

Communes and Despots in Medieval and Renaissance Italy

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The reason for the confusion over the Peace of Constance appears to lie in the very different authority enjoyed by the Visconti over the cities, which had been built up over many years, compared to that which they commanded in the *distretti*. Even after the creation of the duchy, the bulk of local government continued to be based on the traditional system of communal statutes, *podestà* and councils, all now strictly controlled by the duke; communal self-rule therefore remained an essential element of administration.⁵⁰ It was for that reason that Baldo had dedicated to Giangaleazzo, alongside his commentary on fiefs, the *Commentariolum* on the Peace of Constance. That work comprised a description of the rights guaranteed at Constance, including the communes' right to draw up statutes and to elect the *podestà* with *merum et mixtum imperium*.⁵¹ Officials of the new type, directly dependent on central government, such as *referendari* appointed by the Visconti for financial affairs and *commissari* for judicial and other matters, continued to grow in importance under the dukes; but these agents functioned alongside communal officers. Having achieved a firm grip over communal institutions, Giangaleazzo and his successors were happy to accept that cities had the right to self-government. It was the cities' authority over their surrounding territories that was the battleground.

The investitures of 1395 and 1396 were complex documents: their genesis lay in the political and legal disarray in which Giangaleazzo found himself after the coup of 1385; their impact in terms of ducal authority depended on the curious status of the Peace of Constance. That agreement had to be considered, like Schrödinger's cat, to be simultaneously both alive and dead.

1, *ibi tam in civilibus quam in criminalibus*, et sic quelibet civitas Lombardie hodie est provincia.' For the context of this point see Black, 'The limits of ducal authority', pp. 151–3; there is further analysis in Cengarle, *Immagine di potere*, pp. 73ff.

⁵⁰ See Giorgio Chittolini, 'Alcune note sul ducato di Milano nel Quattrocento', in Sergio Gensini (ed.), *Principi e città alla fine del medioevo* (Pisa, 1996), pp. 413–31 and *ibid.*, 'Governo ducale e poteri locali,' in *Gli Sforza a Milano e i loro rapporti con gli stati italiani ed europei (1450–1535)*, (Milan, 1982), pp. 27–41.

⁵¹ Baldo, *Commentariolum super pace constantiae, Imperialis clementiae*, paras. 18–21, f. 119^{r-v}. He said, for example: 'Potestates ... non habebant ante pacem iurisdictionem in criminalibus, sed hodie conceditur eis.' (para. 18).

'Whatever's Best Administered is Best': Paolo Guinigi *signore* of Lucca, 1400–1430

Christine Meek

Paolo Guinigi came to power in a *coup d'état* in 1400 and ruled until overthrown by another *coup* in 1430. In fact Lucca had had a troubled history in the fourteenth century, but had enjoyed 30 years as a free commune until this was brought to an end in 1400. Paolo Guinigi thus came to power in a city that had an ideological commitment to independence and self-government and bitter experience of the opposite. While the Guinigi had exercised an increasing influence over the city in the 1380s and 1390s, even some of their erstwhile closest supporters seem to have been lukewarm or hostile, either to an open *signoria* as such or perhaps to Paolo Guinigi personally.¹ Nevertheless he did succeed first in getting himself elected Captain and Defender of the city and then in making himself *signore*.

He might be thought to have good reason to go carefully, but in fact he displayed attitudes and engaged in acts that look unwise and provocative. It was common for *signori* to retain pre-existing communal institutions and rule alongside them, whatever the actual power relations might be. Throughout the decades when Lucca was ruled by outside powers, including the period of Pisan rule and also the regime of Castruccio Castracani, there had continued to be *Anziani* and councils. Under Paolo Guinigi there were no *Anziani* and councils for nearly 30 years. And he not only made these changes; he stressed them. In April 1401 he wrote 'the dominion of the whole city of Lucca, its *contado* and *fortia* now resides in us and the power and authority of the General Council has ceased'.² He spoke of 'my city', 'my territory', 'my subjects', 'my

¹ *Le Croniche di Giovanni Sercambi Lucchese*, ed. Salvatore Bongi (3 vols, Rome, 1892), vol. 3, pp. 9–10. For the earlier history of Lucca, see Louis Green, *Castruccio Castracani: A Study on the Origins and Character of a Fourteenth-Century Italian Despotism* (Oxford, 1986) and *Lucca under Many Masters: A Fourteenth-Century Italian Commune in Crisis (1328–1342)* (Florence, 1995); Christine Meek, *Lucca under Pisan rule, 1342–1369* (Cambridge, MA, 1980) and *Lucca 1369–1400. Politics and Society in an Early Renaissance City-State* (Oxford, 1978).

² *Governo di Paolo Guinigi* 1, f. 31v, 8 April 1401 (hereafter cited as GPG):

camera', even 'my Podestà'. Since there was no other source of authority than himself, since the financial resources of the city were his to do with what he liked, and since he himself chose the *podestà* and all other officials, even the most minor, this language did no more than reflect the realities of the situation. Paolo was very conscious of his position as *signore*, indeed as prince; he often referred to acts as particularly fitting for a prince, for example, when he wrote 'the glory of a prince lies in the peace and riches of his subjects', while making a quite minor administrative change.³

Paolo maintained a certain distance from all but his most intimate associates. Very shortly after he came to power he began to rebuild the citadel on the site of the Augusta, Castruccio Castracani's impressive fortification and a symbol of signorial and outside rule; it had been the seat of the Pisan rectors while Lucca was ruled by Pisa from 1342 and 1369. He also rebuilt and expanded the old palace of Castruccio Castracani nearby in the *contrada* of S. Pietro in Cortina, buying up adjacent houses. None of these buildings now survives, so it is difficult to say exactly what they were like,⁴ but it is clear from the financial records that Paolo Guinigi maintained a considerable establishment and once the citadel was built the staff of guards increased markedly.⁵ He also conducted dynastic ceremonies lavishly. Sercambi's chronicle has several accounts of the splendour with which the *signore's* marriages and those of his eldest son Ladislao and daughter Ilaria were celebrated and also the funerals of his mother and three of his wives.⁶ It must all have been very different from republican times.

Yet there is no indication of any internal discontent. Unrest among the lower classes had never been a feature of Lucchese internal history and the elements in Lucchese society which had been active in political life, appearing regularly in councils and the college of *Anziani*, apparently accepted the abolition of these bodies without protest or any signs of resentment, even though only a small proportion of these men found a role at the court of the *signore*. Such plots as there were are found not among those Lucchese who were previously politically active and now found themselves subjects of a *signore* and excluded from participation in political life. They were among the *signore's* own intimates and even his relatives: his second cousin, Nicolao

'Quoniam in nos hodie residet universae dominiū civitatis lucane eius comitatus et fortie et cessat potestas et auctoritas consilii generalis.' (All documents cited are in the Archivio di Stato in Lucca.)

³ Statuti del Comune di Lucca 6, Statuto del 1372, f. clxxviii 2, 1 July 1409.

⁴ For Paolo Guinigi's building activity, see Clara Altavista, *Lucca e Paolo Guinigi (1400-1430), la costruzione di una corte rinascimentale. Città, architettura, arte* (Pisa, 2007).

⁵ Camarlingo Generale 84-6, 111, 112, 378.

⁶ Sercambi, *Croniche*, vol. 3, pp. 56, 126-7, 254-7 (weddings), 120, 231-2, 233-4 (funerals). See also Franca Ragone, 'Le spose del signore, scelte politiche e cerimoniali alla corte di Paolo Guinigi', in Stéphane Toussaint (ed.), *Ilaria del Carretto e il suo monumento. La donna nell'arte, la cultura e la società del '400*, Atti del Convegno Internazionale di Studi di Lucca (Lucca, 15-17 settembre 1994) (Lucca, 1995), pp. 119-36.

Guinigi, the bishop of Lucca in 1400;⁷ messer Iacobo Viviani, a lawyer who was one of his confidants and diplomats in 1407-1408;⁸ Nicolao di Francesco, called 'de Berla' Guinigi, who - if the family trees preserved in the Archivio Guinigi are correct, was a sixth cousin - in 1409;⁹ and, most notoriously, the *signore's* influential and trusted secretary, ser Guido da Pietrasanta, in 1420.¹⁰ Interestingly the first three - though not ser Guido da Pietrasanta - were eventually pardoned and returned to favour and, despite Sercambi's criticisms of Paolo's excessive and ill-judged clemency, never gave trouble again, but served the *signore* faithfully as envoys and members of his council.¹¹

The judicial record of messer Iacobo Viviani's condemnation gives some idea of how Paolo's lordship appeared to his subjects in the early years of his rule. In 1407 messer Iacobo had been approached by Lucchese exiles to join in a plot against Paolo Guinigi. He had not shown much enthusiasm, though he did not reveal the plot and had at least one further meeting with the plotters. Filippo Salviati, who was also involved, asked how the Lucchese could bear to have a fellow citizen rule over them.¹² Messer Iacobo replied that you would not find three people in Lucca ready to plot against him, and went on to say that there were three things that the Lucchese liked about him: one was that he kept his hands off their purses, another was that he would not hear of any indecencies over women, and the third was that he had never up to that point been cruel, but on the contrary extremely merciful.¹³ As a judgement on Paolo Guinigi's regime this cannot be regarded as ideal from the historian's point of view. It dates from 1408, which is rather early in his rule, and a close collaborator of Paolo Guinigi, such as messer Iacobo Viviani, would not normally be thought a reliable witness to the way the *signore's* subjects regarded him; but in fact he lost Paolo's favour and suffered a period of exile as a result of this particular incident and his judgement on the Lucchese attitude to their *signore* is fairly measured, so it seems worthwhile to discuss his views in some detail.

⁷ Sercambi, *Chroniche*, vol. 3, p. 21.

⁸ GPG1, f. 95r, 1 June 1408.

⁹ GPG1, f. 128v, 3 May 1408, Archivio Guinigi 151, f. 61v.

¹⁰ GPG1, f. 101v, 1 November 1420.

¹¹ For messer Iacobo, GPG2, f. 34v, 12 September 1410, elected councillor, f. 109v, 31 December 1419 (L. style 1420); for Nicolao Guinigi, mitigations of sentence, GPG1, ff. 140v, 30 August, 142v, 7 October 1409, pardoned, GPG2, f. 122r, 4 January 1414, elected councillor, f. 13v, 22 February 1415.

¹² Potestà di Lucca 5139, Inquisizioni 1408, ff. 194r-197r, at f. 195r, Sentenze e Bandi 114, folios unnumbered, but ff. 43r-43v: 'Come sostenete vuy esser segnorigiati da uno ciptadino?'

¹³ Potestà di Lucca 5139, f. 195r, Sentenze e Bandi 114, ff. 43r-43v, with slight variations in spelling: 'Non credo che sia in Luccha tre persone apte a tal facenda ... vedeti eli a tre cosse principali de che molto icitadini se contentano. Una e che non tocha la borsa a persona, l'altra che per se ne per altri vol sentire desonestà de donne; la terza che fino a qui nonne stato may crudelle ma molto misericordioso in contrario, a chi fa de se grande carastia et e molto streto nello expendere.'

The statement that Paolo Guinigi kept his hands off his subjects' purses should probably be understood as meaning that he was not making extraordinary or arbitrary financial demands on the Lucchese. It needs to be seen in the light of the situation of the years immediately preceding his rule, when Lucca had been fighting a war against neighbouring Pisa, which had necessitated serious and unwelcome financial sacrifices. A study of Lucchese finances under Paolo Guinigi presents problems, however. Much financial material survives, but it is nothing like complete or continuous. In particular there is a lack of information on the revenues as whole, but what material is available suggests that the revenues under Paolo Guinigi were similar in their sources and comparable in amount to what had been available under the republican regime after 1369.

There are records for the second semester of 1405, when the *camarlingo generale* received the equivalent of 35,500 florins, and for the second semester of 1410, when he received the equivalent of about 29,000 florins.¹⁴ On the admittedly somewhat hazardous assumption that the receipts for the first semester were on a similar level, annual revenues would be approximately 71,000 florins in 1405 and 58,260 florins in 1410. Sercambi's chronicle provides a budget for expenditure around 1424 of 62,220 or 56,220 florins, which seem to represent gross expenditure and net expenditure respectively.¹⁵ The figures are also very roughly in line with receipts for the 1370s, when the *camarlingo generale* received 60,000–65,000 florins per year in 1373–1375 and 65,000–70,000 in 1375–1380.¹⁶ The revenues under Paolo Guinigi derived – as did those for the 1370s and indeed for several decades before that – from many indirect taxes on the import and export of goods, and charges on various types of foodstuffs and on particular categories of people and the exercise of certain activities, though there were some changes in the way these were administered.

One of the most striking aspects of Paolo Guinigi's financial administration, and one which makes it difficult to get a clear idea of his revenues and more particularly his expenditure, is the payment of large sums in cash to the *signore* himself, either from the *camarlingo generale* or from some other office, such as the salt gabelle. Paolo received over 15,500 florins in cash between 16 March 1401 and 19 January 1402, for example, and 6,001 florins from the *camarlingo generale* between August and 31 December 1408, plus 13,737 from the salt gabelle in 1408.¹⁷ There is no real indication of what this money was for, though 1,500 florins paid to him in July 1408 was specifically said to be

¹⁴ Camarlingo Generale 84, 85 and also 86, which contains fragments of accounts for 1403–1419.

¹⁵ Sercambi, *Croniche* III, p. 357. He does not explain the discrepancy between the two figures, but since much of the expenditure was on salaries, which were liable to a deduction of gabelle at 16d in the £1, it seems likely that they represent gross and net expenditure. This is supported by the figures for part of the expenditure of 'fiorini .LV. m. .III. c. .LXXVI lordi, che vegnono netti fiorini .LI. m.', p. 356.

¹⁶ Meek, *Lucca 1369–1400*, p. 48. Unfortunately the sources do not permit a calculation of the revenues for the last twenty years of the fourteenth century.

¹⁷ Camarlingo Generale 111, ff. 171r–179r, 378, ff. 100r, 101r.

for the purchase of grain.¹⁸ There is no reason to assume that the large sums in cash passing through the hands of the *signore* were destined to be spent on courtly extravagance. For one thing, some of the expenditure recorded in the *camarlingo generale*'s accounts was for jewels and other luxury goods and for the maintenance of the household, so there was no effort to cloak such expenses in anonymity. Some of the money paid to Paolo Guinigi in cash may also have been used in this way, but it is difficult to envisage luxury expenditure on the scale of tens of thousands of florins.

One possible use of these large sums is for building. In addition to the citadel and the new palace of S. Pietro in Cortina, Paolo built another palace at Pietrasanta. Work was proceeding on this in 1408. He also built the *palazzo de' borghi*, now known as the Villa Guinigi. According to Sercambi, 36,000 florins had been spent on this by 1423 and it needed 40,000 florins to finish it.¹⁹ There was work on other buildings, secular and religious, including the rebuilding of a bridge destroyed during the war against Pisa. While there are records of some expenditure on these projects in the *camarlingo generale* accounts, these are not sufficiently complete for it to be possible to say whether or not any of them was completely funded through the public treasurer.

The impression given by Sercambi's chronicle and the political records of Paolo Guinigi's regime is that he had ample financial resources until the very last months of his rule, and that he was in a position to indulge in any luxuries he wished. He made no clear distinction between public expenditure and his own private expenses; indeed it would not be entirely easy to say what was public and what was private in Lucca under Paolo Guinigi. But there is little indication of increased financial pressure on his subjects. The sources of revenue seem to be the traditional ones. Lucca still had a public debt, dating from the 1370s and the financial efforts necessary to obtain Lucca's independence, but there is no sign that it increased under Paolo Guinigi.²⁰ Of course, the main reason for this lack of financial pressure was that Paolo Guinigi's rule was very largely a period of peace until Lucca came under attack from Florence at the end of 1429.

With regard to indecencies over women, it is perhaps surprising to find this so prominent as to be named as the second of three aspects of Paolo Guinigi's regime that the Lucchese approved of, even in a society where honour was so important. It is not easy to discuss a negative, particularly regarding something as ill-defined as indecencies over women, nor indeed to demonstrate Paolo Guinigi's personal involvement in preventing them. Firstly there is no indication in the sources that Paolo Guinigi himself or any of his relatives or close associates were ever involved in sexual scandal. Paolo had a

¹⁸ Camarlingo Generale 378, f. 105r.

¹⁹ Sercambi, *Chroniche*, vol. 3, pp. 208–9.

²⁰ The holdings of individuals are recorded in *Imprestiti* 11–16 for 1368–1395, and 17–20 for the period of Paolo Guinigi. There was still a Massa et Dovana Salis in 1458, Archivio de' Notari 1^a 478(ii), ser Cristoforo Turrettini, ff. 80r–82r.

natural son by a slave in the interval between his second and third marriages, but no one would have considered that worthy of remark.²¹

There are, of course, a number of cases of sexual offences in the judicial records. One example of a scandal that apparently arose from the breaking off of marriage negotiations concerned the Domaschi and Turrettini families. Monna Elena, the widow of Giovanni Domaschi, disrupted the Christmas Day sermon in the Dominican church of San Romano in 1412 by upbraiding Francesca, the daughter of Nicolao Turrettini, for denying that she was married to Monna Elena's son, Benedetto, and saying that, married or not, the couple had slept together. Mother and son were brought to court the next day and made to retract their accusations. They were nevertheless severely punished; Monna Elena was fined £100, and Benedetto was fined £300 and sentenced to a year's banishment.²² One case which must at least have given rise to gossip was the adultery of the prominent lawyer messer Gerardo di Matteo Vegnutelli with Nanna Mattei of Siena, widow of maestro Andrea Gori of Florence. While it was unusual for a man to be prosecuted for adultery in what was clearly a consensual relationship with no injured party in the person of a husband, the couple were fined £150 each.²³ The only recorded involvement of Paolo Guinigi himself in either of these cases was that he quite quickly reduced the fines imposed, which does not seem to indicate a particularly rigorous attitude.²⁴

But there was one scandal involving a woman in which the *signore* came under pressure from all sides. Clara, the wife of the prominent citizen Niccolò Malpigli, apparently planned to flee from Lucca with the sculptor Giovanni da Imola, with whom she seems to have become infatuated. Since, apart from the Malpigli, she herself was a member of the Angiorelli family and was related to the Arlotti and Sembrini, while Giovanni da Imola was an assistant to Jacopo della Quercia, at that time working on the Trenta chapel in San Frediano, important influences could be brought to bear. Paolo Guinigi on the whole maintained a rigorous and consistent attitude. He stressed to those who interceded for Giovanni da Imola that the offence was a very serious one

²¹ Archivio Guinigi 151, f. 61v. This is a note on a Guinigi family tree and is dated 1457. The slave subsequently died but Paolo took responsibility for the child, Stefano, who is included in Sercambi's estimate of Paolo's expenses (*Chroniche* vol. 3, pp. 355, 357, 359), and was recorded as still alive in 1457.

²² Capitano del Popolo 21, unfoliated. Fines were in *buona moneta*, a money of account with a fixed value of 58s. to the florin.

²³ Sentenze e Bandi 130, f. 34, 19 June 1416. The terms of the condemnations suggest that they may have allowed themselves to be surprised together.

²⁴ The fines on Monna Elena and Benedetto, imposed on 19 January 1413, were reduced to a total of £216 13s. 4d. on 28 January and Benedetto was to be released from prison, if they gave sureties. He could then stay in Lucca and its territory for eight days, but was not to go out in the city by day; GPG2, f. 103v. For messer Gerardo Vegnutelli, GPG2, f. 41v, 16 October 1416. This reduction did not apply to Nanna, whose fine had been paid on 29 June by her guarantor, Stefanino de Chiatari, to be recovered later from her dotal goods. There is no indication that she petitioned, which messer Gerardo almost certainly did.

and that there was an injured party who could hardly be denied the justice he was demanding. On 28 April 1414 the sculptor was condemned to a fine of 300 florins, and since he was quite unable to pay, he remained in prison. It was not until 20 April 1417, nearly three years later, that the *signore* agreed to reduce his fine to 100 florins and Giovanni da Imola was able to beg and borrow enough finally to obtain his freedom.²⁵

Paolo Guinigi can also be shown to have been involved in an attempt to reform Lucchese nunneries after some of their inmates were involved in scandals, notably one involving a Lucchese abbess and one of the cathedral canons. Paolo Guinigi strongly supported, and indeed perhaps inspired, the bishop of Lucca's attempts to obtain authorization from the pope to suppress some of the smaller convents, transferring the nuns to stricter orders in or near the city itself.²⁶ Paolo Guinigi in general seems to have been somewhat puritanical, ordering his council to take action against gaming, which cannot have gone down very well, since some of his councillors were themselves seriously addicted to it.²⁷

The third aspect of Paolo Guinigi's regime mentioned by messer Iacopo Viviani was his mildness and clemency. These qualities were very central to Paolo Guinigi's idea of the role of a prince. In June 1404 he wrote that humanity and clemency illuminate a prince as the stars do the heavens, while on 14 July 1415 he elaborated on this, putting princely mercy on a religious basis when he stated that 'in the same way as, out of a certain fragility, it is innate for men to sin, so similarly from an innate magnificence it is natural for princes to show mercy. Neither can, nor should, the guilt of subjects be so great but that it may know the clemency of lords, for this is the virtue that renders us most acceptable and conformable to God.'²⁸ Both of these preambles were followed by decrees that might equally well have been made under a communal

²⁵ GPG2, f. 54v, 20 April 1417, and GPG6(1), ff. 49r, 19 March, 51v, 15 April, 56v, 9 July, 57r, 16 July, 59r, 17 September 1414 and f. 80r, 27 May 1416 for letters in reply to those making representations on Giovanni's behalf. The involvement of Jacopo della Quercia has attracted considerable attention to this case; see Eugenio Lazzareschi, 'La dimora a Lucca di Jacopo della Quercia e di Giovanni da Imola', *Bullettino Senese di Storia Patria* (1925): 3-37, and James H. Beck, *Jacopo della Quercia* (2 vols, New York, 1991), vol. 2, pp. 357-63.

²⁶ Discussed in detail in Giuseppe Benedetto, 'Fra corruzione e riforme: i monasteri femminili della città e del territorio di Lucca nella seconda metà del Trecento e nel primo trentennio del Quattrocento', in *Ilaria del Carretto e il suo monumento*, pp. 165-97.

²⁷ GPG6(2), pp. 79-80, 31 August 1415. The letter mentions 'Johanni et Arrigo et Nicholo nostro nipote' as having been warned about this in the past without effect, and to be told now that if they offend again they will be made an example of. 'Johanni' may be Giovanni Sercambi, for whom there is independent evidence of his addiction to gambling. 'Nicholo nostro nipote' may be the son of Paolo's dead brother Lazzaro, but the identity of 'Arrigo' is more doubtful.

²⁸ GPG1, f. 119r, 12 June 1404; GPG2, f. 19v, 14 July 1415: 'Cognoscentes quod sicut hominibus ex quadam fragilitate insitum est peccare ita principibus ex innata magnificentia proprium est misereri. Nec tanta debet aut potest esse subditorum culpa quin dominorum misericordia cognoscatur. Hec enim virtus est illa qua nos magis deo reddit acceptos et conformes.'

regime, but Paolo Guinigi does seem to have taken his prerogative of mercy very seriously and to have granted pardons and mitigations on a greater scale than did the previous regime.

He continued the long-established practice of freeing prisoners on the religious feasts of Christmas Day, Good Friday and S. Croce, and added dynastic occasions, freeing six men who were in prison for debts to the commune on the occasion of his assumption of power,²⁹ and others to celebrate his marriages and the birth of an heir.³⁰ In 1400 and again in 1404 the *signore* decreed a 'taxa', that is a scale of greatly reduced payments for the cancellation of banns.³¹ Despite the parade of princely clemency, such arrangements were similar to those under the preceding communal government; they went back at least to the 1370s, when, as one councillor succinctly expressed it, 'utile esset lucrari pecunias et homines'.³²

Quite apart from these measures Paolo regularly granted reductions and remissions of penalties and dues. Almost 1,100 such grants are recorded between January 1401 and October 1429; more of his acts are of this type than fall into any other category. The grants are, however, very varied and not easy to analyse briefly; nor do they show total consistency – perhaps it cannot be expected that clemency will always be exercised in exactly the same way.

But certain observations can be made. Fines and sums due to the *camera* were not normally simply waived; mitigations were usually more limited and they were not indiscriminate. In some cases a 'penalty of a quarter' on top of the original fine had been incurred for failing to pay on time; these penalties were quite frequently remitted, though the fines or dues themselves still had to be paid in full.³³ The *signore* was also frequently prepared to allow

²⁹ GPG1, f. 12v, 24 November 1400: 'Tamquam gratus beneficiis sibi divinitus collatis.' The decree specified that it was not to apply to anyone in debt to a private individual.

³⁰ GPG1, f. 81r, 5 February 1403, f. 130v, 25 September 1404, f. 41v, 22 December 1405. These acts were expressed in religious terms, for example, at the birth of an heir: 'Volens de successibus et gaudiis suis non solum temporalem letitiam sed etiam spiritualem demonstrare gaudium et solaium. Ad reverentiam omnipotentis dei qui omnium bonorum causa et origo est qui generosam et inclitam prolem maris infantis eidem sua benignitate concessit.' f. 130v, 25 September 1404. GPG1, f. 74v, 17 April 1407, GPG2, f. 40v, 18 September 1416. Five more prisoners were released to celebrate the marriages of Paolo himself and his son Ladislav in 1420: GPG2, f. 118v, 4 August 1420. Since such release applied only to those who had been in prison for some time, who had not been similarly released on a previous occasion, who had made peace with their victim where applicable, and who were not guilty of crimes such as blasphemy, which rendered them ineligible for release on a religious feast, there may have been a shortage of suitable candidates on some occasions.

³¹ GPG1, ff. 119v–122r, 12 June 1404. The term for taking up the *taxa* was extended on 12 August and 12 December 1404 and two men were allowed its benefit at a later date: GPG1, f. 101r, 7 September 1408, f. 125r, 16 March 1409. In the 1420s many mitigations of penalties were on the basis of the application of the *taxa*.

³² Minute di Riformagioni 2, p. 295, 19 February 1379. Meek, *Lucca 1369–1400*, pp. 93–4, 126. The terms Paolo Guinigi offered were, however, more generous.

³³ Examples, GPG1, f. 62v, 27 April 1402, f. 31r, 3 September 1405, GPG2, ff.

a perpetrator of a crime the 'benefit of peace' with his victim, which reduced the fine to a half, even if the document had not been produced within the statutory time limit or there was some other technical difficulty; but these mitigations did not cancel the fine itself nor prejudice the need for peace with the victim.³⁴

Some mitigations of dues were said to be made out of consideration of the poverty of the beneficiary, or his extreme old age or physical disability; in these cases reduction or remission was allowed for dues assessed on the person, but full liability was maintained for any property the beneficiary held.³⁵ Many of the concessions no doubt resulted from petitions, although this is not often stated. Others were granted out of consideration for someone in Lucca or outside who had interceded: the bishop of Lucca;³⁶ the *signore's* consort, Piagentina da Varano in several cases shortly after her marriage;³⁷ the *signore's* secretary, ser Guido da Pietrasanta;³⁸ and the Florentines,³⁹ or Pistoiese⁴⁰ or men of Pietrasanta, for men from their locality.⁴¹

While some concessions were to individuals who had got into arrears with their obligations or stood as guarantors for friends or relatives who had then let them down, or to those who had committed minor offences or were having difficulties in paying their fines, others were made to people who were less obviously deserving. A number of individuals were pardoned fines for offences against the sumptuary laws, though such offenders were unlikely to be either poor or ignorant.⁴² Some distinctly undeserving characters had their fines reduced. Francia, the wife of Cristoforo di Francesco of Siena, had her sentence of £300 and a whipping reduced to a simple fine of £100. The decree gives no details of her crime, but in fact she had incited a thirteen-year-old girl to steal cash from her mother's chamber and then accuse two local women she said she had seen commit the crime.⁴³ There were mitigations of penalties for men who had deliberately defrauded the gabelle – for example by paying duty at the much reduced rate for the passage of goods through

23r–23v, 28 April 1410, f. 117r, 15 November 1413. These are composite volumes with several different sets of foliation.

³⁴ Examples: GPG1, f. 55v, 24 December 1401, f. 12r, 6 February 1405, GPG2, f. 128r, 6 June 1414, f. 37v, 21 July 1416.

³⁵ Examples: GPG1, f. 111r, 24 January 1404, f. 128v, 25 July 1404. Poverty is mentioned so frequently as to seem conventional.

³⁶ GPG1, f. 19r, 13 April 1405 (two cases).

³⁷ GPG1, f. 113v, 21 December, 22 December 1408, f. 118v, 15 February 1409, f. 121r, 8 February 1409.

³⁸ GPG2, f. 122r, 27 December 1413 (L. style 1414).

³⁹ GPG1, f. 60v, 22 September 1406.

⁴⁰ GPG1, f. 61v, 24 September 1406.

⁴¹ GPG1, f. 82v, 11 February 1403, f. 109v, 3 January 1404.

⁴² They do, however, include a slave, a tanner and two tailors who had made the offending garments; GPG1, f. 50v, 5 June 1402, GPG2, f. 117r, 15 November 1413, GPG1, f. 50v, 19 April 1406, GPG2, f. 42v, 22 October 1422.

⁴³ GPG2, f. 31r, 27 June 1410. Original sentence, Capitano del Popolo 19, unfoliated, 21 June 1410.

Lucchese territory and then selling them in Lucca, or hiding animals liable for a gabelle of 3 *soldi* in a flock of sheep that were charged at only 1 *soldo* each.⁴⁴ Even officials who had been derelict in their official duties or notaries who had produced false documents or committed perjury might eventually be pardoned the full consequences of their acts.⁴⁵

It is impossible to say how frequently petitions were refused. There was certainly not mercy for everyone. Simone di Jacobo Simone, Paolo's household treasurer and one of his councillors, was found guilty of financial oppression of the *signore's* subjects and peculation at the expense of the *signore* himself. He fell from power in 1411 and disappears from the records.⁴⁶ When Pagano dal Portico was found to have a deficit of 1,770 florins in his accounts as *camarlingo generale* he was pursued with the full rigour of the law, despite the fact that he was Paolo Guinigi's cousin and had served him faithfully in that office for a number of years, and there was no suggestion that he was guilty of corruption.⁴⁷ There are letters of Paolo Guinigi in reply to those pleading on behalf of offenders that show that not all pleas were successful,⁴⁸ but the number and the scope of mitigations and reductions of penalties that were granted suggest that when Paolo spoke of 'his customary clemency and generosity',⁴⁹ this was not without justification.

However, one important aspect of Paolo Guinigi's exercise of clemency was his concern for the rights of others. He felt entitled to waive penalties that were due to the *camera*, since he himself would be the only loser, but some fines were shared between the *signore's camera* and the vicariate and some offences had a victim. Paolo Guinigi did not feel entitled to ride roughshod over their rights. Thus the *taxa* made it clear that the reductions of fines applied only to the part of the bann due to the Lucchese *camera*, stipulating specifically that the vicariates were not to suffer loss. Similarly it was necessary for anyone who wanted to benefit from the *taxa* to have peace with his victim, where applicable.⁵⁰ Some of the concessions made to individuals subsequently specify that they are limited to the part of the fine due to the *camera* and this was probably normally the case, even where this is not explicitly stated.

⁴⁴ GPG2, f. 45v, 10 March 1411, f. 128v, 18 June 1414. There are many mitigations of penalties for relatively minor offences, such as failure to declare all family members or rents or property liable to gabelle, but also some for more serious infringements; GPG1, f. 54v, 18 June 1406, GPG2, f. 32v, 30 May 1416.

⁴⁵ Examples: GPG1, f. 10r, 1 January 1405, GPG2, f. 137v, 25 December 1421 (L. style 1422), f. 63v, 15 August 1426. See also GPG1, f. 126v, 13 April 1409: pardon of ser Vito Pini who had been condemned to the loss of his right hand, exile, confiscation of property and ineligibility for offices for 'falsitate', and GPG2, f. 84r, 15 March 1428, pardon of ser Marco Martini who had removed records from the archive.

⁴⁶ GPG2, f. 53r, 29 April 1411.

⁴⁷ GPG2, ff. 81r-81v, 9 January 1419. Esattore Maggiore 19 contains extensive details of the confiscation of all his property down to the most minor household items.

⁴⁸ GPG6(1), f. 54r, 15 May 1414, f. 98v, 27 May 1417.

⁴⁹ GPG2, f. 14v, 6 April 1415.

⁵⁰ GPG1, ff. 119v-122v, 12 June 1404.

This respect for the rights of others, and desire that everyone should have his due and no one be deprived of what he was entitled to, was in fact a fundamental aspect of Paolo's approach to government, although it is not among the things that messer Iacobo Viviani comments on. The records for Paolo's administration are patchy, and when he was in Lucca much must have been done by word of mouth in personal communication with his secretary, ser Guido da Pietrasanta, his council and his chancery officials. But he was at times absent from the city for weeks and even months at Pietrasanta or elsewhere, and on these occasions information and instructions had to be conveyed by letter. The survival of some of these letters provides some idea of the workings of the administration and the principles on which it operated. There are letters from ser Guido da Pietrasanta, sending news, talking about minor problems and passing on requests – and also saying that he has done what the *signore* ordered about various specific matters.

Paolo Guinigi also had a small council, consisting of nine men selected by himself. The survival of a group of letters for the early months of 1410 show that both the council and the *signore* were very actively involved in administration. The number of references to people appearing before Paolo Guinigi in person is striking, and suggests that he was holding regular audiences in Pietrasanta. But petitions could also be made to the council in Lucca, so that frequent exchange of information, opinion and instructions was necessary if administrative confusion were to be avoided. In some cases Paolo Guinigi had already taken decisions and wrote instructing his council to carry out the necessary formalities to implement them. But more frequently he referred petitions to the council, instructing them to enquire into the facts of the matter and take action accordingly. When the men of Casoli, involved in a lawsuit with a certain Boncursello da Pugliano, wanted the case to go to arbitration, Paolo Guinigi forwarded a letter from them to his councillors with instructions that, if there were no legal obstacle and no injury would be done to anyone, they were to arrange for arbitrators to be appointed, so that poor men would not have their resources eaten up by litigation.⁵¹

Several petitions involved the *estimo* of rural communes. Paolo Guinigi's policy was that everyone should pay his proper share but no more than his proper share, and he instructed his council to take action to ensure this in a number of specific cases. When Colognora di Valdiroggio petitioned that a certain Stefano da Castello had been included in the new hearth count but claimed exemption as a noble, Paolo Guinigi wrote to his council that he wanted everyone to have his due and no one to suffer injury, so that if Stefano was indeed exempt, the council should provide that neither he nor the commune of Colognora should be held liable for his hearth.⁵²

⁵¹ GPG6(2), pp. 19-20 (modern numeration in pencil), 6 January 1410. These letters once formed part of the Archivio Sardini and are calendared together in *Carteggio di Paolo Guinigi, 1400-1430*, (*Regesto del R. Archivio di Stato in Lucca*, vol. 3, i), ed. Luigi Fumi and Eugenio Lazzareschi (Lucca, 1925), parte 1^a, no. 38, pp. 21-2.

⁵² *Ibid.*, pp. 31-2, 22 February 1410. For other cases, see pp. 15-16, 4 January, pp.

It is, however, possible to find exceptions to this concern for the rights of others and Paolo Guinigi could be high-handed if he had made up his mind as to what should be done. When the friars of S. Agostino needed a particular house belonging to the church of S. Bartolomeo in Silice to enlarge their convent, Paolo Guinigi wrote that the friars were to have the house regardless of the fact that Filippo Ciuffarini, who lived there as a tenant, was unwilling to give it up.⁵³ When the prior of S. Maria Forisportam appeared to be intending to appeal to Rome in a lawsuit, Paolo Guinigi came down very forcefully against this without regard to the legal niceties. He instructed his council to send for him and make it clear that he could take the case to any court he chose in Lucca itself, but that he was not to go outside on pain of the lord's displeasure.⁵⁴

But all this was rather exceptional. Paolo Guinigi was very conscious of the extent of his powers as *signore*, but also of the need for care and restraint in using them. His basic attitude was paternalistic and benevolent; he was responsible for the welfare of his subjects and would have to answer to God for his actions. He regarded clemency as a quality particularly fitting in a prince and exercised his power to grant pardons and mitigations on a large scale, but not without due regard for the rights of others. He also wanted to preside over a regular and orderly regime.

He was particularly reluctant to intervene in cases that were still pending. He wrote to Niccolò da Uzzano and other Florentines, who had written in favour of a certain Minazo di San Marcello: 'Matters are in the hands of my *podestà* of Lucca, who is an extremely discreet man and exercises his office with great prudence and justice, so that I am sure that he will wish to find and discover the whole truth, and once he has will do his duty and what his honour requires.'⁵⁵ This might, of course, be simply a tactful way of refusing their request, but he showed a similar attitude in a letter to ser Guido da Pietrasanta, which referred to a purely internal matter and was not intended for a wider audience. He forwarded a letter from the bishop of Lucca, so that ser Guido could see what was being asked (this is not specified, but seems to have involved proroguing the term in a lawsuit), and continued: 'As you know, when this matter has come before us on previous occasions we have always replied that we did not wish to take any action and especially not on the basis of absolute power, because we do not want to depart from our ordinances and statutes; but if this proceeds from the will of the parties who are asking and urging it, we will be content to do as they ask, if this can rightly be done.'⁵⁶

23-3, 18 February, pp. 43-4, 12 March, pp. 45-6, 13 March 1410.

⁵³ Ibid., pp. 33-4, 24 February 1410.

⁵⁴ Ibid., pp. 13-14, 2 January 1410.

⁵⁵ GPG6(1), f. 47v, 4 February 1414.

⁵⁶ GPG6(2), pp. 71-2, 29 August 1415: 'Carissime noster. Riceve questo di dal vescovo di costi nostro consorto una lictora con una supplicatione le quali ti mandiamo con questa alligata accio che tu possi vedere qualche dimandino. Et come tu sai quando altra volta questa materia cavenuta dinanti sempre abbiamo risposto di non volere fare

When in August 1430 a group of citizens burst in to carry out a coup against him, Paolo Guinigi protested: 'You well know my assembled citizens, that you have never received anything from me but good and that I have never given injury to any one of you.'⁵⁷ This did not prevent him being taken prisoner and his lordship of Lucca brought to an end, but the claim was recognized as justified to the extent that it would be dishonourable to do him physical harm. His benevolent and well-intentioned rule may well explain why his regime in Lucca lasted as long as it did with little or no opposition.

alcuna cosa et maxime de potentia absoluta perche non vogliamo sforviare li nostri ordini et statuti, ma se di volonta de le parti ipsis petentibus et instantibus procedesse saremo contenti di fare quell che dimandino se di ragione far si puo.'

⁵⁷ Michael Bratchel, *Lucca 1430-1494. The Reconstruction of an Italian City-republic* (Oxford, 1995), p. 18, quoting the Lucchese chronicler Giuseppe Civitali.