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1 Introduction

Bartholomeo Minconi did not have the profitable day he hoped for in the market outside Medicina. The forty-year-old salt smuggler came to the large town directly east of Bologna, from his hometown of Lugo in the Romagna, in April of 1670. A notary from Bologna's criminal court, the *Tribunale del Torrone*, recorded his brother's testimony the next day, itself informed by the gossip of "many and diverse persons": Bartholomeo attempted to break up a fight between two of his fellow townsmen and smugglers, Francesco Zanconi and Baldissera Vetria. The pair argued over "a certain wagon of grain," which, presumably, was stuffed with their contraband. When harsh words left them "injured, both of them brought themselves forward with their guns in hand," and the men squared off to fight. Francesco pulled the trigger first, but his weapon jammed. Because all involved were neighbours, Bartholomeo Minconi tried to intervene in this brewing duel; he died in the ensuing crossfire. According to his brother, Bartholomeo was a peaceful citizen who had offered to settle the debt between Zanconi and Vetria out of his own funds.[1] The smugglers' conflict, rooted in their illegal trade, arose from their familiarity with each other and might have been quelled by its virtues. That conflict came to violence in Medicina and occurred in the bright market day in a crowded square, where onlookers hid in doorways but still watched with fascination. A dispute over an unspecified debt between men, who otherwise cooperated in their illegal trade, left a third man, another smuggler, dead in the square, turning an argument into a homicide. Bartholomeo paid for his peacefulness with his life – one of

[1] Archivio di Stato di Bologna (hereafter ASBo), *Tribunale del Torrone*, *Atti e Processi* (hereafter *Torrone*), 6954/1, *in fine*. The brother's account paints Bartholomeo as a peacemaker, and at least one witness agreed that he was well known and respected in Medicina's market, unlike the two who came to violence. But Francesco Mingoni finished his statement with a list of Bartolomeo's goods that he now wanted to retrieve, in particular a horse that had been seized on a surety he could not afford, and he himself named the witness who spoke glowingly of Bartholomeo.

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sixty-one people in this North Italian province of some 225,000 to die violently in Bolognese lands in that late-century year.

The figure of sixty-one homicides in 1670 translates to a "homicide rate," expressed as the number of people killed by others per 100,000 population, of about 27. Out of context, that rate may not alarm readers unfamiliar with homicide statistics, but it is frighteningly high in modern terms. Developed nations in the modern West – outside the United States – generally have homicide rates below 5 per 100,000 and strive to reach "intentional" homicide rates of less than 1 per 100,000.[2] That a largely agrarian society of three centuries past was more violent than our contemporary urban societies is perhaps not surprising, but the snapshot of a homicide rate in 1670 is only the prelude to the larger story told in this book. Over the course of the first seven decades of the seventeenth century, in Bologna and other parts of Northern Italy, homicide rates rose precipitously before falling off to similar levels as in 1600 by century's end. That dramatic rise and fall of fatal violence, in an economically robust, politically developed area of Catholic Europe, has much to tell us about the reasons why homicide rates rise in areas where society seems otherwise stable.

In North Italy, a resurgence of frequent revenge and political homicides reflects the dissolution of socioeconomic stability amid a series of crises that engulfed the region in the seventeenth century.[3] Regional patterns of homicide challenge models hitherto used to explain the decline of violence in the West and the role of elite populations in effecting that change. Qualitative analysis of a large body of homicide trials from Bologna demonstrates how environmental, political and economic crises broke a fragile peace established between the Papacy and various groups of elite nobility in the sixteenth century. The crumbling of that peace engendered a decades-long outburst of violence and

[2] For comparison, Italy had a homicide rate of ~1 per 100,000 in 2014, and ~2 per 100,000 in 1995. Honduras, the most homicidal country in the world in 2014, had a homicide rate of ~75 per 100,000. *The World Bank: Intentional Homicides (per 100,000 people)*, http://data.worldbank.org/indicator/VC.IHR.PSRC.P5?year_high_desc=false, accessed December 7, 2017.

[3] For an overview of recent Anglo-American and Italian scholarship on seventeenth-century Italy, cf. Edward Muir, "Italy in the No Longer Forgotten Centuries," *I Tatti Studies in the Italian Renaissance* 16, nos. 1–2 (September 1, 2013): 5–11; Gregory Hanlon, *Early Modern Italy, 1550–1800: Three Seasons in European History* (New York: St. Martin's Press, 2000). Domenico Sella's survey of the period provides the best introduction to local Italian histories of seventeenth-century Italy, though Bologna receives scant attention. Cf. Domenico Sella, *Italy in the Seventeenth Century* (London: Longman, 1997).

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necessitated the reestablishment, on new terms, of the sociopolitical equilibrium that might reduce elite and ordinary violence.[4]

That process is significant because the major cities of North Italy, of which Bologna was foremost, were perhaps archetypal examples of Norbert Elias's "civilizing process," a theory that looms large over the history of violence and its decline in the West.[5] That theory, which holds (among other things) that over the late medieval and early modern period the centralization of local and regional government subdued the violent passions of elite and ordinary people and subjected those people to the authority of laws and courts, has gripped both academic and popular literature on violence.[6] However, the experience of Northern Italy demonstrates how fragile could be the peaceful society brought about by administrative and judicial centralization, steep hierarchical order, and attempts to institute the rule of law. When it failed to mitigate the impact of warfare, economic stagnation, famine and plague in the 1620s and 1630s, the papal government of Bologna witnessed a sharp increase in interpersonal homicides across society. When it sought to curb the violence of regional elites, the criminal court of Bologna became party to the revival of vendetta violence between urban nobles seeking the reestablishment of feudal privileges in their rural lands. When authorities sought to punish and reduce violence, they found themselves confronted by the norms of a society that valued reciprocity and restitution over lawful redress, which preferred that the debts of violence be composed with blood money or with blood in kind.

Throughout the period under consideration, ordinary *bolognesi* killed each other in conflicts that are sometimes very familiar to modern readers

[4] This negotiated peace was established following decades of conflict between papal legates, republican factions of the nobility who sought to advance their positions through governance in the Senate and other institutions, and vestiges of the Bentivoglio oligarchy. In this long struggle, the criminal court became an active agent in the pacification of the violent sectors of each set of noble factions. Andrea Gardi, "Lineamenti della storia politica di Bologna: da Giulio II a Innocenzo X," in A. Prosperi, ed., *Storia di Bologna* (Bologna: Bononia University Press, 2005–2008), 3–60; M. Cavina, "I luoghi della giustizia," in ibid., 368–73; Giancarlo Angelozzi and Cesarina Casanova, *La nobiltà disciplinata: violenza nobiliare, procedure di giustizia e scienza cavalleresca a Bologna nel 17. secolo* (Bologna: CLUEB, 2003).

[5] Norbert Elias, *The Civilizing Process* (New York: Pantheon Books, 1978).

[6] The academic debate on violence in the early modern West is largely defined by the work of Pieter Spierenburg, the early proponent of Eliasian theories of violence. See, for instance, P. Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (New York: Cambridge University Press, 1984). In popular literature, Harvard linguist and sociologist Steven Pinker has melded Eliasian thinking with evolutionary psychology to create a rosy view of an inexorable decline in violence across time. Steven Pinker, *The Better Angels of Our Nature: Why Violence Has Declined* (New York: Viking, 2011).

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and sometimes seem quite alien. They killed for love or lust, for financial gain or to prevent financial ruin, to avenge a wrong or to shame an enemy. They killed in tightly knit, face-to-face communities and neighbourhoods, which were themselves deeply concerned with the amount of violence they suffered, and which possessed formal and informal means to resolve violent conflicts. Taking place in a society that deeply valued personal honour and maintained a deeply rooted culture of affront, violence in early modern Italy always had the potential to become cyclical; as such, the importance of peacemaking institutions cannot be overstated.[7] Fortunately for the communities suffering crisis and violence, the ordinary people of Bologna and its environs found a powerful agent of peace in the *Tribunale del Torrone*, a criminal court whose functional purpose was not punishment but the prevention of cyclical violence. Here peasants and artisans found, if not neutral justice, at least a mediating justice largely divorced from the rivalries and local politics of rural communities and urban neighbourhoods. The *Torrone*'s notaries offered better arbitration and mediation of disputes, through a system of exile, reconciliation and pardon, than did the patronage of biased noble landlords and employers. However, it would still be a mistake to place significant causative power onto the imposition of centralized justice: when violence declined among North Italian communities, it did so because of increased opportunities for non-violence to effectively resolve conflicts, and because violence ceased to be an effective means of pursuing social, economic and political advantage.

This book argues, using the example of North Italy in the seventeenth century, that the imposition of centralized legal and political institutions has a limited effect on the level and character of violence in a given society. It is true, as the example of the *Tribunale del Torrone* shows, that broad swathes of a population will prefer the mediation and resolution of their conflicts under the umbrella of some legal authority and will happily pursue this option when it is available. Simply put, most people do not like violence and avoid its use if possible. That preference lurks beneath the surface of many peace accords, petitions and pardon letters bringing judicial processes to a close, and is sometimes expressed quite clearly by petitioners who happily offloaded the responsibilities of revenge onto institutional powers.[8] However, the reduction of violence to levels

[7] Stuart Carroll, "Revenge and Reconciliation in Early Modern Italy," *Past & Present* 233, no. 1 (November 1, 2016): 101–42.

[8] Colin Rose, "'To Be Remedied of Any Vendetta': Petitions and the Avoidance of Violence in Early Modern Parma," *Crime, Histoire & Sociétés/Crime, History & Societies*, no. 2 (2012): 23–25.

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desired by modern states in the West – ideally, homicide rates below 1 per 100,000 and not more than 3 per 100,000 – requires more than the strong arm of the law. The institutions that seek to reduce violence – or to increase control, depending on one's perspective – must also achieve a wide degree of legitimacy that binds members of society across economic and social bounds.[9] When one or more elements of society reject the legitimacy of social and legal institutions, when those institutions fail to address the needs and concerns of particular groups in society, those groups have good reasons not to participate in the social contract proposed by those institutions. The history that unfolds in this book is a history in which the fragile legitimacy of institutions crumbles under the weight of a series of societal crises. In response to that disintegration of legitimacy, both elite and ordinary groups of people turned to violence, enthusiastically or not, to solve the problems wrought by crisis.

In the pre-industrial context of seventeenth-century North Italy, socio-economic and environmental crises, and how institutions responded to them, had a profound impact on the amount and character of fatal violence in the region. The seventeenth century in Italy was long considered by many historians to be a period of economic, industrial and social stagnation, at least in comparison to the dynamic city-states of the fifteenth and sixteenth centuries, the height of the European "Renaissance."[10] Though recent work has revived interest in the seventeenth century and attempted to rehabilitate the reputation of its princely states, the seventeenth century was difficult for much of Italy.[11] At the root of that difficulty, and at the root of the frightening increase in homicidal violence that this book reveals, was a series of social, economic and environmental crises. Spanish and French armies fought in the Po Valley and Lombard Plain during the Thirty Years' War, and Italian princes had to muster their own armies and respond to growing numbers of deserting and delisted soldiers.[12] The industries that had sustained Italian cities in earlier centuries declined in European and global

[9] This is the idea at the core of Randolph Roth's counter to the idea of the civilizing process, using the example of American homicide rates since the colonial period. Cf. Randolph Roth, *American Homicide* (Cambridge, MA: Belknap Press of Harvard University Press, 2009). My thinking on violence and the factors influencing it is deeply informed by Roth's work.

[10] Three survey texts from around the turn of the twenty-first century rely on this point as the central plank for understanding Italian society in the *seicento*. Hanlon, *Early Modern Italy, 1550–1800*; Sella, *Italy in the Seventeenth Century*; Christopher F. Black, *Early Modern Italy: A Social History* (London: Routledge, 2001).

[11] See the above-cited review of recent work on Italy in the seventeenth century. Muir, "Italy in the No Longer Forgotten Centuries."

[12] Gregory Hanlon, *Italy 1636: Cemetery of Armies* (Oxford University Press, 2015).

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importance. Climate change, in the form of an ongoing "Little Ice Age," rendered the harvests of the early seventeenth century extremely unpredictable: a series of famines in the 1620s created hunger and disarray in much of the Lombard Plain and Po Valley, the traditional breadbasket of Italy and much of Europe.[13] Following those famines, a terrible epidemic in 1630 resulted in the deaths of thousands, killing as much as 50% of the already-weakened population in cities such as Parma, Padua and Venice.[14] The death of so many people – elites, urban artisans and rural labourers – shook the institutions of North Italian states to their core, and despite well-rehearsed plans for quarantining their cities against the plague, governors proved unable to protect their populations from sickness. In the uncertainty that followed the environmental crises of the 1620s and the 1630 plague, recourse to violence became more common in the pursuit of resources, romance and revenge.

The institutions of North Italy suffered a serious blow to their legitimacy. Critical to the project of consolidating centralized ducal and princely states in the region – as were established in the sixteenth century in Parma and Piacenza, Bologna, Ferrara (the Este moved from there to Modena in 1598), Mantua, Florence, and elsewhere – was the transformation of local elite groups to a form of service nobility, or the courtiers made famous by Baldassare Castiglione. Following 1630 those elite groups turned again on the representatives of centralized government, which in Bologna meant the papal legate appointed by the pontiff in Rome to govern his northern capital, reviving a class-based practice of revenge violence that had never fully died away. In the wake of the epidemic of 1630, interpersonal violence among all classes surged over the next thirty years, culminating in what can best be described as an urban civil war in Bologna in the 1650s and 1660s, when homicide rates reached levels hitherto undocumented in Europe. The belligerents of this civil war were those elements of society that rejected the legitimacy of centralized judicial institutions. North Italy thereby offers an

[13] Robin D. Greene, "Mountain Peasants in an Age of Global Cooling" (MA thesis, Dalhousie University, 2010); Andrew B. Appleby, "Epidemics and Famine in the Little Ice Age," *The Journal of Interdisciplinary History* 10, no. 4 (April 1, 1980): 643–63; Brian M. Fagan, *The Little Ice Age: How Climate Made History, 1300–1850* (New York: Basic Books, 2000).

[14] Guido Alfani and Marco Percoco, "Plague and Long-Term Development: The Lasting Effects of the 1629–30 Epidemic on the Italian Cities," Working Paper (IGIER [Innocenzo Gasparini Institute for Economic Research], Bocconi University, 2014), http://ideas.repec.org/p/igi/igierp/508.html; Samuel K. Cohn Jr. and Guido Alfani, "Households and Plague in Early Modern Italy," *The Journal of Interdisciplinary History* 38, no. 2 (October 1, 2007): 177–205; Carlo M. Cipolla, *Fighting the Plague in Seventeenth-Century Italy* (Madison: University of Wisconsin Press, 1981).

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illuminating case study of the effects of socioeconomic and environmental stressors on the stability of a society, and the violent consequences of a failure to maintain institutional legitimacy among broad swathes of the population.

The framework of this argument draws on more than thirty years of accumulated studies of homicide and non-fatal violence in Europe and the Americas. Several perspectives come together here to make the case that the history of violence in the West is not a progressive history of societies becoming more peaceful. Rather, as North Italy shows, reductions in violence are contingent on the maintenance of the conditions that brought them about. In the right circumstances, most people generally prefer to abjure personal violence. But absent the conditions that make non-violence a viable option to bring about socioeconomic success, violence will become more prevalent and homicide rates will rise. I am not the first to make this argument, which appears in various forms outlined below. But this is the first attempt to make that argument legible in a long-term analysis of homicidal violence in North Italy, an important region of early modern Europe where practices of elite violence had a significant impact on the social, political and economic development of several major states and the lives of more than one million people residing in the Lombard Plain and Po Valley.

The Scene of the Crime: Seventeenth-Century Bologna

Bologna enjoyed, or perhaps suffered, a unique physical, political and social environment amid the seventeenth-century Italian states (see Map 1.1). The political, social and economic processes engendered by these characteristics significantly impacted the patterns and prosecutions of fatal violence within Bologna's borders. Like many Italian states of the period, it had a political history of oligarchic domination by a few powerful local families, whose descendants remained deeply involved in Bolognese politics under the reasserted papal regime of the sixteenth and seventeenth centuries. Bologna's political flavour proved decisive in its history of violence: during the period of "absolutist" government, Bologna's nobility remained riven by the violent factional rivalries that had dominated the late communal period. The conflicts that emerged from these rifts triangulated powers in Bologna: republican (or *anti-Bentivoleschi*) noble factions of the late medieval and early modern period, which included branches of the Pepoli and Paleotti families, worked to advance their family interests and power through the newly established papal government, by participating in the reformed Senate

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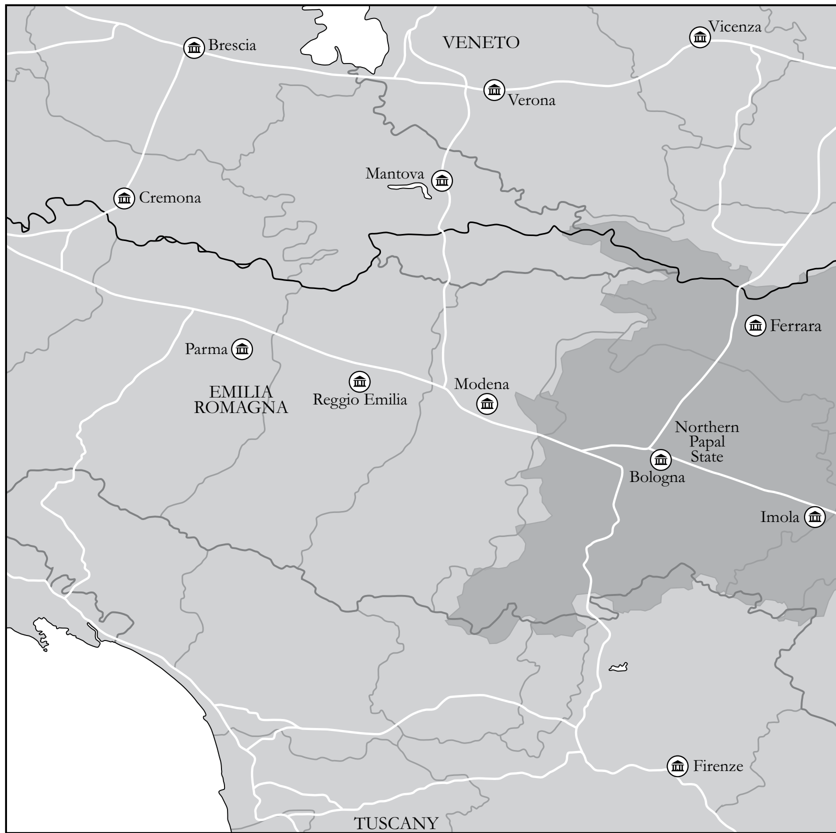

Map 1.1 The major cities of North Italy, showing the borders of the papal state north of Tuscany.
Map by author and Cox Cartographic Ltd. Basemap data provided by ESRI and OpenStreetMap.

and proposing grand civic gestures, such as the "Pious Heap of Mercy" dreamed up by Giovanni Pepoli.[15]

The vestigial supporters of the Bentivoglio oligarchy that dominated fifteenth-century Bologna, the *Bentivoleschi* nobles which included families such as the Malvezzi and Barbazza, antagonized both those nobles who accommodated papal power as well as the papal government itself.

[15] Nicholas Terpstra, "Republicanism, Public Welfare and Civil Society in Early Modern Bologna," in N. Terpstra, A. de Benedictis and G. Anselmi, eds., *Bologna: Cultural Crossroads from the Medieval to the Baroque: Recent Anglo-American Scholarship* (Bologna: Bononia University Press, 2013), 205–7.

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The government of Bologna – led by a papal legate, or ambassador/ governor – faced the difficult task of identifying the members of each faction from among a deeply intertwined population of nobility whose networks of family power stretched over much of North and Central Italy.[16] This multivalent struggle for primacy cast its shadow over much of the social conflict and interpersonal violence of Bologna's nobility and urban artisan communities. Moreover, its physical position on the Peninsula made it an important and highly trafficked centre of trade and transit, giving it a cosmopolitan population and, at any given time, a large body of itinerant travellers spending limited time in the city. A series of crises over the seventeenth century exacerbated the already unstable political and social orders of Bologna. Other Emilian states confronted the same challenges from noble and artisan populations, and the ways in which Bologna endured these trials help us to understand the complicated regional history of interpersonal violence.

Much of the troubled history of the seventeenth century in Bologna had its roots in the violent factionalism that characterized the medieval commune and oligarchy. From the medieval period, Bolognese politics and civil society were highly unstable, and frequent, violent changes of regime were the norm during the thirteenth to fifteenth centuries.[17] In this crucible, the major noble lineages of Bologna honed their practice of revenge-as-politics, blending personal rivalry and affront with membership in city bodies such as the *Senato* to advance family fortunes through a combination of private warfare and political action. During this period, urban power was very much rooted in rural land: the leading noble families of the oligarchic period (Pepoli, Bentivoglio, Lambertazzi) possessed large feudal domains bequeathed by emperors and popes, whence they launched attacks against other nobles, and whose tenants provided manpower for their urban retinues. Homicide and violence were regular aspects of the struggle for political power, and civil and criminal justice in Bologna developed in the realities of that unstable situation.

Justice, and the right to dispense it, was a critical privilege of the medieval oligarchs. In their rural holdings, they possessed the authority to arbitrate and punish civil and criminal disputes among their serfs.[18]

[16] M. Carboni, *Il debito della città: mercato del credito, fisco e società a Bologna fra cinque e seicento* (Bologna: Il mulino, 1995); M. Carboni, "Public Debt, Guarantees and Local Elites in the Papal States (XVI–XVIII Centuries)," *The Journal of European Economic History* 38, no. 1 (Spring 2009): 149–74.
[17] Sarah R. Blanshei, *Politics and Justice in Late Medieval Bologna* (Boston: Brill, 2010), 313–497.
[18] The rise of the *Torrone* from this system was first documented by Tiziana Di Zio, "Il Tribunale del Torrone," *Atti E Memorie (Romagna)* 43 (1992): 333–48.

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Magnates – the elite among oligarchic nobility – used this power as a means of dispensing favours and raising funds through fines and fees.[19] Rural justice was beholden to the capricious favouritism of a violent local elite, and it made an effective tool for factional nobility to grow their manpower and revenue. In short, justice was partial: the ability for *bolognesi* to receive redress for wrongs done against them depended on the strategic goodwill of a violent elite, whose judgment might be swayed by money, material goods or promises of loyalty and service. Bolognese peasants lived under the shadow of these magnate lineages, whose factional battles for control of the urban core were fought largely by retainers raised from rural landholdings. The retinues of fighting men of each faction often found themselves in the sway of magnates through the magnate's skilled manipulation of justice and the right to arbitrate conflicts.

In each change of regime, civil society was rebuilt by the recent victorious faction. Within the city, justice was officially the jurisdiction of the *Podestà*, a foreign judge employed on limited terms and therefore, in theory, an impartial judge unbeholden to powerful local interests. However, the ability of the *podestà* to dispense impartial justice was compromised by the use of accusatory procedure, which placed the burden of cost onto a complainant in either a civil or criminal denunciation.[20] Better justice therefore was available to those who could afford these costs or secure the sponsorship of those who could. Magnates and their followers also intimidated and assaulted those who might bring complaints against them.[21] As in Florence, the magnate lineages of Medieval Bologna were defined less by economic power than by lifestyle and shared cultural and military interests. Alliances shifted constantly, and each new regime change brought the threat that displaced rulers might find themselves proscribed, their families banished or confined, and all decrees, concords and criminal sentences published under the previous regime cancelled.

The sixteenth-century popes took a much harsher approach to the governance of Bologna than had earlier pontiffs, who had been unable to govern effectively in the face of the Bentivoglio oligarchy. Julius II was unwilling to tolerate local resistance, and when the Bentivoglii revolted

[19] On definitions and characteristics of magnates in Medieval Italy, cf. C. Lansing, *The Florentine Magnates: Lineage and Faction in a Medieval Commune* (Princeton, NJ: Princeton University Press, 1991); Blanshei, *Politics and Justice in Late Medieval Bologna*, 183–210.

[20] Blanshei, *Politics and Justice in Late Medieval Bologna*, 337–65.

[21] Lansing, *The Florentine Magnates*; Blanshei, *Politics and Justice in Late Medieval Bologna*, 216–60.

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