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Tessa Storey

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## Introduction

It seemed a harsh and monstrous thing that in holy Rome there should be so many prostitutes, and that they should be held in such high esteem, that they seemed to be queens (thanks to human incontinence and intemperance).<sup>1</sup>

On the night before Palm Sunday in 1559, the Bishop of Polignano was enjoying the delights of the flesh in the arms of a Jewish courtesan named Porzia. Sadly for him, his pleasures were to be short lived. A servant had informed on him and the couple were arrested the same night. The Bishop was sentenced to perpetual imprisonment whilst Porzia was exiled from Rome, having been publicly whipped, had her goods confiscated and her house ransacked. In the following days, diplomatic reports known as *avvisi*<sup>2</sup> circulated with details of the case, expressing the public's astonishment at these events. It was not so much the Bishop's punishment which was shocking. He had 'acted against the law' (sex between Jews and Christians was forbidden by canon law) and priests were expected to live chastely.<sup>3</sup> On the contrary, the outcry was occasioned 'by the sentence handed out to Porzia because she was a public courtesan and paid her tribute every year', and was therefore 'guilty of nothing'.<sup>4</sup>

Porzia and the unfortunate Bishop were amongst the first high-profile victims to fall foul of the Counter-Reformation papacy's rapid shift in

<sup>1</sup> Ortensio Lando, *Commentario delle più notabili et mostruose cose d'Italia, e altri luoghi* (Venice, 1548), 15.

<sup>2</sup> Daily reports which informed courts and merchants of important political, economic and social events – often written by diplomatic correspondents. See Jean Delumeau, *Vie économique et sociale de Rome dans la seconde moitié du XVI<sup>e</sup> siècle* (2 vols.) (Paris: De Boccard, 1957), 25–36. And Tullio Bulgarelli, *Gli avvisi a stampa in Roma nel Cinquecento* (Rome: Istituto di Studi Romani Editore, 1967).

<sup>3</sup> Clearly fornication by priests was also frowned upon, especially given the religious climate. On Jews and Christians see James A. Brundage, *Sex, Law and Marriage in the Middle Ages* (Aldershot: Variorum, 1993), 25–40, 30. More generally see Merry E. Wiesner-Hanks, *Christianity and Sexuality in the Early Modern World: Regulating Desire, Reforming Practice* (London: Routledge, 2000), 107.

<sup>4</sup> BAV, Urbinate Latini, vol. 1039, c20r, 25 March 1559; c24r, 8 April 1559; c28v, 22 April 1559.

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attitudes towards sexual immorality in Rome. Hitherto, the city had been remarkable for its leniency towards prostitution and any woman who had registered herself as a prostitute could practise her profession virtually unhindered. Furthermore, as the shock and pity which accompanied Porzia's punishment demonstrated, the immorality of her actions did not trouble the average bystander. Indeed, sympathy for prostitutes ensnared by the new laws would be expressed on many other occasions in the *avvisi* over the following decades, until the Romans eventually became used to this new approach to the policing of sexual morality.

## I

Prostitutes had long been tolerated in Rome, as in other towns and cities across Europe, their place in society underpinned by a celebration of male virility and medical understandings of the body. They served to protect wives and 'honest' virgins from the lusts of males, who were thereby able to have extra-marital sex without disturbing the social order.<sup>5</sup> Prostitution was regulated more closely in some cities than in others, but by the fourteenth century many municipalities had at the very least attempted to separate prostitutes from other women. In cities such as Castile, Dijon, Amsterdam and across the Italian peninsula, brothels or 'red-light' areas were established; prostitutes were often ordered to wear distinctive attire. In many places, such as Venice, Bologna and Florence, government offices were set up specifically to control prostitution. Prostitutes had to register with them and pay taxes, which generated a significant income for local governments, whilst a panoply of laws restricted their activities.<sup>6</sup> Despite

<sup>5</sup> Jacques Rossiaud, *Medieval Prostitution* (Oxford: Basil Blackwell, 1988), chapter 6. Linda L. Otis, *Prostitution in Medieval Society: the History of an Urban Institution in Languedoc* (London: University of Chicago Press, 1985). Rinaldo Comba, "Apetitus libidinis Coherceatur": Struttura demografiche, reati sessuali e disciplina dei comportamenti nel Piemonte tardo-medievale, *Studi Storici* 27:3 (1986), 529–76, 552. For analyses which stress this idea of the role of prostitution in upholding the social order see Carol Lansing, 'Gender and Civic Authority: Sexual Control in a Medieval Italian Town', *Journal of Social History* 31:1 (1997), 33–59. Mary Elizabeth Perry, *Gender and Disorder in Early Modern Seville* (Princeton: Princeton University Press, 1990), 46. And Guido Ruggiero, *The Boundaries of Eros: Sex, Crime and Sexuality in Renaissance Venice* (London and New York: Oxford University Press, 1995), esp. 146–68.

<sup>6</sup> Otis, *Prostitution in Medieval Society*. Rossiaud, *Medieval Prostitution*. Elisabeth Pavan, 'Police des mœurs, société et politique à Venise à la fin du Moyen Âge', *Revue Historique* 36:5 (1980), 241–88. Richard Trexler, 'La prostitution florentine au XVe siècle: patronages et clientèles', *Annales ESC* 36 (1981), 985–1015. Maria Serena Mazzi, *Prostitutes e Lenoni nella Firenze del Quattrocento* (Milan: Mondadori, 1991). John Brackett, 'The Florentine Onestà and the Control of Prostitution, 1403–1680', *Sixteenth Century Journal* 24:2 (1993), 273–300. For a general overview of several Italian cities see Romano Canosa and Isabella Colonnello, *Storia della prostituzione in Italia* (Rome: Sapere 2000, 1989).

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its position at the centre of Catholic Christendom, Rome had exercised very little control over its prostitutes prior to the mid-sixteenth century. They were required to register with the Curia Savelli, one of the city's many tribunals, which collected a yearly tax, but apart from this there was little legislation. At the lower end of the social hierarchy the profession was focused around a few brothels and *stufe* (bath-houses), the first of which opened in 1422.<sup>7</sup> At the other end of the social spectrum elite courtesans received clients in their famously splendid apartments.

Change came in the sixteenth century as a wave of official intolerance towards prostitution swept across Europe. Some scholars have attributed this to the sudden and appalling consequences of syphilis which first appeared in the last decade of the fifteenth century. However, sexual contact was only one of the many ways the disease was believed to be transmitted and the timing is incorrect, since the brothels closed down several decades after the appearance of syphilis.<sup>8</sup> Others have linked the change to the long-standing association between prostitution and disease, to the newly apparent dovetailing of prostitution and crime and a general desire for improved social order, and in particular to the impact of Protestantism.<sup>9</sup> The results were the closure of brothels, the rejection of 'official' prostitution and the promulgation of harsh legislation against prostitutes. This occurred first in Protestant areas: in 1526 in Zwickau, in Augsburg in 1532 and in London in 1546. Most of the brothels in Languedoc closed in the 1550s, a decade before they were prohibited by the Decree of Orleans (1561), and prostitution was criminalised in Amsterdam in 1578, when the Protestants came

For developments in Germany see Lyndal Roper, 'Discipline and Respectability: Prostitution and the Reformation in Augsburg', *History Workshop Journal* 19 (1985), 3–28. Roper, 'Madri di depravazione: le mezzane nel Cinquecento', *Memoria* 2 (1986), 7–23. For Spain see Mary Elizabeth Perry, 'Deviant Insiders: Legalized Prostitutes and a Consciousness of Women in Early Modern Seville', *Comparative Studies in Society and History* 27 (1985), 138–58. And Perry, *Gender and Disorder*. Denis Menjot, 'Prostitution et ruffianage dans les villes de Castille à la fin du Moyen Âge', *IAHCCJ Bulletin* 19 (1994), 21–38. Iñaki Bazán Díaz, Francisco Vázquez García and Andrés Moreno Mengibar, 'La prostitution au pays Basque entre XVe et XVIIe siècles', *Annales HSS* 55:6 (2000), 1283–302. For England see Ruth Mazo Karras, *Common Women: Prostitution and Sexuality in Medieval England* (Oxford and New York: Oxford University Press, 1996). In Florence in 1569 prostitutes paid between 38 *soldi* and 1–2 *scudi* per annum according to their income as a licence to practise. Canosa and Colonnello, *Storia della prostituzione*, 107–8. Venetian prostitutes who paid more than 40 ducats rent were taxed to help build the Arsenal. Pavan, 'Police des moeurs', 280. In 1501 25 per cent of Carmona's normal income was derived from the brothel. Menjot, 'Prostitution et ruffianage', 29, 31.

<sup>7</sup> There were at least five *stufe* operating in the Ponte-Parione area in the early sixteenth century. Angelica Pediconi, 'The Art and Culture of Bathing in Renaissance Rome', MA dissertation, History of Design, Victoria and Albert Museum/Royal College of Art, 2004, 121, 142. Also Canosa and Colonnello, *Storia della prostituzione*, 49.

<sup>8</sup> Otis, *Prostitution in Medieval Society*, 40–5.

<sup>9</sup> Ibid. Roussiaud, *Medieval Prostitution*, 51. And Roper, 'Discipline and Respectability', 13.

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to power.<sup>10</sup> In Catholic areas the legislative response was slower and less dramatic. In Spain municipal brothels remained open for another hundred years, until 1626. In Italian cities prostitution continued to be tolerated, but municipalities sought to hem it in with restrictions.<sup>11</sup>

## II

The arrests of Porzia and the Bishop took place as the movement for Catholic renewal gathered pace in the mid to late sixteenth century. Under the auspices of several particularly zealous popes – Paul IV, Pius IV, Pius V and Sixtus V – Rome, seat of the papacy and a place of pilgrimage for hundreds of thousands of Catholics from across Europe, was in the public eye. Its reputation was tarnished by its many prostitutes and the wealthy courtesans who had flourished in the tolerant atmosphere of the Holy City, a fact echoed in Protestant propaganda, which portrayed the city as Babylon and the Pope as a whore.<sup>12</sup> As part of a general phase of renewal in the city, it was important therefore that the papacy be seen to act against prostitution and establish a new reputation for moral rectitude.

Prostitution lay at the heart of Protestant and Catholic concerns about female sexuality and wider social discipline. It was not just a problem of individual immorality. Prostitutes were emblematic of female ‘disorderliness’, and ‘waywardness’ in general, illustrating the dangers of allowing women to escape from male control. They epitomised everything that women should not be, or do. Furthermore, prostitution was seen as a ‘canker’, a symptom of moral degeneracy which could spread like a disease throughout society, multiplying what Borromeo referred to as the ‘occasions to sin.’<sup>13</sup> Prostitutes promoted the ruin of others by seducing young men and setting a bad example to other young women. Sociability around prostitutes was associated with general indiscipline and a range of other vices: drinking, gambling, dancing, vanity and greed. By eliminating or restricting prostitution, city fathers hoped to increase their control over female immorality, to

<sup>10</sup> See Roper, ‘Discipline and Respectability’ for timings in German states; Otis, *Prostitution in Medieval Society*, for France; Mazo Karras, *Common Women*, for England; and for Amsterdam, Lotte Van de Pol, *Het Amsterdams Hoerdom. Prostitutie in de Zeventiende en Achttiende Eeuw* (Amsterdam: Wereldbibliotheek, 1996) (translation forthcoming from Oxford University Press).

<sup>11</sup> For Spain see Perry, ‘Deviant Insiders’, and for Italy, Canosa and Colonnello, *Storia della prostituzione*.

<sup>12</sup> On courtesans as one of the ‘sights’ of the city see Elizabeth S. Cohen, ‘Seen and Known: Prostitutes in the Cityscape of Late Sixteenth-Century Rome’, *Renaissance Studies* 12:3 (1998), 392–409. On such propaganda see Robert Scribner, *For the Sake of Simple Folk: Popular Propaganda for the German Reformation* (Cambridge: Cambridge University Press, 1981).

<sup>13</sup> Wietse de Boer, *The Conquest of the Soul: Confession, Discipline and Public Order in Counter-Reformation Milan* (Leiden, Boston and Cologne: Brill, 2001), 70.

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punish, reform and redeem the women involved in it, and more generally to purify the social arena.<sup>14</sup>

The Counter-Reformation has been identified by gender historians as a period in which civic and ecclesiastic authorities strengthened patriarchal control over women: limiting their autonomy of action in both public and religious spheres; bringing them further under male control; attempting to inculcate a stricter sexual morality; and imposing new behavioural norms. The reforms of prostitution were just one facet of this broader campaign. As a result of recent scholarly interest, particularly by gender historians, we now know a great deal about the nature of these ideals and the ways in which they were disseminated: models of perfect womanhood were preached from pulpits, enshrined in imagery and codified in conduct books.<sup>15</sup> We know far less about responses to these measures and the extent to which the new morality and norms permeated the consciousness of ordinary citizens, although what research there is suggests that women did not accept the loss of their autonomy meekly.<sup>16</sup> This book considers the impact of this phase of ‘social disciplining’ on the lives of the women – and men – involved in prostitution, at the heart of the Catholic world in the century following the Tridentine reforms. It explores the effects of the discipline ordinances on the daily lives and practices of prostitutes and their clients, it examines whether the number of wealthy prostitutes was visibly reduced, and it asks whether the new morality affected the way prostitutes viewed themselves, were viewed by their clients and were viewed within their communities.

Although generally considered to affect only a ‘marginal’ social group, prostitution in this society was something to which many thousands of women turned, at some point in their lives, whether on a long-term basis or to tide them briefly over a crisis. In looking at the impact of the Counter-Reformation on prostitutes and prostitution we are examining just one facet of a much broader campaign to restrict women’s sexuality, social autonomy and economic activities. This was achieved by reinscribing them within the ever narrowing confines of marriage, claustration, or regulated and policed prostitution, bringing women increasingly under male control, whichever sphere they moved through. Furthermore, although the three separate paths

<sup>14</sup> See also Jennifer Selwyn’s discussion of Jesuit attitudes towards prostitutes in *A Paradise Inhabited by Devils: the Jesuits’ Civilizing Mission in Early Modern Naples* (Aldershot: Ashgate, 2004), 174–5.

<sup>15</sup> Many of the essays in the following collections discuss early modern constructions of gender. Geraldine A. Johnson and Sara F. Matthews Grieco, eds., *Picturing Women in Renaissance and Baroque Italy* (Cambridge: Cambridge University Press, 1997). Letizia Panizza, ed., *Women in Italian Renaissance Culture and Society* (Oxford: Legenda, 2000). And M. Migiel and J. Schiesari, eds., *Refiguring Woman: Perspectives on Gender and the Italian Renaissance* (New York: Cornell University Press, 1991).

<sup>16</sup> This will be discussed further in the conclusion.

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mapped out for women appear to have been radically divergent, bounded by the impenetrable walls of law and normative discourse, symbolically and practically they were interwoven and interpenetrating.<sup>17</sup> Prostitution shored up marriage by ‘protecting’ wives and virgins from the attentions of other men, providing a legitimate space outside it which catered to those men whose sexual and affective needs could not be met by marriage. Likewise the status and praise accorded to the purity of nuns were intensified by the contrast with the unbridled sexuality and corruption of ‘whores’.

Although those women who became nuns generally remained within a convent, many other women might experience all three states of womanhood in their life-time: marriage, prostitution and the taking of religious orders. The majority of women lived in poverty and the two ideal states of womanhood, marriage and the convent, both came at a price. A dowry was required for both institutions and it was a price which many women could not afford, or at least, not immediately. Many earned a dowry through prostitution itself; others prostituted themselves when the material advantages associated with marriage failed to appear, or when they found themselves widowed or abandoned, perhaps with children to raise. When prostitution failed to deliver the hoped-for material benefits, when it proved too unpleasant or perhaps dangerous, women could always ‘repent’, and for a small price, end their days as a nun in a convent for the *convertite*.

## III

The historiography of prostitution in pre-modern Italy and Europe has been weighted in favour of studies of the later middle ages and Renaissance. The fourteenth and fifteenth centuries in southern France, Florence, Venice and England in particular have been well documented. Until very recently, studies of the phenomenon in Rome were limited to the early sixteenth century, driven by curiosity about the so-called ‘golden age’ of the elite courtesans. This produced an extensive, if rather uniform, bibliography on the lives and loves of courtesans in the context of High Renaissance Rome.<sup>18</sup> However, such was the apparent vigour with which the Counter-Reformation papacy sought to tackle prostitution, it has often

<sup>17</sup> See Silvia Evangelisti’s comments on the intersections and overlaps between marriage and the convent in ‘Wives, Widows and Brides of Christ: Marriage and the Convent in the Historiography of Early Modern Italy’, *Historical Journal* 43: 1 (2000), 233–47, 241.

<sup>18</sup> Prior to the mid-twentieth century these works were based on a combination of extensive archival research and use of literary sources. Salvatore Bonghi, *Il Velo Giallo di Tullia D’Aragona* (Florence: G. Carnesecchi e Figli, 1886). A. Bertolotti, *Repressioni straordinarie alla prostituzione in Roma nel secolo XVI* (Rome: Tipografia delle Mantellate, 1887). Guido Biagi, *Un’etèra romana: Tullia d’Aragona*,

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been assumed that practices of prostitution in the city were profoundly modified, and that the well-to-do courtesans, in particular, disappeared.<sup>19</sup> As a reflection of this, histories of prostitution in Rome came to an abrupt end in the mid to late sixteenth century; the same was true for the rest of Europe. The seventeenth and eighteenth centuries were largely shrouded in silence, as if the Reformations had resulted in the 'disappearance' of prostitution from the social scene.

This silence has gradually been broken, by Roper's essay on post-Reformation Augsburg, and particularly for the eighteenth century by Benabou's study of Paris, Henderson's work on London and Van de Pol's extensive survey of prostitution in Amsterdam in the seventeenth and eighteenth centuries.<sup>20</sup> For Rome, Cohen and Camerano have shifted the focus away from the elite courtesan of the early Cinquecento and on to the 'ordinary' prostitutes and courtesans of the late sixteenth and early seventeenth century.<sup>21</sup>

This book challenges the traditional chronology and perceptions of prostitution in post-Tridentine Rome. It examines in detail the debate which

(Florence: Roberto Paggi, 1897). Arturo Graf, *Attraverso il cinquecento* (Turin: Ermanno Loescher, 1888), 257–9. Alessandro Ferrajoli, 'Il ruolo della corte di Leone X', *ARSRSP*, vols. 35–9 (1912–16). Emmanuel Rodocanachi, *La femme italienne à l'époque de la Renaissance* (Paris: Hachette, 1907). And Rodocanachi, *Cortigiane e buffoni di Roma* (Milan: Edizioni Pervinca, 1927). From the 1940s until the 1990s histories of prostitution were based on those cited above. Umberto Gnoli, *Cortigiane romane* (Arezzo: Il Vasari, 1941). Paul Larivaille, *La vita quotidiana delle cortigiane nell'Italia del Rinascimento* (Milan: Rizzoli, 1975). Georgina Masson, *Courtesans of the Italian Renaissance* (London: Secker and Warburg, 1975). Lynne Lawner, *Lives of the Courtesans* (New York: Rizzoli, 1986). For a recent monograph on early sixteenth-century Roman courtesans based on entirely new research and focusing on their financial arrangements with bankers, see Monica Kurzel-Runtscheiner, *Töchter der Venus: Die Kurtisanen Roms im 16. Jahrhundert* (Munich: Beck, 1995).

<sup>19</sup> This is the general impression which emerges from this literature, with the reforms made by Pius V cited as marking the closure of this period.

<sup>20</sup> Roper, 'Discipline and Respectability' and 'Madri di depravazione'. Van de Pol, *Het Amsterdams Hoerdom*. Tony Henderson, *Disorderly Women in Eighteenth-Century London: Prostitution and Control in the Metropolis, 1730–1830* (London and New York: Longman, 1999). Faramerz Dabhoiwala, 'The Pattern of Sexual Immorality in Seventeenth and Eighteenth Century London', in Paul Griffiths and Mark S. R. Jenner, eds., *Londinopolis: Essays in the Cultural and Social History of Early Modern London* (Manchester and New York: Manchester University Press, 2000), 86–106. Erica Marie Benabou, *La prostitution et la police des mœurs au XVIIIe siècle* (Paris: Perrin, 1987). Alain Corbin, *Les filles de noce*, 2nd edn (Paris: Flammarion, 1982).

<sup>21</sup> See Elizabeth and Thomas Cohen, *Words and Deeds in Renaissance Rome: Trials before the Papal Magistrates* (Toronto: University of Toronto Press, 1993). Also Elizabeth S. Cohen, 'Open and Shut: the Social Meanings of the Cinquecento Roman House', *Studies in the Decorative Arts*, Fall–Winter (2001–2), 61–84. And Elizabeth S. Cohen, 'Seen and Known', 'Camilla the Go-Between', 'The Politics of Gender in a Roman Household (1559)', *Continuity and Change* 4 (1989), 53–77. 'Honour and Gender in the Streets of Early Modern Rome', *Journal of Interdisciplinary History* 22:4 (1992), 597–625. Alessandra Camerano 'Assistenza richiesta ed assistenza imposta: il Conservatorio di S. Caterina della Rosa di Roma', *Quaderni Storici* 82 (1993), 227–60. And Camerano, 'Donne oneste o meretrici?', *Quaderni Storici* 99:3 (1998), 637–75.

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took place between Pius V and the lay city government, suggesting that the aims of papal legislation were not as repressive as has often been believed, and demonstrating the extent to which papal policy was contested and obstructed by the laity. Relying on a range of sources, it argues that prostitution continued to flourish well into the late seventeenth century, finding that the norms and values of lay people were resistant to the imposition of new behavioural mores. It also questions the 'myth' put about in Counter-Reformation rhetoric, that the wealthy courtesans disappeared and that Roman prostitution became a miserable and impoverished affair. It finds, on the contrary, that the profession was characterised by large numbers of 'comfortably-off' courtesans who were frequented openly, as ever, by the city's large numbers of wealthy men.

## IV

Like several other recent studies of prostitution, this one draws extensively on records from the archives of criminal tribunals.<sup>22</sup> With one or two exceptions the criminal sources used here are drawn from the archives of the *Governatore di Roma*, the head of justice in the city and its province.<sup>23</sup> A prelate, the Governor had jurisdiction over both civil and criminal matters, laymen and clergy, and could issue edicts and decrees. He also had authority over two prisons and had a body of policemen (*birri* or *sbirri*) at his command. His power, however, was undermined by the plethora of different tribunals and courts within Rome, the jurisdictions of which overlapped and undercut his. In particular there were the *Tribunale del Senatore*, the court of the Capitoline Administration, the *Tribunale della Curia del Borgo*, created in the 1550s to take over criminal responsibility for the Borgo, and the *Corte Savella*. In addition the *Tribunale del Vicariato*, run by the Vicar General of the city, had jurisdiction over spiritual, marital and moral affairs and a great many cases regarding prostitutes would have been brought before these courts.<sup>24</sup>

<sup>22</sup> Van de Pol, *Het Amsterdams hoerdom*. The work of Thomas and Elizabeth Cohen is based on the criminal tribunals in Rome, that of Guido Ruggiero on trials from Venice.

<sup>23</sup> Augusto Pompeo, 'Procedure usuali e "iura specialia in criminalibus" nei tribunali romani di antico regime', *Archivi per la Storia* 1–2 (1991), 111–24. Niccolò Del Re, *Monsignor Governatore di Roma* (Rome: Istituto di Studi Romani, 1972). Carlo Cirillo Fornili, *Delinquenti e carcerati a Roma alla metà del '600: opera dei papi nella riforma carceraria* (Rome: Editrice Pontificia Università Gregoriana, 1991).

<sup>24</sup> Pompeo, 'Procedure usuali', 111, 115–16. Luigi Londei, 'La funzione giudiziaria nello Stato pontificio di antico regime', *Archivi per la Storia* 1–2 (1991), 13–31. Irene Polverini Fosi, 'Fonti giudiziarie e tribunali nella Roma del cinquecento. Problemi metodologici per una ricerca di demografia storica',

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The criminal justice system was based on an inquisitorial procedure and cases were started largely through direct accusation by a third party; increasingly this was the public prosecutor himself. Once the complaint had been filed the accused was cited to appear in court, and kept in prison in isolation until after the initial interrogation. Subsequently there would be an opportunity for him or her to prepare a defence, witnesses would be called and there might be a confrontation between them. Sometimes only a notary was present in court, at others the public prosecutor or judge was there too. In serious cases, in the absence of a confession, torture was commonly used.

Three archival series from the Governor's tribunal have provided the bulk of the sources used. The *Processi per informazione* were the initial interrogations of the accused and witnesses, the most complete forms of trials surviving, which can run to hundreds of pages.<sup>25</sup> One of the difficulties with using the *Processi* is that we cannot be sure that all the documents pertaining to the trial are in the volume; they can be distributed in other archival series, such as the *Interrogazioni*, or *Testimonii per la difesa*. In particular the series of sentences is incomplete, so it is often impossible to know the outcome of the trial. The reader must therefore forgive the abrupt way in which these stories end.

The *Costituti* record the moment when the court interrogated the accused in some detail about his or her past, social condition, wealth and profession in order to ascertain their character and social circumstances, thereby providing much biographical detail. The *Relazioni dei birri* are the reports drawn up daily by the *birri* describing whom they had arrested the previous night during their rounds of the city and why.<sup>26</sup>

Criminal records have been found to provide an extraordinarily rich source for accounts of the social practices, personal biographies, relationships and daily lives of the poor, material otherwise hidden to the eyes of the historian. But many caveats must be attached to their use. One of these relates to how representative they are, particularly when much of the

in Eugenio Sonnino, ed., *Popolazione e società a Roma dal medioevo all'età contemporanea* (Rome: Il Calamo, 1998), 591–6. Sadly, trial documents from the *Vicariato* were destroyed during the French occupation in the late eighteenth century.

<sup>25</sup> Thomas and Elizabeth Cohen have worked extensively on the *Processi per informazione* and have transcribed and analysed several cases related to prostitutes. See their *Words and Deeds in Renaissance Rome*. See also Fornili, *Delinquenti e carcerati*, 155–66. And Thomas V. Cohen, *Love and Death in Renaissance Italy* (Chicago and London: University of Chicago Press, 2004).

<sup>26</sup> ASR, TCG, *Relazioni dei birri*, Buste, 1–8. The period covers the pontificate of Clement VIII, and is particularly interesting since it includes the preparation for and aftermath of the Jubilee of 1600.

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discussion is based on case studies.<sup>27</sup> To mitigate this I have drawn here on some five hundred criminal records, which, even if not all discussed, have helped to contextualise findings against a broader background. Another criticism is that criminal records in many countries do not record the voice of the accused, only those of the interrogators and court scribes. In Italy, however, one of the characteristics of court records is that the notary was required to transcribe the questions of the interrogator and the replies of those being investigated in Italian, *ad verbatim*, not as a summary, and also to note any physical gestures, cries or reactions he or she might make. Depositions vary from curt or repetitive accounts, to highly articulate, sophisticated narrations. Overall they are remarkable for the amount of incidental detail and biographical narrative they provide, and it is this information which is used as the basis for this study.<sup>28</sup>

We clearly cannot consider these interrogations as transparent records of events, nor are they an 'early modern version of the oral history interview', as Roper pointedly reminds us: 'They are the constructed record of a conversation where the differences of power are highly visible, and the distance of the record from "memory" cannot be overlooked.'<sup>29</sup> As a result these records are difficult to interpret. Many different solutions to these problems have been adopted by historians working with criminal records.<sup>30</sup> The analysis here draws on concepts developed by historians of social science who have explored the role played by narratives in the formation and articulation of social identities. This approach is premised on the belief that 'It is through narrativity that we come to know, understand, and make sense of the social world, and it is through narratives and narrativity

<sup>27</sup> See Samuel K. Cohn's observations in *Women in the Streets: Essays on Sex and Power in Renaissance Italy* (Baltimore and London: The Johns Hopkins University Press, 1996), 105. The debate over quantitative versus qualitative use of criminal sources has been particularly lively in Italy. Eduardo Grendi, 'Premessa', *Quaderni Storici* 66 (1987), 695–700, 695. Mario Sbriccoli, 'Fonti giudiziarie e fonti giuridiche. Riflessioni sulla fase attuale degli studi di storia del crimine e della giustizia criminale', *Studi Storici* 29 (1988), 491–501, 494.

<sup>28</sup> This is similar to the kind of detail to which Carlo Ginzburg refers in his essay 'Clues: Roots of an Evidential Paradigm', in his *Myths, Emblems, Clues* (London: Hutchinson Radius, 1990), 96–125.

<sup>29</sup> Lyndal Roper, *Oedipus and the Devil: Witchcraft, Sexuality and Religion in Early Modern Europe* (London and New York: Routledge, 1994), 55. Also Jim Sharpe, 'Human Relations and the History of Crime', *IAHCCJ Bulletin* 14 (1991), 10–32, 12. And Pieter Spierenburg, 'Justice and the Mental World', *IAHCCJ Bulletin* 14 (1991), 38–77.

<sup>30</sup> See Natalie Zemon Davis in *The Return of Martin Guerre* (Cambridge, Mass. and London: Harvard University Press, 1983) and *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France* (Stanford: Stanford University Press, 1987), 48. Carlo Ginzburg, *The Cheese and the Worms: the Cosmos of a Sixteenth Century Miller*, trans. John and Anne Tedeschi (London: Penguin, 1992). Edward Muir and Guido Ruggiero, *History from Crime*, trans. Corrada Biazzi Curry, Margaret A. Gallucci and Mary M. Gallucci (Baltimore: The Johns Hopkins University Press, 1994).