pp. 180–223.
Thus we see the bell curve of homicidal violence in Bologna, Italy, as it crested and fell across the seventeenth century in an unpredicted pattern. This unexpected rise and fall of homicidal violence points the way to further analysis and indicates the phenomena that need to be explored in order to better understand the social logic behind trends in violence. This chapter has served to lay the groundwork for further analysis of trends extant in the commission of homicide in Bologna throughout the seventeenth century. What emerges from this analysis is an endemically poor and unstable society, in rapid transition between traditionally agrarian and urban-dominated modes of governance, economy and sociality. In that society, violence was not an aberrant, disease-like aspect of the human condition, nor was it necessarily seen as such by the officers of the judiciary tasked with its control, censure and, occasionally, punishment. For that reason, early modern killers often deserve the sympathy of the historian as much as do victims, for the structures of life and sociality in Bologna in the seventeenth century made violence and competition equally valuable tools of advancement as peacemaking; indeed, the two went hand-in-hand. Peace could not be made without a precondition of violence, and violence would erupt when standing peace was strained by the exigencies of social and emotional life.

It is significant that this rise in violence occurred at the same time that Bologna and the Bolognese judiciary were undergoing precisely the process of centralization and rationalization that Spierenburg and others assert as causative to the civilizing process and the long decline of violence.\textsuperscript{384} The Torrone’s legislation and increased intrusion into public behavior and particularly noble factionalism were not embraced by local elites. Rather, both nobility and commoners committed more and more political homicides than in the early-seventeenth century, as social and institutional trust decayed rather than grew with the trappings of civilizaiton. The sampled years from 1640–1660 witnessed the highest homicide numbers and rates of the century, making problematic the widely accepted conclusion of the civilizing process—that the latter half

of the seventeenth century continued, indeed accelerated, a decline of violence that had been more or less consistent in a downward trend since the late middle ages.\textsuperscript{385}

4 The Days after No Future: Post-Plague Homicides in rural Bologna

4.1 Introduction

An hour before sunset on 31 December 1631, Signore Hippolito Ravaglio rode his horse through Castel San Pietro on his way to Imola, accompanied by a servant on horseback. As a minor noble, Hippolito was accustomed to carrying the marks of his status: a loaded pistol, a loaded archebus, a dagger, and a certain amount of wealth in both cash and jewelry. As Ravaglio and his servant passed through the town, they encountered Stefano the blacksmith, who was visiting the bottega of Giovan’Andrea, a local reseller of used goods. According to Stefano’s testimony, given the next day from his sickbed, Hippolito and his servant passed the blacksmith and paused in front of the local hosteria, “without dismounting,” before returning to Stefano with some pressing business: Ravaglio demanded to know “why I did not doff my cap to him.” Stefano responded in a manner guaranteed to infuriate an already offended nobleman: “Because I have no obligation to doff my hats.” Ravaglio drew a pistol, his servant pulled an archebus, and the servant shot Stefano in his right shoulder. The ball passed straight through, and Stefano, “feeling wounded and doubting that Hippolito would not fire some more archebus shots” grabbed his own gun and shot the noble in the chest. Ravaglio fell off his horse, which bolted, and he was dragged behind it for “the length of an archebus shot,” a common measure of distance in the seventeenth century. He died on the scene, a notary was sent for from Bologna, and the Mestrale of Castel San Pietro began investigating the murder, with the killer as his first witness, the next day, 1 January 1632.

This murder was an ominous sign of the years to come for the judges and notaries of the Torrone, years in which violence transgressed social hierarchies and communicated strong dissatisfaction with society’s status quo in the world-upside-down wrought by plague. This chapter focuses on the homicidal violence that occurred in both town and country in 1632. It does so in order to assess the impact on violent behaviour of a major societal disaster: the plague of 1630–31 that

386 ASBo, Torrone, 5922, in fine.
eliminated approximately 24% of Bologna’s urban population, about 15,000 people, and up to another 30,000 from the surrounding contado.387 Analyzing homicide in the immediate and long-term aftermath of widespread epidemic mortality allows the historian to observe the role that violence played in reconstructing the social institutions of society, redefining relationships between groups whose circumstances had shifted radically, and recalibrating the options available for those seeking to modify their station in life. It is also an opportunity to test the hypothesis put forward by Roth that homicide rates—and violence more generally—respond to changes in levels of societal trust in and support of governmental, judicial and social institutions.388 The murder of the minor nobleman Hippolito, which occurred on the eve of 1632, aptly displays some of the themes this chapter addresses and is a useful foil against which to pose some questions. Why, absent any apparent existing hostility, or any precondition of enmity, did the nobleman back-track on his course in order to begin an argument with an artisan? Why was that artisan confidently able to disrespect the nobleman, and then double down on that disrespect when the noble demanded a show of obeisance? Is it significant that the artisan was never condemned for his crime, and ultimately received pardon and papal grace in 1639?

Had this case been unique in the year 1632, the murder of a young noble by a blacksmith would have raised eyebrows but appeared otherwise unremarkable. However, the 77 homicides that occurred in 1632 collectively displayed a breakdown of the stability of local governments, judicial systems and social hierarchies. The plague cycle that struck the state of Bologna particularly hard from May 1630 to February 1631 destabilized social norms and obligations to a degree visible in the fatally violent crime that occurred as the city and countryside pieced themselves back together in 1632.389 Not only did homicide rates—particularly the rural rate—spike in 1632, to an aggregate of


389 Guido Alfani has done much on the demography and economics of seventeenth-century plagues in North Italy. He argues that the 1630 plague, specifically, initiated a period of long-term economic decline for the North. While property structures in areas such as Ivrea remained stable compared to medieval plague experiences, cities that experienced both the 1576–77 plague and the 1629–30 plague entered a protracted demographic decline through 1800. Bologna, like other cities primarily hit by the 1629–30 plague, had a relatively rapid demographic recovery. G. Alfani and M. Percoco, Plague
42/100,000 (the third-highest of the sample), but the quality of homicides changed as well. The few urban homicides (16) represented in the Torrone’s trial records show the presence of deadly rivalries between the noble clans of the city. These rivalries re-emerged following a period of relative calm that was shattered by the epidemic. Rural homicides emerged from conflicts over basic provisions, land, and employment. In both town and country, robbery and revenge homicides broke hierarchical borders. The plague reduced an already fragile societal trust in institutions and communities and led to the destabilization of traditional norms of authority and deference. This re-shaping and contestation of social norms was visible in the many homicides that crossed those traditional boundaries.

In the 50 years prior to the 1630 outbreak of bubonic plague in North and Central Italy, Bologna’s population fluctuated between approximately 62,000 and 79,000, averaging about 67,000 within the city walls. During the same period, the rural population was more changeable, with a low in 1600 of about 145,000 people, and a high in 1617 of nearly 172,000. When the plague of 1630 first struck in the late spring and summer, it ignited an epidemic that saw the population of the city reduced by about 25%, such that in 1632 the population of the city was 43,114. Carlo Cipolla argues that the rural provinces of Italian city states seem to have experienced mortality rates similar to those within the cities, despite a long-held notion that urban dwellers fled to the contado during times of plague because of its comparative safety. Cohn and Alfani note further that for Nonantola, a small commune between Bologna and Modena, the mortality count of the 1630 plague was 760 of a

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392 Carlo M. Cipolla, _Fighting the Plague in Seventeenth-Century Italy_ (Madison, Wis.: University of Wisconsin Press, 1981), 100–110.
population of 3,439; the mortality rate was 25% after adjusting for deaths of infants under five.\textsuperscript{393} We can thus estimate, conservatively, that the plague eliminated approximately 20% of the rural population overall, with mortality rates varying between villages. Thus, although no official figures exist for 1632, we can extrapolate a rural population of some 140,000 in that year. The significant decline of both the urban and rural populations amplifies the homicide rate, although there were also more homicides in absolute numbers in 1632 than in the sampled years on either side. With so many people dead during the passage of the plague, the potential for significant social, economic and political tensions among surviving individuals, groups and communities was extremely high. Before analyzing the deadly ways in which these tensions played out, this chapter accounts for the measures Bolognese authorities took to counter the plague, both as it approached via the cities of northern Europe and the Lombard plain, and as it ravaged neighbourhoods within the walls, and the villages beyond them.

4.2 The World Turned Upside Down: Bernardino Spada's Failed Efforts to Control the Plague, and the Expansion of the Torrone's Authority.

The plague did not strike Bologna suddenly or without warning. Nor was this north Italy's first encounter with virulent contagion: plague had struck with some frequency since the fourteenth century.\textsuperscript{394} As early as 1627, the Legate of Bologna, at the time Cardinal Bernardino Spada, began issuing a series of announcements (\textit{bandi}) that warned citizens of plague in nearby cities and placed bans—on pain of death—against anyone seeking to transport “persons, animals, goods, monies, letters and any other thing that comes or may be transported” from infected cities, which at this point were primarily in the north, in France and Germany.\textsuperscript{395} Twenty-five days later, on 12 January 1628, he expanded his list of infected areas, based on information he had received, to include more Swiss

\textsuperscript{393} Samuel K. Cohn Jr. and Guido Alfani, “Households and Plague in Early Modern Italy,” \textit{The Journal of Interdisciplinary History} 38, no. 2 (October 1, 2007): 201.

\textsuperscript{394} The most recent major outbreak to affect Northern Italy was in 1575–77. Plague struck with distressing regularity: 1452, 1468, 1483, 1502, 1523, 1556–7, 1570–76, 1597–8. Cohn and Alfani, 180–2; Benedictow 402; Alfani (2014), 5.

\textsuperscript{395} Bernardino Spada, \textit{I Bandi Di Bernardino Spada Durante La Peste Del 1630 in Bologna / Bernardino Spada ; a Cura Di Pietro Malpezzi . Aspetti Medici E Scientifici} (Faenza (Ravenna): Casanova, 2008), Bando of 19 December 1627, p. 32.
towns, and reiterated the ban on importation of goods into the city. During the plague, Spada issued a continual series of bandi in an attempt to prevent the plague from reaching Bologna, and failing that, to control its virulence within the city through strict curfews and security protocols.

As noted above, Spada’s initial attempts to ward off the plague took the form of commercial and travel embargoes. On 14 January 1628 he simply closed the city gates to any person not bearing a declaration of good health written and signed in their town of departure; he also made these “fedi di sanità” available to Bolognesi at no cost. These fedi covered humans and their animals and goods and were an attempt by early modern city governments to coordinate their responses to the plague and minimize its epidemic reach, without paralyzing the dense commercial networks at whose crossroads Bologna lay. A fede di sanità allowed Bolognese to continue their commerce with the inhabitants of surrounding cities and provinces, and vice versa. Spada continued to release announcements tracing the passage of the plague as it approached north Italy and began to cross borders into Italy. Ultimately, he closed the city to Milanese traffic in October, 1629.

The quarantine was the civil government’s first, though not its only, means to prevent the outbreak of plague in Bologna. As early as 1557, Italian medical and civil authorities had recognized the need for directed government policy to maintain the wellbeing of city populations; medical authorities argued that the therapy of individual patients was the realm of physicians, while the responsibility to “provide for the collective” lay with city leaders. In reality, as Cipolla notes, this separation was in fact too neat. Medical men influenced civic policy and advocated for preventive measures against the plague, and also recognized the modern medical notion that effective prevention was much preferable to the need for therapy. Possessing an internally consistent scientific account of the plague, the miasmatic theory, medical authorities collaborated with governments to institute policies and practices that would ward off a contagion that travelled

396 Ibid, 33.
397 Ibid., 34.
398 Cipolla, Fighting the Plague in Seventeenth-Century Italy, p. 7.
399 Ibid.
primarily through human contact, and spread, according to their understanding, by “venomous atoms” that poisoned the air and created plague-bearing “miasmas.” In Florence, this included the division of the city into six **sestieri**, each under the authority of notable men from the **Compagnia di San Michele**, a charitable confraternity. These men determined that filthy mattresses were a leading cause of plague in poor households, and arranged for both the distribution of 1347 new mattresses to stillt-healthy households and the preventative burning of the old. These preventative measures were well-known by the time plague erupted in Bologna in 1630.

Armed with the best available knowledge about plague and its transmission, Spada adopted a proactive approach to plague control in late 1629, when it became clear that northern Italy was without doubt stricken by the plague. He noted in a **bando** on 4 November that the **fedi di sanità**, employed by many of the cities in the region, failed to check the spread of the plague; he therefore determined to “decree and order the following provisions in addition to those already done.”

Existing **fedi di sanità** were respected, and citizens were admonished again not to admit into Bologna any persons, animals or goods that lacked this guarantee of health. All other mail, goods, people and animals were banned from the province. In particular, gypsies, vagabonds, cripples, the enfeebled and tinkers were all forbidden entry to the city, on pain of the lash and imprisonment if Spada judged it appropriate. To enforce the ban, Spada established of a citizen’s brigade to guard the city gates, made up of “gentlemen, citizens and artisans” who would follow the instructions and orders nailed to the gates. He set strict schedules for the guards, posting them in pairs at the gate and mandating that at least one remain if the other needed to leave to eat. Anyone opening the door without the express permission of these deputies or in their absence would be subject to three **tratti di corda**. These harsh

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400 Ibid., 10–15.


403 Ibid., 48–9.
penalties for non-compliance were resisted by residents of Bologna, who through disobedience and distrust subverted the Legate’s attempts to control the plague.

The Legate knew that there were risks inherent in this sanitary regime. Recognizing the strain that plague put on his population, and the dangers of establishing citizen militias to control access to the city, Spada finished these *provvedimenti* by admonishing citizens of Bologna not to “harass [the gatekeepers] with injurious words, evil wills, dishonesties or threats... and even less to forcefully enter the city, [or] do any uncivil or indecent act against the guards.” He sought to close the entire province to foreign travelers, sending groups of soldiers to the province’s borders to prevent entry into Bologna along the major highways; nine days later, he expanded their mandate to include enforcing quarantines of castles and walled settlements. Even as the plague rapidly approached, Spada maintained hope that prudent action and collective precautions could ward off the pestilence that was striking down the peoples of France, Germany, Switzerland and much of the Italian peninsula. At the same time, he was well aware of the potential for interpersonal violence emerging under fear of the plague, as demonstrated in his orders not to assault civil authorities.

Spada continued to publish *bandi* regularly throughout April, both expanding the scale and intensifying the scope of regulations on commerce and travel while displaying an increasing frustration with “many drivers who through their own interest and greed to profit have introduced and continue to introduce foreign beasts into the Legation.” On 6 May he instituted a new sanitary regime in Bologna itself, aware that the threat of plague was now imminent and that immediate measures needed to be taken were the city to remain free of contagion. All inhabitants and corporate bodies of Bologna, without exception for religious status or social privilege, were required to clear their properties of all trash and filth. Those practicing dirty jobs—tanners, paper-makers, and certain butchers—were additionally required to transport their waste outside the city walls every

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404 Ibid., 49.
405 Ibid., 52.
406 Ibid., 67.
407 Ibid., 68–70
evening. Fishmongers faced tightened sanitary regulations that monitored the state of their warehouses and goods, and were required to dump all of their refuse into the river once a week. As the plague drew closer to Bologna, Spada employed all the power of his office to prevent Bologna from becoming infected.

However, Spada's hopes to keep Bologna free of the plague depended upon the complete and total cooperation of the local populace. The frequent repetition of the basic elements of preventative sanitation—commercial quarantines, exhortations to inhabitants not to assault and disobey the citizen guards at the city gates, and strict controls on the maintenance of city streets—in Spada's many *bandi* from 1628 to 1630 make clear that these measures were not followed to the letter. The fear of contagion was not enough to overcome the fear of poverty and destitution for residents of the city whose livelihoods depended on trade in animals or goods with persons outside of Bologna. All of Spada's efforts in fact reduced the trust of the populace in the institutions of civil government. Despite having their freedom of movement and commerce severely restricted during the plague's approach, many *Bolognesi* lost friends and family in 1630. The Legatine government failed to protect Bologna, and it paid the price in the shocking disillusion of societal norms that produced the homicide spike of 1632.

When the plague struck, regulations on movement were tightened further and the Legate brought in more authorities from the city's court and medical college. The first case of plague was officially reported on 6 May.408 By June 1630 Bologna was in the grip of epidemic, and Spada shifted his attention from prevention of an outbreak to the management of a plague-stricken city, with an eye to minimizing the spread of infections and protecting healthy neighbourhoods. Immediately, he instituted strict regulations on the movement of people and goods within the city and gave responsibility for enforcement of curfews and enclosures to the *sibiri* and *notai* of the *Torrone*.409 On 13 June, Spada's *cancelliere della sanità* issued a direct order to “all the doctors” that they were required to meet in their guild halls the next morning to discuss emergency measures for sanitation

and medical treatment.\textsuperscript{410} The doctors were a central part of Spada’s plans for containing plague, as they were able to maintain detailed records of illness and death in the city’s two plague hospitals, the \textit{lazzaretti}.

The Legate also shifted some responsibility for controlling the plague to citizens themselves and gave the criminal court responsibility for enforcing this responsibility. All inhabitants were required to report any suspected cases of plague in their households, providing doctors with the name, length and quality of illness, parish and residence of the plague-stricken victim; doctors then prohibited people from entering that place, conversing with the victim, or removing goods of any kind from the house. Deputies were appointed from the \textit{Assonto del Reggimento della Sanità} to provide food and care to victims who remained in their homes and to report these cases to the director general of the \textit{lazzaretto} outside the parish of San Mamolo.\textsuperscript{411} A general curfew was imposed, with strict regulations on the movements of bodies and goods that were possibly infected with plague. By restricting movement and activity within the city, Spada hoped to track the progress of the plague, maintain detailed records of its incidence in terms of both overall prevalence and mortality, and reduce the potential for unchecked infection. He relied on the \textit{Torrone} to assist in enforcing this curfew by transferring criminal jurisdiction over these matters to its judges and notaries.

The emergency measures engendered particular challenges for the judges of the \textit{Torrone}. The records of the plague year contain a great number of denunciations and trials for breaking and entering into houses emptied by plague—either by relatives of the deceased hoping to retrieve their patrimony before it was inventoried, inspected for plague and possibly destroyed, or by opportunistic thieves curious to see what goods and monies might lie behind the white-washed cross that indicated a plague house.\textsuperscript{412} The court also prosecuted \textit{Bolognesi} for insulting and harassing the officers of the

\textsuperscript{410} Ibid.
\textsuperscript{411} Ibid., 77.
Torrone and the Sanità as they went about their duties, and it enforced the regulations on women that restricted them to their houses under the authority of their padrone.413

Two recurring problems stand out from the other Torrone priorities of 1630, both of which reveal the population’s rejection of the logic of curfew, their privileging of individual activity over collective regulation, and an overall class-based hostility to city regulations that severely restricted the lower classes’ abilities to feed and support themselves but allowed wealthy Bolognesi to carry on with little disruption. Throughout the plague, the Torrone prosecuted multiple women, usually prostitutes, for walking around the city in defiance of enclosure regulations and dressed as men to avoid the notice of officials.414 This gender role-reversing by some of the city’s most vulnerable, yet independent, women was explained by the women themselves as the only strategy they had available to survive during the plague: they needed to practice their trade outside, and dressing as a man was the only means to do so without being arrested or harassed.

A more sinister crime also came under the Torrone’s purview in 1630: smearing the doors and windows of houses and buildings with mysterious ointments, unzioni, in what officials considered attempts to infect houses with the plague.415 Not dissimilar to poisoning wells, this crime was viewed as particularly heinous by the Torrone and prosecuted with vigour whenever possible. This practice was not restricted to times of plague only: in 1671 there was a rash of incidents in which someone applied “a suspicious yellow material” to all of the doors in the town of Budrio; the Torrone’s denunciations note that this had been occurring all over Lombardy and officials were at a loss to explain it or to catch the culprits.416 Smearing of doors with pestilential ointments, or with human or animal effluent and feces, was not an uncommon means to ostracize someone from the community, to sow dislike and distrust against rivals, or, in the case of the plague of 1630, to attract the unwanted

413 Ibid., 82–98.
415 Ibid., 102–108.
attention of civic officials and to disrupt a household's activity by bringing the fear of contagion upon it.

Because these matters occupied the Torrone throughout 1630 and into 1631, the archival record of homicide during the plague itself is spotty; it is impossible to tell with any conviction how many homicides occurred as the plague ravaged the population. It is possible that a great many killings were committed under the shadow of pestilence, when a mounting death toll may have provided cover to killers enacting revenge or seeking material gain. Although local physicians had a good idea of the visible, physical symptoms of the plague, the sheer volume of dead Bolognesi cannot discount the idea that some of the plague victims were in fact victims of a more human pestilence. Further, interpersonal violence and homicides were not the Torrone’s primary concern during the plague: if a peasant murdered his neighbour deep in the mountain passes, logistical problems likely prevented the court’s discovery of the crime, let alone its investigation and prosecution of a culprit. Throughout 1630, the Torrone focused its activities on the maintenance of civil order and sanitary restrictions in Bologna proper; the contado was very much left under the authority of militias and groups of soldiers responsible for protecting the borders and enforcing the quarantines of walled towns and other settlements. The visible representatives of order in the contado were capricious and unregulated bands of armed men, whose presence could only serve to reduce general societal confidence in the legitimacy of social and governmental hierarchies.

For these reasons, 1632 presents as an opportune year to investigate homicides in Bologna. By a year after the plague, whose last infection was reported in Bologna on 31 January 1631, the Torrone had returned to business as usual, while the inhabitants of the city and contado struggled to piece together the lives, and livelihoods, that had been shattered by the deaths of family, friends and business associates. The plague’s destabilizing social effects were manifested in revenge, robbery and status-based homicides, and in a resurgence of intra-class violence perpetrated by the city’s nobility. This chapter now analyzes homicide trials from 1632 that display these destabilized social norms, drawing on the words and deeds of witnesses and killers to argue that as Bolognesi rebuilt their lives,

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they attempted to build stronger foundations by committing homicides in the pursuit of material
gain, social status and local power.

4.3 Post-plague Homicides in the Bolognese contado: Poverty, Disillusion and Revenge

Within the city's walls, the homicide rate jumped from 4.4/100,000 in 1620 to 36.9/100,000 in
the span of 12 years. This is not significant in itself: homicide rates could change dramatically in a very
short time, and without further research into the archives of the Torrone, it is impossible to determine
exactly when and how the rate began to rise.\textsuperscript{418} The homicide rate in the walled towns, villages and
mountain hamlets of the contado also increased over this period, from 18.6/100,000 to 43.6/100,000, as
similar forces shaping violent behaviour in the city acted upon the countryside. Recall that the
contado endured similar mortality rates from the plague as did the urban enceinte. The contado's
inhabitants were even less protected by the city's preparations for plague than were those within the
walls: indeed, without walls, they had no way to control the flow of goods and people passing
through their territory and possibly carrying the deadly pestilence. The impact of widespread
mortality on the contado was qualitatively different than on the city, however. Family units
dependent upon the labour of all members could see their livelihoods evaporate with the death of the
patriarch, or the mother, or even the children. This was particularly true for tenant labourers and
small sharecroppers. These peasants killed, in 1632, in instrumental ways that reflect both the abject
poverty of the hinterlands and the fear and frustration that attended plague recovery. Artisans found
themselves with heightened status and sought-after skills and in turn broke social hierarchies by
murdering nobles and each other. Members of each of these groups at times also rejected the
hierarchy of authority that governed social relationships in and around Bologna by murdering judicial
officials and employers. Rural nobility changed their stations by using violence, including homicide,
to procure land that had been made available by the plague. All of these groups also committed
revenge homicides in high numbers, a phenomenon that correlates well with periods of distrust in
societal institutions.

\textsuperscript{418} On the rapid mutability of homicide rates, cf. Roth, \textit{American Homicide}, Introduction and Chapter One.
Rural violence was inescapably coloured by the extreme poverty in which most people lived. Families had very few possessions or clothing; food supplies had to be carefully managed to sustain villagers through the winter; and money was dealt in quattrini and soldi, the smallest denominations of local currency. At the best of times, one bad winter could mean an extremely lean and possibly deadly year for a sharecropping family of five. As Cohn demonstrates in the case of Milan, the plague struck disproportionately those whose material resources were already stretched to their limits, turning poverty into destitution for many families. 419 After the plague, those whose already difficult rural lives were made harder and more uncertain by the deaths of family members used homicidal violence to ensure the security of their families and goods. Items of clothing and food—a hat, an apple—were fatally contested by peasants for whom a hat meant relief from sunstroke in the August heat, or whose apples would sustain their children through the winter. Resource homicides—that is, instrumental violence used to ensure the killer’s continued physical wellbeing—became prevalent among contadini following the plague.

Most obviously, material poverty translated to violence in a series of killings involving highway robberies and rural thefts that occurred in 1632. In each of these cases, the killers, or witnesses, attributed the violence to extreme poverty and the need to sustain themselves. On 6 February 1632, Andrea Sinibaldi, a farmer, left his wife at home in Castiglione to take some beasts to Bologna to sell. On 7 February he was found dead in a ditch, beaten to death and stripped of the thirty ducatoni he carried in his coin purse. 420 According to his wife, he must have been robbed by a local youth named Giovanni di Claudio, because her husband “usually carried money with him.” Giovanni was a poor youth who lived in the house of Marchino Romanino, Andrea’s neighbour and travelling partner. Giovanni knew of Andrea’s habit of carrying money, and witnesses said he killed Andrea for it. Giovanni had recently moved to Castiglione to find work. While we cannot know for sure what happened to Giovanni during the plague, his relocation strongly suggests that his network of family and community support was destroyed by the epidemic. In Another case, while driving his cart

419 S. K. Cohn Jr. and Alfani, “Households and Plague in Early Modern Italy.” 194.
420 ASB, Torrone, 5849, f. 389–443.
through Castel San Pietro to sell his hemp at market, Vincenzo d’Astorre and his son Giovanni were waylaid by robbers who attacked the cart, bashing Vincenzo on the head and taking his goods.\footnote{ASB, Torrone, 5867, f. 456 – 479.} These robbery killings indicate the strong pressure that poverty could exert to push men towards violence when they had little faith in official poverty-relief programs that saw women as more appropriate targets of charity and poor relief.\footnote{N. Terpstra, \textit{Cultures of Charity\!}: \textit{Women, Politics, and the Reform of Poor Relief in Renaissance Italy} (Cambridge, Mass.: Harvard University Press, 2013). Terpstra demonstrates that Bolognese charity was organized principally around care for women in vulnerable life stages, such as childhood or widowhood. Young men were considered able to work to earn a living, and therefore lacked consistent access to poverty relief.}

Poverty also drove people to kill in other ways. There was at least one killer in 1632 hired by someone to eliminate an enemy. On 7 January, Bartolomeo Razani, a local \textit{ciavattino}, shot Vincenzo Bennini in the village of San Giovanni.\footnote{ASB, Torrone, 5832, in fine.} Vincenzo and his friend Giacomo were passing time beneath a \textit{portico} outside the house of the Loratelli family when Bartolomeo arrived and, without a word, shot Vincenzo. Vincenzo died on 23 January. Before he died, he told Torrone judges that Bartolomeo must have been hired to kill him, since Bartolomeo was a “poor man,” to whom Vincenzo had “never done any displeasure,”; Vincenzo would not, however, name the enemy who had hired his killer. While the investigation never revealed the money behind the crime, Bartolomeo was sentenced to an ignominious death as a hired killer. He was not executed, howeverand he instead entered exile as a contumacious bandit. The chance to lift oneself out of poverty drove at least one man to kill for money in the Bolognese \textit{contado} in 1632, while three other cases of killings display the predatory and non-personal markings of hired killings.

In the seventeenth century, material poverty meant much more than simply a light purse, particularly in the agrarian economies of cities’ rural hinterlands. Reading homicide trials in the wake of a plague makes concrete the desperate situation in which many peasants, robbed of labour resources and facing difficulty with their food supply, found themselves in 1632. On 21 October, in
Bagnarola, Giacomo Cantelli and Angelo Bettinozzi argued over “a gram of hemp,” useful both as a tool and as a grain.\footnote{424 ASB, Torrone, 5878, f. 409 – 436.} Angelo denied that he had stolen some grain from Giacomo, who responded by smashing him in the head with a hoe. After killing his customer during this argument over a trivial amount of hemp, Giacomo fled to the contado and was sentenced to three years’ galley slavery in contumacy. The economic and material fallout of the plague left Giacomo in a position where killing a possible threat to his wellbeing was a viable option, in a system in which Giacomo had no reason to trust the forces of official order to protect his station. In another food-related killing, two women argued in Sant’Andrea Poggio de Rossi on 26 September 1632. Caterina de Poggioli accused Isabetta of taking some from the barrel in which she kept her winter’s supply.\footnote{425 ASB, Torrone, 5918, f. 301 – 391.} Although no immediate violence ensued, Isabetta was found the next morning sitting leaned up against her house, bleeding from a head wound. When asked by the Massaro what happened, Isabetta said that following the previous day’s argument, Caterina threw a rock at her, hitting her in the temple. The Massaro sent Isabetta’s son Giovanni to find and detain Caterina; when Giovanni found her, he dragged her to the top of her house, beat her about the shoulders with a heavy stick, and dangled her by her ankles over the ledge before dropping her from the roof. Isabetta died two days later, and the Massaro set a guard on Caterina’s sickbed to ensure no more retaliatory violence would occur. In both these cases, violence emerged from conflict over the management of the winter’s food supply, any interruption or damage to which could mean an extremely lean and dangerous season ahead.

This poverty and fearful planning for the future was also apparent in post-plague killings that arose from disputes over land ownership, borders and field maintenance. The plague left much land untended, and in the immediate aftermath, peasants and landowners alike moved to procure more land or to modify the boundaries of their fields. \textit{Danno dato}, damage caused by livestock to others’ land, was a perennial cause of conflict and violence between peasants.\footnote{426 G. Hanlon, \textit{Human Nature in Rural Tuscany: An Early Modern History} (New York: Palgrave Macmillan, 2007); A. Dani, \textit{Il processo per danni dati nello Stato della Chiesa} (secoli XVI–XVIII) (Monduzzi, 2006).} In the period following the
vicious plague of 1632, these conflicts were sharpened by the diminution of the labour force and the concomitant rise in anxieties for the seasons ahead, which, as shown above, made the management of food supply a matter of one’s own life and someone else’s death.

More land was available for a smaller number of farmers after the plague. This did not lessen competition and conflict over the control of arable farmland, however. On 8 September 1632, Gemignano Fabbri and Dominico Fabbri argued in the commune of Vigo, and Gemignano ended up stabbed, dying from his knife wound on the spot about two hours before sunset.\textsuperscript{427} The recent plague had left a piece of land bordering Domenico’s property empty and available for purchase. Gemignano, a labouring farmer, had hoped to raise his station by cobbling together the resources to purchase the small plot. Domenico, a physician, preferred to expand his land holdings further and stabbed Gemignano in the course of their negotiations. In another case, two neighbours, Domenico Ascorri and Bartolomeo Toschi, argued over the boundary between their fields near Medecina.\textsuperscript{428} When they met at the church of San Michele di Sanzanigo on 22 February, they first exchanged words before Bartolomeo grabbed his dagger and stabbed Domenico in the arm and shoulder. Domenico died of his wounds. Bartolomeo was sentenced to ten years’ galley service but was pardoned when he made peace with Domenico’s family and the conflict over land was resolved.

Girollamo Scozzeri, a member of a family with land near Sant’Agata, accused Biagio Mattioli of cutting down some sheaves of wheat.\textsuperscript{429} The Mattioli brothers were outside the town church on 3 May 1632 when Girollamo and his brother Pierino showed up armed with farm implements. Girollamo stabbed Biagio with a boar spear (\textit{ronca}) while Pierino wielded a pitchfork. Biagio died on 5 May. Similarly, Paolo Stadiera was fed up with his enemy’s employees habitually pasturing their beasts on his land and confronted them the night of 19 June 1632 in his fields near Ceniglio.\textsuperscript{430} When Paolo

\textsuperscript{427} ASB, \textit{Torrone}, 5915, f. 444 – 490.

\textsuperscript{428} ASB, \textit{Torrone}, 5850, f. 301 – 320.

\textsuperscript{429} ASB, \textit{Torrone}, 5895, f. 612 – fine.

\textsuperscript{430} ASB, \textit{Torrone}, 5895, f. 337 – 394. This case speaks further to the fraught social economy of plague and post-plague North Italy. During the plague, upon the death of the incumbent, a new miller was brought to Ceniglio. Distrustful of this
demanded they remove the beasts, one employee, Niccolo Borsi, replied “let them stay, or we'll shoot you”; the argument ended when he did just that. The impact of plague on land tenure, management and ownership was manifested in the tense and often violent negotiation over the distribution of land left untilled by plague deaths. Whether they were attempting to procure more land, expand the holdings they already possessed, or ensure that their land was productive enough to survive the upcoming winter, rural Bolognesi killed their townsmen and neighbours in the uncertain times following plague. Most of these killings were committed with short blades or farm tools, a fact which speaks to both the combatants' generally low or middling status as well as the relatively spontaneous nature of their violent acts.

It was not only poor shareholding farmers who resorted to violence to protect the viability of their land. By reducing the available labouring population, the plague of 1630 also shook up the labour market in the villages around Bologna. Employers poached each other's tenant labourers, who were drawn by promises of higher wages and better treatment, and who eagerly exploited the labour shortage to improve their lots. This shift in the labour market drove both employers and employees to kill laterally and vertically, although cases of employee-employee murder appear much like those above, as cases of defense against *danno dato*. The farm labour market was based on the *mezzadria*, or sharecropping system, and it thus depended on a surplus of labour to sustain the economic relationship between landowner and tenant farmer that defined each of their rights and responsibilities. When this surplus became a dearth, peasants were able to move more freely between landowners, allowing their employers to resolve the ensuing conflicts between them.

Landowners reacted with violence when other landowners employed their tenant farmers. Unlike the peasants described above, these landowners displayed a degree of premeditation in their killings. When Rizio Balzano went outside to get a chicken for dinner at his home in Longara on 7 September 1632, Gabrielle Lombardo, who had been laying in wait with an archebus, shot him in the

outsider and the contagion he might bring, Paolo and a group of villagers surrounded the mill and attempted to enforce a quarantine on the newcomer.

back and fled.\textsuperscript{432} It transpired that one of Lombardo’s tenants had recently taken employ with Balzano, under the false pretense that he had received permission from Lombardo to do so. Rather than initiate a protracted legal suit in the \textit{Foro Civile}, which would have drained resources and precious time during the harvest season when all hands were required in the fields, Lombardo put an end to their argument by resorting to fatal violence.

On 24 May, Armisio, the \textit{garzone} of a landowner named Giacomo Riatti in Fiesse, arrived with his brother from the fields where they had fed Riatti’s animals; Armisio told his \textit{padrone} that the two of them had found one of the labourers for land owned by the monks of Santa Maria Nuova dead in a ditch on Riatti’s land.\textsuperscript{433} Riatti was indirectly responsible for the death: two weeks before, the young man, whose name was Giacomo Sgarzi, came to Riatti and told him he wanted a new \textit{padrone}; his current boss, Giacopo degl’Atti, was starving him and mistreating him. Riatti was unable to employ Giacomo Sgarzi, but did send him to a friend who would employ him at the farm belonging to Santa Maria Nuova. Giacopo degl’Atti was condemned for stabbing the \textit{garzone} to death. In killing his employee who had fled his abusive service, degl’Atti’s may have been warning other employees and employers: if they left his service or employed those who had, retribution would surely follow. It is difficult to tell how premeditated this killing was, but the fact that the employee was found in a ditch may indicate that he had been ambushed. A third man, Sabbatino Buzzeri, was killed in Vergnana di Sotto on 21 June 1632.\textsuperscript{434} While no one was ever processed for this homicide, the dead man’s companions all alluded to their employer’s responsibility without saying why or how the man might have wanted to kill his \textit{famigliare}.

While the unstable market for employment contributed to homicides between employers and employees after the plague, the uncertainties of inheritance after so much unexpected death could have fatal consequences for families. Younger sons, formally dispossessed by a system of

\textsuperscript{432} ASB, \textit{Torrone}, 591, \textit{in fine}.

\textsuperscript{433} ASB, \textit{Torrone}, 5885, f. 347 – 372.

\textsuperscript{434} ASB, \textit{Torrone}, 5916, \textit{in fine}.
primogeniture and perhaps finding their father dead intestate, sought to gain a share of the family patrimony. One particularly vivid homicide makes the case that the plague left in its wake disputes between brothers over family holdings; without mediation, these disputes could turn violent and even fatal. Fratricide was uncommon: in the sample of 658 homicides here considered, there were nine fratricides; six occurred in the course of drunken disputes and the remaining three, in 1632, in 1640 and 1660, were the results of arguments over the division and sharing of land.

The case from 1632 stands out because the belligerents, the brothers of the Piantesi family, were high-status nobility with roots in the city and extensive holdings in San Venanzo. On 3 March 1632, Francesco Piantesi was shot and killed while walking with his brother Ippolito. Ippolito immediately ran to Francesco’s house, where he informed the servants that a third brother, the Count Carlo Piantesi, had been the gunman and had killed his own brother. The murder emerged from a dispute over a small piece of the family land. The first witness called, a servant named Jacopo Fabretti, revealed that the family had divided into two factions: on one side, Francesco and Ippolito; on the other, Carlo and Alessandro, the fourth brother. About a month earlier, Ippolito had sold his brother Alessandro a small house on the family land, in exchange for some rich red textiles. Alessandro wanted to tear the house down, and rebuild it in another location, along with Carlo; the two younger brothers wanted to manage their own affairs free of the interference of the older pair. Francesco refused to allow them to tear the house down, and on the day in question, he confronted Alessandro and Carlo about their desires to part ways from the family patrimony. A witness stated that Francesco and Ippolito initiated the altercation, but that Alessandro committed the first insult, calling his brothers “can’becchi,” a grave insult that impugned their honour and ability to rule the family. The argument escalated from words to deeds, and Carlo shot Francesco in the head, killing him immediately. Thus did a family argument over land, controlled by the eldest brother after his father’s passing during the plague, end with a fratricide resulting from the younger siblings’ desires to exercise independent control over their wealth and the elder brothers’ refusal to break up the family patrimony.

435 ASB, Torrone, 5857, f. 299 – 366.
The Piantesi were radically destabilized by the death of their father, and resentments that may have seethed beneath the surface while the patriarch lived quickly found an outlet when Count Alessandro felt slighted by his share of the patrimony and wished to strike out on his own with his brother. In a noble culture that emphasized clan and kinship ties above all other loyalties, the keeping the family patrimony intact was a priority for noble families. The Piantesi demonstrate well the effects of widespread plague mortality on family and social structure during the recovery. With the death of the family patriarch, the ties that bound the brothers together were broken; the younger brothers were in a position to amplify their social status by appropriating a larger and more independent part of the family holdings than their father’s testament had given them.

This chapter has reviewed the effects of plague on violence in the city, and on the ways that plague destabilized social and economic relationships in the contado, leading to conflicts over land and labour. This destabilization affected more than the ability of landowners and farmers to manage food supplies and ensure adequate harvests. Practices of authority broke down in the contado as well, and contadini murdered judicial officers. Peasants and townsfolk killed sbirri, the rudimentary police force responsible for arresting and bringing prisoners to the city for trial. An atmosphere of distrust in government officials—especially those who had been tasked with enforcing the hated quarantine measures during the plague—alongside their generally poor repute among the population, made these law men targets when villagers found their interests in direct conflict with those of the central court. The sbirri in 1632 were stand-ins for the frustrations of rural poor who received no support from the central government during their recovery from north Italy’s deadliest plague.

As Steven Hughes demonstrates, law men perhaps deserved their reputation, given they were specifically and intentionally recruited from among people only “one step removed from the criminals they captured.” On 6 March 1632 65-year-old Giacopo Ariento, who may have acted as a local court informant, sat down for dinner with Capitano Francesco Incontri, a sbirro of the Torrone, in

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436 Hughes, “Fear and Loathing in Bologna and Rome the Papal Police in Perspective.”
437 Ibid., 97.
Camugnano. Francesco had sent a man to Bagnano to fetch Giacopo because he wanted to discuss matters in Camugnano. When the two argued over the character of an unnamed man, Francesco grabbed an implement from the hearth and struck Giacopo with it; as Giacopo stood up and tried to flee, Francesco shot him in the back. Giacopo’s son told the court that the Capitano “is a person completely at home committing homicides, who will kill someone for anything, just like he did my dad.” Like other sbirri who killed, Francesco was not convicted or condemned. Not all law men were serial murderers like Francesco. Nevertheless, the contadini of Bologna in 1632 were not misplaced in venting frustrations against sbirri, whom they viewed as the violently intrusive agents of an authority that did not succour the inhabitants of the contado during the plague.

This seething resentment boiled over on the night of 30 October 1632, in the fortified town of Castel Bolognese. A group of sbirri led by Felice Lorenzini, and Domenico di Silvio, the barigello or gatekeeper of the town, were on patrol outside the Palazzo del Podestà when they encountered a group of ten men led by Giovan’ Battista Marcolini, between two and five hours after sunset. Marcolini accosted the sbirri with words: “You are here to spy on us, to tell the Signore Commissario that we go about armed at night.” According to the denunciation made by the Mestrale of Castel Bolognese, Domenico di Silvio replied quite civilly, given that “spy” was a serious insult that conjured up associations with inquisition and oppressive social control: “I am a sbirro, but I do not spy.” Incensed, Marcolini turned words into deeds: he first whipped Lorenzini in the face with the butt of his pistol before shooting him in the shoulder. In the ensuing firefight, in which a witness recounted that she heard “seven or eight shots, fired in two or three rounds,” Marcolini’s father and brother came

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438 ASB, Torrone, 5898, f. 352 – 387.
439 Ibid., f. 356r.
440 ASB, Torrone, 5943, f. 299 – fine.
441 Bans on loitering, particularly while armed, in groups of more than 4–6 were frequent in the later sixteenth and seventeenth centuries, as a means to reduce incidences of street gang violence. Cf. ASB, Bandi, Serie I, No. 3, bandi of 19/6/1559; Serie I, No. 4, bandi of 30/6/1574, 12/5/1576, 24/6/1578, 12/08/1579; Serie I, No. 6, bando of 25/7/1591.
to his aid, and another sbirro was wounded. Lorenzini fell to the ground, and he survived long enough to give a statement from a sickbed before dying of his wounds on 1 November 1632.

In his statement, Lorenzini noted that the men had been drinking; they carried arms and were becoming rowdy, and so he and his sbirri interrupted their party. Lorenzini also noted that before interrupting, he did in fact attempt to inform the town’s commissario about the group, but the man had gone to bed and his house was locked. Lorenzini insisted that his sbirri were convinced the men were up to no good: “we doubted that they had not committed some evil and were fleeing.” On its surface, then, this homicide occurred during the course of a botched arrest. However, the altercation that preceded the homicide, particularly the accusation that the sbirri were spies, indicates that the drinkers did not acknowledge, let alone respect, the authority of the law men to interfere in their social lives. All of the measures taken by the civil authority to control the spread of the plague had failed to prevent it from killing thousands of Bolognesi; and the sbirri were the visible, physical representation of those failures. Their continued intrusion into the activities of Marcolini and his companions—who, it must be said, were probably not total innocents—was met with the violent rejection of their authority to do so.

That this altercation occurred outside the Palazzo del Podestà reinforces this point: in 1632, the representatives of civil justice had lost their legitimate authority to police order. Having failed to prevent the deaths of thousands, the sbirri bore the brunt of frontline frustration as survivors sought to rebuild and to improve their stations in life. Marcolini and his fellow revelers may indeed have been up to no good; witnesses could only recount that they had been drinking in an osteria operated by a woman named Bianca, and that they had continued their revelry outside. Marcolini’s brother Riciotto, who was also involved in the firefight and who was subsequently caught and taken prisoner, insisted that neither he, nor his father, nor any of his brothers, had ever “been investigated, condemned or processed in any way whatsoever” and that they were all licensed to carry firearms in the Castello. Another witness, one of Marcolini’s party, noted that the sbirri had been drinking all night in the same osteria. While sbirri were never held up as paradigms of virtue to be respected at all times, this case indicates that they were positively reviled in 1632.
Nobility were killed by commonfolk, too, when they acted as representatives of law and order. Alessandro Marsilii, the Provedere della Fortezza of Castel dei Britti, tried to arrest Gironimo Sacchetti on the night of 5 July 1632. Gironimo shot him dead and fled. In contumacy, Gironimo was sentenced to perpetual galley slavery, but the casebook notes his fate as *interfectus*—killed. How this happened is unknown, but his crime speaks to the same tensions displayed in the shootout with *sbirri* described above. As the inhabitants of the Bolognese *contado* rebuilt their lives after the plague, they rejected the authority of the *sbirri*, and thus of the secular court, to practice the sort of social control that had, in fact, been relatively successful in controlling violence and arms possession in the 1620s.

The diminution of trust in and respect for the ability of institutions and officials to resolve conflicts also led people to settle old scores in 1632. Revenge homicides and homicides proceeding from minor obligations such as card-playing debts featured heavily in the judicial record. These homicides indicate that in times of societal stress, Bolognesi looked first towards the protection of their interests and safety and their family’s, appropriating the obligation to react with violence to slights—perceived or real—upon their station in their communities. The public nature of these homicides served to advertise the killer’s status to witnesses and others around town, and to ensure that this status was respected by the killer’s *co-vivants*. Pier Francesco Zini was killed on 9 October in a roadside ambush near Sassadello by four or five members of the Linguerni family, his enemies for an unknown time or cause. Egidio Vernizi and his accomplices—18 or 20 of them, according to witnesses who saw them flee—shot and killed Stefano Fabri after his nephew, Egidio’s *socio*, had tried to kill his employer a few days prior. Stefano was also a known cattle rustler. After Giovan Battista beat up his son while guarding his father’s fields, Sabbatino Galli went to teach the 14-year-old youth

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443 ASB, *Torrone*, 5972, in fine.
a lesson. When Sabbatino and his brother arrived in Giovan Battista’s field, heavily armed, the boy shot Sabbatino and fled.\textsuperscript{445}

Killings that broke official peace accords provide acute evidence that revenge killings in 1632 demonstrated a breakdown of centralized judicial order. These \textit{paci} were registered documents included in judicial procedure which enabled offenders to receive pardon and brought ends to judicial processes.\textsuperscript{446} In Bologna, they were a feature of a judicial system that ultimately sought to mediate violent conflict rather than punish it; in doing so, this system was designed to prevent outbreaks of revenge violence, precisely like the one seen in 1632, from further damaging Bolognese communities. Breaking an official peace was an act that defiantly rejected that system’s goals in favour of an individualist approach to justice in which insults and attacks required equal or greater retribution to vindicate the offended parties.

Domenico Cisa took such retribution against Leone della Strada in Figareno on 29 September 1632.\textsuperscript{447} The two had been in a sword fight in Crovara the previous year, after which a peace was forged and the two made to swear not to offend again. However, Domenico refused to abide by it and attacked Leone during Mass, shooting him in the Church. The location, the weapon and the timing ensured that this public and pre-meditated killing would be advertised broadly throughout the neighbouring villages, restoring Domenico’s reputation as a hard man who was not to be trifled with. Enemies reticent to forge a peace killed in order to prevent its implementation. Giovanni Angelini

\textsuperscript{445} ASB, Torrone, 5883, in fine.


\textsuperscript{447} ASB, Torrone, 5901, in fine.
was on his way to Mass in Mogne on 16 May 1632 when ten members of the Sechi clan, long-time
enemies of his family, ambushed him with guns from the house of Battistino Olivieri, after repeating
taunting his mother with threats that her “son [was] going to be dead soon!”448 Previously, Giovanni
had been seeking to forge a legal peace between the two families. Men also killed in order to escape a
judicial process entirely, as when Pierino Giorgi cut Angela Gabrielli’s throat and shot at her husband,
after she refused to renounce the quarrel she registered against him for housebreaking.449 Through
their violence, all of these killers advertised their rejection of the court’s mechanisms for resolving
conflict and maintaining peace in communities. High numbers of these killings in 1632 link them to
the challenges faced by central governance after the destruction of the plague.

While many killers avenged wrongs done to themselves, many others killed in defense of their
family members’ safety or honour, particularly those of their female relatives. Pierino Smiraldo, a
servant of a gentleman from Scadenari, killed Sabatino Comellino after the latter joked that the
pimples on Pierino’s sister’s hand were the result of her life as a woman of loose virtue.450 In another
public revenge killing, Marco Gualandi and an accomplice first tried to shoot and then stabbed
Angelino Paiazolo as he was leaving mass in Castel d’Aiano, for the rape of Marco’s cousin Margherita
two months before.451 On 2 August, Pietro and Antonio Brigame avenged the March kidnapping of
Pietro’s daughter by publicly, and in broad daylight, shooting Mariotto di Grillino and Lorenzo di
Rinardo in the town square of Monterenzio.452

Conversely, men expressed their own frustrations by killing unfaithful or unwilling women.
Biasio Compatelli killed his wife Sabatina di Rosso on 8 October 1632 because she had begun working

448 ASB, Torrone, 5879, f. 301 – 519.
449 ASB, Torrone, 5878, f. 317 – 381, 396.
450 ASB, Torrone, 5865, f. 299 – 343.
452 ASB, Torrone, 5922, in fine.
as a prostitute in the city during and after the plague. Matteo Costa killed Gentile de Cavalieri, his lover, in her pear orchard in San Lorenzo in Collina, after she had refused to move away from her family and live with him instead. Oliviero killed his wife Catharina when he allegedly found her in delicto flagrante with Giovanni Vaglia, two months after their child had died and she had become depressed. All of these killings took place at a time when heightened societal tensions caused by post-plague demographic and economic pressures made recourse to retributive violence a prevalent option for Bolognese contadini.

In this atmosphere of quick recourse to violence as a means to protect one’s reputation and status, games and Carnival revelries could sow fatal resentments or erupt into deadly violence. Francesco Stanzini, a 23-year-old labourer from Crespillano, threw gravel at Carlo Olmi during the February revelries; the two began to fight and were separated, registering a quarrel with the Torrone through their Massaro. On 22 May 1632, Carlo’s brother Paolo Olmi accosted Francesco on his way to Vespers. Paolo bashed Francesco with a club, and gave him a few more after he fell to the ground. Francesco died on 29 May after giving an account of his history of conflict with Olmi to the notary of the Torrone, Santi Martini. When Antonio Vicinelli and Antoni Fanti argued during a card game in Caprara sopra Panico on 3 September, Vicinelli’s brother Domenico arrived and smashed Fanti’s head with a rock. Vincenzo Righi, called Il Barbiero, and Gimignano Carole clashed over Righi’s debt to Gimignano from a game of bocci on 28 April. Il Barbiero stabbed Gimignano in the stomach, killing him.

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453 ASB, Torrone, 5921, in fine.
454 ASB, Torrone, 5901, f. 300 – 323.
455 ASB, Torrone, 5867, f. 303 – 332.
456 ASB, Torrone, 5881, f. 301 – 375.
457 ASB, Torrone, 5915, f. 444 – 490.
458 ASB, Torrone, 5963, in fine.
In the absence of a working structure of conflict resolution, gaming could also bring resentments and grudges to the fore. One homicide aptly demonstrates the connections between public competition, weak social and central control of conflict, family structures, and homicidal violence. Two cousins, Giovan’Battista and Zaccaria Lolli, were playing a game of lawn bowling in Castel Fiuminesi on 1 May 1632. The outdoor public area provided the scene for Zaccaria to revenge himself against Giovan’Battista, who had shot at Zaccaria a few years before. As Giovan’Battista bent to throw his ball, Zaccaria shot him in the thigh; his second shot missed, and Giovan’Battista grabbed his own pistol and shot Zaccaria in the face. Both men subsequently died. Before the plague, the fragile peace within the Lolli family had contained this vengeance within a community structure of reconciliation and communal responsibility for conflict resolution. Following the plague, weak structures of judicial and social control allowed the individualist emotions of revenge and retribution to triumph over peace. Families were rent by violence as competing branches sought to improve their station at the expense of their relatives’ positions in society.

Finally, the noble conflicts occurring within the walls did not leave the contado untouched. In addition to the fratricide committed by the younger Piantesi brothers and the killing of nobles by artisans, rural nobility settled scores and eliminated enemies in the weak judicial environment of the Bolognese countryside. Thus it was that on 24 August, Count Ramazzotto Ramazzotti left the church of San Bartolomeo with two companions after hearing Mass in Castel San Pietro, and headed toward the nearby Borgo San Pietro. As a witness told it, as he passed “outside the gate, near the gatehouse, five shots were fired from inside a workshop at the said Count” which hit him, killing him “subito, subito.” It was a brazen daylight assassination. His enemies from the city, Stefano della Fisca and several members of the Pignattarini clan, had removed themselves to this rural hamlet in order to eliminate their rival. They were all declared capital bandits and had fled the Bolognese territory. While the institutions of centralized justice were weak, their large armed group had escaped the

459 ASB, Torrone, 5883, in fine.
460 ASB, Torrone, 5878, f. 457 – fine.
attention of authorities. The destabilization of judicial and social processes after the plague allowed planned revenge killings such as this to flourish among both urban and rural nobility.

4.4 Conclusion

Throughout 1632, the social impact of the plague on violence was manifested both quantitatively, in the elevated homicide rates that year compared to sampled years on either side, and qualitatively, in the prevalence of factional, robbery, and revenge killings, coupled with an unusual degree of violence towards judicial officials. As will be explored further below, the characteristics of homicide in the plague's aftermath varied between the city and the contado. In each setting, members of social groups who previously had maintained a degree of peace—urban nobles and rural artisans—committed homicides in pursuit of individual goals; in doing so, they broke structures that had provided mechanisms, such as the paci and pardon letters, through which violent emotions could be displaced, and conditions of peace imposed upon individuals and communities. People killed both along and against the grain of social and economic hierarchies, murdering their employees or fellow employers, killing nobles in a defiant rejection of obligations of deference, and slaying priests or shopkeepers in their places of prayer and work. Families were rent by the plague, too, as tensions that previously may have been suppressed under the authority of a still-living patriarch suddenly came to the fore, as in the case of the rural Piantesi family discussed above. The homicides of 1632 reflect the breakdown of trust in communities and governments to resolve conflicts and improve people's stations.

In the city, this breakdown was most visible in the rash of noble killings that swept through the streets following the plague of 1630—this is explored further in Chapter Five. The high levels of violence between the young men of elite noble clans indicates that the fragile system built by the Pope and the Legates—in which Bolognese nobility ceded their traditional rights to justice and vengeance, in exchange for an active and important role in the administrative and legislative governance of the city—was strongly challenged by the chaos that accompanied the Torrone's attempts to maintain order in the city throughout 1630. The effects of this challenge reverberated through the century, as the Legates and the Torrone continued to face resistance from the elite noble
clans who, after the quiescent early decades, fought in the 1640s and 1650s for the reinstitution of the traditional elite privileges that had been curbed by the Torrone. Noble violence continued, accompanied by political challenges to and movements against the court's monopoly on justice, frustrating the court's efforts to reduce hostilities among the city's leading families until at least the 1660s.

Nobles were not solely responsible for the post-plague violence that occurred in Bologna. The homicides analyzed above make clear that labourers and artisans also killed in ways that distinguish 1632 from sampled years on either side. While the immediate causes surrounding homicide were not unique—arguments over women, robberies, business disputes are all familiar—the relationships of the victims and killers were unusual for their social classes. Romantic rivalries crossed social lines, as in the case of the shopkeeper's son who murdered his father's employee after the man married the wrong woman. Robbers were desperate, a fact reflected in the victims they chose: a sleeping priest, or the elderly innkeeper who habitually put his killer up for the night. Economic pressures could rend families violently, as seen in the death of the pigeon breeder at the hands of his brother-in-law. These types of homicides were prevalent among the lower orders of Bologna in the years after the plague.

Outside the city, a similar pattern existed: individuals resorted to violence in favour of submission to legal process or community means of peacemaking. As this chapter's opening narrative suggests, structures of hierarchy and submission were severely compromised by the plague-borne reality that death was the great equalizer. That nobles and peasants suffered equal pain and death from the plague made human distinctions of status obsolete. In the period of recovery following the death of 25% of the population, people lashed out against the hierarchies that governed their daily lives. Employees sought to change employers to improve their station, and either they or their new employers often faced homicide as the price of economic mobility. Groups of drunks engaged in fatal shootouts with groups of law men who were ostensibly keeping the peace. Neighbours killed over petty land border disputes, and brothers killed for the opportunity to separate their financial futures from oppressive older siblings.
At the same time, contadini used the overall lack of order as cover to prosecute vengeance and gain satisfaction for both significant and petty quarrels. Men killed to avenge wrongs done to their female relatives, such as rape or kidnap. Conversely, they killed these women when their obedience and the relationship's stability were in question. They killed to avenge quarrels that had taken place years earlier. In some instances, petty arguments over gaming brought these conflicts to the fore, while in others, insults and aggression during the course of games or Carnival festivities were left to fester until an appropriate moment presented itself for the offended party to take his revenge.

All of these killings occurred in an atmosphere in which structures of conflict resolution were severely compromised, both by the morbidity of the plague itself and by the inability of central authorities such as the Torrone to assert their legitimacy both during and after the plague. The plague presented a challenge to the growing centralization of justice and peace in Bologna, and allowed ancient patterns of kin solidarity, factionalism, and individual defense of status through violence to re-emerge in the brave new world that awaited survivors.
5 It’s Good to Have Land: The Defense of Noble Privilege Through Violence

5.1 Introduction: The Death of a Judge

For Giacinto Pungelli, 8 September 1652 began as inauspiciously as any other Sunday in the busy northern capital of the Italian Papal States. Giacinto was a sotto-auditore, or assistant judge, of Bologna’s powerful criminal court, the Tribunale del Torrone. He made his way from the court’s offices in what is now Bologna’s palazzo comunale in the majestic Piazza San Petronio, and followed the pointing hand of Giambologna’s Neptune fountain south toward the Piazza dei Celestini. There, he attended mass in the Celestine Convent, now the regional seat of the Archivio di Stato di Bologna. It would be his last mass. While Pungelli was in the church, a group of men, led by two petty nobles named Filippo and Mario Stefanini, gathered in the piazza outside with archebuses and knives. When the judge, his servant and a notary of the court left the church, the Stefaninis descended on the group, separated Pungelli from his companions and shot the 38-year-old judge repeatedly before fleeing the scene. Pungelli’s friends rushed him to the home of lawyer Giovanni Coragli, where he received medical treatment from the surgeon Rinaldo Battaglia, and died of his wounds the next day.461

Pungelli’s murder took place at a time when recalcitrant factions of Bolognese nobility were reasserting their traditional privileges against the Papal Legates who governed the city. The noble families of Bologna had endured diverse fortunes in the century-and-a-half since the conquest. Branches of many of them adapted to papal rule and, by working within the systems of marriage, cronyism and patronage familiar to the papal court, had risen in stature and joined a broad North Italian elite, consolidating the goals and finances of the papal state.462 Men of the Paleotti and Ghisilieri saw the benefits of the papal state’s negotiated absolutism, which tended to leave local government structures and hierarchies intact. On the other hand, powerful rural nobility of the oligarchic period, such as the Malvezzi and Barbazza, had suffered humiliation at Papal hands, and

461 ASBo, Torrone, 6612/1, 1652 f. 1 – 38r.

462 Carboni, “Public Debt, Guarantees and Local Elites in the Papal States (XVI–XVIII Centuries).”
had seen their power and presence in city politics reduced to the right to participate in the Senate of Forty (at this point, made up of 50 men, though the old moniker remained), and their old judicial privileges stripped away.\(^{463}\) The restriction of those judicial privileges had been a focal point of papal policy toward Bologna beginning with Julius II.\(^{464}\) The Torrone—perhaps the most effective Italian criminal court of the seventeenth century, and certainly the most professionally developed—was the means by which the Legates gradually drew artisans, merchants and other former clients of noble courts into the Legatine fold by promising a better, more reliable means of conflict resolution and redress for wrongdoings.

As we have already seen, the plague of 1630 interrupted this process, which until then had been relatively successful at reducing the nobility’s public violence within the city. However, following the plague, radical elements within Bologna’s nobility abandoned the fragile peace that had held earlier in the century, continually frustrating the attempts of Legates to transform the Bolognese nobility into a Tuscan-style service class.\(^{465}\) In 1640, 1652 and 1660, public violence such as the Pungelli assassination marked this resistance, and communicated both rejection of Rome’s jurisdiction over Bologna as well as a revived claim to traditional rights of vendetta, violence and judgment. In this context, much like in absolutist France, public noble violence retained its place as a political and social strategy, as various branches of noble families adjusted—or failed to adjust—to new legal

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\(^{465}\) cf. John K. Brackett, *Criminal Justice and Crime in Late Renaissance Florence, 1537–1639* (Cambridge [England]: Cambridge University Press, 1992), Ch. 1. Brackett’s work places in stark relief the organization and professional differences between Florence’s Otto della Guardia, in which untrained civil servants acted as citizen-judges in order to exercise patronage and win influence, and the Torrone, in which a professionally trained staff of judges and notaries instituted a hybrid inquisitorial system that relied heavily on regularity and indifferent justice to win plaintiffs from private courts.
realities over the course of the sixteenth and seventeenth centuries. The upshot was a general increase in fatal violence, much of it directly or indirectly related to noble agitation.

Reading the Pungelli case is difficult, as the accused and their witnesses actively dissembled and fabricated truths throughout their interrogations. That dissimulation itself reveals the strength of the animus between Legatine justice and the noble clans, and demonstrates how illusory the seeming success of the early century had actually been. Some conspirators downplayed their roles in the plot to kill Pungelli and shifted the blame to uninvolved persons; others clogged the process with legal objections and technicalities discovered by their lawyers; still others flatly refused to cooperate, even under torture. The first three witnesses each gave entirely incompatible descriptions of the men who had attacked the judge, frustrating the notaries’ attempts to penetrate their dissemblance. The case became extremely complex because of the status of both the accused and victim, and the level of investigation that status necessitated.

Compared to an average homicide trial, which comprised around 50 folios for a thoroughly investigated killing, the Torrone dedicated a great deal of time and resources to investigating the murder of Pungelli: a total of 97 witnesses, relatives, concerned parties and local authorities were interviewed or interrogated, bringing the case’s total size to well over 1200 folios. The formidable powers at the heart of the conspiracy appear to have escaped unscathed. Nevertheless, what we can learn from the plot to kill Pungelli reveals a great deal about the embattled position Bolognese nobility found themselves in by the middle of the seventeenth century.

From Mario Stefanini’s confession, which was extracted about halfway through the process and in which he denied his active role in the killing, we can glean some basic facts about the case. On the Friday previous to the killing, 6 September, Mario’s cousin Filippo Stefanini arrived in Bologna, banned from the state but in possession of a salve condotto, a guarantee of safe conduct granted to exiles to allow them to seek a peace accord from their victims and the pardon that accompanied it. According to Mario, Filippo told his cousin that the true purpose of his visit was to arrange the killing

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466 ASBo, Torrone, 6612/1, f. 496r.
of the judge Pungelli, for which the Count Astorre Barbazza had given him some money. Filippo had brought with him some men to do the job, who were hiding in his family house; he asked Mario to help him hide their presence until Saturday night, when the plan would be put into action.

Already we see signs of a conspiracy among elite nobility, including hereditary magnates with the highest honourifics. Even without knowing the deeper context, it is apparent that there existed a large divide between the Legantine judicial apparatus and some remnants of Bologna’s magnate class, who continued to exempt themselves from the judicial regimes. This gap helps contextualize the judge’s murder, and the story that Mario wove for the Torrone’s notary, Anselmo Mainardi, reveals the noble mentality that persisted well past the moment when the papacy’s effective control over Bologna was beyond dispute.

According to Stefanini, Pungelli was marked for death because he had disrespected the powerful Barbazza clan by exiling a young cousin of the Barbazza count, Luca Tonelli, for his role in the murder of the arciprete of the twin communes of Vigo et Verzone. Tonelli was a lackey in both of these plots, a minor player among more powerful men. The priest was killed because the leaders of Tonelli’s group, several men of the Parisi clan, held him responsible for the murder of a Parisi cousin. The priest’s murder took place in June, three months before Pungelli was killed, during which time the Parisi party had fled into contumacious banditry while the Torrone investigated the killing, ultimately sentencing five members of the Parisi to hang.

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467 Ibid., 496v.

468 Ibid., 6607, in fine. In fact Tonelli was not sentenced de jure to exile, but rather incurred it de facto by fleeing the legation and receiving a death sentence in contumacia. Equally importantly, his exile was a legal fiction: Tonelli was present at the murder of Pungelli, having broken his exile and entered the city to avenge himself on the judge. Both urban and rural nobles in Bologna continued to harbour bandits and exiles as clients and famigliari.

469 As was frequent, these death sentences were not carried out, according to the records of the comforting confraternity of Bologna, the Compagnia di Santa Maria della Morte. ASBo, Gonari delli giustizie seguito a Bologna 1050–1797. Note too that at this late date, 1652, contumacious bandits represented a violent threat to rural security, countering the notion that banditry was effectively, well, banished at this point.
In those three months, Mario’s cousin, Filippo Stefanini, and Luca Tonelli made contact with Astorre Barbazza and began plotting to murder the judge who in their eyes had wronged the clan by interfering in its private vendetta. The underlying political implications of the plot to kill Pungelli are clear. Directly challenging the authority of the central court of the Torrone, the Stefanini and their accomplices attacked a central pillar of papal rule, the curbing of noble privilege in its most literal sense, the practice of private law. The vendetta, an ancient code that structured obligations and debts of blood throughout the Mediterranean, took on the role of political protest, and its victims expanded to include not just the parties involved in the noble conflict, but those who sought to tame its explosive violence: the officials of the new criminal law, whose work in pacifying the nobility proceeded only in starts and stops and culminated in the 1664 exile of a large swath of the elite from the entirety of the Romagnan papal state.

The public nature of Pungelli’s death sent a clear message: certain noble families rejected the Legate’s criminal jurisdiction. As the recent magisterial work by Sarah Blanshei makes clear, the Bolognese nobility of the fourteenth and fifteenth centuries had enjoyed a large degree of judicial power, which they used to protect clients and attack enemies, exercising it from their neo-feudal estates in the contado with papal blessing. The grand project of the reinvigorated papal authority of the sixteenth and seventeenth centuries was the elimination of the nobility’s remaining quasi-feudal powers, a process which focused inevitably on the need to contain, control and ultimately reduce the public violence with which nobility advertised their exceptionalism. Pungelli’s death was a flagrant attack on court authority, but it occurred in the context of partisan rivalry and anti-papal feeling. It was, in fact, one attack in what should be considered a low-level civil war fought in Bologna from approximately 1630 to 1664. Angelozzi labels this a period in which the Bolognese nobility was “disciplined” but the record of violence shows no such thing.

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470 Blanshei, Politics and Justice in Late Medieval Bologna; Robertson, Tyranny under the Mantle of St Peter.

471 Angelozzi, La Nobiltà Disciplinata, chap. 4.
The three decades after the plague of 1630 proved traumatic for the citizens and judiciary of early modern Bologna. Although the overall homicide rate dropped between 1632 and 1640, the proportion of homicides that occurred within the city walls grew by a factor of six between 1632 and 1660. After 1640, the next two sampled years indicate a surge of urban violence, particularly among the retainers and socii of noble families anxious to preserve traditional and hereditary prerogatives of violence and justice. 1660 inaugurated a shift in the geographic patterns of violence when, for the first time since 1600, the urban homicide rate was greater than the rural one. Urban rates were greater than or equal to rural rates for the rest of the century, with the exception of 1690. It seems that civilization arrived first in the towns and villages of the contado before being absorbed by the gentleman and artisans of the città. The traumatic urban violence of these years was the last effort of Bolognese elites to assert their privileges through murder and coercion.

5.2 Nobility, redefined: Torrone Legislation on Factionalism and Weapons

The Bolognese chronicler Francesco Antonio Ghiselli, who began writing his Memorie antiche manuscritte di Bologna raccolte et accresciute sino a’tempi presenti in 1666, was curiously silent about the decades of violence that preceded his taking up the pen.472 Although broadly critical of the decadence of Bologna’s nobility, he reported neither the quantity nor quality of homicides that occurred in the sampled years, except for the Pungelli affair. This curious fact might reflect Ghiselli’s particular concerns, which focused much more on the mutation of noble ambition towards courtly advancement through social climbing, spectacular festivity and courtiership.473 But the resurgence of noble violence manifested as a low-level civil war whose sides were murky and unstable, even within kin groups. Noble clans and families divided into loose factions dominated by old family names—Pepoli and Barbazza in particular, as well as Malvasia. These factions fought each other and they


473 Noblemen like Ghiselli are at the heart of the “civilizing process” approach to violence, and representative of elements of Bolognese nobility who advanced their fortunes through accommodation of new political realities. Not all members of Bologna’s elite were violent oligarchs, and not all were docile courtiers: civilizing processes are contingent upon the participation of elite populations. Spierenburg, A History of Murder, chap. 3.
fought the *Torrone's* efforts to control or sanction their violence. During this period, the Legatine government and the *Torrone* both responded with legislation and police action to improve public order and to mitigate violence in Bologna’s streets and villages. Laws regulating expenditures, public gatherings, and weapons were the pillars of public order legislation.

As we’ve seen, early-century legislation tried to improve the *Torrone’s* presence and position in rural areas, and arms regulations frequently exhorted ordinary *contadini* to either take up or put down their guns. Beginning after the plague, however, and in line with the *Torrone’s* increased presence in daily life in 1630, *bandi* sought to regulate the city’s streets in a much more significant manner. This was in large part because of the nobility’s renewed zeal for armed bravado, travelling in groups, and reaching for weapons at the slightest challenge.

Increased weapons regulation inside city walls preceded more explicit legislation on factionalism in the 1680s. A 1637 *bando* by Legato Cardinal Sacchetti aimed to reduce the amount of weapons in the city, making their public use a capital crime and giving detailed instructions to gate-keepers and *sbirri* on how to manage transgressors bringing in weapons.\(^{474}\) Guns were banned from all churches and cemeteries in the district, on pain of an immediate fine of 50 *scudi* to be paid to the arresting *sbirro*. Between 1637 and 1640, three people were executed for *dilazione di Arme proibite*, one for firing his gun and the other two for possessing of one.\(^{475}\) The capital ban on firearms was obviously not so effective that only three people contravened it in this period; rather, the *buste* of the *Torrone* are packed with summary citations by *sbirri* who, during their rounds, handed out fines and confiscated weapons from multiple people on a daily basis. Like all legislation, repeated firearms and weapons bans indicate their ineffectiveness. Weapons bans were repeated in January and March 1638 and upon that model for at least 50 years.\(^{476}\)

\(^{474}\) ASBo, *Bandi e Notificazioni*, Serie I, No. 7, unnumbered *bando* of 13 July 1637.

\(^{475}\) ASBo, *Gonari delle Giustizie*, executions of 6 June 1637, 22 January 1638, and 8 February 1640.

Firearms were particularly dangerous to city officials, given their ubiquity by the mid-seventeenth century and their availability to all members of the *corpus civitatem*; but long bladed weapons were the particular preserve of noble factioneers. Among the privileges retained by the nobility of the senatorial class was the right to bear swords in the city, and the right to license certain of their servants and retainers to carry long blades as well.\footnote{ASBo, *Bandi intorno al Torrone, Bando sopra l'armi*, 29 March 1618.} The March 1618 *bando* revoked the right to carry arms on a broad social levels (wishful thinking, yet again) but excepted from its provisions a massive number of civic officials and notables, beginning with the *Anziani* and the *Tribuni delle Plebe*, and including “The Counts, and Knights privileged in their persons only, because they are Noble, and lead knightly lives, but they should not train with them, and their other privileges are elsewhere described and admitted, but beyond these limits and uses they should not be suffered.”\footnote{Ibid.} A 1640 *bando* promulgated by the archbishop of the city on behalf of an absentee legate stipulated further conditions under which nobles were allowed to carry blades in the city: daggers were forbidden to anyone carrying a sword who was not licensed to do so. Blades were required to be at least ten inches long, revealing a concern on the legate’s part about concealed blades, assassination and predatory violence. Moreover, all blades were to be blunted with an “olive” on the end.\footnote{ASBo, *Bandi e Notificazioni*, Serie I, No. 7, *bando* of 17 December 1640. The “olive” referred to was perhaps a carved ball of wood stuck to the tip of a sword, rather than an actual olive, which would not be much help in blunting a pointed blade.} Following the plague, urban authorities sought to quell the influx of weapons into the city and to control their distribution among the population. The continued ubiquity of firearms bans, license revocations, and nighttime bans on weaponry demonstrates how ineffective this legislation was, despite the high numbers of citations given out everyday for unlicensed weapons. To add to this difficulty, nobility were generally licensed to carry arms as a symbol of gentlemanly status, either through their participation in civic office or because of their hereditary titles.

Armed groups displaying their weapons in public were a threat to public order and safety. The *Bando Generale* of 1550 subjected the raising of armed groups of seven men or more, or unarmed
groups of ten or more, to a fine of 50 gold scudi—a fee large enough that the targets of this legislation were undoubtedly the elite nobility who practiced factional violence.\footnote{Gregory Hanlon, “In Praise of Refeudalization: Princes and Feudatories in North-Central Italy from the Sixteenth to the Eighteenth Century”, in Nicholas Eckstein and Nicholas Terpstra, eds, \textit{Sociability and Its Discontents: Civil Society, Social Capital, and Their Alternatives in Late Medieval and Early Modern Europe} (Turnhout: Brepols, 2009), 213–225; Angelo Torre, "Feuding, Factions, and Parties: The Redefinition of Politics in the Imperial Fiefs of Langhe in the Seventeenth and Eighteenth Centuries", in Edward Muir and Guido Ruggiero, eds., \textit{History from Crime: Selections from Quaderni Storici} (Baltimore: Johns Hopkins University Press, 1994), 135–170.} Seventeenth-century firearms regulations generally included stiffer fines for carrying weapons while in a large group or \textit{conventicola}. Factionalism had never disappeared from the early modern scene, as we now understand, and its role in politics continued to plague the efforts of centralizing governments to bring nobility more firmly under control.\footnote{ASBo, \textit{Bandi e Notificazioni}, Serie I, No. 6, 25 August 1591} Bolognese legislation variously defined a \textit{conventicola} as a group of between seven and ten men, in particular if they wore livery of a certain family, or badges, or even had their beards cut in a particular way.\footnote{ASBo, \textit{Bandi e Notificazioni}, Series I, No. 7.} The anti-factional legislation of the sixteenth century was still in force in the mid-seventeenth, though there are few records of its prosecution.

By 1652, the \textit{Torrone} was again preoccupied with urban violence and disorder. Prominent among this disorder were the misdeeds of nobility. In the decade following the plague, factional divisions between old Oligarchic and Republican families re-emerged. Sometime in early 1638, \textit{Signore} Giovanni di Giovanni Lucatelli hired two \textit{contadini} from Pepoli territories to murder and rob the \textit{Cavaliere Leggiere} Benedetto della Torre.\footnote{The actual \textit{processo} is not here examined, but the murder is noted both at the execution of Gasparo Spini, one of the \textit{contadini}, ASBo, \textit{Gonari}, execution of 2 March 1638, and in a \textit{bando} seeking information about his accomplice, ASBo, \textit{Bandi e Notificazioni}, Series I, No. 7.} In September 1644, two men were executed for the murder of the \textit{Senatore} Andrea Angelelli one year previous, though the nobleman who employed them remained anonymous in the execution record.\footnote{ASBo, \textit{Gonari}, two executions of 10 September 1644.} Around the same time, Franco-Spanish conflicts in North Italy released large numbers of soldiers into the cities and countrysides, and they
too caused many disorders; the *Torrone* executed 29 of them between 1640 and 1644. The *Torrone* policy of the time was to present a firm hand of justice within the city in order to quell rebellious instincts and prevent threats to the state.

Alongside noble factions, the *Torrone* had to deal with deserted or deserting soldiers. In 1644, an unknown number of soldiers from Bologna’s *fortezza* deserted their posts and headed south to the service of the Grand Duke of Florence, committing many crimes along the way. According to the records of the *Confortatori*, the *Auditore del Torrone* set a meeting with the Comforters and declared that four of these men had to die. 485 The group was duly arrested in Mirabello as they fled south, and, again according to the *Confortatori*, the group was forced to play dice to determine who would be hanged. In the end, only two of the soldiers were hanged—two others had hanged in 1643 for deserting to the Duke of Parma. 486 Most of the soldiers were executed for desertion or fraudulently claiming pay. The *Torrone* continued its policy of executing institutional threats rather than the participants of interpersonal violence; these categories blended in the noble violence of the time, though execution numbers continued to fall. It is significant that the *Torrone* appeared to be losing the fight: in 1660, when the city's homicide rate was 104/100,000, only three people were executed, none for homicide.

This is not to say that the *Torrone* did not react to the disturbances. The Legates of the late 1630s were active in investigating and tracking down killers, and publishing *bandi* about individual incidents that called on citizens to provide information. The Legates offered both carrot and stick incentives to those who knew, for instance, who killed the butcher Giovanni Francesco as he was closing up shop on 9 February 1638. 487 To anyone who could turn the killer in for torture or condemnation, the *Torrone* would give 300 scudi, a significant sum, as well as the free remission of a similar or lesser crime. If any of the presumed conspirators turned on their accomplices, they would

485 Ibid., executions of 6 June 1644.
486 Ibid., executions of 29 August 1643.
receive immunity from prosecution and anonymity as well. On the other hand, anyone who did not take to opportunity to inform would be considered accomplices and therefore guilty. The Legate Sacchetti was trying to create a prisoner's dilemma among Bolognese citizens.

Legates and Judges used a combination of threats and enticements to gather information from the criminal underworld; many informants show up in trial documents as a “friend of the court” who wished to remain anonymous. They used more extreme measures as well, when they deemed it necessary. On 10 October 1638, Sacchetti encouraged Bolognese priests to break the confessional seal and report the murderer of Domenico Mainardi in a *bando* that appears as though the judges were otherwise at a loss: the Torrone’s officers had apparently found no evidence and were looking for “clothes, weapons, or cloth” that anyone might have recovered in the vicinity of San Petronio. In the late 1630s, order was already breaking down in the city, and the Legate had to request information on the murder of Giacinto del Bono, the Barigello’s Cancelliere and an officer of the Court. The people of Bologna were not forthcoming with information, despite the proffered 200 scudi and free remission of 2 crimes: this *bando* was renewed two weeks later with an emphasis on the penalties for non-compliance.\(^{488}\)

The Torrone was a daily presence in Bolognese life during these decades, represented by sbirri at the gates and in the streets, massari in rural villages, and by declarations plastered on walls across the stato. By its own self-promotion, the court represented centralized papal government and promised an impartial justice untarnished by factional allegiance and violent enforcement of arbitration. The “civilizing process” theory of violence and its reliance on a Weberian state apparatus here begins to fall apart, since seventeenth-century Bolognesi had a very real alternative that persisted in the face of the Torrone’s administrative prowess. The building of the centralized state in Bologna was not adapted to entirely peacefully by a nobility who saw the benefits of courtly politics, nor were all of its nobles content to channel their undisciplined vendetta into ritualized duels. Rather, sections

of Bologna’s senatorial class—branches of prominent families—continued to practice private warfare and revenge politics. The Torrone policed these actions as best it could.

The Pepoli family, one of the city’s most ancient lineages and descendants of medieval tyrants, had active Senatorial branches and appeared to defend a republican position from within the papal government, with prominent members active in developing civic charity schemes, for instance. Members of the Pepoli family also continued the elite tradition of comforting the condemned, an activity which reinforced the justice of the Torrone. At the same time, the clan refused to relinquish its traditional noble identity that was rooted in violence and the legitimacy of that violence. Younger members of the family continually appear in Torrone records, usually in cases connected to the violent deaths of their retainers. They also pursued large-scale vendetta well into the seventeenth century.

In April 1640, Conte Odoardo Pepoli revived an old disagreement with the Marchese Onofrio Bevilacqua in their neighbouring territories near Ferrara. Using Pepoli lands in the Palata as a staging ground, Odoardo called upon his relatives in the city: his brother, the Count Uguccione Pepoli; the Count Alessandro Maria Pepoli; the Marchese Girolamo Pepoli; Girolamo’s brother, the Count Camillo Pepoli; and Count Francesco di Giacopo Pepoli. Odoardo asked them for aid and armed men, and the five nobles gathered eight or ten men each before marching out of the city in a brazen violation of public order. Alessandro Maria and Francesco were singled out for “passing on horseback through the public square in front of the Palace of the Most Eminent Cardinal Legate with eight or ten

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490 Two Pepoli counts and one Marchese comforted condemned prisoners across the seventeenth century, indicating that the highest-ranking nobility continued to see this charity as an important demonstration of their piety. ASBo, Gonari, executions of 29 January 1661, 20 October 1666, 14 January 1693.


492 For instance, when Francesco Gilio shot Francesco Zannibono in an argument over irrigation at the Conte Edoardo Pepoli’s house. ASBo, Torrone, 6610, in fine.

493 Ibid., 6243, in fine.
men on horseback, each armed and heading towards the *Porta San Felice,* which would lead them towards *La Palata.* The others left through the *Porta Sant’Isaia.* In total, some 60 armed men reconvened for a Mass in *La Palata,* where Odoardo welcomed them with open arms and his own small host of men. An anonymous “servant of the court” reported all this activity as the “debt of his office” and because the Pepoli’s call-to-arms was “against the law... as much as to provide against the disorders that might grow between the Pepoli and the Marchese Bevilacqua and his family who will arrive to help him.”

The Legate himself became personally involved in the *Torrone’s* process against the Pepoli, and the court acted fast to prevent the Pepoli’s misbehavior from inspiring any other “scandals.” The case against the Pepoli noted that calls-to-arms of this type were often the pretext for homicides and other violence, and it threatened banishment to the Veneto against the contumacious nobles. Witnesses at the city gates all supported the denunciation, having seen the Pepoli men riding out of the city; *pubblica voce e fama* spoke of a rivalry between Bevilacqua and Pepoli, and of the murder of two anonymous Venetians by Pepoli servants in Modenese territory. These two homicides came as a surprise to the *Torrone* and were added to the charges against Odoardo. In June, Odoardo gave in: he drafted a petition to the Legate, begging forgiveness for having raised the *conventicola* to attack Bevilacqua. He denied any involvement in the murder of the Venetians, though *pubblica voce* maintained that he had ordered their killings. He begged for the cancellation of any process against him and his relatives. The Legate pardoned both crime and punishment for all except Alessandro Maria, who had strayed too close to the Legate’s palace for it to be a coincidence. However, even papal grace did not guarantee a peaceful end for the Pepoli family: Girolamo Pepoli was murdered two years later in 1642.

494 Ibid., denunciation of 15 April 1640.
495 Ibid.
497 ASBo, *Torrone,* 6289, *in fine.*
The Pepoli were just one of many noble clans to become embroiled in some kind of factional troubles over these decades, challenging the authority of both the papal government and the Torrone, and radically and violently destabilizing Bolognese society. Harbouring bandits was an evocative challenge to the court’s jurisdiction, and the nobility of Bologna did so often. As Ghiselli recorded, in June 1659, Fabbio Bolognini was accused by the Legate of sheltering bandits in his urban palazzo, though he denied it publicly. According to Ghiselli, the Legate sent “the whole off the constabulary with orders to capture Fabbio, and to burn down his house if he did not want to turn himself in.” They duly set fire to the building, and Fabbio jumped naked from a window, using the flames to shield his retreat towards the countryside but leaving his dog behind. Even when he returned for the dog, he was again able to slip out of the city, aided by his cousin.

Noble violence was predictable only in its unpredictability. As Ghiselli put it, on 20 August 1659, noble rivalries and arguments ruined what otherwise would have been a pleasant evening at a local fair. Conte Antonio Gioseffo Zambecari and “many knights and ladies” arrived at the festivities a couple hours after sunset. When Zambecari saw Giacomo Malvezzi, whose family was allied with the Pepoli at the time, he slapped Malvezzi across the face with a glove, recently having become angry at Malvezzi’s associate, Marchese Guido Pepoli. Swords were drawn on both sides as Malvezzi’s men rushed Zambecari, but fortunately further violence was avoided. There are, in Torrone archives and Bolognese chronicles, countless episodes of this petty violence, some of which became homicid, and much of which ended before bloodshed as everyone backed down to save face. Many of the rivalries that divided noble houses were the stuff of public record and played critical roles in the cronache of the time. Ghiselli notes that following the death of Conte Odoardo Bargellini, his brothers intensified their enmity with Conte Rinaldo Ariosti and his brothers in late 1660. The resulting homicides,

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498 BUB, Cronaca Ghiselli, vol. 33, p. 53–1
499 Ibid.
500 Ibid., 53.
according to Ghiselli, destroyed all chances of any reconciliation and “finally achieved the ruin of the branches of these two families.”

As noted above, the Torrone reacted to the resurgence of noble violence with both carrot and stick, including firearms legislation and emergency bandi that sought information on particular crimes or criminals. The Torrone judges also worked with a newly established government council to promote and enable peace between conflicting families. This body, the Assunteria dei Liti e dei Paci (The Council on Conflicts and Peace Accords) emerged first in documentation in 1658 and apparently existed until at least 1672—it was evidently a failed initiative. Its extant documentation includes two peace processes mediated between the Bentivoglio, the Ghisilieri and the Malvezzi, which concluded with no resolution and which comprised fewer than 50 folios of documentation. The Legatine government was apparently unable to effectively mediate violence between Bologna’s noble factions through its own official channels. The destruction of social and institutional trust initiated by the 1630 plague had riven beyond repair any ties between noble factions and papal overlords; as a result, factionalism and revenge became prominent features of Bolognese politics at the time.

5.3 Urban Homicides in the Wake of the Plague: The Nobility React

As noted above, Bolognese urban violence in 1632 reflected continuing tensions between elements of local nobility who had revived the republican and oligarchic factions of the medieval period. Homicides in the city of Bologna were dominated by killings and fatal brawls between the young men employed as enforcers by these families. Homicides were much reduced in the record in the decades leading up to the plague (1600–1630) when compared to the 1632 homicide records. While the socii of nobility killed each other infrequently, or nobles killed insolent servants, these noble homicides formed a minority of the 114 homicides recorded in 1600, 1610 and 1620. Thus, the resurgence of noble fighting in 1632—practiced, of course, by young employees and not the clan leaders, who thus gained a crucial bit of plausible deniability—showed the extent to which plague

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501 Ibid., p. 250.

502 ASBo, Assunteria dei Liti e dei Paci 1, Atti dell’Assunteria dei Paci, 1658–1672.
could break down the established patterns of society, particularly one as fragile as an informal noble peace. The government’s efforts to eliminate the casual violence of warring clans had not eliminated the long-held rivalries that spurred them to violence, and they rose with vigour in the wake of the epidemic.

Thus, on the evening of May 23 1632 Battistino, a Corporal of the Baroncello's rudimentary police force, arrived breathless at the Torrone's offices in what is now the Palazzo Comunale to report a murder. Battistino did not know much, as he had come running as soon as he heard; all he could report in his initial denunciation was that someone had been killed outside the doors of the Church of San Francesco, in the city’s west end. The court sent Santi Martini, a notary, to investigate, and he found a young man, “with his first beard... about the age of 25 or so” dead on the ground with a stab wound through his left breast—surely a swordsman’s blow, given its expertise. Two witnesses, both members of high-status families, attended the autopsy and confirmed its finding. Giorgio Paoletti and Pietro Landi also identified the young victim as Marc’Antonio Acciarini, a young servitore of Count Alessandro Bentivoglio. As the investigation progressed, it transpired that Marc’Antonio had participated in a swordfight in the streets of Bologna, a public conflict that transgressed and sought to undo the conditions of peace that had hitherto muted public factional violence.

The first witness called to give information was Silvestro Gherardini, the man who had first seen the conflict and, according to his own dubious report, ran to separate the fighting parties. Silvestro’s report is checkered with the marks of a man giving unwilling testimony, who feared for his safety as he did so. He refused to name the companions he stated were in his company, and when pressed to provide their names so the court might also interview them, he denied even knowing them in the first place—they were simply his friends, but he did not know their names. His hand was wrapped in a bandage, and he claimed he received the wound while attempting to make peace between the combatants. It is more likely that he had acted as a second to one party or another, for what he told the court indicated a duel in fact if not pure form.

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503 ASB, Tribunale del Torrone, Atti Processuali, II.138.5880, f. 409.
Silvestro told the court that as he had been returning from dinner, walking past San Francesco on his way to Sant’Isaia, he “saw two who were giving the question, and being armed with a sword I ran towards that doorway, and I grabbed my sword and shouted ‘stop! stop!’” Silvestro’s heroic tale of running in between the warring parties, laying his sword on theirs, and receiving a wound to his hand in the process, may have impressed the court, but his actions still failed to prevent the combat being fought to the death. Silvestro was careful to note that he did not see the fatal wounding, and he claimed that the wound must have been given before he intervened, because he saw one of the parties fall without witnessing the wounding itself. As Silestro described the scene, he gave an account of the fight that distanced himself from any responsibility while making it clear that this brawl flowed from hatred between the Bentivoglio and Rovina families.

Silvestro could not provide any information about the fight’s participants or origins, except that the killer was Pier Andrea, “who was a man of the Lord Marchese Rovina.” The next day, the mestrale, or bailiff, of the parish of San Marino provided a list of names of men who had been present and needed to be examined, and the court dispatched summons for the four men he listed.

What interested the court more than any other fact of the case was the position of both killer and killed as minor players in the households of very powerful families. How long had Marc’Antonio been employed by the Marchese Bentivoglio? He had lived with Bentivoglio for ten months, said his brother Ludovico. After brief and fruitless interrogations of the witnesses provided by the Mestrale, and of two neighbourhood women who heard the scene and watched from their windows, the court summoned the Marchese Rovina to give testimony. A high-ranking servant (his ordinario) answered his summons and submitted to interrogation because “the Marchese is not in Bologna and since Christmas I have served in his place in the household.” The ordinario provided more information on the killer, who had been in the Rovina household since January; but like the witness before, the

504 Ibid., f. 412v.
505 Ibid., f. 415r–415v.
506 Ibid., f. 420v.
507 Ibid., f. 430r.
ordinario was unable or unwilling to answer the question of why the two men had dueled in the first place.

With the exception of the brief biography provided by the ordinario of Pier Andrea, the witnesses collectively had very little useful information for the judge. None of them knew the origins or cause of the conflict; none of them knew how Silvestro involved himself as the professed peacemaker; none of them had even seen the fight begin—everyone just heard a rumore and ran to investigate. Nevertheless, the witnesses all agreed that Marc’Antonio of the house Bentivoglio had been cut down in the street during a questione (a challenge and resulting duel), and that Pier Andrea of the house Rovina was the killer. For a court more interested in tamping down outbursts of violence than in exposing the roots of social conflict, this was enough. Pier Andrea was condemned and sentenced to the galleys for seven years, where he was sent upon the process's close.508 He did not write a petition for pardon, indicating either his death on the galley or his inability to receive sponsorship for his good behaviour following a pardon. The sentence of seven years' galley service was a severe penalty for an otherwise innocuous street battle between two servants, and the absence of a petition was also unusual. On such sparse information regarding the murder's cause or potential to have social repercussions, the judge of the Torrone had thrown the book at Pier Andrea.

The status of the belligerents and their social milieu helps to explain that harsh sentence. The two men involved in the killing—the victim, Marc’Antonio, and the killer, Pier Andrea—were representatives of two of the city's greatest noble houses: the Bentivoglii, oligarchic tyrants who had been expelled from Bologna by Julius II in the early-sixteenth century; and the Rovine, who in the approximately 120 years since 1506, had grown to be principal members of the city's republican vestige, the Senate and its affiliated bureaucratic magistracies. The murder took on a character beyond that of two young men engaged in status conflict, exposing the streets of Bologna to dangerous networks of alliance and loyalty, of obligation and expectation, and the ultimate possibility of igniting a feud between two large and powerful clans. In its bid to re-establish and re-cement the

508 Ibid., f. 436–437r.
authority of both the Papal Legate and the secular central court, the law came down harshly on the young man who had risked civil war in the pursuit of a conflict with factional origins.

Not knowing the full course of the homicide—the social context of the initial encounter; the words that led to deeds; whether it took place entirely at San Francesco or had its initial outbursts elsewhere in the city; and, not least importantly, whether the two young men were drunk at the time—does not prevent the historian from placing it into a lucid context. As noted above, the noble infighting for which the Bolognese elites were reputed had been repressed early in the seventeenth century, and there were no equivalent duels or questioni in the sampled years leading up to 1632. Contrastingly, in 1632, the Torrone reported and prosecuted eight armed brawls resulting in deaths in the city; six of them involved young nobles, their attendants and hangers-on, or the soldiers of their houses. The outburst of public violence by the young men of noble houses can be understood in the confluence of social, political and economic fallout from the 1630 plague. Natural disasters have been examined in diverse contexts, and a frequent finding is that dominant social paradigms—of social capital, of the right to rule, and of the relative status of groups and individuals—fluctuate rapidly and unpredictably in the immediate aftermath of societal crisis.\(^{509}\) Factional violence often had its roots in competition for control of the local environment and its resources.\(^{510}\) As seen in the homicide that opened this chapter, this was true of Bologna as well. The the nobility witnessed their customarily high status threatened by artisanal classes who yearned for a greater place in society, and lacking other avenues to achieve success, were willing to fight for it. The resurgence of public noble feuds, particularly of formal, ritualized dueling, was the response of a group under threat; they were reacting to perceived diminutions of their social power by lashing out in very traditional acts of violence that


emphasized the noble houses’ historical skill at and responsibility for retributive violence within the city and rural lands.

With the Marchese Rovina out of town, and the Marchese Bentivoglio unaccounted for, the young men were the public representatives of their families, and had to maintain the prestige of noble clans at a time when the very bases of that prestige were being undermined by both the lower classes and the papal overlords.\textsuperscript{511} The consequent responsibility that fell on these young men’s shoulders resulted in a quick turn to public violence in response to even minor slights, even if the cost of that violence was an effective death sentence of a seven-year galley term. The remaining five brawls involving the young men of noble houses should be considered in this light. Following the plague, Bolognese noble houses fought to maintain their traditional places within a rearranged social structure that had dampened the nobility’s influence on daily life in the streets of Bologna.

On 7 April 1632, a similar brawl took place on the Riva di Reno, north of San Francesco and in the city’s west end; the incident demonstrates how the reassertion of noble status took place not just between families, but within them as well.\textsuperscript{512} As with the death of Marc’Antonio above, there were few witnesses and very little information available as to how exactly the death of Giulio Paci, the young son of Giovan Battista Aquilini, came about. Giulio was found with a stab wound in his chest—here again, the mark of a trained swordsman. His body was identified by Giovanni Trevisani, who noted that the victim was a member of the Compagnia di San Bartolomeo, a local confraternity of notables. As the Torrone investigated, beginning by interviewing the dead man’s parents and siblings, it emerged that Giulio and his step-brother, from his father’s new wife’s first marriage, had found themselves on opposite factions of the city’s nobility, Agostino joining the retinue of the Marchese Girolamo Pepoli, and Giulio that of the Zambeccari. On the evening Giulio died, he had encountered Agostino in a bottega, said one witness; another added that for eight years, Agostino had resented Giulio’s presence in his household.

\textsuperscript{511} CF. Giancarlo Angelozzi and Cesarina Casanova, La giustizia criminale in una città di antico regime: il tribunale del Torrone di Bologna, secc. XVI–XVII (Bologna: CLUEB, 2008), Ch. 1–3.

\textsuperscript{512} ASB, Torrone, 5861, in fine...
The young men were both around the age of 20 when Agostino killed Giulio in the street, and both had made names for themselves as young nobles attached to more powerful families. The circumstances surrounding the death are hazy, as witnesses once again were unable to provide details of the immediate event itself. One witness, the shopkeeper of the shop where Giulio and Agostino had first encountered each other, went so far as to say that he could not tell what he knew because he was “afraid that they will kill me.” There was an argument, and a sword fight, and Giulio was left dying in the street as his adversaries and his companions fled.

In cases of noble homicide, witnesses were often loathe to provide any information that would incriminate the predictably violent knights and elites who formed the upper tier of the city’s domestic social hierarchy. As Angelozzi makes clear, the most powerful clans of Bolognese elites (Barbazza, Malvasia, Pepoli) continued to operate throughout the century in ever-reduced spheres of influence—private courts that adjudicated both civil and criminal matters between artisans and peasants, on whom these nobles pressed their authority with threats of violence and dispossession.\(^5\)

The efforts of papal legates to reduce and eliminate this practice may have been responsible for the massive spike in violence that occurred in 1660, four years before a large cadre of Bolognese nobles were exiled, sent to the galleys, or executed in a major campaign to curb noble excesses by putting an end to the last vestiges of feudal justice.

How, then, does the historian analyze the testimony of witnesses to noble violence, who were for good reason afraid to say too much, knowing that their words would very likely make it back to the imputed killer and that they might become the noble’s next target? It is crucial to separate the knowable and established facts—the name and age of the victim; the location of the crime; the date and time of the murder; the weapon used to kill—from aspects of the case that are more malleable and subject to vagaries of memory and strategic witnessing, such as the identity of the killer, the motive for the crime, or the past histories of both victim and killer that pushed them to their fatal encounter. Often, the facts are enough to establish an understanding of the social dynamic at play in a fatal encounter. When they are not, as in the case above, much can be gleaned from the common

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threads of resistance among various testimonies. What questions did witnesses continually refuse or fail to answer to the judge’s satisfaction? Did multiple witnesses refuse to answer a given question from the notary’s standardized list? Were statements that seem to have been evasive verified by other witnesses, or by other documentary sources from the Torrone and elsewhere? This is a perennial problem for historians of crime: for many reasons not always explicit to the researcher, people—victims, witnesses, criminals—lied to judges, whether intentionally, through omission, or simply because of a misunderstanding of facts. When an uncle claimed that his nephew had never before had any encounter with the law, this can be disproved by finding the relevant process in the Torrone’s documents. But when a statement concerned the social situation leading up to a murder, it is more difficult for the historian to assess its validity or to parse its truth.

The first five witnesses—the father and step-mother of the victim, his younger brother, and two learned men who were in the area at the time—interviewed in the homicide of Giulio Paci make clear that the Torrone judges were confronted with hesitancy, an unwillingness to speak or impart crucial information, and fear of what might happen if word got around that witnesses had leaked secrets to the ecclesiastical government. None would go further than to confirm the time and the place of the death; that Giulio was a partisan of the Zambeccari, and his brother Agostino of the Pepoli; and that no one had seen Agostino since the morning of the murder, although witnesses took pains to assure the judges that this was not an indication of Agostino’s guilt. They maintained these stories through repeated interrogations. The court was aware that it was not receiving all the information and imprisoned some of the witnesses, who continued to hold back.

Finally, on 1 June 1632, a witness was convened who admitted to being in Giulio’s company the evening of his death. Niccolo Poggiali recounted how he dined with Giulio at his father’s house in the evening before setting out around the city in his company, along with Girolamo Nanni, who had failed to provide this information during his previous testimony. Niccolo left them shortly while he entered the Spetiaria del Sole outside the house of the Count Rovina and came outside to find Giulio alone, with the other two having headed towards the butchers’ market in Galiera. According to Niccolo, he and Giulio went to the butcher’s market and rejoined Agostino and Girolamo. Together, the four of them headed in the direction of the palazzo Zambeccari, where Giulio had expected to find some friends. Outside the palace, they encountered a large group of people walking underneath the portico.
Niccolo said to Giulio, “these must be Agostino and Girolamo’s gang of lunatics” on patrol. The group’s members were armed, and Niccolo said that as they passed, he turned to see a man with a bared sword, who tried to cut Niccolo’s face but missed. Niccolo escaped the crowd and drew his sword to defend himself, received two cuts from his attacker—and he was sure to say that he gave four for his two—and forced the man to drop his sword. During the fight, Niccolo heard Giulio cry out twice “I am a friend! I am a friend!” before going silent. Niccolo went home and checked to make sure he was not injured before going to seek out Giulio at his home. When Niccolo asked where Giulio was, his brother Paolino responded “a bad year; follow this portico here to go to S Bartolomeo and see it to believe it.” Niccolo pressed on, asking “was he wounded?” and Paolino responded “he is dead.”

Although he provided the fullest account of the brawl yet, Niccolo still avoided the crucial issues for the judge and notary investigating a homicide: who had killed Giulio, and how and why? Believing Agostino to be somehow involved because of earlier testimony about the young men’s respective allegiances, the Torrone pressed Niccolo on Agostino’s involvement. After prevaricating whom he knew and how much they knew, Niccolo admitted that a friend had told him that Agostino and “the sons of Giovanni [Battista Aquilini, Giulio’s father]” were behind the attack but refused to say how he knew. Sabbatino added that Agostino had fled the city, which was supported by Niccolo’s affirmation that he had not seen Agostino or Girolamo Nanni since the fight. Niccolo did note, however, that he had heard from the priests of San Giorgio that Agostino and Girolamo had taken refuge in their church after the killing, in order to avoid prison; he also admitted to having gone straight to the church of Santa Maria Maggiore immediately after learning of the killing, for the same purpose.

The judges were closer to an answer but were still facing a reticent witness. When asked the standard and crucial question of whether Giulio had any habitual or long-term enemies, Niccolo gave the standard denial that Giulio had never been enemies with anyone, anywhere. His interview concluded with the judges not much further ahead than they had begun: a story was emerging of a brawl between groups of youths in the street, but no one would identify anyone, except for the young

514 ASB, Torrone, 5861. “...dissi a Sig. Giulio devano esser questi matti d’Agostino et di Girollamo”.
priest who attacked Niccolo, who Niccolo had happily fingered as the first man to draw a sword. Still, Niccolo couldn’t or wouldn’t explain why the fight had begun, who its principal instigators were, or who had given the fatal wounds to Giulio. The investigators now had the whereabouts of Agostino, at least; they arrested him at the church of San Giorgio and interrogated him on 2 June.

Agostino’s interview took the case in a whole other direction. The documentation and the course of the interrogations thus far had made it clear that the authorities considered Agostino the prime suspect. However, he happily cooperated in the interrogation, telling the notary and judge about his family, the farm he and Giulio shared in Sant’Antonio di Savena, and the girl Giulio had kept there, who had left since Giulio was killed. He then gave a string of information about the killing—date, time and place—and said he knew all this because he was with Giulio at the time. His story confirmed that told by Niccolo Poggiali, that the four men (Giulio, Agostino, Niccolo and Girolamo Nanni) were out on an evening stroll and had stopped at a **spetiale** before continuing to the butcher’s market to buy some meat when they encountered a group of four or five armed men outside the convent of San Bartolomeo. Agostino denied that the group was known to him, and said that this group had in fact challenged his own. Somewhere in the ensuing scuffle, Giulio was wounded and fell to the ground; Agostino and his group returned home and searched Giulio’s room, retrieving a sword before going to find a confessor. When they saw the large crowd, and saw the victim’s father Giovan Battista and his brother Paolo being arrested, the group dispersed for fear of being arrested themselves. Still, the court was left not knowing who had given the fatal blow, nor what grievances had anticipated it. Agostino was not as forthcoming as he pledged to be, and lacked these crucial bits of information.

The frustration of the **Torrone**’s investigation by repeated witnesses who failed to answer the most pertinent parts of the examinations is worth dwelling on, because it confirms this chapter’s argument. In 1632, two years after the plague had demonstrated the central government’s inability to respond to a massive crisis, the urban population of Bologna was unwilling to participate in justice on the court’s terms. Factions arose among local nobility who instead turned on themselves to pursue and resolve conflicts. The code of **omertà** that seemingly operated within the above trial records is part and parcel of the process that saw homicide rates, and the number of homicides prosecuted by the **Torrone**, jump significantly between 1620 and 1632. It is not surprising that Girolamo and Niccolo were
extremely reticent to speak to the court, even though their friend had been killed in front of them by people they likely often passed in the street. They believed that there would be better justice available if the details and facts of the crime remained within their specific social group—in this case, the violent young men of noble houses.

The case occupied the Torrone into the autumn of 1632, with the initial sentence given on 1 October. In six months, the court had failed to amass enough evidence to pin the murder on Agostino directly. He and Girolamo were not convicted of the crime, but were made to undertake a pledge not to offend on pain of a 50-scudi fine. Agostino's mother and Giovan Battista's new wife, Giulia, was also excluded as non-culpable in this sentence. On 6 November, however, the notary copied into the investigation a letter from Domenico Benedetto, a local priest who claimed he knew how the death of Giulio Paci had come about: his father had arranged it, at the instance of his new wife and her children. All of the principal characters, including the father now accused of guilt, had already signed pledges to keep the peace and had been made to ratify their pledges in person. The Torrone concluded the case without any further sentencing or investigation.

Between witnesses’ refusal to give candid testimony and the generally confused nature of the events, it is tempting to write this case off as a private matter between families and as a failure of justice for the murdered member of that family. However, this case reflects issues very specific to its timing, in a period after the plague when the papal government was beginning to assert its judicial and legal presence more strongly by ramping up the Torrone’s activities. The plague itself had challenged the relationship between the “despotic” papal government and the “republican” nobility that still fantasized of Bolognese liberty, free of the papal yoke. There was no trust to be had between these two groups, and the plague had underlined this fact. The Torrone had attempted to maintain public safety in Bologna during the plague, only to be rebuffed at every turn by the groups of nobility who refused to obey curfew, continued to transport goods and stock into and out of the city, or harassed gate watchers. The state had failed to achieve its purpose during the plague, and whatever thin contract had kept the nobility more in line during the early decades of the century quickly dissolved. Given what we know with certainty about the above case—Giulio Paci was killed; his father had recently re-married a woman with a son of about the same age; and Giulio and the son, Agostino, were engaged in litigation over the terms of their parents marriage—the homicide presents as a not-uncommon form...
of family homicide. This homicide was likely committed in order to prevent Giulio from receiving the inheritance that would now pass to Giulia and Agostino. The other possibility is that Agostino and Giulio had indeed found themselves on opposite sides of a growing factional conflict, between the Pepoli and the Zambeccari, and had pursued that conflict within the realms of kinship, at least by marriage.

It remains unclear whether Agostino killed his brother as part of a factional conflict or colluded with his mother and step-father to have him killed in order to seize Giulio’s share of family wealth. In either case, however, this homicide must be placed within the context of a weakened judicial apparatus colliding with a population that preferred to resolve conflicts internally, that practiced a native justice specific to the privileges of class, and that resented and rejected the court’s efforts to increase centralization and assume responsibility for maintaining peace in the city. The relationship of a state to its population, and vice versa, has strong effects on the type and frequency of homicides in that state. In Bologna in 1632, the state had a weak relationship with a population that could not trust it to preserve the security of the city or of persons, whether physical or financial, or to prevent an epidemic from rapidly killing 25% of the city’s inhabitants. The Aquilini / Cheldi clan operated in an environment of low political trust; the institutions available to them for conflict resolution, such as the civil court and civil litigation, were unsatisfactory to their needs and strategies, and could not preclude the possibility of violence resulting from the results of litigation. In such a circumstance, Agostino Cheldi arranged and possibly enacted the death of his step-brother as the best option available to him to ensure that the conflict resolved in his favour. The collective refusal by witnesses to denounce Agostino during the 312-folio trial make clear that this dislocation from the machinery of government was not an individual phenomenon; indeed, in 1632, members of all social castes saw the legate’s government and court as a distraction, possibly useful for leveraging concessions out of conflicting neighbours and acquaintances, but unable to provide real remedies for injustice.515

515 The mixed use of court systems to both prosecute criminals and to put pressure on rivals to resolve conflict is explored thoroughly in D. Lord Smail, The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264–1423 (Ithaca: Cornell University Press, 2003). A similar dynamic existed in early modern Italy, in which litigation was part of a continuous spectrum of methods of conflict, including interpersonal violence.
The pressing social and economic problems that resulted from the deadly passage of the plague all confronted both urban and rural Bologenese in 1632, whether in the form of estate division, the production of food with a significantly reduced labour force, or the relative status and position of community members following the deaths of prominent citizens. After their recent experience with the state’s ineffective crisis management, the young nobility of Bologna reintroduced a violent factionalism to the city’s streets, in which the quick recourse to violence was a necessary and useful trait for survival. Of the 16 homicides that occurred in the city in 1632, nine were public killings done by young employees of high-level families, usually in small groups of four or five and against the young employees of their padrone’s rival. Compare that to 1620, when not one of the three victims of urban homicides was noble. The destruction wrought by the plague, coupled with the widespread destabilization of the Thirty Years’ War, ushered in an era in which there were no means for people to rely on the government for help in solving conflicts; in environments such as Bologna in 1632, homicidal violence between unrelated males would tend to spike as a result of the process by which the court sought to increase its presence and importance in the daily lives of early modern Bolognesi.

Thus, in Bologna in 1632, in addition to the duel and the unsolved killing of Giulio di Pace above, there were seven other killings of servants of nobles in brazen public attacks. These killings were all reflective of a noble class rejecting the pretenses of their foreign overlord—the Pope himself—to police law and order in the city. The tyrannous republican oligarchy that had ruled Bologna until the beginning of the sixteenth century, and whose members continued to dominate its internal politics throughout the seventeenth, renewed their claims to the individualist justice and clan-based systems of loyalty that made recourse to public violence a means to broadcast and resolve their conflicts. Remembering Julius II’s expulsion of the Bentivoglio family from the city 126 years previous, leaders of Bologna’s noble houses remained careful not to engage directly in public violence themselves. They instead granted their servants—bravi, socii, servitorii—a great degree of latitude to pursue both their own and their houses’ enmity with public violence in Bologna.

These other killings largely followed a very similar pattern to those above, in which little legal satisfaction was gained after extensive investigation to determine the circumstances of the homicides, and in which young men targeted specific individuals for assault and murder, intentional or otherwise. Signore Alessandro Ariosto led a group of young men, including Giovanni Leoni and Livio
Accorsi, who ambushed two servants of Signore Giovanni Grimani, and killed Orazio Donati in the Stra'Stefano three hours after sunset on 2 September 1632. Rather than face sentencing for their crime, which was widely and publicly denounced by witnesses, the killers all fled into contumacious exile, where one died. The Ariosti and Livio Accorsi wrote supplications and forged a peace with the Grimani family that allowed them to return home on the payment of a 200 scudi fine, each.516

Giovan'Battista di Medico, a 35-year-old lawyer, was shot in the middle of the night while walking through Piazza San Petronio with a sbirro on May 20; although a suspect was identified, there was insufficient evidence for a conviction, and Giovanni Giacopo Algardi was absolved.517 The killing of a noble scholar at the Collegio di Spagna, Signore Don Giovanni di Sandovali, by a mixed party of Bolognese nobility that included members of the Landini family and Paris Maria de Grassi, was preceded by a full day of brawls in the city. The conflict began with insults and minor offences during daylight and continued at various points throughout the city until two large crowds, one of young Bolognese and one of students from the college, engaged in a nighttime battle outside the Palazzo Pepoli that resulted in the Spaniards fleeing while leaving Sandoval behind to die at the hands of the Bolognese.518 In that case, the Landini, Alberati and Miserali who were formally charged were all sentenced to death in contumacy, while de Grassi and others were absolved for not having delivered the killing blows. In 1632, when trust in government functions was low and the legitimacy of a foreign ruler was highly contested, the noble families of Bologna prosecuted their own grudges and rivalries and rejected the authority of the Legate, through a series of targeted killings of other nobles, through brawls between their servants, and through attacks on judicial officials.

Not all of the noble homicides of 1632 displayed the calculated violence visible in the ambushes and battles noted above. Fabio Roverso, a 45-year-old servant of Marchese Girolamo Pepoli, was cut down after dinner by another mixed company that included members of the Grotti and Colonna families and servants of the Marchese Rovina, in what was likely a drunken argument that

516 ASB, Torrone, 5912, f. 402–479.
517 ASB, Torrone, 5864, in fine.
518 ASB, Torrone, 5902, f. 455–651.
brought residual angers and resentments to the fore. While the specific conflict in this case was spontaneous, the fact that one of the killers—Achille di Roverso—was the victim's cousin suggests a long history of antagonism between factions of the Pepoli and the other families involved. As Roth notes, homicides between related males were extremely rare, except in circumstances wherein societal structures governing family continuity and property were severely compromised. This killing, as well as the killing of Giulio Pace, possibly by family members in a dispute over inheritance, demonstrates this tendency well: fratricides were extremely rare, except in 1632, when those two cases occurred among high-status people of the city; lesser family homicides occurred in the city as well, alongside rural noble fratricides to be discussed below.

Another spontaneous killing took place in the Borgo Polese, in the city’s northwest corner, near the banks of the Reno canal. On 4 July 1632 a brawl occurred between the servants and soldiers of Francesco Santacroce, a military captain, and of Alessio Filiani, a Doctor of Laws. Benedetto, the famigliare of Santacroce and the eventual victim, was leading his party through the neighbourhood when they passed the brothel run by Franceschina, a local meretrice. One of Franceschina’s employees, Lucia, insulted them by calling them becchi fottuti and other indignities as she lounged against the wall outside. The group of men began arguing with her, drawing Franceschina and a client outside. This client, Matteo Bartolini, a servant of Alessio Filiani, upbraided Benedetto and his friends for their behaviour. The argument became physical, and Matteo ran Benedetto through with a sword. While not obviously connected to an ongoing rivalry or conflict between houses, this killing nevertheless demonstrated how the crisis of the plague had amplified the male impulses towards status and the defense of individual reputation that created fertile conditions for fatal violence. These noble homicides, both spontaneous and planned, reflect the Bolognese nobility’s rejection of the civil society envisioned by the papal government, in which nobility were to function as high-level }

519 ASB, Torrone, 5884, f. 301–fine.
520 Roth, p. 109.
521 ASB, Torrone, 5876, f.396 – 429.
administrators and abandon their traditional rights to justice, violence and the public resolution of private conflicts.\textsuperscript{522}

Changes in homicide rates were driven primarily by changes in the number of killings between unrelated males. As multiple studies of homicide have confirmed, in times of societal pressure—after warfare, following famine and other natural disasters, and during times of economic crisis—social hierarchies are destabilized and relationships of respect or friendship during stable times can be rocked by violence.\textsuperscript{523} This occurred in Giulio Paci’s family described above: bonds between a father and his new wife broke those between father and the son who died as a result. Similarly, non-noble homicides that occurred in Bologna after the plague exhibited a powerful disruption of hierarchical relations and standards of behaviour. A priest was murdered in his San Salvatore cell during a vicious nighttime robbery by a student of the \textit{Collegio di Spagna};\textsuperscript{524} two brothers-in-law, operators of a family pigeon business, had a quarrel over management practices that ended in 20-year-old Carlo Ravi’s death at the hands of Giacinto Mazzini;\textsuperscript{525} Annibale Cesare was accused of murdering his wife, Margherita, after her autopsy revealed the effects of poison.\textsuperscript{526} The killers inverted relationships that in stable times could have provided support and comfort, making victims of religious figures and close relatives in the pursuit of material or social gain.


\textsuperscript{524} ASB, \textit{Torrone}, 5887, f. 301 – 625.

\textsuperscript{525} ASB, \textit{Torrone}, 5880, \textit{in fine}.

\textsuperscript{526} ASB, \textit{Torrone}, 5876, f. 432–453. Another case of poisoning, with a female victim and three suspects—one female, two male—took place in 1632 as well. In this case, the killer was the fired servant of an elite courtesan named Valeria, whom Anna the servant killed. ASB, \textit{Torrone}, 5904, f. 387 – 468.
The botteghe and osterie of Bologna were sites in which hierarchies were publicly manifested in relationships between employers and employees, and keepers and customers. In these meeting spaces, seniority of both age and profession provided order and continuity in times of general stability. Following the plague, they could be poisonous. A shocking assault committed on 6 December 1632 makes this clear. Petronio Pratoni, a local good citizen, heard a great noise four hours after sunset and went outside to find a crowd outside the inn of Bastiano Mariani, a 60-year-old from Milan. Pratoni sent a boy for the Massaro, who duly arrived with his sbirri; finding the door locked, the group went about procuring an iron bar and duly smashed out the doorframe. They encountered a gruesome scene, which Pratoni described with Hollywood-esque glee. A struggle was taking place: “in front of the fire on the ground was the said Bastiano, who is an old man, thrown there by a certain Domenico Magnano, a youth of about twenty, and the said Domenico had the handle of a short, bare knife in his hand, and the said Bastiano held it by the blade, and both of their faces were bloody.”

Bastiano said that Domenico had “robbed him and wanted to take his money.” The heroic Pratoni and the Massaro’s men grabbed Domenico, tied him up, and took him to prison. Bastiano died six days later, on 12 December, and Domenico was hanged on 18 December.

That he was hanged at all shows how transgressive this homicide was: there were six executions in 1632, and only Domenico was hanged for murder, while one other man was hanged as a bandit after committing multiple homicides. Before dying, Bastiano told the judge that Domenico was a frequent patron, who would often come to drink and take a room, and that he “couldn’t believe he wanted to kill me, for anything else than to take some of my money.” For his part, Domenico said that Bastiano had “begun to speak villainies to me” and that he had first met the old man about a year

527 ASB, Torrone, 5900, f. 301 – 363.
528 Ibid., f. 302v
529 ASB, Libro di Giustiziati, 18 December 1632.
530 As Chapter 5, MAYBE? will demonstrate, the timing of this execution was also significant. Winter months often coincided with a spike in executions of young, dispossessed young men whose cadavers were given to the University’s Anatomy Theatre for their last act of public service.
531 ASB, Torrone, 5900, f. 303v.
previous. Domenico had come on hard times: “I have no money of any sort to secure me.” According to Giacopo Bardiani, a co-worker, Domenico had lost his job as a recassatore “two or three months” earlier. Societal crises such as plague could exact extreme pressure on young men with small or nonexistent support networks; Domenico’s mother and brother could not help him. With no job and no money, Domenico overturned the hierarchical relationship of age over youth and shopkeeper over client to express his otherwise impotent frustrations. Domenico’s execution reflects the severity with which such violent transgression was discouraged.

Two other urban homicides in Bologna further demonstrate the destabilizing effects of plague on the normal course of business and social relations. Giacopo Camedoli stabbed the baker Giovan’Battista Maestri, alias Quinquini, while robbing his shop on 26 March 1632. Robbery homicides were generally more common in the Bolognese contado, where waylaying travellers or breaking into sheds and barns was considerably easier and more fruitful than breaking and entering into a merchant’s shop in hopes of finding cash or goods. When robberies did happen in the city, they tended to be either petty incidents of pick-pocketing gone terribly wrong, or, as in this case, aggressive invasions of property, often by more than one person. Giacopo, like Domenico above, was poor and needed money to eat, so he robbed Giovan’Battista and killed him while doing so.

Another bottega killing demonstrates how public spaces could be fraught with new status competition in the wake of a plague that, while killing swaths of the population, paradoxically created new social and romantic opportunities for survivors. Francesco Dorino, a 30-year-old carter, had his heart set on the same woman as did his employer’s son, Giovanni Battista Bucchi. On 9 July 1632, the two quarreled outside the workshop owned by Giovanni’s father, and Giovanni stabbed Francesco in the head and arm, from which wounds Francesco died the next day. The status hierarchy among these two is unclear. As the employer’s son, Giovanni could claim a superior status to Francesco; as the

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532 Ibid., f. 311v–314r.
533 Ibid., f. 314r.
534 Ibid., f. 316r.
535 ASB, Torrone, 5864, f.301v – 337v.
older of the two, Francesco perhaps had more social capital which nevertheless failed to save him. Francesco had recently married a woman named Francesca, with whom Giovanni was in love; Giovanni lashed out when he heard the news and killed his romantic rival. In more stable times, killings of this sort—romantic rivalries and other conflicts stemming from the sexual and romantic choices of women—were likely to take place out of the public eye, either within homes or outside of the city walls. That Giovanni Battista walked up to Francesco at the hour of sunset and slashed at his head with a sword speaks to the level of societal distrust and the erosion of social mores begat by the plague. With a reduced population, a government recently proven incapable of protecting citizens from death, and an attitude of superiority over his father’s employee, the circumstances were ripe for Giovanni Battista to lash out and to advertise his romantic conflict for the public to judge.

1632 was thus a dangerous year to be within the walls of Bologna. Most importantly, a rash of homicides committed by and against the young men of the city’s elite houses demonstrated the fragility of the government’s program to reorient Bolognese nobility towards good governance in the early-seventeenth century. While the levels of intra-noble homicides were quite low in the first three sampled years, they spiked in 1632, following the devastation wrought by the plague and the pressures this put on society’s economic, governmental and charitable resources. The nobility fought, via their young proxy retainers, to gain status and improve their clans’ positions relative to each other and to the foreign overlords who controlled the legate’s office. These fights could be public, to advertise a conflict to the entire community, or they could be clandestine, like the lawyer shot in the piazza, to redress a perceived legal wrong or to intimidate a rival group. Almost half of the urban homicides of 1632 involved young members of the Bolognese nobility.

For non-nobles, too, the city was a troubled place, although not on the scale of the wave of violence that swept the city in the 1640s and 1650s. Killings among the city’s non-nobles showed a disregard for traditional relationships of support and comfort, such as within families, friendships and business associations. Even the church’s power engender respect was destroyed, as the brazen nighttime robbery of San Salvatore shows. *Botteghe* became loci of violent dispute in which intensely personal relationships and conflicts were resolved with deadly force. Significant to the idea that killings in 1632 destructured stable hierarchies is the fact that a firearm was used as the primary weapon in only one case, even though men with guns were part of the crowd that assaulted and killed
Orazio Donati. Killing with blades and other close weapons was characteristic of homicides in which long-established relationships formed the basis of the bad blood, and where the killing was very much an act of personal communication.\textsuperscript{536} The repressive measures designed to protect against the plague and created conditions under which factional violence blossomed alongside robbery, revenge and romance killings.

5.4 Elite Feuding and Common Struggles: Case Studies from the War

The Pungelli affair stands out in Torrone documentation, quite literally, because of the egregious nature of the Barbazza attack on the court's authority and its directly rebellious overtones. It was a brutal public assault on an officer of the court that could not be tolerated without major court action; nevertheless, it also demonstrated the court's relative inability to sanction and reduce noble violence. The plot's leaders remained outside the court's reach, due to the various witnesses' obfuscations and misdirections. Although the court's conclusions pointed blame at the Conte Astorre Barbazza as a high-powered sponsor of the plot to kill the judge, only the rural partisans, the Stefanini brothers, and their servant Francesco Vitale, were hanged.\textsuperscript{537} Political connections, the need to prevent further violence, and a limited set of police resources all left elite nobility unscathed, if not untouched, by the court's inquest into the public murder of Pungelli. Other prominent political and revenge-based killings among the city's elites resulted in similar processi, in which the henchmen and knife-bearers of noble houses suffered the violent consequences of elite feuding, violence which in these decades was overtly political and rebellious.

5.4.1 Assassination in Castel Bolognese

Of the manifold misdeeds of which nobility were habitually accused, we have already seen that harbouring bandits was enough to draw the ire of Torrone judges. Bandits often functioned as private henchmen for rural nobles, preying on local populations and enforcing oft-illegal feudal obligations. Bandits were recognized for their capacity for violence. In the breakdown of civil order

\textsuperscript{536} Lt Col Dave Grossman, \textit{On Killing} (E-reads/E-rights, 2002).

\textsuperscript{537} ASBo, \textit{Gonari}, three executions of 26 April 1653.
that followed the 1630 plague, they played a significant role in the violence-as-politics practiced by noble clans. Already by 1640, they reappeared in Torrone records as the agents of noble predation on rural settlements, even fortified towns.

On 25 February 1640, as reported by the Massaro of Castel Bolognese, a group of men entered the town of Castel Bolognese armed with archebuses and launched an assault on Signore Don Antonio Maria Marcolini, a priest who had just finished eating dinner near the church of Santa Maria. At least four men were involved, “the majority of whom were Capital Bandits, who are accustomed to committing murder,” and they picked their target deliberately, launching their attack in public at an hour that guaranteed maximum exposure as the people of Castel Bolognese went about their evening tasks and sociality. After the priest finished his meal in the barberia of Domenico Faschieri, he turned down the offer of a shave, and got up to leave, “without arms of any sort.” The bandits waited for him to go outside and “immediately started shooting without saying any words.” The 25-year-old priest, his companion Marco Contoli, and one of the attackers, an unknown bandit, were all hit in the crossfire. As the smoke cleared, the Mestrale of Castel Bolognese grabbed a gun from the unknown forastiero, who had died on scene, ran to ring the tocsin and summon the townspeople, and gave chase to the bandits. Unfortunately, the bandits had “immediately escaped outside of the Castello after the deed.” Two companions of the priest died immediately amid the gunfire, and the priest himself succumbed to his wounds en route to Bologna for medical help.

The killing was immediately recognized as significant: fearing that the bandits would return to desecrate the bodies, the mestrale put the corpses in the castle’s Hospitale di S.ta Maria and posted extra guards on the doorways. Seeking to identify the priest’s unknown companion, the Mestrale posted his clothing and goods near the site of the shooting for three days in the hopes that someone

538 ASBo, Torrone, 6262, f. 404r.
539 Ibid., f.404v–405r.
540 Ibid., 406v.
541 Ibid., 407r.
would recognize them and be inspired to provide some information about the killing. In an attempt to preserve the integrity of the evidence, the *mestrale* put the found murder weapon, an archebus whose powder-pan he had dropped in the initial chaos, into the safekeeping of Ercole Marcolini, the priest's brother. As one of the larger towns in the Bolognese *conto*, Castel Bolognese witnessed its share of violence over the century. The brazen triple homicide in an attack against a local elite warranted a significant (about 300 folios) *processo* to investigate and remedy the attack on the Marcolini family.

*Pubblica voce e fama*, alongside the sharp ears of the *Mestrale*, identified the killers as a group of bandits headed up by the noble military man *Signore Capitano* Gioanni Balducci, a member of an old lineage of rural feudatories whose patrimony lay in the lands around Castel Bolognese. Commanded by locals, the men themselves were strangers: a bandit from *La Massa*, a bandit known as “The Venetian,” and a bandit from Imola. The Balducci family (which included Gioanni, his *Capitano* brother Filippo and his nephew Antonio Maria) reputedly harboured these bandits in their holdings in *La Massa*. The Balducci were also known by *pubblica voce e fama* to keep these men protected in their home, a fact that was “daily observed” by the inhabitants of Castel Bolognese. The Balducci continued to practice intimidation and thuggery as the measure of their local power in their hereditary seat, despite the efforts of Bologna’s central authority to reduce the privileges and violent governance of feudal elites in both city and *conto*. In that view, the killing of Don Marcoli mark the return of noble revenge-as-politics; the complicated intertwining of personal and political motivations in this murder elaborate the noble mentality that produced the violent homicides and atmosphere of social distrust that permeated mid-century Bologna.

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542 Ibid., 418v.
543 Ibid., 420v. The echoes of accusatory justice still rang in the halls of the *Torrone*, as victims' families often played significant roles in the investigation and prosecution of killings.
544 Ibid.,
545 Ibid., 495r.
The Balducci attack was clearly a targeted killing, and the Marcolini recognized it as part of a pattern of enmity. As was common in all homicide investigations, after interviewing the mestrale of Castel Bolognese and witnessing what must have been a nauseating series of nine body inspections, the notary looked to the victim’s relatives to shed light on the assault. Don Marcolini’s brother Ercole was the first to be interviewed; he identified “The Venetian” as a thirty-year-old named Vincenzo and another of the bandits as Giulio Mazzini, banned from Ferrarese territories but happily ensconced in Castel Bolognese. Ercole was free with information that painted the Balducci as murderous aggressors. He couldn’t say why his brother was killed, because “I’ve not heard that they had any argument between them, but these men of Balducci threw themselves at my brother’s life... without being provoked by anyone.”

Ercole described how his suspicion formed that the attack was ordered by Filippo Balducci, who held a public hatred against the Marcolini. After the shooting, as the bandits fled the town, Ercole had rushed towards the commotion and was passed the other way by Filippo Balducci’s young son Antonio Maria, running towards his father’s house. His suspicions piqued, Ercole followed the boy to the Casa Balducci where, after the boy rushed in, Filippo Balducci and his father Gioanni Balducci emerged and headed towards the Piazza. When they saw Ercole, they advanced towards him; when Ercole’s father arrived wailing over his son’s injury, they retreated into their own home. That was enough for Ercole to pin the blame on the Balducci, and he was willing to expound on the history of conflict that made him so sure.

The conflict he described aptly illustrates the continued dominance of kinship and family ties over obligations to maintain order within the state. During Carnival in 1649, Balducci’s young son Antonio Maria quarreled with the son of Captain Signore Giovanni Francesco Mezzamici, a friend of

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546 Ibid., 424rv
547 Ibid., 425v.
548 Ibid., 427r.
549 Ibid., 427v.
the Marcolini family. The original quarrel took place over a jousting disagreement between the boys; nevertheless, the insults were grave enough that this carnival-game argument prompted the Mezzamici family to call together an armata that included the Marcolini brothers (incidentally, one of whom was himself a capital bandit for unmentioned crimes) and to march in arms against the Balducci faction in Castel Bolognese. In the peace process that followed—in which each side wrote petitions, swore peace and publicly reconciled their differences—the Balducci, according to Ercole Marcolini, had continually cast “evil eyes” in the direction of Don Antonio and his soon-to-be-slain companion Marco Contali, who bore the Balducci’s particular ire. Since that summertime peace ceremony in the Basilica di San Petronio in Bologna, the Balducci had continually harassed Don Antonio, including earlier in Carnival when “The Venetian” had jumped him on the road home from Imola. To Ercole, the latest assault was undoubtedly a direct upshot of the quarrel between youths in Carnival one year previous. The urge to avenge offense was not moderated by the state-and-church-imposed peace, which was backed with legal power and whose breaking was justification for the execution of even elite Bolognesi.

Revenge here was also a young man’s urge. Don Antonio Marcolini died at age 25, according to the inspections of his corpse and the men who knew him well; so too did Marco Contali. Recall that the average age of homicide victims across the century was in the early thirties; as such, these two men appear unusual—not extremely so, but certainly younger than one might expect for high-ranking rural elites. The homicides that constituted the “civil war” Bologna experienced in the mid-seventeenth century were overwhelmingly committed by younger men and involved younger men, more so than in other sampled years on either side of this wave. The predominance of youth in these murders was not atypical nor unexpected but bears comment in this context.

550 Ibid. 427v – 428v.
551 Ibid., 429r.
552 Ibid.
The young men who grew up in the generation after the plague did so in a demographic bottleneck that left many of them without fathers, uncles or other senior male family. With mortality orders in the range of 300–500, the 1630 plague did not discriminate based on wealth; but it did discriminate by age, attacking the working-age, adult population and creating significant labour shortages across all of Northern Italy.\textsuperscript{553} The dead Marcolini had a father, who gave a statement to the Torrone, but in all the listings of the Balducci clan given by various witnesses, only the two brothers and Filippo’s “young son” were named. In his statement, Ercole Marcolini noted that the argument in 1639 had begun between the two young boys.\textsuperscript{554} Initial witnesses put the ages of the hired killers, habitual companions of the Balducci brothers, between 25 and 30.\textsuperscript{555} Don Antonio Maria was 15 in 1630 and on the cusp of adult life. We can thus conclude that the principals in this conflict—the Balducci brothers Filippo and Gioanni, and the Marcolini brothers Ercole and Don Antonio Maria—were the young generation that survived the 1630 plague. Filippo and Gioanni assumed control of their father’s land and began their careers as military officers.

The absence of an adult generation in this period is significant because, by 1652 and 1660, the children and teenagers of the plague were padroni and patriarchs of their own families, and they lacked the counsel of seasoned relatives. Countless studies have shown that men generally become less violent over time and that middle-aged adults can quell the violence of the young in strongly bound kinship groups.\textsuperscript{556} As demonstrated by Chapter Three’s Ronchetti-Tozzi affair and its generally peripheral violence, strong age-based hierarchies of authority protected leading members of factions and kept violence at tolerable levels. After the plague, the noble factions were dominated by young men for whom violence remained a useful skill and mode of social conflict. The violence committed by these factions was a result of the destabilization of social, judicial and political authority among

\textsuperscript{553} These labour shortages were discussed in Chapter Three.

\textsuperscript{554} ASBo, Torrone, 6262, f 425v.

\textsuperscript{555} Ibid. f. 405v.

\textsuperscript{556} Cf. for an overview of past and recent research Daly and Wilson, Homicide; Spierenburg, “Faces of Violence”; Roth, American Homicide.
these young men. The open attack on the Marcolini, in public view with the local Massaro present and the victim's relatives nearby, was planned as a deliberate challenge to both a rival and the judicial regime that had attempted to prevent such violence. Similar influences were at work in 1639, when the Marcolini and their allies the Mezz'Amici rode in force against the Balducci over a disagreement between boys playing at joust. Young men, more likely to respond to perceived insults with violence, dominated the elite factions of mid-century Bologna; this fact helps to explain the qualitatively and quantitatively different violence in the years 1640, 1652 and 1660.

Community violence was a community affair, and the Torrone went to the community for help in resolving this homicide. In the tightly knit lives of rural Bolognese communities, reputations and public appearance mattered.\footnote{Cf. D. Smail and T. Fenster, eds., \textit{Fama: The Politics of Talk and Reputation in Medieval Europe} (Ithaca, N.Y.: Cornell University Press, 2003).} Notaries did not entirely trust the families of victims to give complete facts. In this case, the notary Bartolomeo Carelli spoke first to the victim's brother and father, but he also asked them who else had been present who might provide more information. Ercole told Carelli that if he wanted proof of the Balducci's involvement in the murder, “particularly the women of this neighbourhood” would enlighten him.\footnote{ASBo, \textit{Torrone}, 6262, f. 428v.} By directing the notary to the local networks of women, Ercole demonstrated that in Bologna, as elsewhere in North Italy, community networks could be underpinned as much by female solidarities as by masculine sodalities.\footnote{On the roles of women in judicial and political arenas, cf. Ferraro, \textit{Marriage Wars in Late Renaissance Venice}; Ferraro, \textit{Nefarious Crimes, Contested Justice}; Astarita, \textit{Village Justice}; Cohen, “Honor and Gender in the Streets of Early Modern Rome,” April 1, 1992.} Particularly in rural homicide cases in Bologna, across the century, women acted as contextual witnesses who provided local information, often couched in the terms of \textit{pubblica voce e fama}, which fit homicide narratives into local schemas of worth, repute and public comportment. In the mid-century, as judicial and institutional authority came under attack from various elite networks, we see once again how neighbourhood and kinship identities were more important in the management of
violence than was state action. Indeed, the court's ability to intervene in rural feuds had seemingly decreased since the heady days of the 1600 Ronchetti-Tozzi peace conference.

The court duly called in as many witnesses as would respond to citations, banning the Balducci and retainers who failed to attend. The first crop of citations went to 29 individuals, beginning with the Mezz'Amici, who were at the heart of the conflict as outlined by Ercole Marcolini and his father. Once again, the rural elites of Castel Bolognese refused to participate on the court's terms. Capitano Giovanni Francesco Mezz'Amici denied his family's involvement in the conflict and blamed the victim's failure to properly salute his social equals as they passed; when pressed, he denied that the attack was targeted at the noble, saying that the intended victim was the one who had died immediately, the socio Marco Contali. He admitted to having argued with the Balducci the year before when, as judge of the youth joust during Carnival, he had awarded in favour of his own son. He also emphasized that the families had come together in San Petronio and, under the benediction of a priest, had spoken "four words of peace" and reconciled their argument. Mezz'Amici minimized the role of family conflicts in this killing, attempting to reduce it to an individual act of masculine honour and avoid the court's involvement in his clan's conflicts.

The local women told a different tale. A certain Camilla told how Balducci had been accustomed to parading through the Castello in recent weeks, with four or sometimes eight armed men displaying their guns and threatening the retainers of the Mezz'Amici. She and two other witnesses also mentioned a deeper root to the conflict: the past patricide of Battista Contali by his wife, who had taken shelter with the Balducci men. Since none of the women could properly remember the wife's name, this murder appears to have been far removed from the daylight attack in the Castello. Throughout the case, elite witnesses tried to avoid giving complete stories, while local

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560 ASBo, Torrone, 6262, in fine, fasc. 2.5.
561 Ibid.
562 Ibid.
stakeholders and artisans were more likely to describe the conflict as they understood it best: a public
danger to peace and the practice of open conflict between hereditary social elites.

The murder of Antonio Maria Marcolini and Marco Contali by armed thugs under the employ
of Capitano Gioanni Balducci encapsulated the situation that deteriorated into the civil war of the
mid-seventeenth century. Although technically the legitimate court of criminal authority and backed
by an entrenched papal regime, the Torrone nevertheless lost the allegiance of rural elites following
the 1630 plague, the loss of a mature generation of faction leaders, and the disruption of the law-and-
ordervh programs of the early century that had channeled noble violence towards the elimination of
banditry and other social ills.\footnote{563} Following the disruption to demographic and economic structures
wrought by the massive mortality of 1630, factions of the remnant nobility abandoned their
participation in papal civility and returned to vendetta and revenge as politics. The Torrone became
embroiled as a faction of its own, becoming a participant in, rather than an adjudicator of, the
factional civil war that tore at Bologna in the mid-century. The war began in the contado with killings
like Marcolini’s and moved into the city in a general outbreak of violence by 1660.

With elite violence in the contado came a breakdown of order in the towns and fields that
accompanied it. In 1640, repeated cases of homicide occurred on noble-owned during the harvest, and
several labourers killed the retainers hired by nobles to supervise their work.\footnote{564} Revenge killings took
on a renewed importance as the Torrone’s penetration into the villages was reduced by elites’ non-
cooperation in its policies. Ordinary farmers and villagers killed each other and sometimes their
families as society recovered from the plague less than a decade previous. Bologna's situation in mid-
century demonstrates a critical weakness of the civilizing process theory of violence: the theory relies
upon a unity of purpose between governing authority and elite networks in controlling and
disciplining a population. In Bologna, the nobility defiantly rejected that unity and upheld violence as

\footnote{563} On similar processes in early modern Germany, cf. B. Ann. Thusty, The Martial Ethic in Early Modern Germany: Civic

\footnote{564} ASBo, Torrone, 5946, in fine; 5636, in fine; 6231, in fine.
the expression of republican liberty, in deeds if not in words. The result was a general increase in homicides during these years.

5.4.2 The War comes to Bologna: The murder of Paris Maria de'Grassi

Twelve years after the assassination of Antonio Maria Marcolini in Castel'Bolognese, the urban authorities of Bologna faced a similar dissolution of order in the city as had occurred in the contado. The tensions that emerged among the city's governing institutions and its hereditary native elite classes did not dissipate by 1652 but rather increased. The court's attempts to police and control the rural nobility's behaviour led to outbreaks of violence such as the killing of the Torrone judge Pungelli in broad daylight. Moreover, the Pungelli killing was neither the only high-profile, politically motivated murder in 1652, nor was it the most dramatic. Pungelli's killing showed the powerful animus between the city's elite clans, particularly the Barbazza, and the judicial institutions such as the Torrone that represented centralized papal authority and the reduction of noble privilege. But the factional conflicts of Bologna were the products of longstanding, oft-mutating rivalries and enmities between various noble clans, and went deeper than comparatively tame anti-papal agitation.565

In many ways, the prosecution of these rivalries functioned as politics in Bologna's medieval and renaissance periods.566 Elite families formed violent oligarchies that dominated the city, with posts in communal government and local benefices distributed to the clients of dominant families such as the Bentivoglio and the Pepoli. Under papal rule, the deep hatreds that undergirded Bolognese politics were not completely assuaged, but simply quieted and redirected for long periods of time. As this dissertation has argued, they re-emerged in the wake of the Great Plague of 1630. First in the contado (as we saw in Castel Bolognese) and then in Bologna, noble gangs killed each other in brazen public assaults that both reignited feud-type conflict and rejected the pretenses of centralized,


566 Cf.
in institutional justice in the hands of the popes and the *Torrone*. The murder of Paris Maria de’ Grassi in 1652 illustrates this theme well.

Paris Maria de’ Grassi was 45 in 1652, a senior member of one of Bologna’s oldest and most esteemed households.\(^{567}\) According to the investigation into his homicide, he had fought in Dalmatia, presumably during the Thirty Years War. He has appeared in this dissertation previously, when in 1632, he and a group of companions got into a brawl with some Spanish students over matters of precedence. No longer a young man, in 1652 his death demonstrates how the violence of mid-century Bologna was not simply the preserve of young gangs of nobles like those involved in the assault on Castel Bolognese—the civil war in Bologna claimed the lives of senior faction members as well. Paris died during a planned attack against his household perpetrated by senior members of the Lignani and Scotti lineages, including the Marchese Antonio Lignani. The attack occurred around midnight on 9 February 1652. Eleven men in total assaulted de Grassi and his retinue outside the church of San Martino, and de Grassi was killed in the firefight; one of his retainers managed to kill the shooter with his sword and several of de Grassi’s retinue was injured.\(^{568}\) After de Grassi died, the killers fled the city by scaling the nearby wall with ropes and tackle; the ropes and hooks were later discovered by the *Torrone’s sbirri* and notaries. This was not the only murder committed by high-ranking members of Emilian noble houses in 1652; it was not even the only murder committed by leaders of the Lignani family.\(^{569}\) Among the other homicides committed by senior nobility in 1652, the murder of Paris Maria de Grassi demonstrates how the civil war grew to threaten the apex of social hierarchies.

A witness, called only after the basic facts of the assault were established by questioning local witnesses and de Grassi’s retinue, said that he had heard it publicly that the Marchese Lignani had ordered de Grassi’s death in response to de Grassi’s involvement in an earlier shootout in the

\(^{567}\) ASBo, *Torrone*, 6662, in fine.

\(^{568}\) Ibid., denunciation by Ludovico Brunetti, *baroncello*, f. 1.

\(^{569}\) Cf. ASBo, *Torrone*, 6613, in fine, trial of Conte Gabrielle Legnani, the Marchese’s son, for homicide of Andrea Vernizzi; 6594, *fascicolo* 1, trial of Conte Giacopo Ercolani for homicide of Gioseffe Pachioni.
neighbourhood of San Mammolo.\textsuperscript{570} The notary of the Torrone, Angelo Pioda, followed this line of inquiry through the remainder of the investigation, teasing out the degree to which the Marchese was responsible: the Torrone developed the case that the Marchese had hired two Ferrarese soldiers, the Barbieri brothers, to kill de Grassi in exchange for his protection from Ferrarese justice; they had been condemned for raping a farmgirl in September 1651.\textsuperscript{571} The investigation drew in high-ranking members of nobility, who participated in varying degrees, from refusal to show up for interrogation to a full accounting of the rivalries between the Grassi and the Lignani.\textsuperscript{572} Interestingly, the judge presiding over this investigation was none of other than Giacinto Pungelli, whose death set the scene for this chapter. Pungelli’s involvement in precisely these types of homicide investigations made him a target for violence as resurging factionalism among the nobility’s oligarchic and republican branches directed violence not only against the noble class but also against the officers of the Torrone, who collectively represented papal claims to absolute criminal jurisdiction over violence.

Prosecuting noble violence was a pillar of those claims to a judicial monopoly on violence. The trial against Marchese Antonio Lignani, and others, shows how papal policy towards nobility still relied more on a soft touch that left Bologna’s powerful elite networks largely unbloodied. At the end of the trial, the only killer executed was the soldier Alessandro Barbieri, whose brother Giovanni had died during the attack on de Grassi. The remaining conspirators escaped with their lives, though not their freedom: the Marchese Lignani and noblemen Marc’Antonio Scotti and Giuseffe Vetturi were condemned to exile. The Marchese Lignani decamped to Tuscany, whence he wrote a petition in 1656 that asked for pardon and permission to return to Bologna.\textsuperscript{573} It was sponsored by the Grand Duke of Tuscany, and although it does not appear to have been granted, Giuseffe Vetturi was nevertheless pardoned his role in the conspiracy and returned to Bologna after he wrote a similar petition in July.

\textsuperscript{570} ASBo, Torrone, 6662, f. 34rv.

\textsuperscript{571} Ibid., f. 20, petition of Alessandro and Giovanni de Barbieri.

\textsuperscript{572} Ibid., f. 77r–78v., interrogation of Francesco di Filippo Landi; f. 93r –95v , interrogation and supplication of Pietro Maria Landi, f. 108r–117v.

\textsuperscript{573} ASBo, Torrone, 6662, copy of Marchese Lignani’s petition of 7 November 1656.
1655. Still, the legatine government of Bologna and the officers of the Torrone found themselves unable to execute Marc’Antonio Lignani, the Marchese at the apex of the conspiracy who remained protected by his connections to the broader nobility of Italy.

5.5 Conclusion

A similar pattern, on a larger scale, existed in 1660. The 66 homicides that occurred within the city walls collectively show the city suffering from social instability brought on by the revival of factionalism and vendetta-based killing among sectors of the city’s elite population. Gangs of bravi killed the servants of jurists and other nobles. High-ranking noblemen practiced petty violence to dominate and terrorize subjects, and they were not above killing artisans and peasants to demonstrate their elite social status. Some of the more senior members of noble houses continued to practice violence in the streets and maintained large retinues of bravi and socii who provided protection and intimidation. The best way to describe the quantity and quality of violence in the city and province of Bologna in the judicial records of 1652 and 1660 is as a civil war in which the factions were not always clear, loyalties shifted within and among elite families, and the legatine government was left largely unable to effectively control order within Bologna. In short, mid-seventeenth-century Bologna demonstrated a failed civilizing process.

Despite efforts by both the Legatine government and Torrone officials to legislate factionalism through sumptuary laws, public-order laws and firearms regulation, remnants of the Bentivoleschi factions that had struggled against the papacy in the sixteenth century revived violent opposition to the abrogation of traditional feudal privileges by centralized papal bureaucracies. In particular, these radical oligarchs sought to retain feudal judicial privileges—this included a large

574 ASBo, Torrone, 6789, in fine, investigation into death of Pietro Laghi; 6789, trial of Antonio Maria Bertocchi for homicide of Giuseffe Palmierani;

575 ASBo, Torrone, 6788, fasc. 3, trial of Conte Fontana and retainers for homicide of Bartolomeo Filippino; 6787, trial of Conte Francesco Zambeccari for homicide of Simone Santini; 6787, in fine, trial of Dottore Giulio Cesare Claudini for homicide of Giacomo Scandellata, a carter.

576 ASBo, Torrone, 6787, in fine, trial of Marchese Albergati and his socio Giuseffe Peri.
degree of freedom from censure and punishment by the central court and the right to adjudicate conflicts (and collect fees for doing so) on their rural lands, many of which were granted in the sixteenth century to appease their ancestors. Their renewed agitation against the centralizing drives of papal government and justice included a great deal of violence committed by nobles and their retainers. This created a dangerously uncertain atmosphere in the city of Bologna, under which circumstances artisan and labouring communities continued the types of violence spurred on by plague in 1630. Servants killed masters, and vice versa, in the city's botteghe, and young men killed each other in arguments over the city's prostitutes. In the decade 1650 to 1660, the Torrone executed only 45 individuals, showing that was not at the time using the threat of punitive or retaliatory violence as a means to control these violent populations. Despite the gains in peace made in the late-sixteenth and early-seventeenth centuries, under the socio-economic strain of plague, famine and regional war, homicides increased in frequency in the middle years of the sample employed here. Moreover, the homicides that occurred were more characteristic of the revenge and political homicides that are present in societies where deep structures of social trust, such as social and political authority and hierarchy, have crumbled.

The failure of the Legatine governments and the judges of the Torrone to effectively pacify shows how civilizing processes, if they are to remain their heuristic power, should not be reified as monolithic processes, led by elites and progressive in an unstoppable linear fashion. What appeared to have been successful in convincing large swaths of the nobility to submit to papal authority in the sixteenth century—limited participation in the Senate, small land grants in strategic locations to buttress the ambitions of valuable families, and access to the papacy's wide network of Italian nobility bound through marriage, alliance and economic interdependence—seemingly lost its power in the seventeenth. At that point, dissolution of Bologna's urban and rural economies under the repeated pressures of famine, plague and war created resentment and violent anger among radical elements of

578 ASBo, Torrone, 6787, fasc. 26, trial of Bartolomeo Pazzini and others for homicide of Giacopo Andrea Marescalchi.
579 ASBo, Gonari delle giustizie seguite in Bologna del 1630 al 1750.
both Republican and Oligarchic factions. Territorial, resource-based vendettas resumed between these factions, and, in attempting to police and punish public violence in the state, the Torrone judges made themselves parties to the cycle of revenge: when they condemned noblemen or their retainers, they made themselves targets for vengeance. A monolithic state, with secular, centralized institutions unbeholden to local interests was not a sufficient precondition for a “civilizing process” in this ambiance. Rather, if Bologna were to achieve public order and a widespread decline in interpersonal violence, it required the participation of all sectors of society, in particular the elites whose public violence could be the most destructive to state aims. With large sectors of the nobility unwilling to participate in the system of centralized judicial authority, vendetta-based violence retained its outsized political role, and grew in mid-century to encompass even the apex of the judicial hierarchy.
6 Gender and Homicide in Early Modern Bologna

6.1 Introduction

The large majority of homicides discussed thus far were committed by men, against men, and in public areas if not in broad daylight. The men of Bologna killed in a wide variety of spaces in and around the city, including churches, taverns, markets, roads, riversides, botteghe and piazze. However, a significant number of homicides in seventeenth century Bologna occurred inside homes, either among family members or in conflicts that engaged the domestic sphere. Ninety-two of the total 701 (13.1%) deaths investigated by the Torrone's notaries in this sample involved relatives by blood or marriage; when infanticides and accidental deaths are removed from the tally, that figure becomes 81/658 (12.3%). Homicides that occurred between two relatives either within the home or otherwise were not the norm in Bolognese violence, but they were not uncommon either. In particular, domestic violence remained a serious threat to Bolognese women in all of the sampled years. Twenty-one women in the sample of 658 confirmed homicides (~3.5%) died at their husband’s or lover’s hands. Four more were killed by their in-laws, either the brother or son of a husband / lover. The city’s prostitutes, or meretrici, were also consistently vulnerable to violence from clients, public officials and other prostitutes; the violence directed against prostitutes often occurred in their homes where they practiced their trade. Early modern Italy’s continued subjugation of women through increasingly tight systems of enclosure and discipline did not protect women from homicide, nor did it afford them a cultural role that permitted significant acceptable violence of their own.

Moreover, Bolognese women committed homicide in a variety of contexts. As noted in Chapter Four, resource pressures in the contado pushed some women towards violent defence of their property and foodstuffs. Women killed in more prosaic situations as well. Throughout the sample of homicides, women were investigated and prosecuted for homicides in ways that reflect medieval tropes about women and women's criminality, but at the same time belied those very notions in their patterns of interrogation and punishment. Although the idea of women committing murder may have seemed particularly heinous, and stereotypes about poisoning wives and child-killing ingenues
remained powerful psychological forces, the reality of women's homicide in Bologna showed that those tropes applied equally to men as to women; but women were far more likely to face significant judicial penalty when they did poison a husband or commit a desperate act of infanticide than were men.

This chapter, then, explores the violence committed against women by their husbands and lovers, and by women against their rivals, husbands and children. It argues that the Legatine government and the judges of the Torrone, while pursuing peace and order in the public spaces of the legato, were not overly concerned by domestic violence; homicides of women by husbands and lovers were generally adjudicated lightly, even when the murder came as the final end to a long period of known abuse. Women, if they wished to exercise agency in circumstances of marital violence, needed to cultivate and make use of local networks of community support, often from other women and their sympathetic husbands. In domestic homicide trials, local women often provided the necessary contextual information for the notary’s investigation, and they often appeared as first intervenors or witnesses, who attempted to stop the violence by banging on the door or alerting other neighbours and the authorities. Further, this chapter argues that the prosecution of women’s homicide reflects these same patriarchal attitudes towards marriage: women who broke the bounds of marriage by killing their husbands or their children were a fearsome figure for Bolognese authorities to confront. In neither of these perspectives did the Torrone's prosecution of homicide reflect the full involvement of women in violent criminality, either as victims or as perpetrators. To more fully understand women’s violence, historians must look past homicide records to records of women's ordinary, day-to-day conflicts and the petty violence that accompanied them.

580 This phenomenon confirms that noted by Joanne Ferraro in her early work on domestic violence in Venice. Ferraro, “The Power to Decide.”
6.2 Homicides of Women

Frequent domestic violence was an unfortunate but undeniable aspect of early modern Italian society. Bologna’s society modelled an Abrahamic patriarchy, whereby a husband possessed corrective authority over his wife and children and therefore the right to correct them physically. There were both formal and informal limits to this authority; killing one’s wife would incur a legal process, if not a penalty, and communities censured and shamed those deemed to have crossed the boundaries of proper husbandly rule. As noted above, the sample of uxorcides in this dissertation is limited to 21 trials. But from this small sample size we can glean some of the significant characteristics of uxoricide and its prosecution by the Torrone in early modern Bologna.

Bolognese uxoricides tended to revolve around a constellation of jealousies and wounded emotions. A typical tale involved a husband who was absent either for work or because of banishment, and a wife who, in his absence, took up a lover. Upon the husband’s return, the lover was discovered, and the enraged husband killed his wife and possibly the lover. Even when no lover materialized to confirm a husband’s suspicions of marital infidelity, even the suspicion of sexual impropriety led some men to kill their wives, such as when Pellegrino Morelli and his son Filippo murdered Pellegrino’s second wife after they accused her of being a meretrice before entering the marriage. Again in 1600, a man named Michele di Michele accused his wife Francesca of giving him syphilis and killed her. Pregnant women and new mothers seem to have been particularly vulnerable to marital violence: Catherina Scarlatti was killed by her husband two months after the

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581 Cavina, Nozze di sangue.
583 E.g. ASBo, Torrone, 5867, f. 303v, 1632. An inversion of this trope occurred in 1700 when Pasqua’s lover, hearing that her husband was returning to Bologna and that she wished to end their love affair, killed her in anger. ASBo, Torrone, 7524/2, fasc. 9, 1700.
584 ASBo, Torrone, f. 223r, 1600. A similar case occurred in 1632, Torrone, 5921, in fine.
585 ASBo, Torrone, 3251, f. 128r.
birth of their child, and Cecilia Mazzoni was killed while three months pregnant.\textsuperscript{586} However, the majority of homicides of women by their husbands involved jealousy or suspected sexual impropriety.

This fact does not preclude preexisting violent relationships within those marriages. Giovanni, the man absolved of poisoning his pregnant wife, was identified by witnesses as a habitual wife abuser, accustomed to injuring her in both words and deeds.\textsuperscript{587} In 1600, a man named Battista shot his wife Giuditta in the course of what was, by all witness accounts, a full-fledged, two-sided argument between husband and wife.\textsuperscript{588} In 1660, a man named Pietro shot his wife in the course of an argument over whether he would permit her to move into her parents' home, possibly in an attempt to ease out of a violent marriage.\textsuperscript{589} Stressors that obviously had borne on a marriage for some time resulted in homicide: In 1660, 60-year-old Giacomo Caldani killed his wife Lucretia during another argument over their son, whom Giacomo accused of being lazy and upon whom Lucretia doted excessively.\textsuperscript{590} Husbands killed their wives in Bologna in pursuit of jealous rage, but they might also did so in the course of an argument taken too far.

Women who died at the hands of their husbands accounted for 2152 (40\%) total female victims in the sampled years of homicide trials. A smaller number of fiancées and girlfriends suffered similar fates, though it is often hard to precisely characterize these relationships. The second large category of women targeted for homicide by Bolognese men was the city's sex workers, the meretrici who registered their work with the city's Ufficio delle Bollette and who congregated in large numbers in the neighbourhoods of Cento Trecento and San Mammolo. These killings could be predatory: Francesca Belletta was found dead at age 30 in 1670, left beneath a portico on Via Cento Trecento after

\textsuperscript{586} ASBo, Torrone, 5867, f. 3\textsuperscript{r}, 1632; 5634, in fine. The husband of Camilla Solomei was absolved of his wife's death by suspected poisoning. Torrone, 3226, f. 199r, 1632.

\textsuperscript{587} Ibid.

\textsuperscript{588} ASBo, Torrone, 3237, f. 295r, 1632.

\textsuperscript{589} ASBo, Torrone, 6776, in fine, 1660.

\textsuperscript{590} ASBo, Torrone, 6789, in fine, 1660.
an apparent assault and murder. Leonora Galuzzi was murdered by her client Giacopo after refusing to leave the city walls with him to seek out a “friend” who wanted to meet her. Other killings of sex workers occurred during what look like otherwise normal domestic disputes, as when Domenico Maria Puntani stabbed Santa “La Santavia” Mattioli out of jealousy over her work schedule. The confluence of sex work and marriage could be fatal for Bolognese women, as demonstrated by those women who were killed after their husband accused them of prostitution.

Homicides against women in early modern Bologna revolved primarily around sex and romance: either a husband’s jealousy over his wife’s perceived sexual infidelities or a lover’s unwillingness to accept that his relationship with a prostitute was not mutually emotional. These men killed their wives or meretrici because they felt aggrieved at their inability to properly enforce the hierarchies of man and woman that undergirded early modern marital relations. Male dominance was a socially accepted aspect of love and marriage in the early modern period, and homicides occurred within the romantic context when that dominance was insufficient or was credibly challenged.

6.3 Homicides by Women

In the records of non-fatal crimes, women appear frequently in the Torrone as instigators and perpetrators of minor assaults, scuffles and neighbourhood disturbances, and more often as witnesses, aggravators or intervenors to the violence of their husbands, sons, brothers and neighbours. In homicide trials, women were most frequently witnesses: particularly in rural areas where the Torrone notaries faced tightly knit, distrustful communities, women often provided the first glimpses into the history of an argument that preceded a murder. As recent work has shown, early modern Italian women played important roles as experts and other participants in judicial processes; Bolognese

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591 ASBo, Torrone, 6943, fasc. 17, 1670.
592 ASBo, Torrone, 6808, in fine, 1660.
593 ASBo, Torrone, 6787, fasc. 13, 1660.
594 For example, Archivio di Stato di Bologna (hereafter ASBo), Torrone, 7349, fasc. 19, f. 306r–310v, testimony of Magdalena Roliata on the killing of her son in the village of Mogne, 1632.
authorities asked women for their opinions on autopsies and intervened in domestic abuse situations when asked to by neighbourhood women.\textsuperscript{595} The legal anthropology of early modern Italy now accepts that women’s agency in judicial processes was very real, both shaped by and challenging societal expectations and gendered behavioural norms.\textsuperscript{596} These norms acted upon homicide trials as well. The \textit{Torrone}'s prosecution of domestic and female homicides placed women in very clearly defined roles.

Prosecutions of women for homicide were extremely rare, accounting for 19 trials in my 701-trial sample, or 2.5%; prosecutions for homicide of women and girls, conversely, account for 64 trials or approximately 9%. The low numbers of trials against female killers probably reflects a generally low incidence of fatal violence by women, but should not be taken as the total measure of women's participation in individual, family and community conflicts and struggles. The \textit{Torrone} thus took it for granted that female killers were an aberration when prosecuting women, particularly prostitutes and other women on society’s margins, for a wide variety of petty nuisances, crimes, aggravations and assaults. The 19 women prosecuted for homicide were mostly married and spanned the economic spectrum from peasants to urban palace servants and the wives of artisans. No noble women in my sample were accused of killing, though three female killers were the wives of men employed by noble houses.

When women were prosecuted for homicide, familiar tropes prevailed, but the seventeenth century demonstrates an evolution in judicial form and intent. Both Trevor Dean and Carol Lansing


\textsuperscript{596} Cohen, “Honor and Gender in the Streets of Early Modern Rome,” April 1, 1992; Christopoulos, “Nonelite Male Perspectives on Procured Abortion, Rome circa 1630.”
have noted a fear in Medieval Bologna of the poisoning wife, who slowly killed her husband by poisoning his food, usually at the behest of her lover.⁵⁹⁷ In the 19-year, 19-case sample, only one woman was accused of poisoning her husband this way.⁵⁹⁸ Additionally, among 551 people executed between 1600 and 1700, only two were women condemned for killing their husband with their lover; only one of these did so by poison.⁵⁹⁹ The timing of these trials is perhaps significant: the execution of a husband-poisoner occurred in 1689, and the only trial of a husband-poisoner in my sample occurred in 1690. In the seventeenth century, either the Torrone no longer gave credence to most accusations of wife-poisoning or Bolognese men were not making them very often. Both Dean and Lansing note that accusations of unsuccessful wife-poisoners were more prevalent in medieval Bologna, but they were rare in the seventeenth century, and trials even more so.

When the Torrone did investigate poisoning, it devoted unusual attention to proving the means of killing, going so far as to bring in Bologna’s university medical school to assist. In the vast majority of all other trials, autopsies were performed, often quite casually, by the notary and two male witnesses to whom the victim was known; here, the purpose was first and foremost to confirm the victim’s identity and then to create an inventory of his or her belongings. Wounds and cause of death were noted by a physician or surgeon if available, but were usually obvious and so did not occupy as much concern. In the trial of Maria Maddalena Miglioli in 1690, five surgeons and physicians from the university were asked to confirm the diagnosis of poisoning by vegetable soup. In another case from 1632, in which a disgruntled male servant was accused of poisoning her former courtesan employer, a woman was the first witness to the autopsy, before a physician was called to confirm the poisoning.

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⁵⁹⁸ Trevor. Dean, Crime and Justice in Late Medieval Italy (Cambridge: Cambridge University Press, 2007), 157.  
⁵⁹⁹ ASBo, Torrone, 7353, fasc. 18, trial of Maria Maddalena Miglioli for poisoning of Giuseppe Miglioli, butler to the Senator Melara.  

ASBo, Gonari delle giustizie seguite a Bologna dal 1330 al 1750, executions of 2/28/1689 and 2/17/1648
diagnosis. This case also inverted the poisoner’s trope: here, two men, one of them the putative lover of the victim, were accused of helping the spurned servant Anna to poison Valeria the courtesan. Across my sample of 701 homicide trials, four men were accused of poisoning and only two women. While the trope of the poisoning wife perhaps continued to fascinate magistrates towards the end of the seventeenth century, evidence of poisoning is extremely slim, suggesting that the medieval trope did not reflect a common reality by the seventeenth century.

More common among the sample are trials showing that violence could be a family affair. There were six trials in which women were accused of killing alongside their husbands, both as accomplices and instigators. In one case, a couple was tried for killing the wife’s lover, but the wife was absolved and her husband condemned. In the remaining five trials, women were condemned for joining public assaults started by their husbands, thrice delivering the final blows. However, these homicides occurred during the course of the daily conflicts of tightly packed urban and rural communities; for each, one finds many examples of these types of brawls that ended with bruises and cuts but no deaths. They occurred during harvest time, for instance, while the community was threshing hemp; and they tended to be public. Arguments began among men or youths, over precedence, over competition, and over the stresses of endemically poor rural life. When husbands and sons began fighting, wives and mothers could either support them or join the fray, and there are examples of both situations occurring. In these trials, the court’s focus was usually on the men as the instigators, and likely continuators, of the violence.

The image of the shaming wife egging her husband to violence is familiar in both the classic anthropology of feud and modern research on early modern gender. Elizabeth Cohen has documented Roman women prosecuting active grudges against neighbours and acquaintances and

600 ASBo, Torrone, 5904, fol. 387r, 1632.
601 ASBo, Torrone, 5852, f. 493r, 1632.
has shown them involving men in their quarrels. For rural Bolognese as well, city streets and rural crossroads were contested social spaces in which slights to family status or threats to family security prompted violent encounters between whole families. Like Roman magistrates, Torrone judges and notaries were more concerned with deeds than motives in these cases. And they were more interested in the deeds of men than of women, placing blame on men for starting the fray and for its level of violence. The female killer was usually treated by the court as an accomplice rather than a killer with agency, though multiple witnesses seem to have taken satisfaction in describing how, for instance, Francesca enthusiastically delivered the final blows when her husband Matteo assaulted his neighbour during a livestock dispute.

There were only two trials of women accused of killing on their own outside of marriage or family ties. Both of these trials involved rural women who killed another woman with an unintentionally well-thrown rock during arguments over scarce resources. In part because they were so few, these trials demonstrate the significance of north Italy’s endemic rural poverty for its history of violence: they are surely the tip of the iceberg of our view of women’s protection of fragile family resources.

In one case from the spring of 1620, the young shepherdess Catterina Raimondo led her sheep to pasture too close to her neighbour’s fields in the mountain hamlet of Rocca della Corneta, and Maria Cerreto drove her away with rocks. One of those rocks struck Catterina hard in the side and she died overnight, leaving Maria to answer a homicide charge. In the other case, Catterina and her neighbour Isabetta argued over “certain apples” in the agricultural village of Sant’Andrea Poggio de Rossi, during the lean times immediately following the plague. As in the other case, an argument

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604 ASBo, Torrone, 6241, in fine.
605 ASBo, Torrone, 5938, f. 301r, 1620.
606 ASBo, Torrone, 5918, f. 301r, 1632.
over scarce food resources led the women to violence and rock-throwing, and as before, Isabetta died the next day after complaining that Cattherina had struck her in the temple with a thrown rock. The court treated these cases as arguments that went tragically beyond their original intent, since both women could plausibly deny having meant to kill their neighbour. They were not previously armed, they did not pursue the conflict to the death immediately, and they had no unusual history of neighbourhood violence. More importantly, the court judged that these homicides would not likely breed more local violence. In Sant'Andrea they were wrong, however: when the bailiff tasked Isabetta's son with guarding prisoner Cattherina until the Torrone's notary arrived, he beat her with a stick and threw her over a low roof. The trial was closed with no further punishment and with assurances from all that they would maintain peace.

6.4 Infanticide

The three categories of female homicide so far discussed—parricide, cooperative family violence, and scarcity-driven resource violence—account for ten of the 19 homicide trials against women. As we've seen, they placed women into familiar tropes as jealous poisoners and shrieking Ladies Macbeth, but these tropes were belied by the very rareness in which the Torrone's judges encountered anything resembling their reality. The remaining nine trials of women accused of killing collect another trope, and they offer some challenging questions for current research on infanticide. There are a total of 14 infanticide investigations, nine of which named the accused and proceeded to trial, among my decennial sample of Torrone records. This is a very small sample of infanticides compared to the much larger samples of infant homicide trials amassed recently by Kesselring and Butler.\textsuperscript{607} So my basis of comparison is tenuous and designed more to ask questions than to make arguments. For Italy, the argument about infanticide is largely one from absence, and both Hanlon and Hynes have mined parish baptismal records to suggest that infanticide by married couples was

\textsuperscript{607} Kesselring, “Bodies of Evidence”; Butler, “A Case of Indifference?”
routine and unpunished. Common to these writers is the argument that infanticide as a crime was thought of as a single-woman’s sin, condemned most when committed by the most vulnerable. Trials from the Torrone suggest a more nuanced approach by Bolognese judges: infanticide as a category of homicide was prosecuted seriously by the Torrone; both men and women were prosecuted for it; and among those prosecuted were single women, the men who impregnated them, and married couples. This limited sample of infanticide trials—2% of the total sampled—shows that the court investigated infanticide in the deepest reaches of the mountain passes south of the city and throughout the countryside; I have seen no complete urban infanticide trial.

The five putative infanticide investigations are an argument for the Torrone’s concern with infanticide as a serious category of homicide. In these cases, an infant was discovered and reported to a local bailiff, who sent for the Torrone and began seeking the parents. The conclusion was generally that the child had been abandoned by travelers passing through or that the child had been born stillborn. All of these cases occurred in the countryside, and in all cases, the Torrone’s notary looked to the local community to help identify the infant. Nobody could, and in the absence of any parent to link the child to, the investigations went no further. But each was duly recorded by a notary sent from the city, who included the investigation among his papers to be archived among the other homicides that arrived on his docket. Neither this north Italian court nor the communities in its jurisdiction turned a blind eye to the occasional dead baby. The act was condemned, and there are good reasons to believe its incidence did not extend much beyond what was visible in the judicial record.

The nine trials for infanticide in which the parents were identified and named span the gamut of marital configurations. In 1600, a teenaged girl named Cattarina Roversi and the boy who impregnated her were tried for killing and burying the newborn child. In this case, the court condemned Cattarina and not the boy, showing that the Torrone, like English courts, could harshly

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609 ASBo, Torrone, 3246, f. 49r, 1600.
condemn infanticide by unmarried women. A similar outcome occurred in 1652, when Cattarina Zerbini was condemned for infanticide while her husband Antonio was pardoned; here, the married couple had been tried for infanticide. Indeed, in four of the nine infanticide trials, either a couple was tried or a married woman was accused. Thus, four married women or couples were tried for infanticide, four single women, and one single woman alongside the boy who impregnated her, whose trial was for rape. This is hardly a large enough sample to make a meaningful argument, but it cannot be said that the Torrone was concerned only with policing young single women.

All available evidence points to a strong concern with investigating and determining the parentage of unidentified babies, as well as a generally low incidence of infanticide itself. This is not to say that no infanticides went undiscovered, but rather to suggest that their general absence from the judicial record should not be read as evidence of a much more widespread phenomenon, in which only single women bore the brunt of the judiciary's moralizing and violence. Married women and single women were prosecuted for infanticide in Bologna, and cases of infanticides wherein no parent could be identified were still disturbing enough that the court invested resources to investigate them. I have not assessed the sex ratios of babies baptized in Bolognese parishes as Hynes has done for Parma, but I also suggest that there are valid critiques of the conclusion that variable birth rates indicate gender-specific infanticide; a wide range of environmental stresses and physical pathologies have been noted to impact sex ratios in populations facing the type of resource-based poverty that was prevalent in seventeenth-century Italy. Moreover, we know from recent work on Italy that a wide range of abortifacients existed and were well-known among medical practitioners and networks of women healers. In the absence of any more evidence of infanticide, we can say only that Bolognese authorities were indeed much concerned by infanticide, and prosecuted it as a capital crime.

610 ASBo, Torrone, 6605, in fine.

6.5 Conclusion

There are no solid conclusions to be drawn from this analysis. The record of women’s homicide in Bologna is limited, a mere 2.5% of my sample of 701 homicide trials. Almost half of the 19 trials were for infanticide, and five more infanticide investigations were cut short in the absence of identifiable parents. Among the other ten trials in which women were accused of homicides, there were women accused of killing their husbands or of killing with their husbands, and women who killed other women in arguments over food and property. Was women’s homicide distinct from men’s? Certainly it was much rarer. Women were accused of killing close to home, and the victims were either other women, husbands or infants. When they were accused of killing unrelated men, it was alongside their husbands. They were executed in equal numbers (five) for husband and child-killing, and the only other woman executed across the seventeenth century was hanged for serial theft. Broadly, the prosecution of women’s homicide focused on homicides that transgressed patriarchal norms. While the results of its investigations may have shown that the tropes of poisoning wives and child-killing single girls were highly nuanced in reality, its judges and notaries nevertheless remained fixated on those categories in their investigation and their punishment of women’s homicide.

The limited role of Bolognese women as perpetrators of homicide, vastly outnumbered by male killers, makes sense in the context of Bologna’s social hierarchies in which husbands were expected to discipline wives and were primarily responsible for the exercise of violence within the family. Indeed, more than twice as many women were killed by men than were killers themselves. Wives, lovers and sex workers were the most vulnerable women in Torrone trials. They were most likely to be killed by men in private in relationships of intimate familiarity, making their prosecution and adjudication by the Torrone difficult. Neighbourhood social networks aided women either by intervening in assaults by their husbands or by reporting excessive marital violence to the Torrone and cooperating with its notaries’ investigations. The numbers of uxoricides and other murders of women in Bologna remained fairly stable throughout the sampled years, with a few trials against woman-killers every year.
In earlier chapters we saw how women could be pushed to violence in defense of fragile family resources during lean times; this chapter reviewed how women, in limited numbers, were also prosecuted and condemned for husband-killing. Their trials show court notaries pursuing stereotyped lines of questioning that were often contradicted by the atypical actions of the accused. Particularly in patricide cases, notaries remained fascinated by medieval tropes of wives who slowly poisoned their husbands, though they prosecuted almost as many men for the same crime. More shocking and heinous to the judges and notaries of the Torrone were infanticides; during these trials, accused women were treated harshly by both their local communities and by the court's officers and their trials more often led to condemnation and hanging than did patricide trials.

Bologna in the seventeenth century thus remained a society in which women's violence was viewed as an aberration, unlike male violence which was largely expected and tolerated to a wide degree—even nurtured to a certain extent among some men. Violence by men against women, also, was censured more than violence between men, but Bolognese husbands retained a wide degree of latitude to discipline and violently chastise their wives. The men who patronized the city's sex workers showed little compunction about murdering *meretrici* who spent too much time with other men or whose residences were too crowded. In a period when Bologna's poor girls and women were increasingly enclosed and disciplined through institutional charity, and when both rich and poor girls were pushed towards the enclosed religious life, the failure of the Torrone's law men, notaries and judges to take a more proactive approach towards gendered homicide seems at odds with the professed counter-reform gender politics otherwise at play. With women placed in convents and reform houses in the name of their chastity and safety, their continued vulnerability to fatal violence by Bolognese men shows how gendered hierarchies remained beyond the scope of Bologna's attempts to pacify its violent population.
Conclusion

With a claimed and enforced monopoly on criminal justice, the apparatus of centralized government failed to maintain the fragile social and political accords that Bolognese Legates had made with the city’s elite population in the late-sixteenth century. Those accords themselves had reforged a measure of peace and stability among the *Legato*’s fractious and vendetta-prone nobility that had been broken by Julius II’s conquest of the city in 1506. Moreover, Julius II had conquered the city in order to quell the tyrannous violence with which Bolognese oligarchs under the Bentivoglio regime had ruled the northern papal states. The Bentivoglio tyranny had emerged from fourteenth- and fifteenth-century struggles between republican and oligarchic factions of nobility, whose vendettas characterized Bolognese government. They governed as lords in their rural domains and manipulated city institutions, such as criminal justice or the *Senato*, to advance their urban political ambitions. During each of these transitionary phases, successive generations of Bolognese elites renegotiated and reestablished the conditions under which they would accommodate the rule of an opposing faction or, as of 1506, a foreign ruler—the Pope in Rome, and his Legates.

The breakdown of that social peace in the seventeenth century in many ways continued this Bolognese tradition of violent renegotiation of its terms of governance. The peace had been established through the expansion of the *Senato* to allow greater noble participation in Legatine government; through a reform of criminal justice designed to improve the *Torrone*’s appearance of transparency and impartiality; and through a redirection of noble energies towards banditry in the *contado*. In the early decades of the century, a series of economic and environmental crises, culminating in the Great Plague of 1630, brought government authority low and ruined the ability of Bolognese institutions and their officers to credibly maintain order. Whereas homicide rates had previously remained stable at levels comparable to northern European states, in the plague’s immediate aftermath, violence swept the *contado* as landowners and peasants fought among themselves to protect their fragile resources or to increase their holdings. Beginning with a series of 1632 attacks on law men and other figures of authority, homicides in the wake of the plague illustrate the fragility of Bolognese social trust and the long-term consequences of its diminution. The
breakdown of social stability and trust manifested in a civil war, fought primarily in the streets of Bologna’s urban core and visible in the prosecution of homicides by the city’s autocratic criminal court, the Tribunale del Torrone. This dissertation has analyzed the failure and re-establishment of fragile accords that propped up Bolognese civil society, over the course of the century, in eleven sampled years.

In doing so, this dissertation contributes to a broader European understanding of the role of violence in ancient regime society, and the sociocultural and political means by which European states pacified both professionally violent nobility and the less-practiced, though no less vital, violence of artisan and labouring communities. Engaging with multiple fields of literature on homicide, it demonstrates how the weight of accumulated numbers in homicide studies must be balanced with a thorough qualitative understanding of the socioeconomic and political contexts in which the records of homicide are produced. Foremost among those qualitative interpretations in European history has been the “civilizing process” theory of violence elaborated by Pieter Spierenburg and others. Whereas the centralizing Northern states witnessed dramatic declines in homicide rates during the seventeenth century, Bologna, equipped with all of the institutional machinery of centralized, civilized government, suffered the reverse, with a sharp increase in violence in the sampled years from the mid-century. The critical difference between Bologna’s experience and that of Scandinavia was the refusal by Bolognese nobility to acquiesce entirely to that centralizing machinery. Even when actively participating in Legatine government, as the Pepoli did, Bolognese nobility continued to openly practice private warfare, as Odoardo Pepoli did, riding against the Bevilacqua in 1640. Meanwhile, urban and rural artisans and peasants increasingly brought denunciations and complaints to the centralized criminal court rather than to a local padrone, further heightening tensions between republican, oligarchic and papal factions within the city. All were in competition for power over Bologna’s population, and the Legates were confronted with elements of the nobility who worked both within the system of centralized government and through the continued practice of violence to challenge papal authority.

That shrewd manipulation of institutional structures and violence by Bolognese elites lends itself to functional and ritual analyses of the character of homicide in Bologna. Both the Torrone’s
original development and its subsequent reform were done pragmatically, taking a realist approach to the source of the court’s authority: not terror, but justice. The structure and procedure of the Torrone, governed by a permanent judge and a staff of elite notaries, projected the image of impartiality in order to attract users to its officers’ services. Moreover, inquisitorial procedure’s emphasis on determining the “truth” made the Torrone preferable for many court users to the heavily partisan arbitration of local elites and landowners. In a series of reforms from the mid-sixteenth century onward, Legates, Senate officials and Torrone judges worked to improve the court’s image in the eyes of Bolognese subjects, moderating and standardizing judicial fees and penalty schemes, and ensuring multiple levels of notarial oversight. Much of that reform was simultaneously pragmatic and symbolic, speaking as much to the court’s ideal, ritualized version of justice as it did to its actual operation. In their approach to capital punishment, Torrone judges displayed a similar pragmatic though ritualized approach: the most theatrical and violent executions were reserved for criminals whose crimes significantly threatened the state’s authority, such as counterfeiters and the men who murdered a Torrone judge in 1652. At the same time, Torrone judges took a much more lenient approach to the everyday violence of the population. For the most part, killers escaped the Legato in contumacy, incurring a theoretical penalty of death; they were allowed to return home after a period of exile and the public and notarized reestablishment of peace between killers and their victims’ kin. The peace was heavily ritualized and the leniency practical: the Torrone possessed neither the manpower nor the will to apprehend and execute every killer in the Legato. Moreover, Torrone judges recognized that in the murky and unstable politics of ancient regime Bologna, court action to censure a murderer on behalf of a victim made the court party to the vendetta, and, as demonstrated by the civil war the erupted in mid-century, made court officers into targets of noble revenge violence.

The resurgence of noble violence in mid-century belies a strictly functionalist interpretation of noble violence as political strategy, however. Republicanism and the return of communal rule in Bologna was a dead letter by the seventeenth century, and so too was the Bentivoglio oligarchy. Papal authority was entrenched not only in Bologna, but after the conquest of Ferrara in 1598, encompassed
the Romagna and a large part of Emilia. The final outburst of noble violence in Bologna before the late-seventeenth century and the ensuring re-establishment of social peace did not advance the interests of the violent factions of either republican or oligarchic nobility; it instead bred distrust between various sectors of the ruling class and ultimately tightened the noose of papal governance around the Legato. It can be read, however, as an expression of identity from a threatened sector of nobility, whose historical skill at violence no longer fit the expected qualities of European elites. In cultures of violence such as the warrior nobility of early modern Italy, violence did not necessarily need to achieve any pragmatic goals, and the language of anger, honour and dissatisfaction that early modern violence communicated was as valuable an end as any practical achievement.

Although deeply concerned by the culture of violence operating among recalcitrant elements of elite nobility, the officers of the Torrone remained relatively untroubled by a culture of violence against women, if limited numbers of investigations into uxoricide indeed reflect the inability or unwillingness of court officers to pierce the domestic veil. Men who killed their wives in the course of domestic arguments or in fits of sexual jealousy generally received lenient sentences from the court, if they were condemned at all. The city’s sex workers remained vulnerable to homicide by clients who fought among themselves in brothels and who killed meretrici on the streets and in their homes. The confluence of marriage and sex work was a potent mixture for violence, and a husband’s suspicion or knowledge that his wife engaged in sex work drove multiple Bolognese men to kill their wives. The Torrone’s access to these crimes was often not through official channels or a neighbourhood outcry, but through the networks of local women who intervened in incidents of domestic violence and reported murderous husbands.

The lax attitude of judicial officials towards uxoricide and other killings of women did not extend to homicides committed by women. Notaries and judges of the Torrone pursued patricides and infanticides with vigour, following medieval stereotypes of poisonous wives and amoral young women abandoning babies in shame and secrecy. Both of these stereotypes were exaggerated in the record,

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with a near parity of men being prosecuted for similar crimes, though the women received harsher
punishments in comparison to male baby-killers and poisoners. The limited sample of killings of and
by women limits the available analysis of these categories of homicide; nevertheless, the continued
appearance of a judicial regime widely tolerant of violence against women and fearful of the spectre of
women’s violence was characteristic of a society that had not achieved the reduction in public
cultures of violence and misogyny indicative of a successful “civilizing process.”

Thus, the crushing trauma of the 1630 plague and a series of socio-economic crises combined
to interrupt the achievements made by papal Legates and Torrone judges in the late-sixteenth century
to reduce the instability of local society. In other words, the process of state-building in Bologna
failed. Demographic disaster and endemic poverty made the contado a dangerous and violent land,
where peasants and artisans killed each other in conflicts over resources, romance, robbery and
revenge: the pressures of profound agricultural poverty led people to violence in the advancement of
their sexual, social and economic goals. The contado also hosted significant feudal domains, and from
these bases, recalcitrant sectors of nobility launched an assault on central authority in the mid-
century. Powerful interest groups among the city’s elite were at odds with papal judicial policy and
the reduction of their hereditary privileges, and they murdered judicial officers, law men and each
other in flagrant public killings.

This dissertation has rested upon qualitative analysis of a nominal body count of homicides in
Bologna across the seventeenth century. That analysis has revealed that, contrary to the predictions of
a “civilizing process” approach to violence, the imposition of centralized rule and justice did not
reduce interpersonal homicides in a dramatic fashion during the seventeenth century. Revenge and
vendetta violence retained their place in the social arsenal of Bolognesi at all social levels; only slowly,
following the exile of the most recalcitrant noble houses, did the Tribunale del Torrone and its judges
make meaningful progress in reducing violence across the Legato. Still, the court’s growing power
attracted a larger base of users from all walks of life; artisans and labourers from the contado in
particular began to view the Torrone as a better forum for justice and conflict resolution than the
unreliable adjudication of disputes offered by local nobility. Those nobility retained and strongly
guarded their rights to violence, even when members of their families were cooperating in
government bodies to advance family interests peacefully. The continued tension among republican, oligarchic and papal factions within the city's elite destroyed the city's thin atmosphere of social trust. This resulted in a society in which violence retained a strong functional and cultural role, and homicide remained a frequent means for neighbours and nobles to resolve their disputes.
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Appendix: *Auditore of the Tribunale del Torrone, 1531–1786*

Judges appearing in **Bold** font serve more than once as

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