Index

accidental wounding/homicide, 27, 32
adultery
  consilium on, 108
  in Venice, 135
  law on, 88, 138
  marital violence against adulterous wives, 68–9
  prosecutions of in Bologna and Lucca, 41, 43
Anania, Johannes de, consilium
  on Jews and stolen goods, 99
  on torture, 107
Ancharano, Petrus de, consilium
  on domestic violence, 176
  on individual and shared criminal responsibility, 101
  on Jewish offence against Christian religion, 147
  on stone-throwing games, 98
Arezzo
  penalties for violence in, 172
  statute on insult in, 117
  statute on theft in, 192
Arienti, Sabadino degli, 79–81, 82, 117, 177, 179
assassination
  consilium on, 103–4
  law on, 103
Asti
  penalties for violence in, 172–3, 174
Baldus de Ubaldis
  on admissible testimony, 108
  on hanging, 65
  consilium
    on accidental killing, 100
    on assassination, 103
    on blasphemy, 120
    on delayed death from wounds, 102
    on domestic violence, 99
    on duelling, 180
    on killing of bandits, 105, 106–7
  on individual and shared criminal responsibility, 101
  on non-culpable homicide, 100–1
  on prosecution for extra-territorial crime, 102–3
  on rape, 139
  on revenge, 126, 128
  on penalty for multiple offences, 108
  on theft outside the jurisdiction, 192
  on use of torture, 107
banditry, in consilium, 104–7
Bargello
  outline of role, 11
  in Bologna, 40, 54
  in Florence, 53–4
  in Rome, 54
  in Siena, 54
Barletta, tale of king's chamberlain and local maiden of, 61
Bartolus
  on duelling, 196
  on eye-witness testimony, 107–8
  consilium
    on adultery, 108
    on bandit-killing and revenge, 128
    on fingers, 173
    on injury to bandits, 104–5
    on insult, 116–17
    on pardon for blasphemy, 99
Belluno, statute on limbs in, 173
Bergamo
  statute on blasphemy in, 120
  statute on theft in, 192
Black Death, 150, 165–6, 184, 188; see also plague
  blasphemy, 43, 46, 48, 49, 61–2, 119–21
  consilium on 265, 108
Bloch, Marc, 2, 6–7, 202
Boccaccio, Giovanni, Decameron
  VIII. 5, 76
  III. 5, 76
  III.7, 76
Boccaccio, Giovanni, *Decameron* (cont.)
IV.3, 76, 77
IV.10, 76, 77
IV.7, 118
VIII.7, 163
IX.5, 163
IV.9, 177

Bologna
Bargello of, 40, 54
commutation of penalty for sodomy in, 59–60
company of justice in, 62
crimes in, 29–31, 32
evolution of capital punishment in, 63, 65
execution of witches in, 164
law on the relation between accusation and
inquisition, 23
pattern of prosecutions in, 37–43
Podestà of, 56
popular justice in, 58
prosecution of a Jew for sex with a Christian
in, 146–7
prosecutions of rape and adultery in, 140–1, 170
prosecution of revenge in, 130–1
prosecution of sorcery in, 155–6
prosecution of sodomy in, 143
San Petronio, 195
statute on theft in, 183
statutes of, 84
types of prosecuted violence in, 169–70, 171
violence by servants in, 69
violence by soldiers in, 169–70
see also Ludovico Bolognini, *consilia*
Bolognini, Ludovico, *consilia*
on assassination, 103–4
on bandit-killing and revenge, 129
on delayed death from wounds, 102
on killing a pimp, 98, 174–5
on killing of bandits, 105
boys, see children
Bracciolini, Poggio, 76, 77, 82, 179
breadknife, is it a weapon? 112
Calcaneus, Laurentius, *consilia*
on duelling, 180
on sodomy, 98
on theft
Calderinis, Gaspar de, *consilium* on fornication
and infamy, 99
Camerino, statute on revenge in, 129
Capitano del Popolo
in Lucca, 45–6
outline of role of, 11
Cascina, malicious prosecution in, 21
Castel San Pietro, homicide in, 27–8

Castro, Paulus de, *consilia*
on attempted rape, 98–9
on homicide, 100
on killing of bandits, 105
on husband’s killing of wife’s lover, 121–2
on bandit-killing and revenge, 129
on poisoning, 156–7

Cepolla, Bartolomeo, *consilia*
on assassination, 104
on assisted crime, 102
on a woman who poisoned her bandit
husband, 98–9
on death caused in a stone-throwing game,
100
on killing of bandits, 105, 106
on multiple offences, 108
on revenge and self-defence, 127
on theft by a servant, 189
on theft outside the jurisdiction, 192

Cesena
decrees in, 85
statute on blasphemy in, 120
statute on insult in, 118
statutes on physical injury in, 172
statute on revenge in, 129
statute on sodomy in, 142
statutes on sorcery and poisoning in, 158

Chieri, revenge in, 128
children
boys’ stone-throwing games, 98, 100
criminal responsibility of, 27, 32, 45
involvement in popular justice, 58, 59
theft of, 29–30

Chiuzzi, insult in, 116–17

Città di Castello
Jew visits a brothel in, 148–9
sexual misbehaviour of Podestà of, 56

Cohn, Sam, 8
his critique of work by Rocke, 144–5
composition of crime, 89
contumacy, 86, 87, 92
Corleone, ‘customs’ regarding prostitution in,
152
counterfeit coins, 29

Deruta, statute on blasphemy in, 120, 121
door-scorning, 122–3
duelling, 177–81

Fabriano
statute on blasphemy in, 120
statute on insult in, 118
statute on the infamous in, 174
statute on violence in, 172–3
fama (repute), proof by, 87, 93
<table>
<thead>
<tr>
<th>Keyword</th>
<th>Page(s)</th>
<th>Entry</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farge, Arlette</td>
<td>2–3, 4, 28</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ferrara</td>
<td>178–9, 180</td>
<td></td>
<td>duels in</td>
</tr>
<tr>
<td></td>
<td>1445, 1476, 1480</td>
<td></td>
<td>executions in (1445, 1476, 1480), 65, 66</td>
</tr>
<tr>
<td></td>
<td>142</td>
<td></td>
<td>rapacious Captain of Justice of, 56</td>
</tr>
<tr>
<td></td>
<td>21</td>
<td></td>
<td>undue imprisonment in</td>
</tr>
<tr>
<td></td>
<td>68</td>
<td></td>
<td>unemployment and theft in</td>
</tr>
<tr>
<td>Florence</td>
<td>53–4</td>
<td></td>
<td>bargello of</td>
</tr>
<tr>
<td></td>
<td>64</td>
<td></td>
<td>execution in</td>
</tr>
<tr>
<td></td>
<td>23–4</td>
<td></td>
<td>food shortage and theft in</td>
</tr>
<tr>
<td></td>
<td>153</td>
<td></td>
<td>law on the trafficking of women in the sex-trade in</td>
</tr>
<tr>
<td></td>
<td>21–2</td>
<td></td>
<td>malicious prosecution in</td>
</tr>
<tr>
<td></td>
<td>172</td>
<td></td>
<td>penalties for violence in</td>
</tr>
<tr>
<td></td>
<td>35</td>
<td></td>
<td>Podesta of</td>
</tr>
<tr>
<td></td>
<td>57–8</td>
<td></td>
<td>popular lynchings in</td>
</tr>
<tr>
<td></td>
<td>144–6</td>
<td></td>
<td>prosecution of sodomy in</td>
</tr>
<tr>
<td></td>
<td>160, 161</td>
<td></td>
<td>revenge in</td>
</tr>
<tr>
<td></td>
<td>118</td>
<td></td>
<td>statute on insult in</td>
</tr>
<tr>
<td></td>
<td>142</td>
<td></td>
<td>statute on sodomy in</td>
</tr>
<tr>
<td></td>
<td>151</td>
<td></td>
<td>statutes on sex with slaves in</td>
</tr>
<tr>
<td>Forlì</td>
<td>178</td>
<td></td>
<td>duels in</td>
</tr>
<tr>
<td></td>
<td>60</td>
<td></td>
<td>pardons in</td>
</tr>
<tr>
<td></td>
<td>55–6</td>
<td></td>
<td>Podesta of</td>
</tr>
<tr>
<td>Gambiglioni, Andrea</td>
<td>23</td>
<td></td>
<td>gambling</td>
</tr>
<tr>
<td></td>
<td>88</td>
<td></td>
<td>as fons et origo of evils</td>
</tr>
<tr>
<td></td>
<td>85</td>
<td></td>
<td>laws on</td>
</tr>
<tr>
<td></td>
<td>61</td>
<td></td>
<td>miraculous punishment of</td>
</tr>
<tr>
<td>Gandinus, Albertus (Gandino)</td>
<td>23, 102, 103, 107, 108, 125, 191</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gauvard, Claude</td>
<td>5, 8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Genoa</td>
<td>151</td>
<td></td>
<td>statutes on sex with slaves in</td>
</tr>
<tr>
<td></td>
<td>138</td>
<td></td>
<td>statutes on sorcery and poisoning</td>
</tr>
<tr>
<td>Giovanni di maestro Pedrino</td>
<td>50, 60, 176, 178</td>
<td></td>
<td>chronicler</td>
</tr>
<tr>
<td></td>
<td>176, 178</td>
<td></td>
<td></td>
</tr>
<tr>
<td>homicide</td>
<td>27, 32</td>
<td></td>
<td>accidental</td>
</tr>
<tr>
<td></td>
<td>65–6, 100–4</td>
<td></td>
<td>law on, 85</td>
</tr>
<tr>
<td></td>
<td>162</td>
<td></td>
<td>statute on blasphemy in</td>
</tr>
<tr>
<td></td>
<td>118</td>
<td></td>
<td>statute on insult in</td>
</tr>
<tr>
<td></td>
<td>142</td>
<td></td>
<td>statute on sodomy in</td>
</tr>
<tr>
<td></td>
<td>151</td>
<td></td>
<td>statutes on sex with slaves in</td>
</tr>
<tr>
<td></td>
<td>160, 161</td>
<td></td>
<td>statute on sorcery in</td>
</tr>
<tr>
<td></td>
<td>75–6</td>
<td></td>
<td>use of attorneys in trials in</td>
</tr>
<tr>
<td></td>
<td>69, 171</td>
<td></td>
<td>types of prosecuted violence in</td>
</tr>
<tr>
<td></td>
<td>99</td>
<td></td>
<td>cases of sodomy in</td>
</tr>
<tr>
<td></td>
<td>121–2</td>
<td></td>
<td>pattern of prosecutions in</td>
</tr>
<tr>
<td></td>
<td>147</td>
<td></td>
<td>attempted prosecution of rape in</td>
</tr>
<tr>
<td></td>
<td>140</td>
<td></td>
<td>prosecutions of rape and adultery in</td>
</tr>
<tr>
<td></td>
<td>130</td>
<td></td>
<td>killing of Lazzaro Guinigi in</td>
</tr>
<tr>
<td></td>
<td>171</td>
<td></td>
<td>pattern of prosecutions in</td>
</tr>
<tr>
<td></td>
<td>143</td>
<td></td>
<td>prosecuted of revenge in</td>
</tr>
<tr>
<td></td>
<td>141</td>
<td></td>
<td>prosecutions of sorcery in</td>
</tr>
<tr>
<td></td>
<td>120</td>
<td></td>
<td>statute on blasphemy in</td>
</tr>
<tr>
<td></td>
<td>118</td>
<td></td>
<td>statute on insult in</td>
</tr>
<tr>
<td></td>
<td>142</td>
<td></td>
<td>statute on sodomy in</td>
</tr>
<tr>
<td></td>
<td>157</td>
<td></td>
<td>statutes on sorcery and poisoning in</td>
</tr>
<tr>
<td></td>
<td>169, 171</td>
<td></td>
<td>types of prosecuted violence in</td>
</tr>
<tr>
<td></td>
<td>5, 6, 203</td>
<td></td>
<td>use of attorneys in trials in</td>
</tr>
<tr>
<td></td>
<td>175–6</td>
<td></td>
<td>style-battering in</td>
</tr>
<tr>
<td>Malatesta, Cesena; Rimini</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mantua</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>121</td>
<td></td>
<td>consilium on revenge in</td>
</tr>
<tr>
<td>Martines, Lauro</td>
<td>73, 74, 75</td>
<td></td>
<td>pattern of prosecutions in</td>
</tr>
<tr>
<td>Mary, Saint</td>
<td>98</td>
<td></td>
<td>crimes on feast days of</td>
</tr>
<tr>
<td></td>
<td>66</td>
<td></td>
<td>exculpating value of devotion to</td>
</tr>
<tr>
<td></td>
<td>27, 61, 120, 152</td>
<td></td>
<td>insults against</td>
</tr>
<tr>
<td>Masuccio Salernitano, see</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Matteuccia, with</td>
<td>163–4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Messina</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>'custom' on judicial combat in</td>
</tr>
<tr>
<td></td>
<td>173</td>
<td></td>
<td>law on killing of adulterous wives in</td>
</tr>
<tr>
<td></td>
<td>5–6, 203</td>
<td></td>
<td>microhistory</td>
</tr>
</tbody>
</table>
Index

224

Milan
executions in, 64
judicial records, 47
law on sexual relations of Christians and Jews, 148
law on traffic in women for prostitution, 153
popular justice in, 59
miracles, 61
Modena
cross-border conflict near, 21
popular justice in, 59
statute on insult in, 118
Monferrato, marquis of, 89
Montaillou, 4, 31
Montone, 9
Naples, city of, 64
duels in, 27
Naples, king of
law on the trafficking of women in the sex-trade, 153
on accusers who renounce their claims, 89
Naples, kingdom of
outline of criminal justice system, 12–13
‘ne crimina remaneant impunita’, 87, 89, 90
nocturnal crimes, 172, 173
Padua
duels in, 178
law on prostitution in, 153
law on sexual relations of Christians and Jews in, 148
prosecution for poisoning in, 156
statute on blasphemy in, 120
statute on insult in, 117
statute on intruders in, 174
statute on violence in, 172–3
Palermo, 25
‘custom’ on duelling in, 177
‘custom’ regarding prostitution in, 152
grain riot in, 67–8
insult case (1328) in, 115–16
law on revenge in, 129
Parma
popular justice in, 58, 59
statute on judicial combat, 177
torture in, 56–7
pathology of crime, 88
Perugia
death from torture in, 57
duels in, 177, 179
execution in, 66
killing of adulterous women in, 69
lack of justice in, 69
law on the relation between accusation and inquisition, 23
penalties for violence in, 172
prosecutions of violence in, 159–60, 161
revenge narratives in chronicles of, 131–2
statute on bandit-killing in, 105
statute on sex between Jews and Christians in, 148
statute on sodomy in, 142
statutes on judicial combat and duel in, 177
tax demands and theft in, 68
Petrucciis, Fredericus de, consilia
on doubling of penalty on feast days, 98
on killing of bandits, 105
Piedmont
laws on sorcery and poisoning in, 157
punishment of sorcery in, 165
pimp, see prostitution
Piopan Arlotte, il, 77, 82
Pisa, execution in, 64–5
and insult, 117
Pistoia, revenge in, 132
plague, 188
Podestà
descriptions of in Sienese chronicles, 55
outline of role of, 11
representation of in literature, 76–7
sexual predations of, 55–7
poisoning, 25, 30, 64, 70, 72, 156–8
Pontanis, Ludovicus de, consilia
on assistance of homicide, 98
on breaches of private pacification, 127
preaching
and Jewish-Christian relations, 150
and sex crime, 137
and sorcery, 160, 164
prostitution, 137, 147, 151–4
as disease, 88
as public danger, 33, 88
impunity of killing a pimp, 174–5
permitted violence against prostitutes, 174
punishment
corporal, 36–7, 48, 49, 198–9
by money fine, 36, 45, 198–9
death, 38, 45, 48, 49, 198–9
deterrent effect of, 90
display of body-parts in, 62–5
rape, 138–40
difficulty of bringing accusation, 25
in Bologna, 41–2
in fiction, 79–81
in Mantua, 48
of slaves, 35–6
tactics of defendants in trials, 26–7
Index

Ravenna
  law on prostitution in, 153
  law on sexual relations of Christians and Jews in, 148
  statutes of, 92
Reggio
  statute on revenge in, 129
  violence in, 170
repute, see fama
revenge, see vendetta
Rimini, decree on blasphemy in, 119
Rocke, Michael, 144–5
Rome
  bargello of, 54
  duel in, 178
  executions in, 64, 65
  food shortage and theft in, 68
  lack of justice in, 69
  torture in, 190
Ruggiero, Guido, 9
  critique of works by, 97, 135–8
Sacchetti, Franco, 76, 77, 82, 117, 163, 179, 182, 196
Salernitano, Masuccio, 79–81, 177, 179
San Bernardino of Siena, 138, 164
Savona, 34
  insult in, 35, 36, 113–15, 117, 119
  pattern of prosecutions in, 34–7
  prosecution of sodomy in, 36, 143
Savoy, duke of
  decree on blasphemy by, 119, 120
  law on prostitution by, 153
  law on the trafficking of women in the sex-trade, 153
  punishment of sorcery by, 165
  scarring, 173
Sercambi, Giovanni, 59, 76, 77–81, 177, 182
  servants, 29, 46, 61, 64, 65, 67, 69, 158, 170, 171, 188–9, 196, 197
Sicily
  execution of a traitor in, 59
  explanation of rising crime in, 9
  Jews and sexual offences in, 148
  law on sorcery and poisoning in, 157
  outline of criminal justice system of, 13
  prosecution of sodomy in, 143
Siena
  bargello of, 54
  decapitation in, for phallus-painting, 122
  evolution of capital punishment in, 63–4, 66
  in a consilium of Baldus, 102–3
  Podestà of, 55
  statute on sodomy in, 141–2
  statutes on sex with slaves in, 151
slaves, 161, 193
  and sex crimes, 136, 137, 141, 150–1
sodomy, 137, 141–6
  as disease, 88
  associated with blasphemy, 119–20
  cases of, 36, 37, 142–3
  commutation of penalty for, 39–60
  consilium on, 98
in Bologna, 143
in Florence, 144–6
in Venice, 136, 141, 146
law on, 141–2
  malicious denunciation of, 21–2
  penalties for, 141–2
sorcery
  as disease, 88
  in fiction, 163
  its character and evolution, 153–6, 157–63
Spinelli, Matteo, 61
Spoletto
  statute on revenge, 129
Tartagni, Alessandro, 97
consilia
  on criminous clerics, 99
  on excessive self-defence, 126
  on individual and shared criminal responsibility, 101
  on killing of bandits, 106
  on theft by a servant, 189
thief
  cases of, 39, 46
  extra-territorial prosecution of, 93
Todi, see Matteuccia
Torcello, violence in, 168
torture, 25, 56–7
  consilia on, 107
  deaths on the rope, 57
  in fiction, 76
  of thieves, 35, 189–91
Treviso, in consilia of B. Cepolla, 102, 105
Turin, 9
Ubaldis, Angelus de, consilia
  on assistance to homicide, 98
  on bandit-killing and revenge, 128–9
  on duelling, 180
  on extra-territorial homicide, 103
  on killing of bandits, 106
  on robbery, 191
Ubaldis, Petrus de, consilium on Jew visiting brothel, 148–9
Urbino
  popular rising in (1322), 57
vagabonds, 29, 143, 146, 162, 186, 192, 195
vendetta, 21, 123–32
and conflict resolution, 20
consilia on, 126–9
in chronicles, 67
in fiction, 82
non-vindictive nature of statute law, 90–1
law on, 129–40
prosecution of, 130–1
women and, 22

Venice
and Roman law, 97
law of on sexual relations of Christians and Jews, 148
outline of criminal justice system of, 12
prosecution of sorcery in, 160
sex crimes in, 135–8
sodomy in, 141, 146
statutes on sex with slaves in, 151

Verga, E., 9, 18
Verona
law on prostitution in, 152, 153
status of regional law of, 105, 106
statute on blasphemy in, 120

Visconti, lords/dukes of Milan
Bernabò, decree on assisted crime, 102
Bernabò in fiction, 79, 81
decrees of, 85
decrees of on avoidance of penalty, 89
Gian Galeazzo’s decree on blasphemy, 120
Giangaleazzo and legal consultants, 108

wife-battering, 26, 43, 45, 99, 163, 174, 175–6
wife-killing, 28
cases of, 176–7
in fiction, 177
witch-craft, 163

Zorzi, Andrea, 4–5, 8, 9, 59, 84, 124