



## The Bolognese *Societates Armatae* of the Late 13<sup>th</sup> Century

By Dr. iur. Jürg Gassmann

Attorney-at-Law

Bleichelistr. 3 • CH-9055 Bühler

[jurg.gassmann@gassmannconsulting.com](mailto:jurg.gassmann@gassmannconsulting.com)

+41 78 704 4266

**Abstract** – The Bologna archives preserve the bye-laws of 24 „armed societies”, dating from between 1230 and the early 1300s, written in good notary Latin. Though known to exist in other Italian city-states, only few non-Bolognese armed society bye-laws are preserved. These armed societies had disappeared everywhere by the Late Middle Ages.

This article explores the function of these armed societies and the feudal law aspects of the bye-laws – was their function predominantly military, social or political? Why did they suddenly appear, and just as suddenly disappear? How did they fit into Bologna’s constitution – how did they relate to the civic authorities, the guilds?

How did these armed societies operate? Who were the members? What arms did they have? Did they participate in the warfare between the city-states, the battles of the Lombard League and the Holy Roman Empire, the struggles between the Emperor and the Pope, the feuds between the Ghibellines and the Guelphs?

**Keywords** – Bologna, armed society, city-state, warfare, feudal law, Middle Ages, popolo, Holy Roman Empire

### I. INTRODUCTION

The municipal archives of Bologna have preserved for posterity twenty-four sets of bye-laws for associations of free citizens, associations which had the purpose of uniting members for the armed defence of the city and for mutual assistance. The bye-laws of these societies, with various restatements and amendments, mostly date from 1230 to 1300<sup>1</sup>. There were some societies for which we don’t have the bye-laws, and we may not have all amendments, but the collection is nevertheless unique.

Associations of comparable estates – individual or collective feudal-law entities – were very common in the Middle Ages throughout Europe<sup>2</sup>. Specifically “armed societies” are known from other Northern Italian city-states, but if they were as prevalent there as

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<sup>1</sup> For an overview on, and references to, other cities’ *societates armatae* see POLONI.

<sup>2</sup> PEYER 21-22.

in Bologna, the relevant records have been lost. There are also reasons to conclude that the Bolognese situation was unique among Italian cities.

The other remarkable aspect is that these societies flourished during barely a century, from sometime in the 1230s to the beginning of the 14<sup>th</sup> Century.

These *societates armatae* were not *Fechtschulen*; so what were they? Was their function military, political, or purely social? What were the reasons for their growth, why did they decline? Though I cannot provide a complete answer, this article illuminates some of the factors in these fascinating societies' rise and eventual disappearance.

I shall proceed in these steps:

- Section II sets out the sources used and certain housekeeping conventions for this article.
- Section III explains the historical backdrop from the 12<sup>th</sup> to the 14<sup>th</sup> Century.
- Section IV looks at the content of the bye-laws – what do they regulate, what not?
- Section V analyses the bye-laws and the societal role of the societies.
- Section VI finally summarises the findings and conclusions.

A word of warning: in describing historical developments, I have deliberately smoothed out reverses, dead-ends or detours in the historical trajectory; a detailed account would have exceeded the space available, and would then have been incomplete. The responsibility for the simplifications and choices are mine – I realise they suggest a purposiveness of development and an inevitability of outcome that is emphatically not borne out by the historical record, but I saw no other way to present the material in any form of context.

## II. SOURCES, LANGUAGE, TIME AND MONEY, AND CONVENTIONS

### 1. Subject of the Article

This article is limited to a review of the bye-laws transcribed and published by GAUDENZİ<sup>3</sup>. I have not checked the transcriptions or referred to other sources on the text of the bye-laws themselves, or referred to other bye-laws. Appendix 2 sets out a table of the bye-laws with some statistical information, as well as the page references for each of the bye-law texts in GAUDENZİ.

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<sup>3</sup> AS BOLOGNA 575 lists the following additional *societates armatae* not included in GAUDENZİ: Branche di S. Stefano, 1284-1345; Dragoni 1336; Drappieri per Arma 1271-1310; Leopardi 1272; Traverse Val d'Aposa (1255-1272); BLANSHEI occasionally refers to them in her work. Branche di S. Stefano, Traverse Val d'Aposa, Delfini and Rastelli (of whom there is otherwise no information) were disbanded following their participation in the Lambertazzi coup 1279 – BLANSHEI 29.

## 2. Language

The bye-laws are written in Latin; the standard is generally high, the spelling shows normal post-Classical changes and variants, and the variant spellings are broadly consistent within a document. The grammar is standard Classical grammar, the usage simple but not simplistic. There is very little vulgarisation in usage or vocabulary<sup>4</sup>.

Apart from the 1488 *Lombardi* bye-laws, there is not much change in language between the first, pre-1254 batch of by-laws and the third, post-1274 (to early 14th C.) batch; some additional vulgarisation is detectable, but no wholesale shift – the language is clearly and unequivocally Latin throughout. This is not so for the 1488 *Lombardi* bye-laws, which are a mish-mash of Latin, vulgarised Latin and Italian<sup>5</sup>.

For language reference, I have relied predominantly on du Cange<sup>6</sup> – even so, there are numerous words showing up in the bye-laws for which there is no good answer in du Cange or other relevant reference works. Where a translation is based on conjecture rather than educated guess, I have indicated this.

## 3. Time and Money

The Carolingian currency reform created a uniform system of coinage of 1 *libra* (£, pound; e.g. *livre, lira*), divided into 20 *solidi* (*s*, shilling; e.g. *sou, soldo, Schilling*), each divided into 12 *denarii* (*d*, penny; e.g. *denier, dinar*). The bye-laws specify fines for breaches of provisions of the bye-laws and remuneration of officers, as well as other provisions, mostly in Bolognese currency (B); occasionally, Imperial currency (I)<sup>7</sup>. The purchasing power of Bolognese currency can be inferred from the fact that the average market price for an adult slave was B£10<sup>8</sup>.

<sup>4</sup> GAUDENZI XVII ascribes this to the importance of the Roman law studies in Bologna. Interestingly, accounting terms are uniformly rendered in Italian, even though they obviously have Latin roots – e.g. *avere* (assets); there is no effort to “reverse-engineer” the accounting terms into Latin (*avere* is derived from *habere*).

<sup>5</sup> See the text of *Lombardi* 1488 XI in Fn 59. By comparison, Dante Alighieri’s *Divina Commedia* was written between ca. 1308 and 1321 – essentially contemporaneous with the third batch of bye-laws. Yet the language of the *Divina Commedia* is clearly Italian, not vulgarised Latin. Boccaccio’s *Decameron*, another half-century later and set in the plague years, is also clearly Italian.

<sup>6</sup> *Glossarium mediae et infimae latinitatis* – online under <http://ducange.enc.sorbonne.fr>.

<sup>7</sup> Imperial currency: *Tusci* VIII (of 1256); *Traversae Barbariae* XXII (of 1255); *Aquilae* VII (of 1255); *Quarterii* XX (of 1256); *Vari* XXXIII (of 1250).

<sup>8</sup> For 1271, SALIMBENI (485) gives the following prices:

Item pro istis sex mensibus vendebatur sextarius frumenti VIII sol. imperial. et plus, et sextarius spelte XII grossos, et sextarius milice XIII grossos. Et libra grossa de carnibus porcinis XIII et XV et XVI et XVII et XVIII imperial. Et libra grossa olei olive duos sol. imperial. Et XIII ficus sicce unus rex. Et IIII capitella alliorum vel V I rex. Et XX castance cum cortice I rex. Et XII vel XIII amigdale I rex. Et sextarius farri XII vel XIII grossos. Et omnia alia victualia isto anno fuerunt in maxima caristia.

Further for those six months a pint of wheat was sold for I8 and more, and a pint of spelt for Id12, and a pint of millet for Id13. And a gross pound of pork for Id14 and Id15 and Id16 and Id17 and Id18. And a gross pound of olive oil I2. And 14 dry figs I1. And 4 or 5 heads of garlic I1. And twenty chestnuts in the shell I1. And 12 or 14 almonds I1. And a pint of flour [?] Id12 or Id14. And all other foodstuffs were in extremely short supply in that year.

Dates are indicated by two references: Calendar dates and “*indictiones*”. Calendar dates are counted from the 1<sup>st</sup> of the month forwards (*intrante*) or from the last of the month backwards (*exeunte*). An *indictio* is a tax period<sup>9</sup>.

#### 4. Conventions

In naming themselves, the societies chose a geographic description or a heraldic device or animal as reference (e.g. *societas Traversarum Portae Sancti Proculi* or *societas Grifonum*). When referring to the bye-laws of a specific society, I have chosen a descriptive part of their name and rendered it in the Latin nominative plural (in italics), with a year in cases where we have more than one set of bye-laws, e.g. those of the *Lombardi* or the *Vari*, and the article number in Roman numerals. So article 19 the *statuta societatis Scisarum de Saragoça* would be rendered as *Scixae XVIII*, article 45 of the Lombard Society bye-laws of 1291 would be *Lombardi 1291 XXXV*.

References to literature are by the author’s last name in SMALL CAPS, with page number, by reference to the literature list set out at the end of this article.

Unless indicated otherwise, all translations are mine. I have reflected provisions from the bye-laws in the footnotes, sometimes *in extenso* – as much for the content and to allow readers to form their own opinion as to the language and feel of the bye-laws.

### III. HISTORY

This section describes the historical setting of the bye-laws, the developments in the Holy Roman Empire in general and Northern Italy specifically in the run-up to the societies’ hey-day between the 1230s and 1270s, as well as the external factors in the later decline of Bologna’s fortunes and the concomitant decline of the societies. It sets the framework for a description of the structure and content of the bye-laws in Section IV.

#### 1. Bologna in the Early 13<sup>th</sup> Century

As the authority of the Longobard Kingdom in northern Italy faded, power devolved to cities – unlike north of the Alps, cities, not lords, turned into regional territorial centres of power<sup>10</sup>. Within these cities, a practice of government began to emerge that accorded the free but non-noble citizens – the “*popolo*” – a measure of participation in city rule. The details of this development, its nature, its drivers and flavour are subject of intense, often ideologically coloured debate among historians<sup>11</sup>.

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A *grossus* is the silver *denarius grossus* minted in Prague (hence *Groschen*); the *rex* is the [*solidus*] *rexanus*. See also MUNRO for textile pricing.

<sup>9</sup> Ref. BUHLMANN – with a table for referencing dates.

<sup>10</sup> On this section generally: HAVERKAMP 26-28; DELBRÜCK 383-421.

<sup>11</sup> See the overview in VALLERANI; BLANSHEI 1-9; also POLONI 42-43.

By the 13<sup>th</sup> Century, the leaps in technology and finance of the 11<sup>th</sup> and 12<sup>th</sup> Century bore fruit: New ploughs and harnesses made the heavier northern European earths arable; more efficient water-wheel technology spread to allow dramatic increases in productivity for brewing, milling, fulling, sawing, ore-grinding, forging and other energy-intensive, mechanised industrial processes; new financing techniques allowed the mobilisation of capital and the financing of long-distance trade. The cities of northern Italy were in the forefront of this boom, and prime among them was Bologna<sup>12</sup>.

## 2. Domestic History: Immigration and the *Liber Paradisus*

The death of Matilda of Tuscany in 1115 and the uncertainty about her inheritance gave Bologna, along with other Northern Italian cities, an opportunity to assert political autonomy; Bologna joined the Lombard League and so participated in the League's resistance to the attempts of Emperor Frederick I Barbarossa to reinforce the crown's overlordship over the cities<sup>13</sup>.

In common with other cities, Bologna had a need for man-power, and competition was stiff – as did other cities, Bologna offered immigrants substantial golden hand-shakes, such as immediate citizenship and relief from taxes for a period<sup>14</sup>.

A key event in the internal history of Bologna occurred 1256: The city passed a law, the *Liber Paradisus*, which freed all serfs, paying roughly 400 owners market price (B£10 per adult, B£8 per child) for the liberation of 5,855 serf and slave individuals at a total cost to the city treasury of B£54,014. In one swoop, the city gained roughly 2,000 new male military-age workers and tax-payers<sup>15</sup>.

## 3. The University

In addition to Bologna's trading and financial standing, the city became home to the first secular university of Europe<sup>16</sup>; as such, it attracted a large population of

<sup>12</sup> BLANSHEI 501-503; BRAIDI 43; POLONI 41; GILLINGHAM 66; economic and technological development generally BUMKE 55-59; HAVERKAMP 29-39; GIES 105-236; the importance of financial instruments MUNRO 14-15.

<sup>13</sup> HAVERKAMP 134 and 226.

<sup>14</sup> BLANSHEI 22-23.

<sup>15</sup> MILANI 200-201; HAVERKAMP 89. Compared to other Italian cities, the pre-*Liber Paradisus* proportion of the unfree population was quite high in Bologna at approximately 7% – PANERO 305 and 313-314. The action suggests that the economic centre of gravity and prime source of wealth generation had shifted from agriculture to manufacturing, trade and finance; otherwise, the landed gentry in the city government would certainly have resisted the move.

<sup>16</sup> The traditional date is 1088; Pavia was even before that a centre for learning under the Longobard kings, engaging in academic development of the *Edictum Rothari*. The first formal recognition of the university's privileges is dated to 1158, granted by Emperor Frederick I Barbarossa.

“foreigners”<sup>17</sup>. A university was a feudal entity in its own right, autonomous and to a large extent independent of its “host” city<sup>18</sup>.

The prime discipline that made Bologna’s fame was law – specifically, secular Roman law. Roman law had already been appropriated by the Church for canon law, but Bologna stands for the Empire striking back by emphasising the secular nature of imperial rule, of the Emperor’s rights and prerogatives inherent in Roman law<sup>19</sup>. The law faculty of Bologna was the Emperor’s ideological think-tank, the university was by its nature Ghibelline<sup>20</sup>.

#### 4. Military History: Ghibellines, Guelphs and the Battle at the Fossalta

The fundamental conflict in northern Italy and the Empire as a whole from the 12<sup>th</sup> Century onwards was the Investiture Struggle – the question whether secular authority rules supreme or not, translated, for practical purposes, into a struggle between Emperor and Pope – the opposition of “Ghibellines” and “Guelphs”<sup>21</sup>. One of the “fields of battle” for this struggle was Roman law<sup>22</sup>.

While the Ghibelline-Guelph controversy stood for the fight about secular power in Northern Italy, the labels also allowed family and inter-city feuds to be subsumed under a broader heading. Bologna was in the Guelph camp, but the city was not united in its allegiance. An important family, the Lambertazzi, were on the Ghibelline side, and were mainly opposed by the Geremei.

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<sup>17</sup> The university students were divided into *nationes*, in the case of Bologna the *Ultramontanes* (“Beyond the Mountains” – Germans), *Citramontanes* (“This Side of the Mountains” – other Italians), and – not incorporated – Bolognese. Also BRAIDI 43.

<sup>18</sup> HAVERKAMP 134 and 229. Conflicts were rife between university authorities, secular authorities and Church authorities (by tradition, university students stood in minor clerical orders) – and the *nationes*, the semi-autonomous bodies of the students. The students’ position was quite strong, as they paid the lecturers. The university was also a major economic factor in Bologna – BLANSHEI 501-503.

<sup>19</sup> The four traditional university faculties are: Theology; Law; Philosophy; and Medicine. Reputedly, Justinian’s *Corpus Iuris Civilis* was “re-discovered” in Bologna; HAVERKAMP 72-73 and 134.

<sup>20</sup> HAVERKAMP 134, 229.

<sup>21</sup> HAVERKAMP 258-263, KEEN 2-4. The Ghibelline v. Guelph struggle is relevant to the Lambertazzi v. Geremei struggle in Bologna. “Ghibelline” derives from “Waiblingen”, a Stauffen castle; “Guelph” derives from “Welf”, the Saxon dynasty that opposed the Hohenstauffen Emperor Frederick I. Barbarossa in Germany. With the demise of the Stauffen, the competition was decided in favour of the Guelphs, only to be replaced by factional struggles among Guelphs. Initially, the popes were able to cast the dispute as an attack on the Church as such and deployed Church weaponry (i.e. excommunication) against the emperors, but as the popes gained secular power and dominions in Italy, the Papal States became just another military factor – see MILANI and WEBB. For a current overview on Frederick II as subject and object of cultural and historical controversy, propaganda and projection then and since see WELTECKE.

<sup>22</sup> MITTEIS/LIEBERICH 22 II 1 (p. 120-121); HAVERKAMP 134.

The Lombard League, of which Bologna was a member, had won a first round against the crown by defeating Emperor Frederick I Barbarossa at the battle of Legnano 1176; politically, a settlement was achieved at the Peace of Constance 1183, which gave the members of the League substantial autonomy. But it also reasserted the crown's secular overlordship<sup>23</sup>, which Frederick II – ultimately unsuccessfully – attempted to enforce. The Battle at the Fossalta on 26<sup>th</sup> May 1249 gave Bologna and the Guelphs a prestigious victory: Imperial forces under the command of King Henry, the natural son of Emperor Frederick II, met a Guelph army which included Bolognese contingents. By the end of the battle, the Imperial forces were defeated and King Henry a prisoner of the Bolognese<sup>24</sup>.

The death of Frederick II in 1250, the 1254 extinction of the Hohenstauffen and the subsequent *interregnum* effectively deprived the Ghibelline-Guelph controversy of substance, but the internecine feuds continued. Within Bologna, the feud led to coup attempts by the Lambertazzi in 1274 and 1279; the coup attempts were defeated by the Geremei, the Lambertazzi sent into exile, and their adherents excluded from public office in Bologna<sup>25</sup>.

The more important military confrontations for Bologna were local; the battle at the Fossalta (for a while) settled Bologna's long-standing dispute with the Ghibelline Modena, where Modena stood in the way of Bologna's western expansion<sup>26</sup>. A Bolognese attempt in 1275 to recapture the Ghibelline city of Forlì ended in a humiliating defeat for Bologna in front of its own gates – Bologna even lost its *carroccio*<sup>27</sup>. The other key dispute was with Venice over Ravenna and, by extension, Bologna's access to the Adriatic, which was vital for Bologna's trade. After initial wins 1270 and 1273<sup>28</sup>, Bologna failed to prevent Venice from constraining Bologna's access to the Adriatic<sup>29</sup>.

On 30<sup>th</sup> June 1278, the Holy Roman King Rudolf I of Habsburg, preoccupied with reasserting the authority of the crown in the German lands and, incidentally, strengthening the power of the house of Habsburg, ceded the crown's anyway tenuous overlordship over Bologna to the Pope; Bologna became part of the Pope's secular domain<sup>30</sup>.

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<sup>23</sup> RI IV, 2,4 n. 2716, in: Regesta Imperii Online, URI: [http://www.regesta-imperii.de/id/1183-06-25\\_1\\_0\\_4\\_2\\_4\\_137\\_2716](http://www.regesta-imperii.de/id/1183-06-25_1_0_4_2_4_137_2716) (accessed 26.10.2013); for a description of the battle VERBRUGGEN 145-146.

<sup>24</sup> BRAIDI.

<sup>25</sup> SALIMBENI 370 *in fine*; FASOLI.

<sup>26</sup> BRAIDI 37-39, 43-44.

<sup>27</sup> The importance of the *carroccio*: HOUSLEY128; NICOLLE 35; WEBB 115-118; THOMPSON 125-127.

<sup>28</sup> Battles of Po di Primaro, SETTIA 237.

<sup>29</sup> BRAIDI 46; BLANSHEI 501-508.

<sup>30</sup> RI VI, 1 n. 977, in: Regesta Imperii Online, URI: [http://www.regesta-imperii.de/id/1278-06-30\\_1\\_0\\_6\\_1\\_0\\_1082\\_977](http://www.regesta-imperii.de/id/1278-06-30_1_0_6_1_0_1082_977) (accessed 25.10.2013); AS BOLOGNA 566. Unauthenticated

## 5. Bologna and the Societies in Decline

By the 1270s, Bologna's economic and military position stagnated – Bologna's territorial expansion was hampered by allies in one direction, swamps in another, more powerful neighbours in a third. Bologna's economy always depended on its canal access to the Adriatic, and military losses to Venice curtailed that access; as a consequence, Bologna's economy suffered, and at the same time, Bologna's military expenditures were rising. The stream of new immigrants to Bologna, strong in the first half of the 13<sup>th</sup> Century, ceased.

Concomitantly, Bologna's burghers began to close themselves off. The Lambertazzi coups, though defeated, strained the relations between commoners and nobles. New laws encouraged the nobility to leave the city and move to their country estates<sup>31</sup>, others excluded *fumantes* – commoners living in the rural areas controlled by Bologna – from city offices. The *societates armatae*, too, changed; the law banning *fumantes* from city offices caught the officers of the societies as well. The burgher organisations, including the *societates armatae*, were purged of knights and nobles, of *fumantes*, of the lower social orders<sup>32</sup>. Research demonstrates that the proportion of members related to each other rose dramatically. Whereas in the middle of the century, the societies had been a vehicle for social mobility and integration, by the end of the century they represented exclusion and stagnation. Bologna's civic constitution changed from one of openness and social mix to being dominated by a narrow and paranoid stratum of the “upper middle (commoner) class”<sup>33</sup>.

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<sup>31</sup> SALIMBENI 643:

Item in his diebus, millesimo supraposito [1287], Bononienses populares gravia statuta ordinaverunt contra milites suos et contra omnes nobiles civitatis sue, videlicet ut quicumque de militibus sive nobilibus lederet aliquem de aliqua societate hominum popularium, ita delerentur tam in villis quam in civitate, in domibus, agris et arboribus, un non remaneret ex omnibus bonis eius nec lapillus quidem ex eo. Et in hanc maledictionem primo impegerunt filii domni Nicholai de Baçaleriis, qui totaliter a populo sunt delati. Et inde factum est, quod milites Bononienses propter impetum furentis populi in civitate iam timent et more Gallicorum in villis habitant, in possessionibus suis. Et ideo populares, qui in civitate habitant, more Gallicorum decetero bene possunt appellari burgenses. Sed timendum est popularibus, ne ira Dei veniat super eos, quia faciunt contra scripturam que dicit Leviticus XIX: *Iuste iudicia proximo tuo. Non queras ultionem nec memor eris iniurie civium tuorum*. Item populares et rustici sunt, per quos destruitur mundus, et per milites et nobiles conservatur.

And further in those days, in the year above mentioned [1287], the commoners of Bologna passed a strict law against their knights and against all of the nobles of their city, that is, if any knight or nobleman committed a tort against any member of any society of the commoners, he shall suffer destruction in his manors and in the city, in his houses, fields and trees, so that not a pebble should remain of all his belongings. And this curse was first visited on the sons of Lord Nicholas de Baçaleris, who were completely destroyed by the populace. And from this resulted, that the Bolognese knights, due to the brunt of the populace's fury, now fear to live in the city but live in the French fashion on their manors, among their possessions. And so the commoners, who live in the city, can consequently well be called burghers, in the French fashion. But the commoners need to heed that the wrath of God is not visited upon them, since they go against what is written in Leviticus 19: *Judge rightly by your neighbour. Do not seek revenge nor harbour grievances for the wrong done to your citizens*. For it is the commoners and peasants through whom the world is destroyed, and by the knights and noblemen it is preserved.

<sup>32</sup> The “*Ordinamenta Sacrata et Sacratissima*” of 1282-1284 – FASOLI 25; BLANSHEI 43-68 – there were also longer residency requirements (23); POLONI 48-49.

<sup>33</sup> BLANSHEI 31.



By the early 14<sup>th</sup> century, Bologna's financial and military situation had deteriorated to the point that Bologna razed castles it could no longer afford to garrison and cancelled a mercenary contract so it could purchase grain. On 5<sup>th</sup> February 1327, the Papal legate Bertrando del Poggetto was invited to become the first *signore* of Bologna, effectively marking the end of Bologna's republican constitution<sup>34</sup>.

#### IV. STRUCTURE AND CONTENT OF THE BYE-LAWS

This section, as a purely descriptive exercise, looks at the content of the various bye-laws – what did they regulate, what not? Section V then presents analysis and conclusions from the content of the bye-laws.

##### 1. Structure

Each of the bye-laws covers more or less the same ground, but they do not follow a template<sup>35</sup>; there is also not much logical structure in any of the bye-laws. The length of the text varies from about 16,300 words (*Lombardi* 1291 – though that is an outlier, the next-longest is that of the *Tusci* at 6,600) to 1,200 (*Claves*).

The text is separated into clauses, some of them short and concise, others running to pages.

##### 2. Overview over Content

The bye-laws deal with the following general matters:

- Internal organisation: Membership, election of officers, meetings, record-keeping;
- Social matters: common attendance at mass, communal dinners;
- Finances of the organisation: Sources of revenue, expenditures, accounting and auditing;
- Mutual assistance: Prohibition on internal strife, financial support for indigents, litigation support;
- Death of a member: Obligation to participate in the wake, payment of funeral costs for indigents, obligation to be pall-bearer;
- Military matters: Obligation to show the society's coat-of-arms on certain equipment; obligation to have certain equipment; obligation to quarter with

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<sup>34</sup> BLANSHEI 499, 504; POLONI 55; in January 1325, Bologna had suffered a severe and embarrassing loss to the Ghibelline Modena at Zappolino – FASOLI 36. Referring to the generally deteriorating terms of trade due to Mediterranean-wide and local wars MUNRO 8-9 and pre-Black Death population declines MUNRO 21. On the declining economic situation MILANI 185-186.

<sup>35</sup> THOMPSON (130) suggests that the bye laws followed a model set out in Boncompagno of Signa's *Cedrus* (1194); the *Cedrus* contains general advice on drafting, but no model – ref. Steven M. Wright (ed.) 1998 / Scrineum, University of Pavia 1999, online under <http://scrineum.unipv.it/wight/index.htm> (accessed 14. Sep. 2013). Unauthenticated

the ensign on campaign, entitlement to pay on campaign, prohibition on selling or pawning arms; and

- Other conduct: Prohibition on wearing equipment unless authorised, prohibition on siding with city magnates; in general, fines for violating bye-laws.

In the following, I shall deal in more detail with selected issues.

### 3. Relevance of the Timeline

There are two relevant events during the 13<sup>th</sup> Century that allow a categorisation of the bye-laws: In 1250, the city government required all of the armed societies to submit their bye-laws for approval<sup>36</sup>; and after the attempted Lambertazzi coups in the 1270s, several societies were ordered disbanded<sup>37</sup> for their participation in the coup, and the membership provisions of the other societies were ordered amended to exclude Lambertazzi<sup>38</sup>.

The bulk of the bye-laws published by GAUDENZI are from the 1250s<sup>39</sup>.

### 4. Membership in General

All bye-laws specify that a new entrant must be presented at one of the monthly society meetings and must be acceptable to at least the bulk of the membership. In this section, I shall discuss some of the general criteria of eligibility; section 6 will look at specific criteria for excluding potential entrants.

The membership basis for the societies can roughly be categorised as follows:

- Membership by personal criteria – origin: The societies of the *Lombardi* and the *Tusci* were specifically instituted to provide a home to the Lombard and Tuscan (Florentine) residents of Bologna respectively<sup>40</sup>;
- Membership by personal criteria – profession: The only example is the society of the *Becchari*, or butchers, where the guild bye-laws double as bye-laws of the arms society<sup>41</sup>;

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<sup>36</sup> GAUDENZI XIII-XIV.

<sup>37</sup> *Branchae di San Stefano, Traversae Val d'Aposa, Delfini, Rastelli* – GAUDENZI XI.

<sup>38</sup> From certain offices – *Beccharii* (1300) XVIII – or completely: *Lombardi* 1291 II.

<sup>39</sup> See GAUDENZI XIX-XXI for the dating.

<sup>40</sup> There was a further society, the *societas Stellae*, apparently conceived as a “home” for Lombards or Tuscans who did not want to join their “own” society – GAUDENZI VIII-IX; GAUDENZI does not have bye-laws for the *Stellae*, but does show a membership roster (GAUDENZI, 403-410); the *Lombardi* and *Tusci* bye-laws also indicate that the societies had two aspects: A fraternal society (*societas fraternitatis*) and a society of arms (*societas armorum*), though leadership functions were unitary (e.g. *Tusci* Recitals and *Lombardi* 1256 II).

<sup>41</sup> The *Becchari* bye-laws are from 1300, so toward the end of the vital period of the armed societies, and apart from a reference to itself as a *societas armorum*, the *Becchari* bye-laws contain no provisions specific to an armed society. It is possible they were eliminated in a revision

- Membership by territorial definition: Most of the bye-laws define a catchment area by reference to a part of the city bounded by specific roads<sup>42</sup>; and
- No eligibility criteria: Some bye-laws contain no specific reference to personal or territorial criteria.

Remarkable is the prevalence of membership defined by territory; feudal law was founded on *personal* attributes, and the shift from personal criteria to territorial criteria is one of the key hallmarks differentiating modern law from feudal law.

The reasons for this are strongly suggested by two population factors: In the first half of the 13<sup>th</sup> Century, Bologna pursued an aggressive policy of poaching skilled craftsmen from other cities, who would have no background of personal allegiance in Bologna. Then, the *Liber Paradisus* in 1256 released several thousand former serfs and slaves into the population as free individuals – and it can be no coincidence that the bulk of the bye-laws have dates of 1255 and 1256. The armed societies provided a vehicle to integrate this otherwise floating population into the civic structures of the city<sup>43</sup>.

The territorially defined catchment areas could extend outside the city gates. There is no indication that membership was compulsory, and at least in some instances, an individual had a choice of which society to join, but dual memberships seem to have been discouraged.

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42 In the 13<sup>th</sup> Century, Bologna was divided into four administrative districts, or *quarterii*: *Porta Steri*, *Porta Sancti Proculi*, *Porta Ravennae* and *Porta Sancti Petri*; the territorial definitions in the bye-laws do not follow any of the administrative divisions or sub-divisions of the city, but mostly cut across them – FASOLI 14-17 and POLONI 34-35, disputing GAUDENZÌ's view (VIII) that the twenty territorial societies were neatly divided among the four *quarterii*. References to the city *quarterii* can still be found, e.g. in *Aquiliae* XXXVI (Fn 66); *Branchae* XIII limits membership to residents of the *Porta Steri* quarter (section IV.6); the *Quarterii* may have had the entire *Porta Sancti Proculi* quarter as their catchment, but they were not exclusive to the area.

43 *Vari* 1256 XXXVII encourages active recruitment of new members:

Ad hoc, ut societas Varorum augmentetur, et ut plures socios habeamus, ideoque statuimus et ordinamus quod ministrales dicte societatis qui nunc sunt vel pro tempore fuerint teneantur sacramento inquirere omnes homines qui non sunt de nostra societate, qui sint ydonei ad mittendum in societatem, et dare operam ut intrent et sint de nostra societate, ei infra duos menses ab introitu eorum officii teneantur elligere de hominibus societatis per contratas, qui loquantur cum vicinis eorum qui non sunt de societate, et dare operam ut intrent et sint de nostra societate; nec illi qui ad hoc fuerint electi non debeant dicere alicui quod intret in societatem, nisi prius omnes ministrales fuerint concordés, in banno .V. sol. bon.

For this, that the society of the Vari should grow, and that we should have more members, we hold and ordain that the members of the board of the said society now or from time to time in office shall be held under oath to enquire of all men not in our society who are appropriate to add to the society, and to make an effort that they should join and be part of our society; within two month of their taking office they shall be held to select, from the members of the society, by sections [*contrata*], those who will talk to their neighbours who are not members of the society, and to make an effort that they should join and be part of our society; but those who have been selected for this purpose shall not tell anyone to join the society unless all the members of the board previously concurred; subject on file of B5

## 5. Membership – Numbers

For some of the societies and dates, the *matriculae* – the membership lists – have been preserved, and allow a calculation of the number of members. Appendix 2 summarises the membership numbers of the various societies; the *matriculae* indicate a total membership in the several thousand, a substantial part of the adult male population of Bologna<sup>44</sup>.

## 6. Membership – Who Could *Not* Join

To the extent that the societies contain explicit references to classes of individuals that are excluded from membership, they use one or several of five criteria<sup>45</sup>:

- Individual generic undesirability: Individuals with a tainted history, be it a criminal background, bankruptcy or unsavoury lifestyle; or – in post-1279 byelaws – association with the Lambertazzi;
- Individual specific undesirability: individuals who are enemies of existing members;
- Undesirable lower status: Generally individuals beholden to others, or in some cases specified classes of individuals or occupations;
- Undesirable higher status: Some byelaws exclude nobility; and
- Undesirable equivalent status: Generally individuals who are already members of another society.

Individual generic undesirability based on a criminal history is straightforward<sup>46</sup>. Unsavoury lifestyle was clearly an issue of keeping up appearances<sup>47</sup>. For persons with

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<sup>44</sup> THOMPSON 132.

<sup>45</sup> Generally BLANSHEI 20-31.

<sup>46</sup> E.g. *Lombardi* 1291 II, referring to the oath to be given by a *ministralis* (member of the board):  
 ... inquisitionem faciam, qui volent intrare societatem, sint infamati de aliquo infrascriptorum criminum, videlicet de assassinatu, de lenocinio, de furto, de derobatione, de violentiis, de falso, vel quod sint rissose persone; vel quod sint homines seditiosi et qui in aliqua societate populi Bononie de qua sint seu fuerint, procuraverint mittere discensionem, discordiam seu çiganiam ...

... I shall enquire of those who want to join the society whether they are incriminated of one of the following crimes, that is murder, procuring, theft, robbery, mayhem or perjury, or whether they are prone to conflict; or whether they are seditious persons or someone who, in another Bolognese society in which they are or were member promoted argument, discord or fights...

BLANSHEI 19-21.

<sup>47</sup> *Leones* XV:

DE ILLIS QUI CONTRA ALIQUEM SUUM SOCIUM TRACTAVERINT ALIQUOD DEDECUS. Item statuimus et ordinamus quod, si aliquis de dicta societate tractaret contra aliquem suum socium quod pervenerit ad dedecus eius, scilicet in tradendo aliquem vel adultrando cum uxore alterius, vel falsum produceret testimonium, expellatur de societate; et hoc, si publice manifestum fuerit.

ON THOSE OF COMMIT SOMETHING OPPROBRIOUS AGAINST ANY OF THEIR FELLOW MEMBERS: Further we state and ordain that, if anyone of the said society acted against any of his fellow members which is opprobrious of him, such as betray him or commit adultery with someone else's wife, or procured false testimony, he shall be expelled from the society; and this, if it becomes public knowledge.

existing conflicts with standing members (individual specific undesirability), the *ministrales* are generally held to attempt a reconciliation between the two conflicted individuals; the goal clearly is to ensure that there is no feuding within the society<sup>48</sup>.

Undesirable social status goes in both directions – a few societies exclude lower-status individuals, often those associated with transportation, or rural labourers<sup>49</sup>. Some societies clearly exclude nobility<sup>50</sup>, but they are also few. Most are silent on the subject

And *Lombardi* 1256 L:

Item statuimus quod nullus deinceps recipiatur in societate armorum nec etiam in fraternitate qui publice retineat meretrices. et si quis in societate esset qui publice meretrices teneret in domo sua, et desistere nollet, arma et insigna societatis que habuerit ei auferre, et eum de societate expellere et nomen eius de numero sociorum abradere, et abrasum in corpore societatis denuntiare ministrales teneantur.

Further we hold that from now on no-one shall be accepted into the armed or the fraternal society who openly retains prostitutes. And if there should be someone in the society who might openly retain prostitutes in his house, and he refused to desist, then the members of the board shall be held to take away from him the arms and the insignia of the society he has, expel him from the society and erase his name from the roll of members, and notify the erasure in a general meeting of the society.

48 A vague dislike was not sufficient, it had to rise to *inimicitia* (enmity); *inimicitia* is defined in *Tusci* LXX:

inimicum vero intelligimus qui eum offenderit in persona sua vel patris vel fratris aut sororis, vel in persona alicuius filiorum sui, consanguinei vel consanguinee usque in tertium gradum, vel qui dixerit falsum testimonium adversus eum vel aliquem predictorum, vel si fecerit incendium seu guastum de rebus alicuius predictorum.

We understand someone to be an “enemy” if he has offended [a member] in his person or his father’s or his brother’s or his sister’s, or any of his sons [or daughters], or male or female blood relatives up to the third degree, or who bore false testimony against him or any of the aforementioned, or who caused arson or damage to the property of any of the aforementioned.

A common quarrel (*rixa, misela, rumor*) was reason for intervention and fine, but not expulsion and was no bar to membership. The *ministrales* are also held to mediate disputes among existing members; e.g. *Sbarae* XVIII.

49 E.g. *Lombardi* 1256 XXXXVIII; *Cervi* XXI; in *Tusci* LXVIII: ... item nullus recipiatur ... qui sit servus vel homo alicuius vel apostata... (likewise no one shall be accepted ... who is a slave or someone else’s man or an apostate); *Spadae* VIII:

Ordinamus quod ab hodierna die in antea non recipiatur in nostra societate aliquis pistor, tabernarius, brentator, scutifer, actualis vel servus.

We ordain that from today onward will not be received into our society any baker, inn-keeper, wine carrier, squire, tenant or slave.

On *scutifer*, see Fn 51. Also *Sbarae* XX:

Item statuimus quod in dicta societate amodo non recipiantur vecturales, scilicet qui portant somas ad molendina nunc communis, pistores vel tabernarii vel molendinarii vel pactuales, scilicet servientes qui stent cum aliquo ad feudum, vel servi, vel comitatini qui stent in villa ...

Also we hold that into the said society shall not be received delivery-men, that is those who transport grains to the now communal mill, bakers or inn-keepers or millers or tenants, that is those under a feudal obligation to another, or slaves, or agricultural labourers at a manor...

Only the *Branchae* XIII, quoted in this section, specifically exclude freed slaves.

<sup>50</sup> E.g. *Branchae* I and XIII; *Griffoni* XXXXVIII; FASOLI 22-24 and THOMPSON 129: central to the social organisation of the city was the local place of worship, and that, at the lowest level, was often a noble house’s chapel. So at the genesis of the *societates*, it seems natural that the people of any class who worshipped together would join the same *societas*. *Schixae* refers to *appell...* V, X, XV

of undesirable status – though it has to be borne in mind that, so long as the members vote on the acceptance of a new member and the membership is fairly homogenous, no explicit rules on eligibility are needed.

A comprehensive, all-round listing of undesirables is set out in *Branchae XIII*:

*XIII. Statuimus et ordinamus quod deinceps aliquis non recipiatur in societate Branche qui habeat guerram cum aliquo vel aliquibus dicte societatis, vel qui sit nobilis, captaneus, vel valvasore, vel nobili prole, vel miles, vel filius militis vel magnatis aut de prole militis, vel ex qua sit vel fuerit aliquis miles, vel aliquis qui sit in summa re, vel filius alicuius qui sit in summa re alicuius terre vel ville comitatus vel districtus Bononie, vel aliquis qui sit vel fuerit servus vel manumissus, vel filius servi vel manumissi per commune Bononie, vel aliquis qui sit muluarius vel vituralis aut brentator vel portator ponderis, vel nuntius communis, vel aburattator, vel magnanus qui vadat per civitatem cum bascheria, vel aliquis spedalerius, vel bigator, vel acatator choste, vel aliquis scutifer, ruffianus vel assasitinus, vel aliquis infamatus de predictis vel aliquo predictorum, vel bannitus communis Bononie occasione alicuius malleficii eo existente in banno, vel aliquis alius qui non habitet in quarterio porte Steri cum eius familia, et qui non sit civis secundum formam statutorum communis Bononie, vel aliquis alius qui ex forma statutorum populi Bononie vel communis Bononie esse non possit.*

*XIII. We hold and ordain that furthermore no-one shall be received into the Branchae society who has a feud with one or more members of the society, or who is of nobility, or holds military command, or is a vassal, or progeny of a noble, or a knight, or the son of a knight or a magnate or progeny of a knight, or of whom one is or was a knight, or a tenant-in-chief or the son of a tenant-in-chief of a territory or manor of the county or district of Bologna, or somebody who is or was a slave or was manumitted, or is the son of a slave or of an individual manumitted by the city of Bologna, or someone who is a miller, or delivery-man, or wine carrier, or load-carrier, or town crier, or a sifter, or a door-to-door salesman, or a pensioner, or a teamster, or a rag-and-bone man, or a squire, ruffian or assassin, or someone incriminated of the above or any of them, or banned from the city of Bologna due to some misdeed while he is under ban, or someone who does not live in the Porta Steri quarter with his family, or who is not a citizen of Bologna in accordance with the provisions of law of the city of Bologna, or someone else who by the provisions of law cannot be member of the citizenry of Bologna or the city of Bologna<sup>51</sup>.*

<sup>51</sup> Some of the translations here are pure conjecture – the vocabulary is not to be found in du Cange or any other relevant resource; the dodgy translations are: *vituralis* – *vectorialis*? (a transporter or conveyor of sorts – maybe the same person as in *Sbarae XX*, see Fn 49); *aburattator* is not in du Cange, but translated in one other source as “sifter” – another possible derivation is from *urere*, “to burn”; *magnanus qui vadat per civitatem cum bascheria* – assuming that *magnanus* should be *magnarius* (GAUDENZI does not have any text-critical notes for this passage), the person would be a peddler who moves around town with baskets or other vessels; *spedalerius* could be the

## 7. The Benefits of Membership

All the bye-laws assure members assistance in straits<sup>52</sup>; the common instances are:

- Burial costs assumed by the society in case of indigents;
- Presence of society members at the sick-bed or at the wake and funeral, and society members acting as pall-bearers<sup>53</sup>;
- In some societies, financial assistance in case of indigence;
- In some societies, an undertaking to obtain the release of members captured in action<sup>54</sup>; and
- In some societies, litigation support.

While the bye-laws are specific in the case of pay in the field that individuals shall receive no money from the society if they are already being paid by the city, there are no references to “double-dipping” in the provisions on indigent assistance. This may be in

resident of a “hospital”, in medieval times a church-run cross of hospital, poor-house and old age home (or possibly a barracks, NICOLLE 14); *acator choste* – an *acator* is a purchaser (*acheteur*), and I have assumed that *choste* is *hostae*, where du Cange has a reference suggesting “marine hemp rope”, which I have taken as “rags”. The *scutifer* is here listed with low-ranking occupations, so the meaning suggested by NICOLLE (8) of *scutifer* as a mounted not-quite-knight does not quite work; *Sbarae VIII* refers to “*scutifer alterius*”, *Leones XXVI* lists the *scutifer* with cooks – suggesting a menial function. The actual translations are not critical for the understanding of the passage.

<sup>52</sup> POLONI 39.

<sup>53</sup> Some societies provided for special attention: *Lombardi 1291 III* (as part of the *massarius*’ oath):  
et si contingeret aliquem mori de dicta societate, dicta de causa teneat tapedum, cereos et pallium societatis ad domum defuncti mittere per nuntium societatis vel aliam personam...

And if it happens that a member of the said society dies, I shall be held to have a messenger of the society or another person deliver the carpet, candles and pall of the society to the house of the deceased...

*Traversae Barbariae 1255 Revision I*:

In primis statuimus et ordinamus quod unus pallius pulcer et bonus debeat emi per ministrales et sotios sotietatis predictae expensis tam minimalium quam aliorum de sotietate infra quatuor menses proximos, qui debeat dari et prestari cuilibet homini de sotietate predicta pro se et pro quolibet de familia sua cum obierit circa sepulturam eius.

Firstly we hold and ordain that one pretty and good pall shall be bought by the board members and members of the society at the said society’s officers’ and others’ of the society’s expense within the next four months, which [pall] shall be given and lent to any man of the said society for himself and any one of his family when he dies, for his burial.

<sup>54</sup> *Griffoni XII*:

SI ALIQUIS EX SOCIIS FUERIT CAPTUS IN SERVITIO COMMUNIS BONONIE, QUI SIT PAUPER, QUOD SUBVENIATUR EI DE COMMUNI SOCIETATIS. ITEM statuimus quod, si quis nostrorum sociorum in servitio communis Bononie esset captus, quod de illo de societate fiat sibi bonum; et hoc dicimus, si fuerit notum ipsum pauperem esse; et dicimus quod omnes de nostra societate laborent bona fide ad ipsum extrahendum de carceribus inimicorum communis Bononie.

IF ONE OF THE MEMBER WHO IS POOR IS CAPTURED WHILE IN THE SERVICE OF THE CITY OF BOLOGNA, THAT HE BE AIDED FROM THE COMMON FUNDS OF THE SOCIETY. Further we state that, if one of our members were to be captured while in the service of the City of Bologna, that he shall be aided from the assets of the society. And this we say if it were known that he is poor; and we state that everyone of our society shall work in good faith to extract him from the prisons of the enemies of the City of Bologna.

the nature of the matter; on the other hand, it may suggest that the *societas armata* was the primary association for an individual, more important than a faith-based sodality or the professional guild<sup>55</sup>.

## 8. The Leadership of the Society

The members elected a range of officers of the society, usually for six months<sup>56</sup>:

- A committee of *ministrales*, who formed the board of the society and were the highest organ of the society;
- A *massarius* or treasurer, whose job was to administer the assets of the society, collect the fines and keep the books;
- A *notarius* or secretary, responsible for keeping the society's records; and
- A *gonfalonarius* or ensign, bearer of the society's grand standard.

The individual officers may or may not have been *ministrales*; other important officers who were not *ministrales* were:

- Auditors of the society (*inquisitor*, *cognitor* or *circator rationis*), who were held to investigate the conduct in office of the *ministrales* and the *massarius* in particular; and
- The *ançiani* or aldermen, who were deputed to the city council.

Lesser offices provided in some of the bye-laws were:

- *Consiliarii*, advisers to an officer, or advisers deputed to the council of the City's *capitaneo* or *potestas*;
- *Distingitores*, a kind of provost or military police, enforcing discipline on campaign; and
- *Nuntii* or messengers.

The election methodology is not always comprehensible, but seems to have involved the election or appointment of three or four electors, who then elected the relevant officer.

## 9. Social and Religious Aspects – Mass, Candles, Bread etc.

Each of the societies congregated at least one Sunday a month at a designated church, where the reading of mass was followed by society business. Depending on the society,

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<sup>55</sup> Free individuals recruited from other cities would presumably have professional skills and would have found entrance into a guild, but freed slaves would not; for them, and for all free individuals working in occupations that were not organised into guilds, e.g. the clerks in the trading houses and banks, the *societas armata* would have been the only social support.

<sup>56</sup> Occasionally, the bye-laws specify that at least some of the individuals must be able to write: *Traversae S. Proculi* VII, VIII – at least one of the auditors; *Balçani XVIII* – two auditors.



certain saints' days or dates in the religious calendar were important. Certain societies also mention an annual dinner of the society or the officers<sup>57</sup>.

*Candles* – most of the bye-laws deal with candles in some fashion, a few have a pre-occupation with them; the bye-laws regulate when and what kind of candles need to be produced (mostly as donation to the church in which the society holds its meetings)<sup>58</sup>.

*Bread* – some of the bye-laws require bread (*fogacia*) to be provided to the congregation of the society at mass or as offering to the church<sup>59</sup>.

<sup>57</sup> THOMPSON 134-135; whole society: *Balçani* XVIII; officers: *Branchae* XVIII, *Schixae* XXIII; *Lombardi* (1256) XXXIII (a medium wether), *Tusci* XXXVI, XXXXVII (with others), *Traversae S. Proculi* XVII, *Leones* VIII; auditors: *Cervi* XVIII, *Sbarae* XXVI; bye-laws drafting committee: *Balçani* XVIII; pall-bearers: *Balçani* XXXI.

<sup>58</sup> Down to what weight of wax and, in one case, the number of threads in the wick. E.g. *Tusci* XXXXVII:

... et massarii faciant fieri cereos ad domum suam vel alibi ubi voluerint et poni in quolibet cereo .x. untias cere, et faciant fieri stupinum de .vi. filis...

And the treasurers shall have candles made at their home or wherever they want and have put in each candle ten ounces of wax and shall have a wick made of six threads...

Provisions relating to candles: *Lombardi* 1256 III; XXXIII and LXI; *Lombardi* 1291 III, XVIII; *Tusci* I, XXXIII, XXXXVI, XXXXVII, XXXXVIII, LVII; *Balçani* Recitals; *Traversae S. Proculi* XXXXVII; *Delfini* III, III, XXIII; *Sbarae* I; *Traversae Barbariae* X, XIII; *Cervi* VIII; *Aquillae* III; *Branchae* II; *Quarterii* VII, XXIII; *Spadae* XV; *Vari* 1256 VI, XVI, XXXXIII; *Vari* 1288 XXV, XXXIII. On the importance of candles THOMPSON 134-135 and 162.

<sup>59</sup> THOMPSON 254-255. *Lombardi* 1291 XXII; *Delfini* I, III; *Castelli* V; *Sbarae* II; *Traversae Barbariae* III, XIII; *Cervi* VII; *Leones* XXXVI; *Vari* 1256 VI. *Lombardi* 1488 XI:

Item hano ordinato che omne anno se compri, overo se facino fare a spexe de dita compagnia cinquanta benedesone overo fogace, quale se habiano a distribuire ogni prima dominica del mese suso dicta compagnia et fra li homini de quella como è consueto, dividendo esse in modo che ogni prima dominca se ne distribuiscia la duodecima parte, et in esse se expenda soldi due per zascuna, che sono livere cinque omne anno.

Also they have ordered that fifty benedictions or loaves shall be purchased or caused to be made at the expense of the said company every year, and these shall be made available for distribution every first Sunday of the month for the said company and among its men, as is usual, dividing them in such a manner that every first Sunday a twelfth of them is distributed, and for these two shillings shall be spent for each, which is five pounds every year.

And a luxurious offering is set out in *Tusci* XVI:

DE FOCACINIS FACIENDIS Item dicimus quod massarius societatis faciat fieri ad quamlibet missam societatis focacinas ponderis .XXVI. lib. panis cocti, et ponat in ipsis .XI. ruimatas groci et comini, et costent secundum quod valuerit furmentum. et dividantur et incidantur dicte focacine in presentia massarii et unius ex ministrilibus; et dividantur bona fide inter homines societatis, ita quod massarius non habeat nisi ut ministralis...

ABOUT THE MAKING OF BREADS Likewise we say that the treasurer of the society shall have made for every mass of the society loaves of 26 lbs of cooked bread, and shall add to them eleven [measures] of saffron and caraway, and they shall cost as much as the flour is worth. And the said loaves shall be divided and cut up in the presence of the treasurer and one of the *ministrals*; and they shall be shared out in good faith among the members of the society, in such a way that the treasurer has as much as a *ministralis*.

## 10. The *arma* of the *societates armatae*

Apart from a few societies<sup>60</sup>, the bye-laws contain more or less elaborate provisions requiring members to have certain pieces of defensive armaments within a period of months of their joining. These arms could not be sold, pledged, lent out, given to wives, or worn inside the city without specific authorisation. There is no reference to offensive weapons<sup>61</sup>.

The main focus of these rules seems to have been that the member was obliged to place the distinctive markings of the society on his armaments<sup>62</sup>, so the prohibition on disposal was designed to prevent unauthorised persons from passing themselves off as members. The arms clearly belonged to the individual member; they did not belong to the society, nor were they provided by the society. The provisions don't seem to attempt uniform equipment, merely to ensure that each member has some form of head protection, some form of upper body protection, and some sort of shield.

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<sup>60</sup> No reference to arms in *Becchari*, *Claves*, *Dalphyini* and *Spadae*. The relevant references to arms are summarised in Appendix 1. *Branchae* VIII, *Scixae* XVI and *Traversae Barbariae* XXV also require the device to be displayed on the saddle of a mounted member.

<sup>61</sup> The only evident exception is *Tusci* VII:

VII. DE RONCONIBUS ET MANARIIS IMPONENDIS. Statuimus quod ministrales eligant quinquaginta homines societatis quos eis videbitur et precipiant eis per sacramentum et in banno .v. sol., quod quilibet eorum de inde ad unum mensem habeat et habere debeat unum bonum ronconem sive manariam et tertionixiam pro honore societatis et sue persone, et omnes illi qui ipsas vel ipsos habuerint, quotienscumque expedierit, ferant ipsas in propriis eorum manibus, et sint semper cum eis penes vexillum societatis sub dicta pena et banno.

ON THE IMPOSITION OF FALCHIONS. We hold that the *ministrales* shall select fifty men of the society that they see fit and they shall prescribe to them by oath and by fine of B.5 that each of them shall and must have by from then on one month later one good *ronco* or *manaria* and a *tertionixia* for the honour of the society and his person, and all who have this kit shall, whenever it is expedient, bear them in their hands. And they shall be with the standard of the society under that penalty and fine.

“*Ronco*” and “*manaria*” seem to be forms of military sickle, falx or reaping-hook – for the *ronca*, see Marozzo CXXIII-CXXIV and picture CXVI; I have not found a suggestion for “*tertionixia*”; BREVEGLIERI 110-111, suggesting that the arms were primarily meant to impress, but without offer of translation.

<sup>62</sup> BREVEGLIERI 76; most explicitly in *Scixae* XVI:

QUOD OMNES HOMINES SOCIETATIS HABEANT SCUTUM VEL SCIRMITUM ET HABEANT ARMATURAM SCIXARUM: STATUIMUS et ordinamus quod omnes homines dicte societatis quilibet habeat scutum vel scrinitum et capeletam et in qualibet arma habeat armaturam Scixarum dicte societatis, et milites habeant in sella et in targa armaturam. et habeant gaferias seu çubas omnes homines dicte societatis ad dictam armaturam Scixarum.

We hold and ordain that all men of the said society shall have a shield [of some sort] and a helmet and on each of them he shall have the *Scixae* coat of arms of the said society. And mounted members shall have the coat of arms on their saddle and their shield. And each of the men of the said society shall have a [gambeson?] or jupon with the coat of arms of the *Scixae*.

The focus on markings also suggest one possible reason why the arms provisions do not refer to *offensive* arms<sup>63</sup> – offensive arms don't offer surfaces suitable for the application of well visible devices. There is no suggestion that the population was “disarmed”, with offensive weapons under the custody of the society; the bye-laws would then certainly have regulated the responsibility of an officer of the society for the arsenal, and the provision in *Tusci* LVI<sup>64</sup> would make no sense.

A particular provision is included in the bye-laws of the *Quarterii* – they clearly wanted their *gonfaloniere* to be properly turned out<sup>65</sup>.

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<sup>63</sup> POLONI (37) refers to *offensive and* defensive armaments; other than the *Tusci* VII referred to (Fn 61), I did not find any reference to offensive armaments in the Bolognese society bye-laws. The typical offensive arms of the infantry would have been pikes and swords – SETTIA 193-195; the defensive equipment specified by the bye-laws would put the members toward the *élite* of the infantry at the time.

<sup>64</sup> The provision reads (note the heavy fine):

LVI. DE PENA ILLORUM QUI PERCUSSERINT ALIQUEM OFFICIALIEM SOCIETATIS: Item quod, si aliquis de societate percusserit aliquem de ministrabilibus vel de aliis officialibus societatis pugno vel manu simplici, solvat societati nomine banni .X. lib. bon.; si vero ense, maça, falçone, cultello, vel bastone vel aliquibus aliis armis, solvat societati nomine banni .XXV. lib. bon. pro qualibet ferita et percussione, et plus ad voluntatem consilii. [...]

LVI. ON THE PUNISHMENT OF THOSE WHO STRIKE AN OFFICER OF THE SOCIETY: Further that, if someone of the society strikes one of the *ministrables* or of the other officers of the society with a dagger or with bare hands, he shall pay to the society by way of fine B₄10; if with a sword, a mace, a falchion, a knife, a staff or some other weapon, he shall pay to the society by way of fine B₄25 for every wound and strike, and more by the will of the council. [...]

Initially, the arms may have been provided by the society – the bye-laws of the *Balçani* (1230) in II read: ...et arma que mihi imposuerint ego accipiam et habebo secundum possibilitatem meam... (...and the arms that they impose on me I shall accept and hold to the best of my abilities...). However, there is no provision obliging the treasurer to keep track of equipment or keep inventory; though such a provision could have existed and been removed in later revisions.

<sup>65</sup> *Quarterii* XXV:

Item statuimus quod quicumque fuerit electus gonfalonierus teneatur et habere debeat hosbergum et gamberias de malis, sive panceriam cum capirone et cirotecis fereis.

And further we state that whoever is elected ensign shall be held to have and must have a hauberk and cuisses of mail, or a breast-plate, with a chaperon and iron gauntlets.

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## 11. Conduct on Campaign

The bye-laws require the members of the society, when in the field, to quarter with the *gonfaloniere*<sup>66</sup>; the *gonfaloniere* in some cases is granted assistants (messengers and provosts), privileges, and, in three instances, a horse<sup>67</sup>.

<sup>66</sup> A fine example of a comprehensive provision in *Aquilae* VIII and XXXVI (“city district” is one of the city’s four *quarterii*, the administrative subdivisions which the City used as military draft districts):

VIII. DE VEXILLIFERO ASSOTIANDO. Ad hoc ut vexillum cum honore maxime deportetur et vexillifer societatis decenter et quod societatis tam in cavalcatis quam in exercitu valeat et possit optime hospitari, statuimus et inviolabiliter ordinamus quod quatuor vel tres de societate elligantur a ministris, qui sint pedites, qui semper debeant associare vexilliferum in exercitu vel cavalcatis nec ab eo discedere debeant absque sua licentia et mandato. et illi portare debeant antiquum vexillum in sinu vel alibi super astam involutum, vel sicut eis videbitur. et cum exercitus debuerit hospitari, tunc ante debeant precedere duo vel plures ex predictis cum vexillo antiquo societatis, et capere albergariam pro vexillifero et tota societate, et tunc ponant vexillum ita alte quod videri possit per socios. et omnes socii tam milites quam pedites pro honore societatis veniant ibi ad albergandum. et quicumque non venerit ibi ad albergandum, solvat nomine banni .III. sol. bon., et plus ad voluntatem ministrallium et consilii. et si predicti quatuor non sociaverint vexilliferum qui pro tempore fuerit, et predicta non observaverint, solvat nomine banni quilibet .X. sol. bon., et plus arbitrio ministrallium et consilii societatis. et illi quatuor debeant albergare cum quarterio ad banderiam albergarie quarterii, excepto quod si quis de nostra societate esset de alieno quarterio et non de nostro, et salvo quod si quis sociorum esset cum tali socio quod videretur iusta occasio ministrallibus quod socius non deberet venire hospitari ut dictum est.

ABOUT STAYING WITH THE ENSIGN. So that the standard might be borne with the greatest honour and that the ensign of the society is well turned out and the society both on campaign and on raids is strong and can camp as best possible, we hold and inviolably ordain that four or three members of the society shall be elected by the *ministrales*, who shall be foot soldiers, who shall always stay with the ensign on campaign or on raids and not absent themselves from him without his permission and on his orders. And they shall bear the old standard wrapped around a spear in their midst or elsewhere, or as they see fit. And when the army needs to camp, then two or more of the aforesaid shall go ahead with the old standard of the society and requisition quarters for the ensign and the whole society, and that they shall place the standard so high up that it can be seen by the members. And all the members both horse and foot shall for the honour of the society come there to quarter. And whoever does not come there to quarter, shall pay by way of fine B:3, and more by the will of the *ministrales* and the council. And if the aforementioned four should not stay with the ensign from time to time, and should not observe the foregoing, each of them shall pay by way of fine B:10, and more by the will of the *ministrales* and the council of the society. And those four shall quarter with the city district by the banner of the quarters of the city district, except if someone in our society should be from a different city district and not from ours, and except if one of the members would be with such a member that it seems to the *ministrales* to be a reasonable solution for that member not to have to camp as said.

XXXVI. QUOD VEXILLIFER SOCIETATIS STARE DEBEAT IN QUARTERIO PORTE A STERI. Item statuimus quod vexillifer, quicumque fuerit, in exercitu vel cavalcatis ire et stare semper debeat cum quarterio porte Steri; et hoc ideo quod melius erit associatus cum quasi tota societate, sit in illo quarterio. et hoc statutum sit precisum.

THAT THE ENSIGN OF THE SOCIETY MUST STAY WITHIN THE PORTA STERI CITY DISTRICT: Further we state that the ensign, whoever he may be, must on campaign and on raids always go and stay with the Porta Steri City District; and he shall be in that city district so that he may be closer to the pretty much the whole society. And this provision shall be definite.

<sup>67</sup> *Branchae* VIII in Fn 86; also *Sbarae* XXXVI:

Item statuimus quod gonfalonierius habeat a societate cum vadit in cavalcatis communis Bononie, pro dispendio et vectura unius roncini .II. sol. bon. . .

Further we state that the ensign shall have from the society B:2 for the expenses and travel of one small horse when on a raid on behalf of the City of Bologna. . .

“In the field” comes in two categories: *in exercitu* and *in cavalcata*. Members of the society receive pay for each day in the field, more in the case of *in exercitu* than when *in cavalcata*<sup>68</sup>. The battle standard might be called “*gonfalone*”, but “*vexillum*” is also used<sup>69</sup>.

There are no provisions on tactical units or unit command. The bye-laws also have no rules requiring the men to attend manoeuvres or military training, nor is there any categorisation by weapons (e.g. pole, blade or missile).

## 12. The Society’s Finances

The expenditures of the societies consisted of:

- Remuneration of the officers<sup>70</sup>;

*Dalphyini VIII:*

Statuimus quod quilibet qui erit gonfalonarius societatis Dalfinorum habeat quolibet die a societate Dalphyinorum, quo steterit extra civitatem Bononie, tres sol. bon. occasione exercitus vel cavalcate, habendo unum equum dictus gonfalonarius, supra quo vadat dictus gonfallonerius...

We state that everyone who is ensign of the society of the Dolphins shall have B3 from the society of Dolphins for every day that he is outside the City of Bologna on campaign or on a raid, where the said ensign shall have a horse, on which the said ensign shall go...

<sup>68</sup> “*In exercitu*” presumably refers to general mobilisation of the Bolognese forces, whereas “*cavalcata*” refers to a raid or minor action; a *cavalcata* would travel light (bivouac instead of full camp, no supply train, no *carroccio*) and comprise a higher proportion of mounted troops. Smaller actions comprised the bulk of military action – SETIA 105. The term “*guerra*” is used in the bye-laws only twice, in the sense of private feud or violent dispute among individuals or groups: *Branchae XIII* (see Section IV.6) and, in the Germanic form “*verra*”, *Griffoni VIII* as well as XXIII; SALIMBENI, writing contemporaneously, uses “*guerra*” routinely in the sense of “war”.

<sup>69</sup> The classical Latin “*vexillum*” is sometimes used interchangeably with, sometimes distinct from the *gonfalone*, and in some instances there is more than one *vexillum*: *Lombardi 1291* (VIII); *Tusci* (VII, X, XI, XVI, XXXI); *Traversae S. Proculi* (XXXV, XXXVI, XXXXI); *Dalphyini* (VIII, VIII, XV); *Castelli* (XVII); *Sciscae* (XI, XII, XVII, XXIII); *Sbarae* (XI, XXXVI); *Traversae Barbariae* (XXIII, XXXIII); *Cervi* (V, XIII, XXVIII – see Fn. 86) etc. “*Banderia*” (“banner”) is also used (*Tusci* LVIII, *Dalphyini* VIII, *Aquilae* VIII; *Lombardi 1291* II).

<sup>70</sup> Usually in cash, but for some officers, the “salaries” are stated in pepper, or pepper and saffron: *Tusci* XXXII:

DE FEUDO OFFITALIUM SOCIETATIS – STATUIMUS et ordinamus quod ministrales, massarius, gonfalonarius et notarius societatis qui sunt et pro tempore erunt habeat quilibet eorum a societate tempore eorum officii pro eorum salario, merito et mercede libram unam piperis et dimidiam untiam, et insuper omnes pro una commestione .XXX. sol. bon., et quilibet nuntiorum mediam libram piperis tam in primis sex mensibus quam ultimis.

ON THE SERVICE OF THE OFFICERS OF THE SOCIETY – We hold and ordain that the member of the board, the treasurer, the ensign and the secretary of the society now or from time to time in office shall each have, from the society, for the period of their office as their salary, merit and payment one pound and half an ounce of pepper, and additionally for all of them for a meal B30, and each of the messengers half a pound of pepper both in the first and last six months.

*Traversae Barbariae XXVII:*

Item statuimus et ordinamus quod notarius pro tempore ad servitium dicte societatis habeat pro suo feudo unum scifum et unam libram piperis in nativitate Domini, et .XII. den. pro cartis, et stet per totum annum et non ultra.

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- Pay for members of the society on campaign;
- Donations to the society's church – which doubled as venue for meetings of the society – for reading mass;
- Support for indigent members; and
- Members' annual feasts or officers' annual dinner.

The income of the societies arose from members' membership dues<sup>71</sup> and from fines levied on the members for infractions of the bye-laws. Depending on the seriousness of the rule breached, the fine could range from a few pennies to several pounds, but are mostly in the shillings<sup>72</sup>.

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Further we hold and ordain that the secretary of the said society from time to time shall for his service have a goblet and a pound of pepper at the nativity of the Lord, and B*d*12 for paper, and that shall stand for the whole year and not more.

Also *Tusci* XXXIII (there also saffron as *grocum*, or "crocus"); *Lombardi* 1291 II, III, VIII; in II (as part of the oath of the *ministralis*):

Et pro meo feudo non petam nec recipiam de avere societatis vel alterius massario vel quocumque alio ultra quam tantum, inter piper et çafaranum, quod valeat .X. sol. bon.

And for my service I shall not ask for of, nor receive from, the treasurer or any other, from the assets of the society or someone else, more than the equivalent, as pepper and saffron, of B*s*10.

<sup>71</sup> E.g. *Delfini* III:

Item statuimus et ordinamus quod annuatim colligantur a quolibet sociorum duodecim bon. pro expensis societatis faciendis et pro solvendis, seu pro feudo nuntii societatis et nuntii omnium societatum, et pro oblationibus missarum et pro fogatiis, et pro cereis festi persolvendis, et pro aliis expensis. quos denarios ministrales et massarius imponere, colligere et exigere teneantur in kalendis martii in pena dupli.

Further we state and ordain that twelve Bolognese [pennies] shall be collected from each member of the society yearly for the expenses and payments to be made by the society, be that for the service of the society's messenger and the messengers of the all the societies, and for the offerings at mass and the bread, and for the candles at feasts, and for the other expenses. The members of the board and the treasurer shall be held to impose, collect and demand these amounts on the first of March, under double fine.

*Traversae Barbariae* XIII:

Item statuimus et ordinamus quod quilibet de societate solvat annuatim .VI. bon., et de his denariis solvatur feudum notarii et nuntii, oblationes missarum, fogatie et cerei. et hiis .VI. den. a quolibet exigantur quando toti corpore societatis vel maiori parti placuerit.

Further we state and ordain that everyone of the society shall pay per year six Bolognese [pennies], and from these funds the services of the secretary and the messenger shall be paid, the offerings at the masses, bread and candles. And these six pennies shall be levied when it pleases the whole of the society or a majority of it.

The *Lombardi* (1256 XXXXVII) specified a one-time joining fee of B*£*1, but no fee for the father, son or brother of a member, and B*s*3 for the nephew of a member. By the 1291 bye-laws (in II), the fee had risen to B*£*3, B*s*5 and B*£*1 respectively. The *Tusci* had a joining fee of B*£*1, halved for relatives of members (1256 LXVIII). The joining fee for the *Aquiliae* was one shilling (XVII). Other societies do not seem to have a stated fee, but refer to regular collections as decided by the general meeting.

<sup>72</sup> High fines in the several pounds are stated especially for violence towards and discord among members, and siding with nobles or magnates in city disturbances. The highest fine mentioned is a fine of B*£*100 for three individuals placed under city ban (*Tusci* XXXXV).

Some of the societies must have been more comfortably off than others – some societies have high dues or afford their officers generous emoluments, others obviously own houses in the City or rural properties or both<sup>73</sup>.

## V. ANALYSIS AND COMMENTARY

Having considered the historical framework in Section III and the content of the bye-laws in Section IV, this section explores whether – or rather, to what extent – the armed societies fulfilled military, political and social functions.

### 1. The *societates armatae* as Military Organisations

The purpose of the *societates* was clearly to organise the militia of the free citizens for military purposes. But they were just one limb of the city's military organisation, the others being the fighting entourage of the “magnates” (the nobility and wealthy merchants), as well as the city's own troops – mercenaries or levies not affiliated with an armed society<sup>74</sup>.

*Historical Note.* The early urbanisation of northern Italy meant that local forces of the 12<sup>th</sup> C comprised a strong complement of mostly artisan and worker, i.e. fairly well-to-do and status-proud, and therefore comparatively well-equipped, infantry levies. As the battle of Legnano showed, this infantry element was perfectly capable of holding its own against knightly forces, a development that marked the transition from the cavalry-centric feudal forces of Carolingian and Ottonian times to the battlefield dominance of heavy infantry in the 14<sup>th</sup>/15<sup>th</sup> C<sup>75</sup>.

*The ordre de bataille of the City:* As discussed, practically all the bye-laws instruct their members to camp in close proximity to their *gonfaloniere* when on campaign – the purpose seems to have been to enforce discipline while in camp or on the march<sup>76</sup>.

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<sup>73</sup> E.g. the *Lombardi*: 1256 XXVII and 1291 II, V.

<sup>74</sup> Additionally there were the non-combatant members of the supply train and irregulars – SETTIA 195-198.

<sup>75</sup> While DELBRÜCK (412-413) is generally dismissive of Italian infantry, VERBRUGGEN (144-147) is more balanced, pointing out that the Italian city infantry was pioneering the development – indeed, the famous infantry exploits of Courtrai, Bannockburn, Morgarten and Laupen did not take place until 100-150 years after Legnano (also AYTON 202; MALLETT 214). In the battles between the cities, the validity of the paradigm did not matter much since both sides were similarly structured – so also SETTIA 102-106. That the infantry of the cities did not develop into a fighting machine comparable to, say, the Swiss is probably due to the fact that neither the city's economy nor the individual artisans, merchants, clerks and workers could well afford to spend the required time in the field – NICOLLE 6-13; mercenaries then formed the bulk of the forces, SETTIA 201-217; FASOLI 40. For the predominance of mounted fighters in the Early Middle Ages VERBRUGGEN 19-21.

<sup>76</sup> In this context, *Dalphyini* VIII is confusing: Having regulated that the society shall elect four foot soldiers who are obliged to stick with the ensign at all times, the provision concludes: *et illi quatuor debeant albergare ad banderiam sui quarterii*. (And these four shall be obliged to quarter by the

Whether they also fought as units is not clear; some authors simply assume that they did. I tend to believe they did not fight as units<sup>77</sup>.

The reasons for my view are the following:

- The tactical organisation of the units in the field – the *decena* cavalry troop, the *vigintiquina* infantry platoon – was the preserve of the City's *capitanus*<sup>78</sup>. There is no suggestion that the societies were structured as self-contained units<sup>79</sup>, which the *capitanus* would or could have deployed as such.

banner of their city district). It is the only reference to *quarterium* in the Dalphyni bye-laws. See also *Aquilae* VIII (in Fn 66).

<sup>77</sup> For fighting together: FASOLI 23; POLONI (40) also suggests the societies fought under their banner, and refers to passages from *Balçani*:

II: et si in exercitu fuero ad gonfalonem, cum aliis meis sotiis stabo, nec inde recedam sine licentia distringitorum vel aliorum qui superessent illo offitio.

And if on campaign I shall be with the great flag, I shall stand with my fellow members, and I shall not absent myself without the permission of the provosts or others who might be in that office.

XXXXI: Item statuimus quod omnes homines de sotietate simul in exercitu ire debeant sotiendo se unum pro altero prout melius poterint pro unamquemque contrata, ita quod omnes simul possint esse circa gonfalonem suum. et quilibet teneatur albergare iuxta gonfalonem magis quam poterit.

Further we state that all the men of the society must go on campaign together, helping one the other to the best of their abilities for every single area, so that all might be able to be around their great flag. And everyone shall be held to camp next to the great flag as best he might.

I would agree that these passages are suggestive of the societies fighting as a unit, and not just being together on the march or in camp, though the passages are by no means conclusive. The *Balçani* are also the only ones to have this language, the other bye-laws (and most of them do address the issue) exhort the society to march, camp or quarter together; *Balçani* XXVIII is typical:

Item statuimus quod ministrales, massarius et gonfalonarius debeant ire in simul in tenda in exercitu. et qui contra fecerit solvat pro banno .X. sol. bon.

Further we state that the members of the board, the treasurer and the ensign must go together in the tent on campaign. And whoever breaches this shall pay as fine B10.

The provision of *Lombardi* 1256 XXV, also quoted by POLONI, only refers to camp:

Item statuimus et ordinamus quod, si ibunt in exercitum quilibet de societate, debeant hospitari apud confallonem magis prope quam poterunt.

Further we hold and ordain that, if anyone of the society goes on campaign, they shall quarter as close to the great flag as they can.

The other source provided by POLONI for societies fighting as units refers to the Florentine forces.

<sup>78</sup> Using the city's administrative subdivisions for recruitment and defining the City's draft age as being 18 to 60 – FASOLI 5-6, 17, 40; BLANSHEI 152, 156-157; POLONI 38; BARGIGIA/DE ANGELIS 15. *Cervi* XXVIII implicitly refers to the City's tactical unit organisation – for a translation of the provision, see Fn. 86. Thanks to its notaries, Bologna had developed a formal manual for the decision-making and process of mobilisation: BARGIGIA/DE ANGELIS 10-11.

<sup>79</sup> Some internet sources refer to certain *societates* having been present or even distinguished themselves at various engagements, but there are no source references and I have not found such mentions in the literature reviewed; so far I can see, none of the military history sources refer to the *societates*. Where there are references to *societates* in action with e.g. NICOLLE, the references are to Florentine or Lombard societies.



- For the membership of the societies to operate as self-contained units, there would have had to be: A definition of unit size; a standardisation of weaponry with a concomitant operational doctrine; group, platoon and company commands; and common training.

But none of the bye-laws even mentions weaponry<sup>80</sup>. None of the *societates* specialised in a particular arm<sup>81</sup>, weapons competitions (e.g. crossbow<sup>82</sup>) are not mentioned, and only one, possibly two sets of bye-laws mention any small-unit organisation<sup>83</sup> – though the scenarios addressed in the relevant bye-laws

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<sup>80</sup> With the exception of *Tusci* VII for the *gonfaloniere*'s honour guard – see Fn 61.

<sup>81</sup> Compare this to e.g. the Belgian *gildes armées* or *Wapengilden* of the same time: *Galas* 138-139. Besides, the general laws of the city *did* specify offensive arms – the 1307 statutes require each trooper and infantryman to bring a pike, the trooper a 10-foot lance and the infantryman a pike of 14 ft; BREVIGLIERI 112.

<sup>82</sup> The crossbow was an important weapon in Northern Italy during this time, and other cities were creating corps of crossbowmen – SETTIA 140-144; NICOLLE 12-13; BREVEGLIERI 119-120. Florence did base its tactical organisation on weaponry, and in Bologna, the *capitaneus*' military organisation was based on weapons, at least in the late 12<sup>th</sup> C: FASOLI 8.

<sup>83</sup> *Tusci* VI (the unit here is of fifty, whereas the main tactical small infantry field unit was twenty-five):

QUOD MINISTRALES FACIANT CINQUANTINAS - Item quod de hominibus societatis ministrales, secundum quod eis videbitur, faciant fieri per contratas cinquantinas, et dent cuilibet cinquantine unum capitaneum, qui capitaneus et omnes qui erunt de sua cinquantina debeant venire in simul ad corpus defunctorum societatis. et qui contra fecerit solvat societati nomine banni .VI. bon. et credatur simpliciter verbo capitanei. et illud idem dicimus servari quod omnes et singuli de unaquaque cinquantina veniant ad domum sui capitanei cum armis quotienscumque expedierit per commune Bononie, et cum eo veniant ad locum ordinatum pro societate, sub pena et banno .V. sol.

THAT THE ADMINISTRATORS SHALL CREATE GROUPS OF FIFTY. Further that the administrators shall have assemble groups of fifty by area from the members of the society, according to how they see fit, and they shall give each group of fifty a captain. This captain and all who are in his group of fifty shall come together to the corpse of a deceased member of the society. And each violator shall pay to the society by way of fine B:6. And the mere word of the captain shall be accepted. And we say the same shall apply in that each and every group of fifty shall come to the house of its captain armed so often as it shall be expedient for the City of Bologna. And they shall come with him to the place designated for the society, under pain of fine of B:5.

*Spadae* III: Statuimus et ordinamus quod ministrales, massarius et notarius et gonfalonarius cessent ab eius officio per unum annum ab exitu sui officii. idem dicimus de capitaneis decemanni, vigintiquinarum et centonariorum.

We hold and ordain that the members of the board, the treasurer, the secretary and the ensign shall withdraw from these offices for one year from the end of their term of office. The same we say of the captains of the groups of ten, of the groups of twenty-five and the groups of hundred.

The first sentence of the provision requires an officeholder to wait one year before standing for another office. For the different units of small unit organisation, see NICOLLE 14-15. The *Spadae* bye-laws do not otherwise deal with the “captains” referred to in the second sentence.

*Quarterii* I also refers to “captains”, but the provision and the bye-laws are no more helpful – see Fn 97.

are not primarily battle. Nor is there any mention of the members of the society training together<sup>84</sup>.

It is difficult to assess the actual impact of these split responsibilities; certainly, if the mixing of the tactical units was random, the fighting units would have lacked essential elements conducive to the cohesion and morale that steadies troops in battle. Conversely, both the City's tactical organisation and the societies' memberships were territorially defined – it is entirely possible that the *capitaneus* would have sought to assemble his *vigintiquinae* from members of the same *societas* living in the relevant catchment area<sup>85</sup>.

*Mounted and foot units:* It is quite clear that some of the societies' members were mounted, but the societies did not field mounted units. The question of who was mounted is a convoluted one – on one hand, nobility would have been mounted, but so was any commoner with a high enough census. Additionally, the City would allocate mounts to certain citizens. Terminology is no help – the word “*miles*” could refer to a knight as feudal rank (and typically mounted, but not necessarily so) or to a mounted fighter, whether or not noble<sup>86</sup>.

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<sup>84</sup> Bologna was already in the 13<sup>th</sup> Century a centre for martial arts (RUBBOLI/CESARI 8), but none of that shows up in the bye-laws. NICOLLE 15-16 points out that militia training was pursued energetically in the Northern Italian cities; there is no reason to assume Bologna was different. SETTIA 29-52 refers to the *ludus clavarum*, fighting games for the Bolognese populace organised by the *capitaneus*. The conclusion remains that training was organised by the city authorities, not the societies.

<sup>85</sup> This is also suggested by *Aquiliae* XXXVI, quoted in Fn 66. THOMPSON (129-130) points out that, at least in other cities, the armed societies originated from the small tactical units. On the importance of small units KEEGAN 50-52.

<sup>86</sup> “Miles” can refer to a knight, i.e. a lesser noble who would typically fight mounted by virtue of his feudal status; on the other hand, the phrase “*mīlites et pedītes*” simply means “the horse and foot” (in Classical Latin, a “*miles*” is “a soldier”). One did not have to be a knight to be mounted, and knights also fought on foot – SETTIA 108-112, BREVEGLIERI 86. For a discussion on the terminology see also DELBRÜCK 416-417, NICOLLE 8-12 and BUMKE 64-66. In the bye-laws e.g. *Dalphyini* VIII, *Cervi* XXVIII (below), *Aquiliae* VIII; *Branchae* VIII:

... insigna et armature mee sotietatis habebō et tenebō in domo mea, scilicet in scuto, targa vel rotella, elmo, capello de ferro vel capeletta, et in sella si equus michi fuerit impositus pro communi, in banno .v. sol. bon. pro qualibet ex predictis armis...

I shall have and keep the emblems and coat of arms of my society at my home, that is on my shield, targe or round-shield, helmet, iron hat or kettle hat, and on the saddle if I am given a horse by the city, under fine of B:5 for each of the said armaments...

Note that the *Branchae* is one of the societies that specifically exclude nobility from membership.

The term *elmum* or *helmum* (as used in *Aquiliae* XXVIII; *Branchae* VIII; *Lombardi* 1256 XXXXVI; *Quarterii* VI; *Sbarae* XXXVIII; *Traversae Barbariae* XXV; *Tusci* LVIII – clearly “helm”) suggests a mounted or at least knightly wearer, but that term is as well too ambiguous to rely on – BREVEGLIERI 106.

Bearing the standard, see *Sbarae* XXXVI and *Dalphyini* VIII in Fn 67: also *Cervi* XXVIII.

*Conclusion:* The policy of not using the societies as tactical resource may have been deliberate; as was shown, keeping the bulk of the citizenry neutral in feuds among nobles was a key purpose and function of the *societates*. Turning them into fighting units could well have promoted civil war<sup>87</sup>.

## 2. The *societates armatae* as Political Organisations

At any time, membership and participation in an organised society is training for the processes and politics of a republican commonwealth. While the exact origin and genesis of the armed societies is not settled<sup>88</sup>, it seems clear that the *societates armatae* aimed to, and did, fulfil this function: They succeeded in integrating enterprising immigrants and freed serfs into the organised political life of Bologna, giving them a stake in the city's welfare which they otherwise would not have had<sup>89</sup>.

In the second half of the 13<sup>th</sup> C, the *societates armatae* gained a strong political role; along with the craft guilds, they provided the *anziani*, a council of aldermen instrumental in the governance of the city. Concurrently with this development, the *societates* began their process of social exclusion described in Section III.<sup>90</sup>

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QUOD VEXILLUM SOCIETATIS DARI POSSIT PEDITI ET MILITI PRO SOCIETATE. Statuimus et ordinamus quod vexillum societatis dari possit pediti et militi, quamvis sit in decena militum, eundo vexillum pedes semper per alienum dstrictum, et specialiter in districtu inimicorum. et ille qui vexillum habebit vadat pedes cum illis de societate in banno .XX. sol. bon., et plus ad voluntatem corporis societatis.

THAT A BATTLE STANDARD OF THE SOCIETY CAN BE GIVEN TO AN INFANTRYMAN OR A HORSEMAN FOR THE SOCIETY. We state and ordain that a battle standard of the society can be given to an infantryman or a horseman, even if he is in a cavalry troop, though the battle standard shall always go on foot through foreign territory, and especially in enemy territory. And the one who has a battle standard shall go on foot with those of the society, by fine of B:20, and more by the will of the society as a whole.

The city provided horses to members of the communal cavalry; while the sound nobles like the Geremei were obliged to supply horse *and* rider, the Lambertazzi, after the first coup attempt, were obliged to supply horses and equipment only, while the City would provide the (reliably Guelph) rider – FASOLI 6-8 and 22-23; BLANSHEI 24, 156-161, 185; see *Spadae* V, *Dalphyini* VIII. On the status of knights DEAN.

<sup>87</sup> Even so, four of the *societates* joined in the Lambertazzi coup, and were dissolved – BLANSHEI 29.

<sup>88</sup> FASOLI, 10-11; POLONI 34; FASOLI 18-19 points out the proximity of the bye-laws to the joint venture agreements for the construction of the defensive towers that used to dot Bologna in the same way as survive in San Gimignano, but also to the association rules of the sodalities; THOMPSON 129-131 refers to the similarity with religious associations.

<sup>89</sup> POLONI 38.

<sup>90</sup> The pre-eminence of the council of the *anziani* marked the high point of the power of the *popolo*; one way of looking at the subsequent collapse of the *popolo* government and the advent of the *signorie* is that the 13<sup>th</sup> C commonwealth did not yet have the institutions and processes to develop into a democratic structure embracing the whole of the city. In true feudal fashion, the power structure rested on intermediate groupings, i.e. the *societates* and the guilds. Had these groupings maintained and expanded their openness, inclusivity and democratic structures, and had they succeeded in finding an inclusionary model for the still powerful nobility, Bologna might have transitioned into a democratic commonwealth. As it was, the *popolo* failed to develop democratic structures, the *societates* abandoned them, and relations with the nobility turned

It would be wrong to see the armed societies in isolation within civic life of Bologna; the members of the armed societies were at the same time also part of the general *popolo*. The *popolo* participated in the appointment of the *podestà* and the *capitano*; the *societates* elected the *anziani* to the city council. Essentially, they were electing the individuals with oversight over the armed societies, reinforcing the “self-referential” control loop<sup>91</sup>. So the armed societies were certainly a tool for organising the populace, but to see their intended function as a tool for one defined class – the city leadership – to repressively organise another defined class – mere subjects – is in my view not borne out by the evidence<sup>92</sup>. That did not occur until the societies were already in decline<sup>93</sup>.

Historians emphasise the function of the societies in suppressing the violent feuding of the city nobles<sup>94</sup>; this *active* “police” function is not evident from the bye-laws<sup>95</sup>. What is a central element of most of them, though, is the injunction not to participate in, let alone side with, any of the nobles in their disputes<sup>96</sup>. Even passively neutralising the bulk of the population would have been a major calming and pacifying factor in the commonwealth. As city laws “encouraged” the nobility to move out of the city in the second half of the 13<sup>th</sup> Century, the societies would have lost one of their *raison d'être*.

A further factor points to the nature of the societies as a passive element: The leadership of the society was regularly in the hands of a committee of *ministrales*; the societies appointed administrative specialists in the treasurer and the secretary, but no

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confrontational, so dooming the experiment – MILANI XIX; MILANI’s work traces the process of confrontation and exclusion that progressively narrowed the political base of the City’s government. Also VALLERANI (through the discussion of the status of academic research on the subject); POLONI 45 and 55-58; BLANSHEI 76-78; FASOLI 4, 25. From the 1280s onwards, there was a tendency toward pairing armed societies with guilds – FASOLI 29-30 and see *Vari XXXXI* requiring a member to personally exercise a trade. The city’s notaries – product of the university – were instrumental in the implementation of the regiment of the *popolo*: ARTIFONI, esp. 15.

<sup>91</sup> BLANSHEI 16; POLONI (44 and 46) points out that only in Bologna did the societies participate in government. See also THOMPSON 129-132.

<sup>92</sup> FASOLI, 19-20; AS BOLOGNA 574.

<sup>93</sup> See POLONI 44-47 – the development took place at different times in different cities, earlier in other Northern Italian cities, in Bologna later, toward the end of the 13<sup>th</sup> / early 14<sup>th</sup> century. Also THOMPSON 130.

<sup>94</sup> GAUDENZI XI; POLONI 4.

<sup>95</sup> A separate society was formed in 1271 to provide this “police” function, the “Society of Justice”, drawn from the members of the armed societies, the guilds and the nobility. Significantly, it was a failure and dissolved following the Lambertazzi coup attempt in 1274 – FASOLI 27; also SALIMBENI 485:

Et eo anno [1271] facta fuit in civitate Bononie quaedam societas, que vocabatur societas iustitiae, et erat valde magna societas de bonis et melioribus de populo dicte civitatis.

And in that year a certain society was formed in the City of Bologna, which was called “Society of Justice”, and it was a very large society of the great and the good of the people of the said city.

<sup>96</sup> E.g. *Lombardi* 1291 V; *Tusci* V, LXI; *Balvani* 1230 XXVIII, 1235 II; *Traversae Barbariae* XXX; *Branchae* VIII; *Leones* XXXXVIII, LII; BREVEGLIERI 87.

leader, no president or captain<sup>97</sup>. The short periods of service (six months) and waiting periods for re-election also meant that no-one could establish a leadership position. The *gonfaloniere* was a rallying-point for the members in the field or during civic commotion, but it is equally clear that he was not intended as a leader – some bye-laws specifically provide for a number of councillors to be elected, whose job it is to order the *gonfaloniere* what to do and where to go in times of civil unrest<sup>98</sup>.

### 3. The *societates armatae* as Social Organisations

The *societates* had a self-evident social element – the members got together at least once a month for mass, they stood by each other in times of mourning (even if that was encouraged by the threat of painful fines), they had common events, they succoured each other in times of need.

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<sup>97</sup> *Quarterii* I refers to the chairman of the *ministrales* as a “captain”, but the language suggests that he is not the only “captain”; but what these other captains’ function is, is unclear, and there is no further mention of captains in the remainder of the bye-laws.

<sup>98</sup> *Leones* XXXXV, *Lombardi* 1256 XXVII; *Cervi* XXIII; see also *Tusci* X (under threat of B $\mathcal{L}$ 5 fine); *Lombardi* (1291) V, VIII; *Scixae* XXIII; *Traversae Sancti Proculi* XXXVII; ambiguous *Vari* XXVIII; *Castelli* XXVIII:

Item statuimus quod gonfalonierus societatis qui pro tempore fuerit debeat cum gonfalone venire ad crucem strate Castilionis cum necesse fuerit pro communi Bononie et bono statu, et non se removere de ipso loco cum gonfalone nisi ad voluntatem ministrarium. et si contra fecerit, solvat gonfalonierus .C. sol. bon. et si aliquis alius de societate de ipso loco se removeret sine licentia ministrarium, solvat nomine banni .XX. sol. bon. et sit precisum.

Further we hold that the ensign of the society from time to time shall come to the cross of the Castiglione road with the great standard when is necessary for the City of Bologna and its good state, and not remove himself from that spot unless by the will of the *ministrales*. And if he does otherwise, the ensign shall pay B $\mathcal{L}$ 100. And if someone else of the society removes himself without the permission of the *ministrales*, he shall pay by way of fine B $\mathcal{L}$ 20. And this shall be final.

#### *Branchae* III:

Iuro ego gonfalonierus dicte societatis venire ad locum a societate ordinatum cum vexillo societatis predictae quam citius potero, bona fide, si per potestatem vel capitaneum vel ançianos et consules fuero requisitus ad sonum campane vel voce bannitoris vel aliter. et cum gonfalone et hominibus dicte societatis ibo et traham ad potestatem Bononie, capitaneum populi Bononie, ançianos et consules et ad locum ubi michi mandatum fuerit per eosdem; nec inde me separabo absque eorum licentia et mandato. et si contra predicta vel aliquod predictorum fecero, solvam societati nomine banni .XXV. lib. bon. quotiens contra fecero, et si aliquis rumor vel seditio oriretur in civitate Bononie, continuam residenciam fatiam in civitate vel burgis, nec de civitate vel burgis aliqua de causa me separabo absque licentia meorum ministrarium quamdiu dictus rumor vel seditio fuerit sedatus et sedata.

I the ensign of the said society swear that I shall come to the place ordered by the society with the standard of the society as quickly as I can, in good faith, if I am asked to do so by the *podestà* or the captain or the aldermen or consuls through the sound of the bell or the call of the herald or otherwise. And with the great standard and the men of the said society I shall go and proceed to the *podestà* of Bologna, the captain of the people of Bologna, the aldermen and consuls of Bologna and to the place I am sent to by them. And from there I shall not go away without their permission and instruction. And if I shall act against this or any of the aforesaid, I shall pay to the society by way of fine B $\mathcal{L}$ 25 for every time I do so. And if any commotion or sedition should arise in the city of Bologna, I shall continuously reside in the city or the suburbs, and shall not leave the city or the suburbs for any reason without the permission of my *ministrales* until the commotion or sedition are calmed. Unauthenticated

In medieval society, individuals had other, more established avenues to achieve these aims, primarily the sodalities, associations formed around a particular facet of religious observance<sup>99</sup>. The guilds of course also had a very strong social element, though the unifying bond in guilds was the exercise of a trade, and the guild's regulations focussed heavily on training, quality control and health and safety.

The terms of the bye-laws do suggest that the social element was strong in the societies' hey-day – an individual interested in the political role of the societies did not have to look to another association for the provision of his social needs.

Retrospectively, the social element of the societies survived longest – after the military role receded and the advent of the *signorie* precluded political activity, the *societates* endured for a generation or two. Some, like the Lombardi, continued strongly at least into the late 15<sup>th</sup> C, though it should be remembered that the Lombardi society originated as a fraternal society. Most of the others limped on for a generation or so and then disappeared<sup>100</sup>.

## VI. CONCLUSIONS

This review of the bye-laws of the Bolognese *societates armatae* represents a pebble in the fascinating mosaic that is the transition from a society organised under the feudal order to our constitutionally organised society today.

Feudal law was personality-based, instinctively collective, differentiating and synallagmatic – bewilderingly complex<sup>101</sup>. Modern law is territory-based, individualistic, equalising and authoritarian – rationally simple. In a feudal society, power was dispersed to the point of anarchy. In modern society, legal power is bundled and concentrated in government; checks on government power are the product of our system of government, not the nature of law.

The *societates* are decidedly feudal in their collective nature and in their passive purpose; by being institutionally conservative, they had a stabilising effect on the body politic – which, ironically but typically, allowed its individuals to benefit from the dynamic social and economic mobility of the High Middle Ages. They are modern in the territoriality, individuality and egalitarianism of their membership. The societies lose their relevance as they are affected by the bane of the feudal order, hereditary office<sup>102</sup> and social exclusivity.

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<sup>99</sup> THOMPSON 129-131 points out the similarity of the *societates* to (religious) fraternal societies, and argues strongly that observance was a prominent element of the *societates*, especially as compared to the guilds. Apart from the attendance at mass mentioned, e.g. *Lombardi* 1256 XX requires the *ministrales* to keep an oil lamp burning at the altar of St. Peter's.

<sup>100</sup> POLONI 59; they were still active in the turmoil of the early 14<sup>th</sup> C, FASOLI 30-31, but were gone by 1357, FASOLI 38-40.

<sup>101</sup> PEYER 3-4; MITTEIS/LIEBERICH 16 I, II (p. 74-78).

<sup>102</sup> MITTEIS/LIEBERICH 16 III (p. 78-79).

On a larger plane as well, the feudal order was transforming into the government structures prevalent from the Late Middle Ages until the French Revolution: Hereditary, aristocratic monarchies which progressively succeeded in dismantling the feudal law-based brakes on centralised, absolute power<sup>103</sup>.

The notion of the feudal order encompassing the world and transcendently anchored through a dual spiritual-secular bridge, the pope and the emperor<sup>104</sup>, was clearly no longer political reality in the 12<sup>th</sup> Century, but it took deliberate steps by the popes as well as the German clerical and secular princes to destroy the legal notion. Maximilian I's re-designation, in connection with the *Reichsreform* after 1495, of the Holy Roman Empire as being limited to the German nation was the outward acceptance of this new reality<sup>105</sup>.

Frederick I had still tried to reinforce feudal structures by introducing Roman Law principles of government to bolster imperial rule; he stated his aspiration at the Diet of Roncaglia 1158, the battle of Legnano and the Peace Treaties of Constance and Venice at the end of the century marked the failure of that effort<sup>106</sup>. Frederick II, steeped in Norman rather than German government, in the first half of the 13<sup>th</sup> Century also attempted to rationalise the structure and administration of the Empire; he took different routes in Northern Italy and in Germany, but failed in both<sup>107</sup>. As a consequence, the political map of Northern Italy of the late Middle Ages and early Renaissance is marked by city-states rather than princely territories. Even as the republican institutions of the cities devolved into *signorie* and later hereditary principalities, the cities remained the nuclei of power; their princes were the descendants of *signori*, merchant princes and *condottieri*, not traditional nobility.

The Bolognese *societates armatae* clearly started off as a vehicle to integrate a population of immigrants, newly liberated serfs and other individuals without a political "home", and give them a stake in the society they lived in – the societies provided social stability and social mobility, their political role gave their members a say in the city's governance.

In terms of tying these new citizens into the community, there is no commitment more unequivocal than the defence of the commonwealth. In that sense, the societies clearly had a military role. It can be shown that this military role extended to maintaining discipline on campaign, but whether it extended into battle itself is not clear. The tantalising glimpses of a battle role in various provisions could indicate that such a role existed in the early days – 1230s to 1250s – but was lost, the relevant provisions deleted

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<sup>103</sup> MILANI XIX; PEYER 116-118; MITTEIS/LIEBERICH 42 V 1 (p. 346).

<sup>104</sup> MITTEIS/LIEBERICH 25 II (p. 147-149).

<sup>105</sup> MITTEIS/LIEBERICH 32 VII (p. 216-217).

<sup>106</sup> HAVERKAMP 231-233; MITTEIS/LIEBERICH 22 II 1, 2 (p. 120-121).

<sup>107</sup> HAVERKAMP 258-263; MITTEIS/LIEBERICH 22 III 7 (p. 126).

from later restatements of the bye-laws and the remaining traces simply being references that were missed when conforming the newer versions.

But the same drivers that made the societies a stabilising factor in the Bolognese social fabric militated against a strong military role; so as the social realities of Bologna changed and politics became exclusionary, the societies instead became a factor reinforcing the isolation of the ruling upper commoner stratum.

A vicious circle of deteriorating terms of trade, economic decline, military weakness and paranoid politics doomed Bologna's republican constitution. Under the *signorie*, there was no room for the societies as a political organisation or a military organisation; where they survived in form, their function was reduced to a purely social one.

Finally, for me as a practicing lawyer with regular preoccupation with the drafting and operation of bye-laws of societies, it is interesting to see that my colleagues of more than 800 years ago worked no differently from today – in some provisions, a certain urgency is clearly recognisable from the style of drafting, the language becoming less formalistic and more discursive (but not more vulgarised); in others, the draughtsman dealt with an ephemeral matter, clearly known and familiar to all concerned at the time, but baffling to us today. They had clients and assignments that were no different from mine.



## Appendix 1 – References to Armaments

References are to the article number of the relevant bye-law.

A note on translation: I have not attempted to give “accurate” translations for the individual armaments. This would require thorough research of the iconography of the time. Some of the vocabulary is recognisably classical, e.g. *scutum* – but I cannot categorically state whether this was the same shield as that of the Classical or late Antiquity Roman legionary or just a generic term for “shield”.

*Elmum* is clearly Germanic-derived (as in “helmet”, “*der Helm*”); *hosbergum* is a hauberk, and *sourosberga* is a “sur-hauberk” or possibly a “lizard hauberk”; it is anybody’s guess what a *guaiferia*<sup>108</sup> is. And so on.

Angus McBride (NICOLLE Plate F) gives an artist’s impression of the arms and armour of Italian fighters of the time – with narrative on page 46. SETTIA (144-149) and BREVEGLIERI also discuss the various armaments.

Type of Armour	Latin Term	Reference
Head	Caçeta	Lombardi 1256 XXXXVI
	Capellita, Capilicta, Capelletta, Capelletta, Capellecta <sup>109</sup>	Aquilae XXVIII; Griffones XXXXVI; Sbarae XXXVIII; Scixae XVI; Traversae Barbariae XXV; Vari 1256 XXIX, XXXIV <sup>110</sup> ; Vari 1288 XXII
	Capellum <sup>111</sup>	Aquilae XXVIII; Balçani rII; Brancha VIII; Castelli XXI; Cervus XXV, XXXXVI; Griffones XXXXVI; Leones XXXV; Quarterii VI; Sbarae XXXVIII; Traversae Barbariae XXV; Traversae S. Proculi III; Tusci LVIII; Vari 1256 XXIX; Vari 1288 VIII
	Civoleria	Aquilae XXVIII
	Elmum <sup>112</sup> , Helmum	Aquilae XXVIII; Brancha VIII; Lombardi 1256 XXXXVI; Quarterii VI; Sbarae XXXVIII; Traversae Barbariae XXV; Tusci LVIII

<sup>108</sup> Apparently *hapax legomenon* (at least outside the Bolognese bye-laws); the only persuasive etymology is from the Germanic proper name “Waifer” (there is a saint of that name). BREVEGLIERI 86-87 hazards the guess that it could refer to a short gambeson for the mounted fighter. Maybe it is the short-sleeved padded soft armour depicted on the font of the baptistry of the Duomo in Verona, pictured on page 12 with NICOLLE. Bolognese might have referred to “guayferia” much as the British cavalry referred to a “Sam Browne belt” or today’s Swiss soldier to his “Gnägi” (officially “Tricothemd 78”).

<sup>109</sup> Made of leather “*de corio*”.

<sup>110</sup> *Vari 1256 XXIX*: “*capelitam de corio vel capellum de ferro et non caçetam*”.

<sup>111</sup> Made of iron “*de ferro*” (e.g. *Traversae Barbariae XXV*); in *Tusci LVIII*: “*capellum florentinum*”; in *Cervi XXV, XXXXVI*: “*capellum de corio vel de ferro*”; *Vari 1256 XXIX*: “*capelitam de corio vel capellum de ferro et non caçetam*”.

<sup>112</sup> In *Traversae Barbariae XXV*: “*elmum de açario*”, i.e. a steel helm.

Type of Armour	Latin Term	Reference
<i>Upper Torso</i>		
Cloth	Çuppa, Çupa, Çuba, Çubba, Cuba, Zuppa	Aquilae VII, XXVIII; Balçani XIII; Cervus XXV, XXVI; Griffones XXXVI; Leones XXXV; Lombardi 1256 XXXVI; Quarterii VI; Sbarae XXVIII, XXXVIII; Scixae XVI; Traversae Barbariae XXV; Traversae S. Proculi III; Tusci LVIII; Vari 1256 XXXIV; Vari 1288 XXII
	Guayferia, Guaiferia, Guiferia, Gaiferia	Aquilae VII, XXVIII; Balçani XIII; Cervus XXV, XXVI; Griffones XXXVI; Leones XXXV; Lombardi 1256 XXXVI; Quarterii VI; Sbarae XXXVIII; Scixae XVI; Traversae Barbariae XXV; Traversae S. Proculi III; Tusci LVIII; Vari 1256 XXXIV; Vari 1288 XXII
Metal	Hosbergum, Sourosberga	Quarterii XXV; Sbarae XXIII
	Lameria	Aquilae XXVIII; Cervi XXV; Lombardi 1256 XXXVI; Quarterii VI
	Panceria	Quarterii XXV
Leather	Curatia	Cervi XXV
<i>Shield</i>	Clipeus	Sbarae XXXVIII
	Rotella, Rodella	Aquilae XXVIII; Branchae VIII; Cervi XXVI; Griffones XXXVI; Sbarae XXXVIII
	Scrimtum, Scrimittum, Scrimmentum, Scrimetum	Aquilae XXVIII; Cervi XXVI; Lombardi 1256 XXXVI; Sbarae XXXVIII; Scixae XVI
	Scutum	Aquilae VII, XXVIII; Balçani XIII, rII; Brancha VIII; Castelli XXI; Cervi XXV, XXXVI; Griffones XXXVI; Leones XXXV; Lombardi 1256 XXXVI; Lombardi 1291 V; Quarterii VI; Sbarae XXXVIII; Scixae XVI; Traversae Barbariae XXV; Traversae S. Proculi III; Tusci LVIII; Vari 1256 XXIX, XXXIV; Vari 1288 VIII, XXII
	Tarça, Targa	Aquilae XXVIII; Branchae VIII; Lombardi 1291 V; Scixae XVI

## Appendix 2 – List of Bye-Laws

Note that in some instances, the bye-laws themselves are undated and the “Date” should then be read as “before [the relevant year]”<sup>113</sup>.

Date	Name	Word Count	Members 1267-73 <sup>114</sup>	Members 1314	GAUDENZI Pages from/to
1230	Balçani <sup>115</sup>	3269			119-131
1231	Traversae Sancti Proculi	3147	202	-	133-146
1235	Balçani	3269	293	544	131
1255	Claves	1216	253	593	179-188
1255	Sbarae	2522	310	324	189-200
1255	Traversae Barbariae	2191	307	349	201-210
1255	Cervi	3923	X + 85	187	211-230
1255	Aquiliae	5024	130	194	231-254
1255	Branchae	4444	145	-	255-270
1255	Castelli	1946	244	469	155-166
1255	Dalphynti	1680	115	-	147-154
1256	Leones	4303	549	693	271-292
1256	Quarterii	2964	334	335	293-304
1256	Vari	2649	309	399	335-346
1256	Lombardi	4906	557	389	3-20
1256	Tusci	6605	584	396	87-118
1258	Grifoni	3840	252	338	205-324
1259	Scixae	1987	?	245	167-178
1262	Spadae	2141	209	406	325-334
1288	Vari	2244			347-357
1291	Lombardi	16326			21-80
1300	Beccharii	4245	X + 299	990	363-375
1302	Lombardi	823			81-86
1488	Lombardi	4840			376-392

<sup>113</sup> See GAUDENZI VIII-IX for the dating.

<sup>114</sup> From the table in FASOLI 46; the membership for the *Scixae* and the *Beccharii* is from the 1314 rosters.

<sup>115</sup> The 1230 word count includes the 1235 revisions.

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