

Political Conflict in the Italian City States

POLITICAL OPPOSITION IN ITALIAN CITY STATES WAS NOT FOR MEN who valued themselves more than they valued politics. The stakes were too high. Exile or loss of life and property were too often the penalties. The difficult legal circumstances which attended organized political opposition went back to the early commune, to the fervour of the civil struggles that began late in the 12th century. These were to affect the character of the opposition down to the 16th century. If the contenders in political strife sometimes expressed a readiness to compromise, they revealed, just as often, an inability to do so. And in critical times the desire for the physical elimination of political opponents easily emerged.

Major rivalries of the 11th and 12th centuries inadvertently favoured the rise of local government. The communes – rendered bolder in many cases by their quickening economies – profited from the conflicts between papacy and empire, between the emperor and the German princes, and between the episcopal and comital powers in Italy. As imperial authority waned, local groups all over north and central Italy pressed forward to take over the administration of their own affairs.

When a local group of men, usually eminent or powerful nobles and *cives*, formed a sworn association, putting *in comune* their feudal jurisdictions and prerogatives, they consolidated their control over a sizeable and expanding portion of the public power in a given territory.¹ The commune in the full sense of the word had come into being. By the end of the 11th century many of the most famous communes were already in existence: Milan, Genoa, Pisa, Pavia and Mantua. Verona, Lucca, Florence and Siena swiftly followed. Although the commune was by no means an urban phenomenon alone, the city led the way and it is the city we shall be watching.

¹ G. Volpe, 'Questioni fondamentali sull'origine e svolgimento dei comuni italiani (secoli x-xiv)', in his *Medio Evo Italiano*, new ed., Florence, 1960; A. Solmi, *Il comune nella storia del diritto*, Milan, 1922; L. Chiappelli, 'La formazione storica del comune cittadino in Italia', *Archivio storico italiano* (ASI), 86, 88 (1928, 1930); N. Ottokar, 'Il problema della formazione comunale', in *Questioni di storia medioevale*, ed. E. Rota, Como-Milan, 1946.

STATE AND COMMUNE

As the empire, in the 12th and 13th centuries, was drained of its *de facto* power in Italy, cities under communal government (*a comune*) gained in authority, jurisdiction and territorial expanse. But state and commune were different. The state as a sovereign entity was the state as manifested in the empire, however weak or divided. The commune, a sworn association endowed with part of the totality of public power in a given territory, was an autonomous local entity which acknowledged *de jure* the sovereign authority of the empire. It was self-governing, but only within the legal and political limits circumscribed by the empire's higher authority. During its early history the commune did not make laws (the empire alone could do that): it laid down norms for its own regulation and conduct. But in the course of the 12th century it began gradually to take on the characteristics of a small state. In many matters, foreign and domestic, it carried on for all the world as if it were a state. Although state and commune were different, an enormous change had begun to take place. The more authority and jurisdiction the commune acquired (painfully and in piecemeal fashion), the nearer it came to transforming itself into a sovereign power. A new state was coming into being: the territorial city state. It was never to have the absolute sovereignty of the modern state,² but its distinctive identity was already apparent by the middle of the 14th century, when Bartolus provided its legal rationale in his description of the *civitas per se sufficiens et sibi princeps* – the city state which owned no superior *de facto*.³

Close and intimate, the site of great economic vitality, featured by narrow streets and well-defined neighbourhoods (*contrade*, *rioni*, *sessieri*, *porte*, etc.), the walled city under communal rule afforded an intense mode of life. The leading Milanese historian has observed that the whole communal age was an age of crisis.⁴

In its struggle to become a state, to take over or reconstitute the vanishing local power of the empire, the commune had to take action

² G. Astuti, *Lezioni di storia del diritto italiano: la formazione dello stato moderno in Italia*, I, Turin, 1957.

³ C. N. S. Woolf, *Bartolus of Sassoferrato*, Cambridge, 1913; F. Ercole, *Da Bartolo all'Althusio: saggi sulla storia del pensiero pubblicistico del rinascimento italiano*, Florence, 1932; and W. Ullman, 'De Bartoli sententia: Concilium repraesentat mentem populi', in the sixth centenary papers, *Bartolo da Sassoferrato*, 2 vols., ed. D. Segoloni, Milan, 1962, II, pp. 707–33.

⁴ F. Cognasso, 'Le origini della signoria lombarda', *Archivio storico lombardo* (ASL), Ser. VIII, 6, 1956, p. 12.

which soon exposed all its weaknesses. Who was to run the commune, which of the city's social groups? This question led to the greatest troubles and laid bare the commune's gravest deficiencies. The signs of a serious *malaise* first appeared in the later 12th century, with the commune's fitful passage from consular to 'podestalar' government. Men exchanged collegiate rule for a system of modified collegiate government with a stronger executive – the *podestà*, who was very often a foreigner of noble blood.⁵ From the hills of Umbria to the valley of the Po and beyond, from Perugia to Bergamo, nearly all the great communes, suffering intense inner conflict and rivalries, modified their collegiate regimes. Though seldom realized, it was the hope of some citizens that the *podestà* would stand above class and faction to administer the affairs of the commune impartially. The problem of achieving impartial government came foremost. To see the disturbances associated with the rise of the *podestà* as one with the commune's struggle to become a state is the product of an historical assessment. Taken in detail, the struggle was no more than the commune's search for a political *modus vivendi*. It was the struggle for power of social groups and blocs of leading families, each striving to devise a political arrangement by which one group or a cluster of groups, mixed or more nearly homogeneous, would rule authoritatively over the commune.

The very weakness of the state and the struggle of influential groups within the commune to enjoy and dispose of the highest of all worldly prizes – the 'things' of the state: this is what in part made civil conflict so intense that it could not be settled by a state which had fallen apart or by one struggling to be born. The violent nature of political strife was itself the expression of an historic effort, if one may say so, to put the state together again.

Often feeble in the face of its vigorous constituent groups, invested with a great deal of public authority yet only half a state, the commune of the late 12th and early 13th centuries provided a civil setting in which any organized opposition was at once so threatening as to seem conspiratorial. This early experience was to leave its imprint on the entire history of the opposition in Italian city states.

⁵ E. Salzer, *Ueber die Anfänge der Signorie in Oberitalien*, Berlin, 1900, pp. 20–21, 66 ff.; G. Hanauer, 'Das Berufspodestat im 13. Jahrhunderts', *Mitteilungen des Instituts für Oesterreichische Geschichtsforschung*, XXIII, 1902, pp. 377 ff. V. Franchini, *Saggio di ricerche sull'istituto del podestà*, Bologna, 1912; E. Sestan, 'Ricerche intorno ai primi podestà toscani', *ASI*, LXXXII, 2, 1924, pp. 177–254.

THE CORPORATE SPIRIT

Speaking of the political troubles in 14th-century Siena, one historian has noted that although the commune had its origin in a union of groups, it 'never succeeded in fusing them into a whole, composed of elements equal among themselves and equally subordinated to the government. Out of the conflict of social classes, military companies, guilds, interests of all kinds, that longed-for product, the modern state did not emerge.'⁶ This observation applies as much to communes in general as to Siena. By the end of the 12th century most communes were composed of vigorous associations or had these to contend with. The range included neighbourhood military companies, societies of noblemen or commoners, merchant guilds, as well as guilds of small shopkeepers and artisans.⁷ As the city absorbed a continuous influx of men from the country and expanded at a startling rate, new social and occupational groups gained admission to the commune or pressed to enter it. Since the state seemed unable either to enhance or fully to protect his opportunities and civil rights, the individual was ready to be drawn into a well-organized corps. What neither state nor commune could do, the corporation could. This helps to explain the universality and boldness of the corporate spirit in the 12th and 13th centuries. When the corporation stood outside the commune, it fought for recognition and entry; once inside, it functioned as a pressure group. Often, therefore, the first commitment of citizens was not to the commune but to a lesser community. Loyalty went first to an order of society (*popolo* or *nobiltà*), to a party or faction, to a guild or guild structure, or to a family bloc. These lesser communities, powerful in their own right, gave the individual his identity within the larger community; they defended him; they had given him, or would give him, a political place; they understood him best, and they would improve his position by providing him with a greater accumulation of advantages.

But the power of these communities could be acquired only at the expense of the greater community – the commune. The time came, before about 1240, when political exiles at the head or in the ranks of a foreign army began to march on their native city, moved by the

⁶ F. Schevill, *Siena, The History of a Medieval Commune*, new ed., New York, 1964, pp. 215–16.

⁷ On the corporate movement see F. Valsecchi, *Comune e corporazione nel medio evo italiano*, Milan, 1948; G. de Vergottini, *Arti e popolo nella prima metà del sec. xiii*, Milan, 1943; F. Niccolai, 'I consorzi nobiliari ed il comune nell'alta e media Italia', *Rivista di storia del diritto italiano* (RSDI), XIII, 1940, pp. 116–47, 292–342.

powerful desire to overthrow the lesser community which then stood at the head of the commune and claimed to speak for it. Bergamo, Verona, Padua, Milan, Cremona, Bologna, Siena, Genoa and other cities were all attacked by their own exiles. Even Venice, the sturdiest of all city states, was to become the military target of some of its citizens early in the 14th century.⁸

Opposition to the government of the commune, when it came from a tightly-knit group, such as the corporation, was less a deliberate assault on public authority than the natural assertion of a lesser community which knew its own value and which could help to prevent one of the other orders or groups from substituting itself for the government of the commune. Although the commune might be threatened by its lesser parts or units, it also relied on them to help to ward off the attempt of any one of them at wholesale usurpation.

SOCIAL AND POLITICAL STRIFE

The commune ruled over large numbers of men who belonged to it only in the sense that they were its subjects. It was proudly and firmly exclusive about its full-fledged memberships. Yet in the course of the 12th and 13th centuries, more and more men and groups made their way into it, and obtained a voice in public affairs. Since admission to the commune was variously predicated on property, birth and tax qualifications, the citizens who were full members of the commune were among the more affluent. The social world excluded (and ruled over) by the commune involved the majority of men, the average and the humble, although this was to be less true in the second half of the 13th century. It is also in the second half of the century that the threat of powerful and lawless individuals, called *magnates*, became such that the security of the commune necessitated their political ostracism.⁹ The opposition of magnates to communal authority was as likely to take the form of disorganized, individual acts of disobedience as of organized subversion.

There have been attempts to de-emphasize the incidence and importance of class conflict in the 13th-century commune.¹⁰ The

⁸ S. Romanin, *Storia documentata di Venezia*, III, Venice, 1855, pp. 25-31; G. A. Avogadro, 'La congiura Tiepolo-Querini', *Archivio veneto*, II, 1871, pp. 214-18.

⁹ G. Fasoli, 'Ricerche sulla legislazione antimagnatizia nei comuni dell'alta e media Italia', *RSDI*, XII, 1939, pp. 86-133, 240-73.

¹⁰ E.g., N. Ottokar, *Il comune di Firenze alla fine del Duecento*, 2nd ed., Turin, 1962; V. Vitale, *Il comune del podestà a Genova*, Milan-Naples, 1951; E. Fiumi,

question cannot be taken up here. It is enough to state that without further study of economic life, and if no account is taken of the old class emphasis (which is found in the chroniclers themselves), the great political changes of the 13th century cannot be satisfactorily explained. To take the fierce rivalry between *popolo* and *nobiltà*, as it emerged in most communes, and to analyse it in terms of private feud, personal ambition, legal formulae, or the gossip of the age falls short of providing a convincing explanation of the political rise and triumph of the *popolo* in commune after commune.¹¹ Between about 1220 and the end of the century, Piacenza, Cremona, Milan, Verona, Bologna, Florence, Siena, Lucca, Genoa, Pisa, Perugia and more than a score of other communes witnessed the rise of the *popolo* to political hegemony. In most cases this victory was preceded by about a half-century of violent civil strife, often resulting in the mass exile of all the most active members of the defeated party, the confiscation of their property, and the razing of their family houses. But it would be a mistake to try to cast the social struggles of the 13th century in to the mould of the conflict between Guelf and Ghibelline. Here foreign policy was often a determining factor. In some communes the *popolo* went Ghibelline (in Cremona, Siena, Genoa), in others it went Guelf (Milan, Bologna, Florence). Now and then the alignments changed.

The nobility retained full control of communal government up to the late 12th century. Merchants and even artisans, having occasionally gained entry into the commune, sometimes appeared in the governing councils, but not in sufficient numbers to offset the presence and influence of the men born into ancient urban families, into the families of rich ex-vassals, or into houses still possessed of feudal rights within the city walls and beyond. In some cities, the coastal ones in particular, noblemen unceremoniously took up large-scale commercial and maritime enterprise.¹² As long as they controlled

'Fioritura e decadenza dell'economia fiorentina', *ASI*, CXV–CXVII, 1957–59; E. Cristiani, *Nobiltà e popolo nel comune di Pisa*, Naples, 1962; also the formulation of questions in E. Sestan, 'Le origini delle signorie cittadine', *Bullettino dell'istituto storico italiano per il medio evo*, LXXIII, 1961.

¹¹ *Popolo*: the commoners of substance viewed as a political order in conflict with the nobility. Guilds and military companies were the *popolo*'s chief means of expression, agitation and combat. Noblemen who joined the *popolo* changed neither the ultimate social character of alignments nor the issues which divided the two sides.

¹² Though some students hold that the great feudal nobility seldom went into trade. Fiumi, *op. cit.*

the chief executive offices, the nobles ran the commune. Legislative proposals were introduced to the major council by the consulate, which alone was empowered to convoke that body. The *concio* or general assembly of the commune met yearly, or less often, or only in emergencies. Assembled under the leadership of the consuls and their advisers, the *concio* usually acceded to their will.

By the late 12th century, a booming urban economy had brought forth so many prosperous and aspiring new men that in most central and north Italian cities their determination to enter the commune as full-fledged citizens, to have a distinct voice in its political destinies, began to be felt. A formidable opposition was growing up *outside* the commune. This opposition was soon organized, sometimes in secret. In Milan, for example, it was named the *Credenza di Sant' Ambrogio*. In 1198 this organization suddenly stepped into the open and sought to deal with the commune almost as an equal.¹³ Making the nobles (*capitanei* and *valvassori*) its chief object of criticism, the *Credenza* insisted on a share in the management of Milanese public affairs. From this time on, and down to 1277, it was to be a powerful force in the *enlarged* commune. The Visconti themselves did not dare to suppress it until the early 14th century.

Faced with the mounting discontent and pressure of some of the economy's main beneficiaries, the consular nobility – never truly a homogeneous class – began to suffer defection and division. The opposition building up outside the commune exercised a fatal influence on the old communal oligarchy. And from about the last third of the 12th century this oligarchy began to break out in rivalries which at times – as in Siena, Milan and Genoa – issued in conflict between the urbanized feudal nobility and the old municipal aristocracy. Partly provoked and sustained by the rising political challenge of new groups, the conflict caused first one noble faction and then another to seek the support of the emerging *popolo*. Intra-class jealousies and class conflict were separate but in the result acted together, and the one, class conflict, served to step up the virulence of the other.¹⁴ As early as the 1140s, budding civil dissension in Genoa was already partly connected with the government's resolve to bar any citizen from public office who became the vassal of a feudatory.¹⁵

¹³ I. Ghiron, 'La Credenza di Sant' Ambrogio, o la lotta dei nobili e del popolo in Milano, 1198-1292', *ASL*, III-IV, 1876-77.

¹⁴ Revealed by the nobility's habit of turning violently against noble houses which enjoyed the favour of the populace.

¹⁵ F. Donaver, *La storia della repubblica di Genova*, Genoa, 1913, I, p. 48.

At Siena in the 1250s and 1260s the *popolo* obtained the support of well-known feudal families in its fight against the old municipal aristocracy.¹⁶ In the second half of the 13th century the Milanese petty nobility, organized into a *consorteria* or association known as the *Motta*, sometimes gave its political support to the *Credenza di Santi' Ambrogio* and sometimes to the great nobility.

The commune's passage from consular to 'podestatal' government came with the large-scale, organized rise of new social groups. That the two were part of a single process is revealed by the fact that while the guilds and *societates populi* tended to prefer government organized around a *podestà*, the older, entrenched families preferred consular government, unless they were sure of controlling the *podestà*.¹⁷ Only later, from about the middle decades of the 13th century, when the *podestà* had been reduced to subservience by a still tenacious oligarchy, was the *popolo* to set up a 'captain of the people' in opposition to the *podestà* and the 'major' commune.

At times obscured by the play of private vendetta and driving personal ambition, the issues connected with the conflict between *popolo* and *nobiltà* were not any the less real for that. In some communes, until about the middle of the 13th century, *popolo* and *nobiltà* carried unequal tax burdens and the advantage was with the nobleman, who often enjoyed time-honoured privileges and special immunities. In Milan commoners were long barred from some of the most lucrative appointments and benefices in the Milanese church; this gave rise to deep resentment. In other communes certain of the lesser guilds continued to pay feudal dues to leading municipal families down to the end of the 13th century. In Genoa and elsewhere some noble families enjoyed long-standing rights to part of the public income from different customs and tolls.¹⁸ But the most basic of all divisive issues concerned the question of the groups to be represented in the communal assemblies and in the decision-making councils. When that question was settled, as it finally was in favour of a relatively close oligarchy,¹⁹ then all other questions, even the crucial

¹⁶ F. Tempesti, 'Provenzan Salvani', *Bullettino senese di storia patria* (BSSP), 43, I, 1936, p. 11; and implications in E. Sestan, 'Siena avanti Montaperti', BSSP, LXVII, 1961, pp. 56-61, 71-2.

¹⁷ G. Volpe, 'Il podestà nei comuni italiani del '200', article of 1904 in *op. cit.*

¹⁸ Vitale, *op. cit.*, pp. 55-8.

¹⁹ Shown by what happened to local governing councils in communes which definitively passed under signorial or even distant republican rule. Cf. A. Ventura, *Nobiltà e popolo nella società veneta del '400 e '500*, Bari, 1964.

issue of public finance, *seemed* to be drawn into the purview of possible solution.

In some cities – e.g., Perugia, Florence, Bologna, Genoa, Bergamo – the strife between parties went on even after the major social struggles were resolved in favour of particular groups or classes. The continuation of this strife was possible because the state, such as it was, disposed of an incomplete authority and because the contenders were the great families long accustomed to being in the forefront of public life. Hence all such conflict signified division in the ruling class proper. This raises a problem which is central to our discussion – the problem of leadership.

LEADERSHIP: THE GREAT FAMILIES

Leaving aside workers' revolts in the 14th century,²⁰ wherever there was organized opposition, men from the great families were likely to be found. Seldom was a plot hatched or a policy successfully opposed without the participation of prominent individuals. The man with a great family name was like a magnet: he attracted or repelled the men and groups around him. He galvanized action, that of the regime, or that of the discontented. The popular movements of the 13th century were often led by outstanding members of the aristocratic community – men driven by ambition and other motives too obscure for analysis. In working for the reform of the old commune,²¹ they seemed to go against their own kind. Descended from the feudal nobility, from long-established consular families, or from other old families rich in lands and mercantile capital, such men enjoyed the greatest reputation and authority: e.g., the Torriani in Milan, the Spinola and Doria in Genoa, the Scaligeri in Verona, the Rivola in Bergamo, the Torelli in Ferrara and the Salvani in Siena.

The presence of noblemen in the front ranks of the popular opposition has occasionally aroused unnecessary surprise. But though it was not fully in control of the public power, the commune was oligarchically appointed. It was a defender of rank. Against this background inherited authority was almost a necessary condition for any man who wished to put himself at the head of a movement of

²⁰ As at Siena in 1371 and Florence in 1378.

²¹ The so-called reforms were very often illusory, e.g., the results of the Spinola-Doria regime in Genoa in the later 13th century: F. Poggi, 'Le guerre civili di Genova dalle origini del comune al 1528', *Atti della società ligure di storia patria*, LIV, 3, 1930, esp. pp. 47–57.

opposition. This was a deferential world where most men, being without political rights, looked up to those at the head of the commune; a world where certain houses looked like fortresses, where the extremes of wealth and poverty stood cheek by jowl, and where the signs of family authority were evident everywhere, being hemmed in by city walls and displayed by those who disposed of immense personal influence and bands of clients and armed servants. A powerful citizen sometimes commanded the obedience of whole peasant communities and possessed, down to the 14th century, the skills required for mounted combat.

Apart from political pre-eminence, the commune's leading families always disposed of great wealth, which might be in lands, feudal rights, or – as in Pisa and Genoa – in maritime and commercial capital. It has been estimated that in the middle of the 12th century 80 per cent of Genoese trade with Syria was in the hands of five families, three of viscountal origins.²² In the late 13th and early 14th centuries the co-operation of four great families (the Spinola, Doria, Grimaldi and Fieschi) would have safeguarded the internal peace of Genoa.²³ Even in the 15th century, when Pistoia was under Florentine rule, the Panciatichi and Cancellieri could terrorize that commune at will. At Lucca in 1522 a single family of the oligarchy, the Poggi, started a civil war, rocked the city's constitutional foundations, earned hatred, death and exile, and thereafter kept the oligarchy in a state of keen anxiety for years.²⁴

The state was weak because the great families were strong. Part of the public power was in their hands. Permanently associated with the exercise of power – and when eliminated they were soon replaced by others who assumed the same role – these families had the character of semi-public entities. Such were the Tolomei, Salimbeni and Malavolti in 13th-century Siena; the Da Lozzo, Carraresi and Maccaruffi in Padua; the Langosco and Beccaria in Pavia; the Casalodi, Zanitali and Buonaccolsi in Mantua; in Bologna the Buvaletti, Azzoguidi and Gozzadini; and in Modena the Rangoni, Savignano, Boschetti and Guidoni.

If the leading families in any of the great communes could have been brought together into a harmonious political unity, as hap-

²² Vitale, *op. cit.*, p. 41.

²³ So I infer from A. Goria, 'Le lotte intestine in Genova tra il 1305 e il 1309', in *Miscellanea di storia ligure in onore di Giorgio Falco*, Milan, 1962, pp. 253–80.

²⁴ M. Berengo, *Nobili e mercanti nella Lucca del Cinquecento*, Turin, 1965, pp. 83–107.

pened in Venice,²⁵ the state would have been united and strong. In cities divided by inter-family strife, it was as if each of the major families of the oligarchy held a piece of the state. The unity and power of the state depended on the unity of the ruling families. When these families fell into violent conflict, the state, in process of formation, fell apart. Opposition which attracted the leadership of one or more of the great families at once produced a crisis: in a sense the state was divided against itself. When a leading family moved over to form or join an opposition, it was, with the best intentions and all the right in the world, on the verge of provoking a conflict which easily became civil war. Leadership inevitably devolved on the well-born,²⁶ owing to their long contact with the bastions of public power. A Pagano della Torre, a Corso Donati, or an Opizzino Spinola might have about him the aura that sometimes goes with outstanding leadership, but it was nothing mystical. It was a combination of political skills, great riches, a tradition of leadership, and above all power 'filched' from the state: all of which gave leaders a vast network of influential contacts both at home and abroad.

THE OPPOSITION IN OLIGARCHIES

At the end of the 12th century Italian cities were faced with a rising popular movement. The commune was a narrow oligarchy and now the *popolo*, working through the nascent guild and armed companies of the different neighbourhoods, began to press for political representation. A formidable opposition was developing outside the commune. Often the ensuing differences were resolved by violence: a sudden, tempestuous pressure which made the old commune yield. The armed companies, followed by the guilds of craftsmen and lesser merchants,²⁷ then achieved representation in the communal councils. In some communes the representatives of the *popolo* suddenly appeared before the *podestà* with summary demands. Their rejection was the sign for an uprising of the *popolo* and a storming of the government buildings. The government would fall and a new one, its social base reconstituted, would emerge. Now and then the *popolo*

²⁵ Although here too there were rivalries which scholars have often not emphasized enough.

²⁶ Obscurely-born *signori*, like Jacopo d'Appiano (a notary) and Francesco Sforza, were very much the exception.

²⁷ Lawyers, international merchants and bankers had already managed in many cases to work their way into the commune. At Genoa and Pisa the influence of the great mercantile and maritime interests had long been considerable.

seceded from the commune altogether and formed a new one.²⁸ Soon a working arrangement would be negotiated between the two, resulting in a more comprehensive commune, though one still oligarchically appointed.

During the second and third quarters of the 13th century, the *popolo* in many communes obtained up to one-half the number of seats in the governing bodies. The legislative councils served at times as agencies for a constitutional opposition. This arrangement, however, turned out to be inadequate. Apart from the fact that these councils could be convoked only by the executive, which alone could present measures to them, they were forbidden to hold debates. Furthermore, they were not filled by general election of the commune but by appointment or highly restricted election. Members were appointed or elected by the outgoing legislature and/or the principal executive bodies. Again, since the *popolo* was soon brought under the control of the richest and most authoritative *popolani* and guildsmen, a new communal oligarchy replaced and in part absorbed the old one. The commune of the later 13th century the *comune del popolo*, was dominated by this oligarchy, whose composition included a sector of the old ruling families – hardy survivors of the consular and ‘podestalar’ commune. Yet once more the broad front of the opposition began to take shape outside the commune. The result was that the 14th century saw an endless succession of revolutions, conspiracies, civil wars, and scenes of crowd violence, in Perugia, Genoa, Siena, Pisa, Lucca, Bologna and Florence. In Siena, although one government (the Nine Governors and Defenders) ruled from 1287 to 1355, it had constantly to fight against conspiracies and from 1320 it employed a foreign magistrate, the *capitano di guerra*, ‘provided with extraordinary powers for the detection and punishment of political crimes’.²⁹ In 1368 alone four Sienese governments were overturned, each *coup* bringing a different social stratum, or a new combination of groups, to power: the *Dodici*, *Noveschi*, *Riformatori* and *Monte dei Gentiluomini*.³⁰

Siena’s problem was in large measure that of other cities ruled by

²⁸ Although actually the *popolo* had not previously held *de jure* a political share in the commune.

²⁹ Schevill, *op. cit.*, pp. 204–5; and P. Silva, *Il governo di Pietro Gambacorta in Pisa*, Pisa, 1912, pp. 101–3, for the equivalent Pisan magistrate.

³⁰ W. Bowsky, ‘The *Buon Governo* of Siena (1287–1355): a Mediaeval Italian oligarchy’, *Speculum*, XXXVII, 3, 1962, pp. 368–81; D. Hicks, ‘Sienese Society in the Renaissance’, *Comparative Studies in Society and History*, II, 4, 1960, pp. 412–420.

oligarchies: the problem of governments which excluded socially important groups from public life. Most oligarchies combined this problem with one which was a little less troublesome in Siena: the problem of the free-wheeling activity of powerful families, even when these were under a political ban. The gravity of these two problems goes to explain the great force of the opposition which stood outside the commune's political councils. A major family and a group of the discontented had but to join forces to present the commune with a serious menace. In the face of such danger, any constitutional opposition which survived in the legislative councils became more and more faint-hearted, or simply dissolved. At that point political differences could take a violent turn.

In some respects it was in Florence that the opposition produced one of the richest histories. Even under the early Medici (1434-1469), and again under the revived republic (1494-1512), the legislative councils often put up a stiff opposition to measures which had the support of the ruling group. This kept alive a 14th-century tradition.³¹ At no point did the opposition in Florence have the legal margins to prepare for organized action in the legislative councils, where in any case debate was prohibited.³² Yet it was by no means unusual for these councils to reject bills sponsored and strongly supported by the government. Care must be taken, however, not to misconstrue the forces behind such opposition. Like other municipal republics of the time, Florence always had an *inner* oligarchy: a tough core of families at the centre of the larger oligarchy, this larger body being the commune itself. As long as the inner oligarchy was united, its will prevailed and any opposition was soon dispelled. But no sooner was the inner oligarchy divided than opposition in the legislative councils immediately sprang into action – a function of the disaffected part of the ruling group. The legislative councils reflected the degree of unity or division which characterized this group at any given moment; hence the most significant or meaningful opposition – opposition which presented true alternatives – was that which went against the *united* inner oligarchy. It was practically impossible for this opposition to acquire a legal status.

³¹ On which see G. Brucker, *Florentine Politics and Society, 1343-1378*, Princeton, 1962.

³² F. Rinuccini, *Ricordi storici dal 1282 al 1460*, ed. G. Aiazzi, Florence, 1840, p. clx, for an exemplary case involving three Florentine 'grand councillors'. Guicciardini held that 'free debate' in such councils 'is the principal instrument of sedition', in his *Considerazioni intorno ai Discorsi del Machiavelli*, Chap. II.

Accession to leading office in most communal oligarchies was controlled by elaborate methods of election and appointment. This aspect of statecraft has been all but neglected by students of Italian city states, though it deserves painstaking study.³³ For it was by a shrewd manipulation of appointments and election procedures that inner oligarchies retained control of key offices, imposed their will, or effectively intimidated the opposition in the communal councils. The Venetian republic had one of the most complex of all systems of appointment and election. As much complexity obtained in Florence, where the Medicean oligarchy showed a matchless virtuosity in its ability to get legislatures to approve of temporary plenipotentiary councils, to acquiesce in the manipulation of the pouches containing the names of men eligible for major office, and to consent to a system of balloting which became ever trickier, always to the advantage of the inner oligarchy. Now and then there were defections. But when two or three members of an executive council, where voting was normally secret, were so stubborn as to refuse their votes to a measure clearly favoured by the inner oligarchy, one of the tougher members might get up in council and propose a new but open vote on the matter, so that all could see who really desired the 'good' of the regime. The measure was thus driven through.

Venice was in some ways outside the political mainstream. The aspects that made government so unstable in other city states were less evident there. The Venetian state was more highly developed. It was a more formidable institution and its oligarchy was more united. No single family or small bloc of families ever acquired enough influence in and around the lagoons to disturb the organic link between state and oligarchy. Did it follow that the fortunes of the opposition in Venice were more stable, that dissent had a sounder legal status? The answer depends on how *opposition* is defined. If we define it as resistance to bills proposed in the city's major legislative body, the famous grand council, the answer is yes. But if we define it as activity or opinion, organized or not, directed against the composition of the oligarchy, the answer is no.

As in Florence, so in Venice the right of legal opposition belonged to the oligarchs alone, though even then it had to be given expression in senatorial debate or by vote in the grand council. Noblemen could criticize or differ from their government heads provided they did so in the legally constituted bodies. Once criticism moved outside these

³³ Of the sort given to sixty years of Florentine history by N. Rubinstein, *The Government of Florence Under the Medici (1434 to 1494)*, Oxford, 1966.

bodies it acquired a delicate, more uncertain status; and if efforts were made to organize dissent, the executive might well pounce on the organizers and bring them to trial.³⁴ Political organization was *ipso facto* a threat. In January 1433 thirty-seven noblemen were denounced to the Council of Ten. They were charged with having agreed in private to cast their ballots in favour of one another whenever the grand council held elections for leading office. Such an agreement smacked of conspiracy and could provide the framework for an effective opposition. All thirty-seven were condemned: the severest sentence put Marco Cicogna under a ban for ten years and barred him from all offices in perpetuity; the most lenient condemned three of the thirty-seven to be barred from office for three years.³⁵ In 1457, when the Ten forcibly deposed the doge, Francesco Foscari, they forbade all citizens, on pain of death,³⁶ to discuss the subject. Thus there were limitations on legal opposition even within the oligarchy: the Ten had but to declare a certain subject taboo, adducing their authority over state secrets as well as in matters concerning the security of the state, and that put an end to discussion.³⁷ How could legal opposition on a truly important issue be effective or have any organized existence when the discussion of controversial subjects could be outlawed by the government?

When the Venetian grand council was 'closed' at the end of the 13th century, much discontent and opposition were aroused, issuing partly in the conspiracies of Bocconio (1300) and of the Tiepolo-Quirini group (1310).³⁸ Like other republican city states, Venice suddenly had to confront the threat of a burgeoning opposition outside its political councils. To meet this danger the oligarchy established the famous and dreaded Council of Ten (1310). Their task was to root out conspiracy and subversive discontent – indeed, any form of dissent which made the oligarchy itself the object of criticism. And opposition of this sort was a continuing problem, as revealed by the intense activity of the Ten. One of the highpoints of this activity came in 1355, with the discovery of the dramatic conspiracy of the doge, Marin Faliero, who had managed in great secrecy to organize a

³⁴ Thus, e.g., the conspiracy of Bocconio in 1300.

³⁵ Romanin, *op. cit.*, IV, p. 170.

³⁶ M. Macchi, *Istoria del consiglio dei dieci*, Turin, 1848, I, pp. 265–6.

³⁷ G. Maranini, *La costituzione di Venezia dopo la serrata del maggior consiglio*, Florence, 1931, pp. 476–77.

³⁸ H. Kretschmayr, *Geschichte von Venedig*, 3 vols., new ed., Stuttgart, 1964, II, pp. 71, 181–3.

group of discontented commoners.³⁹ But a divided and factious oligarchy, the curse of other cities, was not so serious a problem in Venice. Here the state had much greater stability and the conspiratorial opposition was most feeble. We should not, however, exaggerate the degree of harmony in the Venetian ruling class. The events connected with Francesco Foscari's election to the office of doge, his relations with Pietro Loredan and later on with the Ten, show that the oligarchy sometimes harboured rival family blocs. In 1486, on the election of Agostino Barbarigo to the supreme dignity, evidence emerged of a secret rivalry between the city's very ancient and more recent houses – the *longhi* and the *curti*.⁴⁰ The *longhi* or ancient houses had done all they could to get one of their own members elected to the dogeship, monopolized by the *curti* since 1382. In 1450 sixteen of the leading *curti* houses secretly vowed to keep this dignity from ever being won by a member of the *longhi*. The secret rivalry between the two groups persisted until at least the time of Barbarigo's election and was carried over into elections for some of the other principal offices.

Secrecy had its advantages after all, for the illegal opposition, especially in cities under Venetian rule, might have acquired a foothold as a result of the break which opened between the *longhi* and *curti*. Milan and Florence would have looked on with happy approval and support.

THE OPPOSITION IN SIGNORIES

For most central and north Italian cities, the political and social struggles of the 13th century led irresistibly to the triumph of the *signoria*. Worn down by generations of civil strife, oligarchies turned to a strong man, whose autocratic rule, for all its shortcomings, seemed to promise a reign of civic order and internal peace. This, at least, is the standard interpretation.⁴¹ Yet the general convergence on signorial rule was neither mechanical nor inevitable. Florence, though it had experienced an interval of veiled rule of this sort, passed over into the

³⁹ On which see the excellent article by V. Lazzarini, 'Marino Faliero: la congiura', *Nuovo archivio veneto*, XIII, 1897, pp. 5–107, 277–373.

⁴⁰ Romanin, *op. cit.*, IV, pp. 420–21; Kretschmayr, *op. cit.*, II, pp. 367–8, 479, 653–4.

⁴¹ As seen in F. Lanzani, *Storia dei comuni italiani dalle origini al 1313*, Milan, 1888; N. Valeri, *L'Italia nell'età dei principati*, Verona, 1949; and L. Simeoni, *Le signorie*, Milan, 1950.

16th century as a republic; Lucca recovered from one-man rule in the 15th century and survived with its oligarchical government *a comune* down to 1799; Siena, but for the short signory of the Petrucci (1497–1522), long retained its republican institutions; and Genoa had periods of republican recovery. On the other hand, some communes passed over to signorial rule as early as the second quarter of the 13th century (e.g., Ferrara, in 1222), although their internal affairs were far less tempestuous than those of other cities which did not experience one-man rule for another century or more.

When a city state was brought under the rule of a *signore*, the communal legislative councils soon remained almost alone as the possible agencies of legitimate opposition. Headed by a *podestà* or a captain of the people, preceding governments had a marked collegiate structure. Neither *podestà* nor captain could act in questions of state without consulting a formal body of counsellors,⁴² who were elected or drawn by lot and whose appointment was the prerogative of the communal oligarchy. Hence some dissent could at times find its way into the highest councils of the commune. The *signore*, however, appointed his own advisers, and while he might listen to conflicting advice, opposition was out of the question. There remained only the legislative councils to provide an institutional outlet for the opposition. Whether or not these in fact performed that function depended on the political strength of the new lord. In many cases the take-over by the *signore* occurred in an atmosphere of such violence, intimidation, or moral confusion, that the defeated opposition did not dare show itself.⁴³ The new ruler and his successors gradually sapped the independent vitality of the major legislative council: they brought its membership under their control, changed its composition, allowed it to assemble more and more rarely, and whittled away its remaining powers. Any opposition to this progressive usurpation was dismissed or suppressed; encroachment came about piecemeal and was often legitimized by the bestowal of an imperial *vicariato*. Care was taken to observe the external legal forms.

Casting a glance over the 14th and 15th centuries, we light upon instances of communal bodies which sued for the attention of the lord of the city and carried protests to him. The opposition here found a legal outlet, but it seems seldom to have been effective. In the early

⁴² E.g., *anziani, sapientes, consiglio di credenza*.

⁴³ As emphasized by G. B. Picotti, 'Qualche osservazione sui caratteri delle signorie italiane', *Rivista storica italiana*, XLIII, 4, 1926, pp. 7–30.

1350s, when Bologna was under the lordship of the archbishop, Giovanni Visconti, many of the commune's middle and lower administrative posts were held by outsiders, mostly Lombards – appointees of the archbishop and his three major officials in Bologna. When the commune protested, reminding the archbishop that the right over all such appointments belonged to the great legislative council of 4000, Giovanni replied by modifying the authority of that body.⁴⁴ At Milan, in the first half of the 15th century, meetings of the old legislative council of 900 were so infrequent that lodging protests with the duke, so far as this happened, fell solely to the *consiglio delle provvisioni* – a council of twelve men charged with a certain sector of municipal affairs. In 1427 this council offered the duke, Filippo Maria Visconti, a large sum of money to help to pay for war expenses. It asked, in return, for the right to administer the municipality's revenue. Another condition was that Filippo's courtiers be prevented from reaping private advantage from the public treasury. The duke refused to receive their representations.⁴⁵

In the 14th and 15th centuries, the enduring spirit of the commune provided the most fitting climate for the maintenance of significant opposition in states under one-man rule. Most scholarly opinion has played down the surviving sense of the commune and the force of republicanism in 15th-century Italy. But it is difficult to reconcile this with the temporary re-establishment of the commune at Bologna (1428–29), with the dramatic establishment at Milan of the Ambrosian republic (1447), and with the tenacious loyalties which enabled this republic to fight against overwhelming odds for two and a half years. The last Florentine republic (1527–30) was to exhibit the same vigorous loyalties.

It may already be clear that the line between legal and illegal opposition was never distinct. Why this was so can be traced to the fact that the legal identity of the state was itself in doubt. As a result it was no simple matter for governments to distinguish between opposition which merely took the form of criticism, and opposition which ultimately was intended to overthrow the existing regime. For the same reason, it is wiser to deal here with the sort of opposition (conspiracy) which was frankly illegal and which jurists had no trouble in condemning.

⁴⁴ A. Sorbelli, *La signoria di Giovanni Visconti a Bologna*, Bologna, 1901, pp. 190–198.

⁴⁵ In the new history by a team of historians: F. Cognasso, C. Santoro, F. Catalano, etc., *Storia di Milano*, VI, Milan, 1955–56, p. 467.

Defined as organized secret activity which at some point depends on violence to achieve its ends,⁴⁶ conspiracy was the most desperate species of opposition. That it was common in the early history of signories was mainly a sign of two things: of the uncertain foundations of signorial power and of the narrow margin accorded to the play of legal opposition. The political rise of the *popolo* was in some respects a mass conspiracy, but serious analysis would doubtless do better to see it in terms of the vocabulary of revolution. Conspiracy against a given *signore* was always more focused; it might be the work of two or three men or of a small group; it was more organized; and its objectives, ideally, were far more limited and defined than any which might attach to a revolution.

During the late 13th and early 14th centuries, conspiracies against *signori* were often successful, owing partly at least to the unstable foundations of the new signorial power. Thereafter, conspiracy was less often successful, the signory having developed more solid institutional bases. The trouble with most 15th-century conspiracies was that they were conceived or executed in a political and social vacuum: they failed to get, or realistically to envisage, any support from a strategic sector of the community. Such were the conspiracies of Stefano Porcari in Rome (1453), of Andrea Lampugnano and his two companions in Milan (1476), and of the Pazzi in Florence (1478).

What types or classes of opposition came under the heading of conspiracy? There seem to have been two: the sort which aimed at substantive political changes and that which merely contrived to exchange one *signore* for another. The murder of Giovanni Maria Visconti in 1412, carried out by a tiny group of ducal officials, was the result of a conspiracy which had no objectives beyond the profit of a few highly-placed soldiers and courtiers. Much the same may be said of the assassinations which racked the small despotisms of 14th-century Italy; they were the fruit of conspiracies often planned or carried out by close relatives of the murdered *signore*.

It is important to distinguish between conspiracies in which the political factor was foremost and those which aimed at the satisfaction of personal grudges and private ambitions. For if our interest be the study of political opposition, we should be ready to see that there is

⁴⁶ Limitations of space have prevented the treatment of industrial organization, such as the formation of workers' guilds in the 14th century. The commune considered these to be conspiratorial and they were universally outlawed. See the excellent study by W. Ullmann, 'The Mediaeval Theory of Legal and Illegal Organizations', *The Law Quarterly Review*, 60, July, 1944, pp. 285-91.

opposition so narrow and personal in its objectives that its political features are insignificant and almost accidental.

THE *FUORUSCITI* (POLITICAL EXILES)

The Italian city state provides no figure who better incarnates the organized opposition than the political exile (*fuoruscito*). From the 13th to the 16th centuries he is a central figure in Italian politics. He is found on all the roads and in all the cities large and small. His civil status, never secure, points directly to the difficult legal circumstances in which political opposition took place. His social identity reveals, almost without our having to probe, the strong oligarchical bent of Italian municipal politics. Not the lowborn or humble *fuoruscito* but one from a pre-eminent and powerful family was the sort of exile who aroused the anxiety of the regime back at home. Such, for example, were the Rangoni and Savignano of Modena, the Da Lozzo and Maccaruffi of Padua, the Oddi and Baglioni of Perugia, or the Canetoli and Bentivoglio of Bologna. In critical times, these were men who could overturn city states.

When treating the 13th and 14th centuries, scholarship often refers to the 'internal' and 'external' commune. The distinction is revealing: *internal commune* – the party or faction in power, ruling over the city and its lands; *external commune* – the party living in exile, sometimes organized along communal lines, with its own officials, seal, a small army and often taken up with the dispatch of emissaries or the holding of formal consultations. In its highest and most developed form the external commune was in effect the government in exile. Literally, it was composed of many scores or hundreds of exiles from leading families, in addition to their followers, servants, clients, hangers-on and so forth. Milan in the middle years of the 13th century and Genoa in the early 14th century confront an external commune which is able to raise small armies, to conquer territory claimed by the internal commune, to establish a network of diplomatic contacts, and to conclude treaties with *signori* and other city states.

Conditioned by tradition and practice, contemporaries associated much of the public power with the great families of the communal oligarchy. When a bloc of these families was driven or retired into exile, it was as if they went off with part of the commune. They carried off more than a trace of the public authority which normally fell to their lot. Indeed, their removal from the scene was in some ways more illusory than real. For leading exiles maintained secret

contact with men at home. They knew what transpired in the communal councils. They were aware of the political virtues and weaknesses of the men who ran the internal commune. They sometimes had the allegiance of rural communities under the *de facto* rule of the home city. They often received crucial support, military and financial, from princes, local *signori*, or neighbouring city states. And by a shrewd articulation of policy, they could count on promoting division and dissension in the ruling group at home.

The external commune flourished in the 13th and early 14th centuries. It was then that the strife between parties, factions and classes, in central as in northern Italy, unfolded along lines which enabled exiles to find their political correspondents in the forefront of communes in other cities and to enlist their aid. *Popolo* and *nobiltà*, Guelphs and Ghibellines, Aigoni and Grasolfi (Modena), Reds and Whites (Verona), Blacks and Whites (Florence), Raspanti and Bergolini (Pisa), Scacchesi and Gozzadini (Bologna): all these had their friends and counterparts in other cities. As long as exiles, albeit few and discredited, managed to recruit the support of a neighbouring *signore* or of another city, they were feared and fought. They disposed of the means to return home triumphantly or to impose a foreign ruler on their native city. From time to time, and as early as the second quarter of the 13th century, there were groups of *fuorusciti* who were not averse to putting their cities under foreign rule, provided they could thereby return home, vanquish their enemies, and obtain a share in the political spoils. This mode of activity was a fundamental factor in the rise of Italian despotism.

Towards the end of the 14th century the Italian states were undergoing an internal consolidation. Signorial government could look back to a distinct tradition and thus appoint or conduct itself with greater certitude. There was a striking growth in the power of the executive, manifest even in republics like Venice, Florence and Siena. The executive was better able to deal with civil disorder, and party and class strife were much reduced. In all the major signories a particular effort had been made to eliminate factions and family blocs. Altogether, the direction of change was moving away from a political geography which had once permitted the linking of parties, classes and groups of *fuorusciti* in relationships that cut across communes. Governments which would commit themselves to the ideological views of exiles were getting to be a thing of the past. With some notable exceptions, passions for party and faction were

being toned down. The era which had succoured governments in exile was in decline.

Yet these changes did not signal a decline in the use of exile as a penalty against political unreliability. Governments in exile passed. The exile himself crowds the roads down to the middle of the 16th century and at times is plunged back into the raging centre of politics. But from the end of the 14th century or thereabouts, his position and function begin to be different from what they had been in the great days of the external commune. Henceforth he becomes a pawn in the hands of other states. Unlike 13th-century *fuorusciti*, he seldom has vital contacts, political or social, with groups in his city which wait and work for his return so that they can leap into power. Conspiracies take on a literary flavour, issuing forth from books rather than politics. All in all, the state has tightened up. Public authority presents a more united front and is capable of greater coercion. Opposition is under a closer surveillance. Fewer men take political risks – far fewer; and the incidence of political exile is so much lower that it seems different in kind from that which had gone before. The *fuoruscito* of the Renaissance is often a solitary figure.

Why was exile the penalty so often favoured in the punishment of organized opposition? This question touches on most of the major points already discussed: the indeterminate identity of the state, the passionate allegiance to groups within the larger community, the stubborn and tenacious exclusiveness of the commune in all its manifestations, and the imponderable power of the great families.

Exile removed the opponent from the scene as prison did not. It removed him to a place where he could not directly exploit his rank or oppose and threaten an insecure government. But we have seen that *fuorusciti* could be equally dangerous abroad. Why, therefore, was capital punishment not constantly and universally imposed? It *was* imposed, but not systematically.⁴⁷ Though argument from public necessity could be adduced and sometimes was, the legal grounds for applying capital punishment in political cases were not yet clear. It is only in the 14th and 15th centuries that lawyers, arguing from Roman law, gradually gave currency to the concept of the crime of *laesa majestas* – a concept developed *pari-passu* with the emergence of the sovereign city state.⁴⁸ Again, mass execution rather than the exile of

⁴⁷ The outstanding example was Venice, where the penalty for serious conspiracy was nearly always capital punishment.

⁴⁸ C. Ghisalberti, 'Sulla teoria dei delitti di lesa maestà nel diritto comune', *Archivio giuridico*, CXLIX, 1955, pp. 100–179.

leaders would in many instances have aroused so much indignation and protest that public authority might well have been plunged into graver difficulties than those with which it had been faced. Perhaps, too, there was some feeling that in a reversal of roles the lenient would be treated with lenience.

The need to guard against strong public reactions indicates something about the instrumental value of public opinion: it reveals that volatile political behaviour, while often menacing to governments, could also serve as a check on them. The opposition of the *piazza* was not a force for disruption alone: it was also a positive factor in politics.

Despite the ardour of party and faction, the fear aroused by the instability of government, and the keen desire to eliminate opposition, some longing for the benefit of compromise remained and some hopes were placed in it. Otherwise, it would be difficult to explain the fact that large groups of *fuorusciti* were often given leave to return home, sometimes under conditions of extraordinary lenience.⁴⁹ No doubt every such instance had its own particular reasons, and moderation must at times have been dictated by fear or craft. But regardless of how we choose to assess the moments of calm and tolerance in Italian cities, the fact remains that to exile opponents, despite their known potentiality for mischief, or to license their repatriation, meant that some civility was a permanent feature in politics and that not all the routes to compromise had been closed up.

⁴⁹ E.g., the return of the nobles to Milan in 1257-58, the exile and pardon after a few days of forty Genoese Guelfs (January, 1289), and the pardon of the Spinola clan of Genoa in 1311.