

6 Religion

The medieval Sienese would certainly not have accepted that part of their notions and activities could be contained within a discrete category bearing the label 'religion' and in that sense the title of this chapter is an anachronism. Yet ecclesiastical institutions, at least, are distinguishable from secular ones. The Christian activities and spiritual outlook and feelings of the Sienese is a vast field but, oddly enough, little has been published on the medieval Church and religion of Siena.¹ What follows is a survey based on some of the primary sources.

BISHOP AND COMMUNE

The theme of the interdependence of commune and Church may be best approached through the bishopric and a discussion in the General Council on 7 July 1307² will illustrate the importance of the bishop to the city authorities. The news had spread that Rinaldo Malavolti, bishop since 1282, was dying and that the canons were nervous about danger to episcopal property and pressure being applied to them over the election of Rinaldo's successor. The councillors debated the possibility of the cathedral chapter being overawed in the matter of the election and consequent threats to the peace of the city; 'the magnates and other men might easily turn to rioting and fighting' (*rixas et arma*), thought one speaker. It is not clear what lay behind these rather generic formulae, but one possibility must have been a challenge by another Sienese dynasty to the well entrenched ecclesiastical authority of the Malavolti. Each of the three men who spoke at the meeting accepted that it would be proper for the commune's officers to become involved in the situation, for example by the Nine having talks with the chapter. The eventual decision was that the Nine should co-opt a number of wise men (either six, nine or twelve), 'lovers of the commune', to join them in deciding how the emergency should be handled.

No evidence has survived to show whether pressure was in fact applied to the canons in 1307. The Malavolti were strongly established in the chapter, but Rinaldo's successor was not a member of that family nor a native of Siena. However the choice had not fallen on an outsider; the Dominican Ruggiero of

1 See Bowsky's survey, for the period 1287–1355, in *Commune*, pp. 261–76.

2 CG 71, ff. 56v–57v (discussion with partial translation of the source, in Bowsky, *Commune*, pp. 271–2).

Casole d'Elsa was a familiar figure who had been lector in philosophy and theology at the Sieneze Dominican house and served as vicar to Rinaldo. Casole was situated in the diocese of Volterra but lay within the zone of Sieneze influence.³ In the event Ruggiero's tenure proved to be no more than a brief break in the tradition of Malavolti rule, for after him three members of that family in succession occupied the see between 1317 and 1370.

Ruggiero was an untypical bishop of Siena in that he was not a Malavolti, but his religious affiliation was typical; one of his predecessors, Tommaso Fusconi (1253–73) had been a Dominican, and the fact that two of the five bishops in the period 1253–1316 were members of that order bears witness to its powerful influence in the city. The choice of Ruggiero was confirmed by the papal legate in Tuscany, Cardinal Napoleone Orsini, who often intervened at Siena in this period in such matters as disputed benefices and men held prisoner by the commune.⁴ Whatever the role of the commune and papacy (then based beyond the Alps), it is likely that the Malavolti had a dominant voice in the election of 1307. At least eight Malavolti canons are recorded between the late thirteenth century and the middle of the fourteenth, among them the three members of the family who were elected to the see.⁵

In many cities the juridical standing of the bishop had led to early 'submissions' of lords and communities being made to him rather than to the nascent commune. This does not seem to have been the case at Siena, nevertheless the link between commune and diocese was a close one. It was in the cathedral, for example, that the citizens had gathered to grant powers for the conclusion of peace after their long war with Florence (1235).⁶

This interdependence is emphasized in the constitution of 1262. The terms of the Podestà's oath bound him 'to protect the bishopric and chapter of Siena with their property and all their possessions, wherever these may be'.⁷ It was also his duty when the bishop died – the clause is of course relevant to the fears felt in 1307 – 'to hold the castles and the property of the bishopric . . . on behalf of the commune and for the use of the bishopric, and to cause the entire income of the bishopric to be protected or spent to the advantage of the bishopric'. 'If anyone

3 Pecci, pp. 251–2. For Ruggiero's arbitration, at Clement V's request, in a dispute between mendicants and secular clergy, see Davidsohn, 4, p. 548. The bishop of Siena appointed a vicar each year.

4 CG 72, ff. 76–8v, 112–16v, 138–40v; 73, ff. 72–3v. Other cardinals who fished in Sieneze waters were Napoleone's relative Matteo Rosso (CG 18, ff. 12, 19) and the Sieneze Riccardo Petroni (CG 63, ff. 15–17, 129–36). The bishop 'Tommaso Balzetti' alleged by Gams and Pecci is a 'ghost': see C. Eubel, *Hierarchia catholica*, 1 (Munster, 1913), p. 446.

5 Zdekauer in *BSSP*, 7 (1900), pp. 231–40; Bowsky, *Commune*, pp. 268–9.

6 *CV*, 2, n. 277.

7 *Const.* 1262, pp. 25–7.

attempt violence (against this property), I shall compel them to desist and, if they have taken anything, to restore it.' These obligations extended also to the protection of the property of the cathedral chapter.

The bishop's position as referee in the event of disputes over the interpretation of the commune's constitution is clear evidence of his erstwhile authority within the city. A clause in the 1262 constitution laid down that in the event of doubt over any article a ruling was to be given 'by the lord bishop or the chapter'.⁸ There is no evidence that such an arbitration was ever called for and the 1309–10 constitution omits the clause. But there were other circumstances in which co-operation between commune and bishop was prescribed; this applied to agreement about the number of churches needed in the city, and mutual financial arrangements included a routine meeting at which the bishop was asked to authorize clerical contributions towards expenditure on fortifications, in return for which he could hope for assistance in his own building projects.⁹

In practice the bishop was much more likely to be drawn into the work of internal pacification or negotiation between Siena and the pope than into constitutional matters. A number of instances are known, though such activities must often have gone unrecorded. In 1256 a body of gild representatives was added to the Twenty-four to 'settle all affairs relating to the peaceful state of the city . . . with the lord bishop'.¹⁰ The bishop's involvement in the commune's often difficult diplomatic dealings with the popes was crucial. In November 1262, Siena's Ghibelline commitment having led to a complete rupture with the papacy, the Twenty-four decided that their next move would be easier if they knew the terms of a recent letter from the pope to the bishop about the commune's misdemeanours, so they appointed representatives to 'go to the lord bishop and speak and treat with him and bring it about by handsome words (*pulcra verba*) that they secure the letter said to have come from the court of the lord pope'.¹¹ Some years later (1267), when the need to reach terms with the pope had become even more pressing, Bishop Fusconi himself agreed to go to the Curia on behalf of the commune to 'excuse' and 'defend' it and to help in negotiating an agreement between the city and its Guelf exiles.¹² Cardinal Latino's attempted general pacification in Tuscany (1278–81) naturally involved the bishop of that time, Fusconi's successor Bernardo di Ghezzolino Gallerani.¹³

8 *Ibid.*, p. 80 (not in the 1309–10 constitution).

9 *Ibid.*, pp. 48, 79.

10 CG 6, ff. 29v–30.

11 CG 10, f. 89.

12 CG 11, f. 23.

13 For a papal approach to the bishop about this pacification, CG 22, ff. 38v–9. Bishop Bernardo's identification as a Gallerani is a strong probability, not a certainty.

THE BISHOP'S LORDSHIP AND JURISDICTION

The extent of the Sieneſe diocese was not considerable. Apart from a very ſmall enclave further north, it was hemmed in by the neighbouring dioceses of Grosſeto, Arezzo, Fieſole and Volterra, the laſt of which included territory quite cloſe to Siena and normally ſubject to the commune's influence.¹⁴ The biſhop's own lands were more eſſential to his ſtanding than was the ſize of his diocese and they had the conſiderable advantage of compactneſs, without being particularly extenſive or profitable. Moſt of them lay to the ſouth of the city, within ſome ten miles of it, grouped around the caſtle of Murlo and the neighbouring places, Reſi, Caſciano, Vallerano, Montepertuſo, Lupompeſi and Crevole.¹⁵ Here were the eſtates that the Pođeſtà's oath obliged him to maintain and protect, juſt as he had alſo to compel men of the lordſhip to 'render taxes, rents, ſervices and other dues' to the biſhop.¹⁶

The biſhop's ſtrength lay in this lordſhip rather than in the city, and he ſought tenaciously to retain his authority there, at times in oppoſition to the commune. The biſhop's men had the poſſibility of playing off their two maſters againſt each other, hence preſumably the deciſion of the people of Murlo (1256) to defy the biſhop by declaring their ſubordination to the commune.¹⁷ The ſtatus of the biſhop's men was the ſubject of many diſputes. In the main the commune accepted that juřiſdiction lay in the firſt place with the biſhop, while aſſerting a right of appeal to the commune's courts. The biſhop claimed for his men exemption from the city's taxation, ſometimes ineffectively, though at other times the commune did not preſs its ſiſcality on this not particularly proſperous region. On one occaſion (April 1274) it was agreed that a *dazio* ſhould be levied there by the commune but that what was received ſhould be applied ſolely to the advantage of the biſhopric. At the ſame time obligations to the commune connected with military ſervice and the upkeep of roads were reaffirmed, and the biſhop's men were to be answerable to the commune's court in civil and criminal caſes. One characteristic ſeignorial claim by the biſhop demanded that his men ſhould not be accepted by Siena as citizens.¹⁸

To the commune controversy over the biſhop's lordſhip was leſs important than queſtions regarding the juřiſdictional and ſiſcal ſtatus of the clergy, for here the biſhop aſſerted claims which implied ſerious inroads into its own authority.

14 See map in *Rationes Decimarum Italiae nei ſec. XIII e XIV. Tuscìa*, 1 (Studi e Teſti, 58: Città del Vaticano, 1932).

15 See N. Mengozzi, *Il Feudo del Vescovado di Siena* (Siena, 1911: preſviously in *BSSP*, 16–18), not a reliable work.

16 *Conſt.* 1262, p. 410.

17 Mengozzi, pp. 23–4.

18 Mengozzi, pp. 29–30; Pecci, pp. 233–4; *CV*, 3, pp. 1038–40.

The main zone of contention was jurisdiction over clergy in criminal cases, but a number of other issues arose, such as the appellate powers of the bishop's court and matters where ecclesiastical jurisdiction over laymen might be asserted (including usury). The bishop's occasional protest that certain statutes were 'against ecclesiastical liberty'¹⁹ is so generic that it is sometimes difficult to know what was at stake. At times, however, the issue was clear enough. In March 1260 Brother Aldobrandino OP petitioned the commune on the bishop's behalf, asking that one Venta, held for murder, 'should be released from prison and restored to the lord bishop of Siena since he alleges and states that the man is an ecclesiastical person, who has been absolved from the ban and condemnation pronounced against him by the commune's court'. This petition was eventually successful.²⁰

A serious dispute developed in 1288–89 concerning both the jurisdiction of ecclesiastical courts over the laity and the more usual issue of lay authority over clerics. The quarrel seems to have originated in a claim by the bishop's vicar-general to jurisdiction in a criminal case involving a layman. This was followed by the condemnation for murder in the Podestà's court of a certain Vanne, allegedly a priest and a man of noble descent into the bargain. The bishop was unable to prevent a capital sentence being carried out and he proceeded to excommunicate the Podestà and judges. The matter was then referred to the papal court which summoned the Podestà and a representative of the commune, while the bishop put pressure on the commune to dismiss the former. The Podestà claimed compensation for wrongful removal from office and loss of salary and it was not till 1293 that the affair was settled.²¹

A few years later an attempt was made to provide a lasting solution to the disputed issues. The Nine and the bishop came to an agreement whereby the commune would withdraw certain specified laws 'against the liberty of the Church' including one concerning usury cases and another dealing with the obligation of clergy to pay towards the upkeep of roads, while the bishop's concessions were to forbid the wearing of clerical dress by unauthorized persons and to issue constitutions making clerics liable to the same penalties as laymen. The sole exception to this was the substitution of life imprisonment in cases where capital punishment would have been inflicted. The bishop's elaborate code contained fifty-five clauses specifying the penalties to which clerical offenders were henceforth subject. Agreement was also reached about usury cases first heard in the commune's courts; if these were not settled within two months, jurisdiction was to pass to the ecclesiastical court. Finally, the bishop's powers in

19 E.g. CG 4, ff. 66 and v (1255).

20 CG 9, ff. 88 and ff.

21 This complicated affair is elucidated in Bowsky, *Commune*, pp. 32–3.

cases involving wills, presentations to benefices and pledges were reaffirmed. The acceptance of sentencing for the clergy as for laymen and indeed the entire compromise represents a triumph for the good sense of Bishop Rinaldo Malavolti, an able administrator whom Boniface VIII employed for a year (1298–99) as provincial rector of the Patrimony in Tuscany. A rather later measure went even further in the same direction in providing that the bishop's vicar would accept advice from a communal judge concerning cases which involved criminous clerks, the proceeds of fines levied in such cases being applied to the building operations of the bishop.²²

Inevitably these solutions did not instal total and lasting peace in this difficult territory. Controversy continued about the bishop's own prison (objected to by the commune) and about his reception of men who were under the ban of the commune. Clauses in the 1309–10 constitution show that appeals to the bishop's court in cases concerning debt also continued to be a grievance with the commune.²³

Clerical taxation seems to have been a less important issue, presumably because it was periodically the subject of realistic compromise. A clause in the statutes forbidding fictitious gifts to ecclesiastical corporations for purposes of tax evasion suggests that these were normally exempt, but the Biccherna accounts contain entries which show that direct taxes were sometimes levied on the Church. In 1252 a notary spent a week in the contado 'summoning clergy to pay money for an aid to the commune' (*pro adiutorio faciendo*) and in the succeeding years taxes were levied on churches and clergy 'in the contado of Siena but not in the diocese'. Clerics naturally paid taxes on their own personal property. A direct tax levied on the clergy only (*datium clericorum*) in 1270 seems to have brought in the disappointing return of 355 l.²⁴

THE SIENESE AND THEIR BISHOP

Was the bishop perhaps a shade peripheral to the religious interests of most Sieneese? He was an imposing figure with an impressive household of men who wore his livery and could have weapons and armour.²⁵ The vast cathedral and the processions which culminated there meant that he can never have been far from people's minds. However, wills tend to show much more concern for mendicant and monastic orders, hermits and local churches, than for the city's bishop. Some

22 Zdekauer, 'Statuti criminali del foro ecclesiastico di Siena (sec. XIII–XIV)', *BSSP*, 7 (1900), pp. 231–64; for Malavolti's rectorate in the Papal State see Waley, *The Papal State in the thirteenth century* (London, 1961), pp. 113, 252–3, 311.

23 Zdekauer; *Cost. 1309–10*, 1, p. 312 (and see Bowsky, *Commune*, pp. 115–16).

24 *Const. 1262*, pp. 132, 134n; Bowsky, *Finance*, pp. 219–20 (citing Statuti 26); *B.* 13, pp. 134, 141; 14, pp. 26–8, 60, 64, etc.; 44, f. 5v. The virtually forced loans from the Church cited by Bowsky are from a later period.

25 Zdekauer in *BSSP*, 7, pp. 256–9.

asked to be buried in the cathedral yet made no special provision for it in their wills, others made bequests much inferior to those in favour of the friars.²⁶ The will of a clothier (1274) typically assigns 125 l. to various ecclesiastical bodies, but of this only 10 l. was for the fabric of the cathedral, 5 l. for the canons and 3 l. for the bishop. A testatrix who named the bishop as one of her executors could only spare him 2 l. (to be spent on the adornment of S Giacomo) and the chapter 5 l., as against 25 l. allocated for crusading purposes.²⁷ But these wills seem generous in comparison with that of a Piccolomini widow (1299) who left legacies to a score of religious bodies, the beneficiary who received least – a paltry 5s. – being the bishop, and a Gallerani widow who died as a Franciscan tertiary could spare 5 l. for the Dominicans but could only manage 5s. for the bishop.²⁸ The cathedral fabric was a little more popular as a recipient of legacies. The bequests to the bishop sometimes appear to be mere gestures, perhaps the outcome of a reminder from the notary drawing up the will. It seems most unlikely that these meagre offerings were intended as insults; possibly the feeling was that the bishop had sufficient wealth already.

Certainly the bishops themselves were not mere landed prelates, Malavolti who had opted for clerical advancement in preference to the career in banking which was normal among their relatives. The founder of the hospital of Santa Croce, the notary Taurello, involved Bishop Rinaldo Malavolti in every stage of his project.²⁹ The foundation deed (1294) was drawn up in the bishop's chapel and its terms were ratified by him before he proceeded to choose the founder as the first rector and to invest him with that office. Future elections would also require episcopal confirmation. A few years later Bishop Rinaldo received a palazzo as a gift from his brother Niccolò for another hospital, to be reserved for the sick poor.³⁰ Nor was this the only hospital to be set up by Niccolò Malavolti. The warden of the hospital to which Niccolò presented a building was to be chosen by the Dominicans and it is clear that the Malavolti as the chapter's dominant family collaborated with Siena's flourishing Dominican house in promoting works of charity in the city. Far from being isolated figures, the bishops were closely associated with the mendicants, the most vital religious movement of their day.

PARISHES

How many parishes were there within the walls and in the neighbouring Masse? The question is a difficult one to answer, partly because Siennese ecclesiastical

26 Dipl., AGC, 13.11.1291, 16.5.1299; ASS, Ms B 73, ff. 212v–213, 256–8v.

27 Dipl., AGC, 28.2.1274, 17.2.1277.

28 Ibid., 17.10.1300.

29 Ibid., 28.9.1294.

30 Pecci, p. 249.

institutions still await full investigation, partly because the process whereby the areas of baptismal churches (*pievi*) were divided into parishes was still incomplete. In 1275–77 twenty churches which appear to be parochial were listed as owing papal tenths, and the comparable list for 1302–03 contains twenty-five. The titles of fiscal *libre* and *popoli* provide twenty-four parish names in 1285–86 and twenty nine in 1318–20, confirming a rather approximate answer to the question asked above. There were roughly the same number of parishes in the Masse, a fact which attests the city's rapid extension. The 1302–03 list names twenty-eight, though not all were in the suburbs, some of them (Salteano, Isola, Lucano, Arbiola, Cuna) being as far as seven kilometres from the city's centre.³¹

It is even more difficult to assess how much these churches meant to their parishioners. Wills of the time contain rather few references to parish churches, in contrast with the almost universal legacies to mendicant orders, monastic houses and anchorites. There is certainly some plausibility in the suggestion that in the thirteenth century the new orders were 'the true religion of the city or rather of the city-state',³² but not all the testamentary evidence points in this direction. One testator left the considerable sum of 10 l. for the purchase of a chalice for his parish church of S Vincenzo, another asked to be buried in S Andrea, his parish church, to which he bequeathed 3 l. *pro anima mea*, his only other religious legacy being a request to his brothers to set aside 25 l. more 'for my soul', to be assigned generically for the funeral expenses and 'religious places and the poor'. A clothier, who like so many could spare much more for friars and nuns than for the cathedral, remembered also the priest (*plebanus*) of Lucignano d'Arbia (whence he himself probably came) and made a legacy of 5 l. to the baptismal church of S Giovanni Battista, where he wished to be buried. A stonemason who wished to be buried at S Domenico did not forget his parish church (S Antonio) and its priest, while there was a man who remembered the Dominicans but opted for burial in the church of S Giorgio. Other examples could be cited, including those who expressed loyalties to the collegiate church of S Martino.³³

If enthusiasm tended to be channelled into the mendicant orders, did this mean that the parish clergy had deservedly forfeited their claims on it? Little evidence bears on this point, though a conclusion along these lines seems inescapable. The

31 *Rationes Decimarum Italiae. Tuscia*, 1, pp. 105–18; 2 (*Studi e Testi*, 98), pp. 142–4; Balestracci Piccinni, Carta n. 1. The estimate of Bortolotti, pp. 54–5 (about 35) includes several monastic institutions and is clearly too high. Knowledge of the subject will be enormously increased by the publication of *Die Kirchen von Siena*, a German project of which one volume only (1985, eds. P. A. Riedl and M. Siedel) has appeared at the time of writing.

32 G. G. Merlo in *Piemonte medievale* (Turin, 1985), p. 224.

33 Dipl., AGC, 7.5.1276, 10.8.1281, 23.6.1288, 27.9.1288 (10 l. to S Andrea, one half towards bells, the rest divided between the rector and the purchase of candles), 25.8.1306, 23.8.1307.

constitutions issued by Bishop Buonfiglio in 1232³⁴ indicate the difficulty of enforcing discipline among the secular clergy in the very years of maximum impact of the Franciscan and Dominican movements. 'No cleric is to wear a garment of green or red cloth.' 'No cleric is to gamble or dice in the *piazza* or street.' 'No cleric is to enter a tavern or any place which may reasonably be held dangerous to clerical honesty.' Confessions by women must always be heard in a public place in church. *Jongleurs* must not be allowed to eat at table with clerics nor to perform in church during the service.

MONASTICISM AND MENDICANTS

The institutions of the regular clergy, in contrast, feature very prominently in wills, accounts, council minutes and the commune's statutes. The constitution of 1262 records among the bodies due to receive from the commune alms or protection or both ten houses of regular monks, eight mendicant communities and six nunneries.³⁵ This is to omit a great number of eremetical communities (if that appellation is not too paradoxical; it is clear that 'hermits' were not necessarily solitaires). In 1307 a list was drawn up in connection with the 'alms of bread': it listed the numbers of monks, nuns and hermits in Siena or within a mile of the city due to receive a 3d. loaf. Some 900 'mouths' are recorded and the list may be worth giving in full: see table 7, p. 136.³⁶

While probably not a complete record of Siena's religious, this at least provides a starting-point or minimum. The comparative numbers are significant, with three mendicant orders well in the lead and totals of nuns strikingly high at 363, while the urban and suburban anchorites are also numerous, ranking with the major houses of friars.

The 'hermits' represent an important and well-recognized feature of Siena's religious commitment. It was normal for wills to make mention of them, the most common form of bequest being one of 6d. or 1s. or even 5s., according to the testator's means, to each anchorite, male or female, living in the city or within one mile of it; more rarely the distance specified was half a mile. It was unusual to provide a total sum for distribution though a testatrix allocated 10s. specifically to the anchoresses Lucia and Palmeria, besides a general fund of 30s. for other *reclusi* at Siena or within the usual one-mile boundary. Lucia and Palmeria, who were sisters, must have been well-known characters, for they figure in another will, in which they shared equally a bequest of 20s., as 'imprisoned in cells' (*carcerate in carceribus*) outside the Camollia gate.³⁷

³⁴ Pecci, pp. 208–11.

³⁵ *Const.* 1262, pp. 36–53. Similar lists in *Cost.* 1309–10, 1, pp. 56–64, 77–83.

³⁶ B 120, ff. 402 and v.

³⁷ Dipl., AGC, 17.10.1300, 13.6.1301. Other examples: *ibid.*, 17.2.1277, 6.2.1292, 27.12.1306, 23.8.1307; Dipl., Spedale, 14.8.1249; ASS, Ms B 73, ff. 212v–13.

Table 7. *Numbers of religious*

Institution	'Mouths'
Friars Minor	99
Preachers (Dominicans)	97
Augustinian Hermits	80
'friars near Siena' (<i>fratelli presso di Siena</i>)	46
Cruxed Friars	16
Carmelites	30
nuns of S Petronilla	72
nuns of S Maria Novella	42
nuns of S Prospero	59
nuns of S Mamiliano	26
nuns of Ognissanti	21
brethren of S Giovanni	12
nuns of S Lorenzo	29
Servites	31
Humiliati	22
nuns of Vico	29
nuns of S Margherita	24
nuns of S Benedetto	21
nuns of S Abbondio	20
Cistercians ('monks of Clairvaux')	4
hermits, male and female, within one mile of Siena	89
nuns of Sperandio	20

HOSPITALS

Hospitals – for the sick, the elderly and the pilgrims – were also an essential institution of religion and charity, the practical pole of the spectrum whose spiritual extreme was represented by Lucia and Palmeria in their cells. It is difficult to keep track of them, for new hospitals were continually coming into being while others went into dissolution or were swallowed up in a constant process of takeovers. Some had specialized purposes: there was, for example a leper hospital, while certain hostels, such as those of the Hospitallers and Templars, catered primarily for the numerous pilgrims on their way to and from Rome.

Biagio di Tolomeo dei Tolomei, who was presumably childless, made a will (1299) by which he founded no fewer than four hospitals, these being entrusted, for her lifetime, to his widow who was to have powers of 'government, domination, administration and dispensation' over them all. He divided up his estate (apart from some small family legacies) between the hospitals which were to be the particular concern respectively of S Maria della Scala (Siena's major

hospital), the Dominicans, the Franciscans and the Augustinian Hermits. If these four bodies had not set up hospitals as requested within one year of Biagio's death the task was to be undertaken by the Cistercian monks of S Galgano, and if that abbey in turn failed to establish hospitals within a year the onus was to pass to the Hospital of Saint James at Altopascio.³⁸

A rather less ambitious founder was the notary Taurello who has already been mentioned as setting up in his lifetime (1294) the hospital of Santa Croce, with himself as its first rector.³⁹ Taurello built the hospital on his own land as a dwelling-house for the poor 'for the salvation of my soul and the souls of my family, both dead and alive, and for the remission of sins'. His sons and their heirs in turn were to succeed as patrons with powers to 'nominate, postulate, represent, elect, possess, place and ordain'. No man or woman might be received as an oblate or servant of the hospital without Taurello's express consent. He was clearly a man who knew exactly what he wanted and had set up a charitable institution with himself as an autocrat at its head.

An important earlier foundation was the *Domus Misericordiae* initiated as a congregation of lay 'oblates' by B. Andrea Gallerani, which received many privileges in the years after Gallerani's death (1251), but 'the Hospital' (without further qualification) was S Maria della Scala, close to the cathedral, which came in time to devour large numbers of other hospitals and to rank with the greatest lords and landed proprietors of the contado.⁴⁰ Its creation was connected with the cathedral chapter, but it had graduated to a position of independence and its economic and social importance was such as to make it a subject of constant interest to the commune.

Gifts and legacies to S Maria della Scala were very common indeed and many consisted of scattered plots of agricultural land. The donors of these 'parcels' often stipulated – though the condition was not always observed – that the Hospital should not alienate the plot granted it.⁴¹ There were also testators who insisted that their monetary legacies should be converted into land. The property of the

38 Dipl., AGC, 22.1.1298.

39 Ibid., 28.9.1294; see above, p. 133.

40 G. Catoni, 'Gli oblatti della Misericordia. Poveri e benefattori a Siena nella prima metà del Trecento' in G. Pinto (ed.), *La società del bisogno. Povertà e assistenza nella Toscana medievale* (Florence, 1989), pp. 1–17 (with references to sources and literature). Donors to the Misericordia often stipulated that annual payments should be made to their own relatives or to other ecclesiastical bodies out of these bequests (Catoni, p. 8). On the Hospital see Epstein, also O. Redon, 'Autour de l'Hôpital S Maria della Scala à Sienne au XIII siècle', *Ricerche Storiche*, 15 (1985), pp. 17–34, and G. Piccinni and L. Vigni, 'Modelli di assistenza ospedaliera tra Medioevo ed Età Moderna. Quotidianità, amministrazione, conflitti nell'ospedale di S.M. della Scala di Siena' in *La società del bisogno*, pp. 131–74.

41 E.g. Dipl., Spedale 14.8.1249.

Hospital and its subordinate houses was to be found in all parts of the contado, with perhaps a tendency for the highest concentration to lie to the south-east of the city, particularly along the main routes. By 1286 seven brethren of the Hospital were overseers of the estates, permanently resident at Asciano, Serre di Rapolano, Montisi, S Quirico, Corsignano, Sasso d'Ombrone and in Val d'Orcia. The general expansion of the Hospital's authority involved (to give a single instance) protectorate over the important hospital at Grosseto (1295). Purchasers and exchanges in a very active land market complemented gifts and bequests and by 1318 the Hospital's agricultural activities were organized through a system of granges (which would now be styled 'farms') comparable to that possessed elsewhere by the Cistercian order. Naturally houses and other urban property were also accumulated on a considerable scale.⁴²

As the Hospital escaped the authority of the chapter it fell increasingly under that of the commune, whose arms indeed came to be placed over the doorway (1309). By then, however, it had secured almost total exemption from the commune's taxation, whilst the struggle to win exemption from that of the bishop ended with success around the same time (1307). For a wealthy institution, fiscal immunity did not imply freedom from the role of lender and the Hospital was called upon for loans in the 1270s and 1280s. The relationship was of course reciprocal; when the Hospital ran into financial crises in the following century the commune could not see this central corporation in trouble without coming to the rescue.⁴³

An important source of provision of land for the Hospital was the advent of oblates: those entering as brothers, 'wishing to renounce the world and to enter the Hospital of S Maria at Siena for the salvation of our souls' made over their property 'without any exception or reservation' when they took the decision to devote themselves to the service of their brethren and the poor. The assistance given was not confined to residents of the Hospital. One of the brothers, for instance, was responsible for keeping a list of poor persons and families 'in the city of Siena, outside the said Hospital' who deserved to receive a loaf each week; the number of loaves required weekly had also to be recorded. Within the hospital discipline was very strict and any brother failing to rise for morning Mass or to perform his duties of service to the sick was punished by restriction to a diet of bread and – wine!⁴⁴

42 On the Hospital's territorial growth see Epstein, chapter 2.

43 Ibid., pp. 17–18, 238–41.

44 Redon, p. 30; *Statuti volgari de lo spedale di S.M. Vergine di Siena* . . . MCCCIV, ed. L. Banchi (Siena, 1864), pp. 4–8, 44–5, 73.

CIVIC RELIGION

Bishops, parishes, monastic houses, mendicant orders, hospitals are all less central to the theme of this book than is the nature of the religious feelings of the Sienese. Those who took part in the procession to the cathedral on the day of the Assumption of the Virgin would not have seen themselves as participating in a 'religious' ceremony fostered by a 'political' institution, the commune. Many would have associated the occasion particularly with the confraternities to which they belonged since these religious guilds provided the framework within which the procession was organized. 'Civic religion' as exemplified by the commune's own chapel in the Palazzo – the commemorative church planned for Montaperti seems never to have materialized – is, to use anachronistic definitions, an indivisible politico-religious complex. The understanding was simply that 'Government work is God's work'.⁴⁵ The dedication of Siena to the Madonna after the victory of Montaperti, the Podestà's oath to preserve, maintain and defend the Catholic faith 'as it is held and taught by the holy Roman Church', the candles burning perpetually before the altar of the Virgin in the cathedral and the lamp 'before the carroccio of the commune . . . to the honour of God and the blessed Virgin Mary',⁴⁶ are all central to an understanding of the medieval Sienese and naturally they have their parallels in other cities.

These features of the city's life had roots in the earlier stages of the commune's development. Before the dedication of 1260 to the Virgin, the city's seal already bore a representation of 'the Madonna seated, with her son on her arm, having a rose in her right hand, on each side an angel carrying a candle and beneath her feet a dragon'.⁴⁷

NAMES

In considering the religious feeling of the Sienese it may be well to begin where religious life itself began for them, at the baptismal font. What names did the Sienese receive? In view of the ubiquitous domination of the name 'Maria' in later times and the city's own patronage, it is a surprise to find that in the thirteenth century this was not the most common baptismal name for Sienese women. The name ranked only third or fourth in popularity, the preference in selecting names for girls being for something more worldly; the most popular feminine name in the 1280s appears to have been 'Gemma', followed by 'Benvenuta' ('Welcome'). Other names which found favour were 'Fiore'

45 Inscription on the facade of Parliament House, Bangalore, India.

46 *Const.* 1262, pp. 25–6.

47 *Sigilli medioevali senesi* (Museo naz. del Bargello, Florence, 1981), p. 18.

(Flower), 'Buonafemina' (Good Woman), 'Divizia' (Wealth), 'Diamante' and 'Riccha' – the last three seeming to imply, like 'Gemma' (gem), mundane if not unspiritual values! – and 'Beldi' (good day). Names from saints were rather uncommon for women; the next in order of popularity after 'Maria' which can be put in this category was 'Margherita', which ranked seventeenth, and even this could mean 'pearl', to go with gem and diamond.⁴⁸ There is a curious contrast here with the names given at this time by the notorious worldly Venetians to their ships; three quarters of these had religious names, mainly from saints.⁴⁹ Even the name 'Caterina', to become illustrious in Siena in the fourteenth century through the most famous of the city's saints, was a rare name in the thirteenth although St Catherine of Alexandria was certainly not an obscure figure in Tuscan art.⁵⁰

Male names are less easily divisible into those with religious and those with secular connotations. 'Giovanni' (the most common name among 1285 taxpayers), 'Giacomo' (which comes fourth) and 'Pietro' (sixth) were very popular names which have Christian associations. But a great many of the common masculine names were of the type known as 'augurative', i.e. they imply wishes for good fortune. Such names usually incorporated the syllables 'buon' or 'bene': among them are 'Buonaventura' (the most common name after 'Giovanni'), 'Bencivenne', 'Benvenuto', 'Buonaccolto', 'Buonaccorso', 'Buoncompagno', 'Buoninsegna', 'Buonsignore' and 'Benincasa' (the name of St Catherine's father). Clearly the importance that can be attributed to the choice of personal names is limited, nevertheless it is interesting that these names, particularly the feminine ones, do not seem to proclaim a city totally dominated by the standards of a devout and otherworldly piety.

USURY AND INTEREST

One religious question must have haunted the lives of many Sieneese, or certainly the last part of their lives. The doctrine of the Church on the subject of usury was complicated, but the basic tenet was that loans should not bear interest. Had this rule been simple in its implications and had these been heeded, Sieneese finance could not have taken the form that it did and indeed the development of the city

48 P. Waley, 'Personal names in Siena, 1285' in *Florence and Italy. Renaissance Studies in Honour of Nicolai Rubinstein*, ed. P. Denley and C. Elam (London, 1989); O. Castellani, 'Nomi femminili senesi del sec. XIII', *Studi linguistici italiani*, 2 (1961), pp. 46–64; the ASS holds unpublished material of Prof. O. Brattö on Sieneese personal names.

49 B. Z. Kedar, *Merchants in Crisis* (New Haven and London, 1976), pp. 156–60.

50 For an intended painting of her see Dipl., AGC, 18.6.1282 (will). At least three fourteenth-century Sieneese depictions of St Catherine of Alexandria survive, one in an altarpiece at Boston, Mass, formerly attributed to Barna, others in a fresco by Lorenzetti in S Agostino, Siena (G. Kaftal, *Icorography of the Saints in Tuscan Painting*, Florence, 1952, pp. 226–34) and a panel painting (N 61) in the Museo Horne, Florence.

would have been very different. In reality transfers between different currencies (repayment in another currency was easy to arrange) and other practices made it possible for money to breed money. Arguments about compensation for loss, risk and the expense of time and trouble assisted the acceptance of realities which were daily ones to the Roman see, to virtually all other major ecclesiastical bodies and to the financiers of Siena and the other Italian cities. In practice loans, whether made by bankers or by other citizens or prelates, involved the payment of interest: interest payments of 10 per cent per annum and above were central to the entire system of credit on which Sienese finance and trade depended. Only with rates of interest above 30 per cent did serious doubts arise. An agreed corpus of make-believe masked the realities and normally served to persuade men that their operations were not sinful.⁵¹

So much for the usual situation and its acceptance. But thoughts of death and the hereafter could induce doubts and a very different attitude. This is evident from wills, for at that stage most men of affairs had something to say about making restitution 'for things wrongfully taken and illicit gains' (*pro rebus male ablatis et lucris illicitis*). The formulae vary considerably, but tend to mention 'all usuries and things taken by me wrongfully', 'usury and things taken wrongfully and illicit profits', 'usuries taken and things acquired illicitly' (or 'illicitly and in an evil way', *malo modo*).⁵² Sometimes specific sums of money were set aside for restitution to those who had suffered as a result of the testator's usurious activities and in certain cases plots of land were earmarked for sale to cover such reimbursement.⁵³ Executors were often charged with the difficult task of making restoration of 'all usuries and everything illicitly or wrongly taken and received'. It was quite common for testators to remember particular victims and set aside money for them. The man who bequeathed 10 l. to a bank 'in satisfaction of everything acquired by me illicitly from the property of that company' was perhaps extreme in his scrupulousness, but the company was that of the Bonsignori and the will was made just a month after it had become clear that that bank was in very serious trouble (1298).⁵⁴

Another rather extreme case was that of Giacomo di Angioliero, who was clearly a very worried man, haunted by his sins when he made his will in 1259. He wanted to be sure that 'all usuries and things wrongfully taken or illicitly acquired', as recorded in an account-book of his company, should be restored. He

51 This important topic cannot receive adequate treatment here. For the background see G. Le Bras in *C.Econ.H.*, 3, pp. 564–70.

52 Examples from Dipl., AGC, 7.5.1276, 28.4.1284, 6.2.1292, 22.1.1298 and Spedale, 24.2.1227, 19.9.1239.

53 Dipl., AGC, 13.12.1301.

54 Ibid., 27.9.1298.

was convinced that unfortunately 'my entire property is not sufficient to make restoration of the usury and things wrongfully taken'. All his possessions were to be sold by the abbot of S Galgano, as his executor, to assist repayment of his debts and usurious profits. Giacomo seems to have had on his conscience most of all a recent business trip to France, possibly because he had fallen ill when on that journey. In a codicil added six days after the original will he recalls twenty-five instances of extortionate loans made on this visit to Champagne and the area of the Marne, mainly to town communities and parishes. The total lent amounted to the quite considerable sum of 1,500 l. *tournois*. When he dictated the codicil Giacomo was seeing things in a slightly less gloomy light, for he now bequeathed 700 l. to his daughter Giacopina 'and if anything is left over after repayment of usuries and property wrongfully taken, I wish and order that this residue should be given and distributed for the good of my soul between religious foundations and the poor, as it shall please the abbot of S Galgano'.⁵⁵

AMBROGIO SANSEDONI, OP

The religion of the Sieneze may also be approached through the personality of the Dominican Ambrogio Sansedoni (1220–87), who was one of several Sieneze of this time to have secured local recognition as a saint. For the last twenty years of his life he seems to have been the city's most influential cleric and this predominance is reflected in a comparatively full biographical record.⁵⁶

Ambrogio was born into a very prominent banking family whose pink brick palace, with its old tower, stands near the eastern end of the Campo. The history of the bank is not well documented, but as early as 1234 a testator mentions large shares in the *societas* of the sons of Sansedoni⁵⁷ and some chance survivals among vernacular letters reveal members of the family as active in dealings in cloth in Paris and Champagne at the beginning of the fourteenth century. At that time they were anxious about threatened Sieneze legislation against *grandi* but so busy at the French court that Pepo Sansedoni suggested his wife and family joining him there (1311).⁵⁸ It is probable that Ambrogio's father was a certain Guido (he was also known as Buonatacca) who had been prominent in the commune's affairs, serving as Podestà at Grosseto in 1257 and acting as ambassador to King Manfred three years later.⁵⁹

55 Text in Zdekauer, *Mercante*, pp. 36–40. See also above, p. 39.

56 The main contemporary lives are in AA.SS., March, 3 (1865), pp. 179–250. A useful recent work is P. Giacinto D'Urso, OP, *Beato Ambrogio Sansedoni 1220–1287* (Siena, 1986). For other Sieneze saints of the period see A. Vauchez, 'La commune de Sienne, les ordres mendiants et le culte des saints. Histoire et enseignements d'une crise (nov. 1328–avr. 1329)', *MEFR*, 89 (1977), pp. 757–67.

57 Dipl., Spedale, 1.5.1234.

58 P. and P., pp. 71–96.

59 Ciacci, 2, pp. 206, 208; BSSP, 43 (1936), p. 17.

Ambrogio's background is reflected in his sermons. He remarks that 'sons of usurers usually follow their fathers in this occupation, as we see at Florence and Siena' and elsewhere likens calculations concerning such qualities as mercy and good manners (*curialitas*) to those involving revenue and expenditure.⁶⁰ In another sermon, on the Marriage Feast at Cana, he discusses the prohibited degrees in marriage and suggests that the reason for these being reduced by the Fourth Lateran Council (1215) was to facilitate marriage alliances between warring families. His mention of 'great peaces' (*magne paces*) which could be aided by such alliances was certainly a reference to the pacificatory movement in the Italian communes: indeed he probably had in mind the Sienese peace negotiations of 1280. Intermarriage between the major Sienese dynasties was common, hence projected alliances in the interest of internal peace could well have foundered on difficulties about existing relationships but for the relaxation decreed in 1215. Before that time the prohibited degrees had extended to sixth cousins.⁶¹

Sansedoni was born with a deformity, the nature of which is not clear but his arms were partially paralyzed (writing presented difficulties for him) and his face or head was 'not in proportion'. His early biographers depict his astonishing religious precocity, but not everything they say commands credence. He used to station himself by the Porta Camollia ('the gate where pilgrims from beyond the Alps enter the city') and reached an agreement with his father, whereby he was allowed to bring home five pilgrims once a week. These guests were fed, housed and given alms. The next day Ambrogio would accompany them to Mass and then take them on a tour of 'the main churches of the city'. His other works of charity included bringing food to people in the Hospital and in prison. His parents' hopes that he would acquire the tastes of a conventional young man of his class were disappointed. They had expected him to frequent 'the milieu of young nobles in the city . . . riding about on horseback and hunting with his own hounds and birds (hawks)' and eventually to marry.

Instead Ambrogio entered the Dominican order on his seventeenth birthday. He studied philosophy and theology at Paris under the great scholastic Albertus Magnus, the 'Doctor Universalis' who first adapted Aristotelianism for the Church. He himself taught at Cologne and later at Rome. At what stage he returned to the Dominican house at Siena is not clear, though this had become

60 T. Kaeppli OP, 'Le prediche del B. Ambrogio Sansedoni da Siena', *Archivum Fratrum Praedicatorum*, 38 (1968), pp. 5–12 (quotations from pp. 6 and 8).

61 Dr D. L. d'Avray of University College, London, most generously gave me his transcript of this sermon and provided comments which enabled me to comprehend it. It is Siena, Biblioteca Comunale, Ms. T.iv.7, ff. 12v–15; the words quoted here are from f. 14. For the 1280 pacification, see above, pp. 120–2; for marriages between the major families, English, 'Five magnate families', pp. 186–227, 433–519.

the centre of his activities by 1267, when he consulted the council about a sum of 400 l. owed the commune by his late father.⁶² and his involvement in negotiations between the papacy and his city can be traced from around that time. He is reported to have refused the offer of the bishopric of Siena (together with other forms of preferment), presumably either on the death in 1273 of his fellow Dominican Tommaso Fusconi or that of Bernardo in 1281.

It seems clear that Ambrogio was as much at the centre of Siena's religious life in these years as either of these bishops. His greatest contribution to a far-reaching religious revival – indeed a transformation – was his foundation of confraternities for both men and women, based on the Dominican house. He drew up constitutions for these guilds whose purpose was 'the observance of a Catholic life and penance for sins'. An innovation attributable to Ambrogio's influence was the introduction of the singing of 'praises'. His followers used to meet daily to sing these *laudes* 'rhythmically, in the vernacular tongue'. The opening and closing words were 'Jesu, Jesu, nostro signore' and these were inscribed over the doorways of the brethren. The movement was such a success that its influence soon spread, inspiring the *laudi* of other Tuscan cities such as Florence, Pisa, Lucca and Cortona.⁶³ Sansedoni's foundation seems to have been a residential one so far as single women were concerned, whereas married women were encouraged in religious observances and works of charity towards the poor and sick, and he was also the organizer of a confraternity of flagellants.

Some witnesses claimed to have seen Ambrogio levitate ('he was lifted up into the air') when preaching, though he himself said that he was unaware of this. Another had seen a dove hovering around his mouth. His charity is exemplified by the special appeal he made to the council for the release of a prisoner. The man, an Englishman named Alfred, was probably a pilgrim who had fallen foul of the law, though he could have been a mercenary captured in battle.⁶⁴

Ambrogio's powerful presence in the city's spiritual life is also attested by his appearance in wills and these bear witness to his connections with the capitular and episcopal family, the Malavolti, and confirm their Dominican associations. In 1278 a Malavolti widow bequeathed 12 l. to the Sienese Dominican house, 3 l. to the bishop and the same sum to the family church of S Egidio 'for its decoration' (*in ornamentis*) and she ordered that the rest of her estate 'should be given and distributed to the poor and to religious foundations, as shall seem best to Brother Ambrogio of the Order of Preachers, my executor'.⁶⁵

62 Talk by Dr U. Morandi at the Palazzo Pubblico, Siena, 18 March 1987 (quoting from CG of 25 October 1267).

63 Talk by Prof G. Varanini at the Palazzo Pubblico, Siena, 18 March 1987. The texts of the earliest Sienese *laudi* have not survived.

64 CG 12, ff. 65 and v (1268).

65 Dipl. AGC, 12.7.1278. See also above, p. 133.

He was also to supervise the distribution of linen and bedding and to have full powers over her dowry and other property. Should he be unable to carry out these responsibilities his place was to be taken by the prior of the Dominican house. The link with the Malavolti is also confirmed by the will (1286) of Mea (née Tolomei), wife of Mino dei Malavolti and daughter-in-law of the testatrix last mentioned; she allocated the sum of 300 l. to be spent at their discretion *ad pias causas* by her mother, her husband and Ambrogio or, failing him, the Dominican prior.⁶⁶

It was inevitable that Sansedoni should be drawn into a political role, particularly in the commune's difficult relations with the papacy when seeking to escape from the consequences of its Ghibelline alignment. His intermediacy was not confined to Siena since in 1267 he received papal authorization, subject to the receipt of adequate guarantees, to end the interdict placed on another erring commune, San Gimignano.⁶⁷ Siena itself fell under interdict again after its ill-advised support of Conradin and Ambrogio was involved in the negotiations which eventually led, thanks to his intervention, to the lifting of this condemnation by Gregory X.⁶⁸ The rejoicing at this achievement was such that a celebratory horse-race (*palio*) was instituted on its anniversary, but this was later shifted to commemorate the date of Ambrogio's death.⁶⁹ His involvement in internal pacifications is mentioned by his biographers and his reference to them in a sermon has already been touched on, but no contemporary documentary evidence survives to corroborate his role.

Some of those who were outside the gates of the Dominican house at the moment of Ambrogio's death saw him ascend to Heaven 'like a bright star'. He was buried in the sacristy the following day and later his body was translated with great solemnity to a special chapel in S Domenico, but this fell into a ruinous condition and his remains had to be restored to the sacristy. Plans for this special chapel had been instituted with great promptitude, the commune granting 50 l. towards it and the same sum towards a tomb, while within a few weeks of Sansedoni's death a bequest was made to 'the fabric of the church of S Ambrogio at Camporegio'.⁷⁰ The bishop also promptly authorized the collection of miracles performed by Sansedoni, but for some reason he did not achieve formal canonization by the Roman Church. He was venerated locally as a saint, was depicted in the church of S Domenico at Arezzo in the fourteenth century, and

66 Ibid., 9.4.1286.

67 AA.SS., March, 3, pp. 244–5; there is a copy of the document in the Archivio Comunale, San Gimignano (L. Pecori, *Storia della Terra di S. Gimignano*, Florence, 1853, pp. 86–7).

68 CG 16 (May 1273), ff. 63v–66 (partly quoted in *RIS*, CS, p. 72n., but the tale about a murdered bishop, *ibid.*, pp. 70–2, with editorial annotation, is fantasy).

69 AA.SS., pp. 186–8; W. Heywood, *Palio and Ponte*, London, 1904, pp. 74–81.

70 Vauchez, p. 759 and n.; Dipl., AGC, 23.6.1288.

appears among Taddeo di Bartolo's portraits of Famous Men in the antechapel of the Palazzo Pubblico.⁷¹

Sansedoni's special devotees tended to be women: two of these, Genovese and Nera, are singled out in the hagiography as *devotissimae* and another became mystically aware, *in absentia*, of his death. Women were very prominent indeed in all aspects of the city's spiritual life and their role appears in some late thirteenth-century letters in Italian between members of the Montanini family, a very important dynasty connected by marriage with the Malavolti. Several of the letters are from Cristina Menabuoi, founder of S Croce in Val d'Arno. She and the other nuns write to Arrigo Montanini to congratulate him on the news that two of his sisters have decided to enter a nunnery. Another letter is from a Dominican who informs Arrigo that, though unworthy of the honour, he has been invited by the Podestà and Nine to deliver a series of sermons.⁷²

SPIRITUALS AND HERETICS

A contemporary of Sansedoni who also had an important influence on the city's religious life was Pietro *pettinarius* (the comb-seller) (d. 1289). The Franciscan Spiritual leader Ubertino da Casale met Pietro and remembered him as 'a man full of God' (*vir deo plenus*). He was a Franciscan tertiary and also a brother of the confraternity of the Domus Misericordiae Pauperum whose founder was the layman Andrea Gallerani (d. 1251); Gallerani's feast, celebrated on Easter Monday, was not officially recognized by the commune till 1347.⁷³ Pietro seems to have been remembered, rather oddly, for his eccentric reluctance to sell his customers combs which were in an imperfect condition, but there can be no doubt about his standing in the city; it is confirmed by the will of the pious clothier Bartolomeo di Ildebrandino (1284), which was witnessed by two tertiaries.⁷⁴ Bartolomeo wished his brothers to take advice on the place of his burial (which was to be either S Galgano or the house of the Humiliati) from Pietro, who was also to be consulted about the restitution of usury and illicit or ill-gotten gains. The commune granted the Franciscans 200 l. towards a special tomb, with a ciborium and altar, for Pietro; this was even more generous than the gift made two years earlier to the Dominicans in respect of Sansedoni. His feast day continued to be celebrated, with the official participation of the commune, well into the fourteenth century. The continuance of his fame is also attested by his appearance in Dante's *Purgatorio* (XIII, 125–9) as the man whose prayers

71 *Bibliotheca Sanctorum*, 11, p. 631. The feast of Ambrogio Sansedoni figures in the list of holidays observed by judges and notaries (*Statuti . . . giudici e notai*, p. 101).

72 A. Lisini, *Lettere volgari del sec. XIII a Geri e Guccio Montanini* (Nozze Pezzuoli-Curzi, Siena, 1899).

73 See Vauchez; Pecci, p. 235; above, p. 137.

74 Dipl., AGC, 23.4.1284.

earned entry into Purgatory for Sapia, the 'envious' woman who had rejoiced over the defeat of her fellow-citizens at Colle (1269).

A notable feature of Siennese religion in the thirteenth century is the apparent weakness of any heretical movement, despite the continuing strength of the dualist Patarenes in some parts of northern and central Italy. There are occasional references to the condemnation of Patarenes – in 1251, 1275, 1276, 1286, 1288 and 1290 – but heretical beliefs do not seem to have presented a serious challenge to orthodoxy. The most significant case recorded was one involving three brothers of a magnate family, the Montecchiesi. In 1304 these were found guilty by an inquisitor of heretical belief and sentenced to life imprisonment and the confiscation of all their property.⁷⁵ In general the inquisitors, mainly Franciscans, who were assigned to Siena must have regarded it as a quiet posting, although their servants had special authority to wear armour.

WILLS

A good indication of how the Siennese themselves regarded the religious institutions and movements of their day is provided by testamentary bequests.

Every testator hoped to allot some money for the salvation of his soul, but the balance between beneficiaries is best illustrated in the wills of those whose means made possible a full list of legatees, hence more information is available about the religious tastes of the better-off. The Bartolomeo di Ildebrandino whose will reveals his admiration for the comb-seller provides one instance of this.⁷⁶ Much of the will (which unfortunately is partly illegible) is dedicated to the future of his wife, son and two daughters; the possibility of one or both of these becoming nuns is taken into account. Apart from his place of burial, twenty-three religious institutions receive specific bequests. The main beneficiary is the Hospital of S Maria della Scala which is to receive 25 l.⁷⁷ Gallerani's *Domus Misericordiae* ranks next with 10 l. The Franciscans receive 5 l. and there are small bequests to individual Franciscans – who should have owned no property! – one of them a Piccolomini. The Dominicans receive the same, other mendicant houses (Servites and Augustinian Hermits) less. Twelve nunneries were to benefit, that of

75 G. Severino, 'Note sull'eresia a Siena fra il sec. XIII e XIV', *Studi offerti a R. Morghen* (Rome, 1974), pp. 889–905; there is no reference to Siena in S. Savino, *Il catarismo italiano e i suoi vescovi nei sec. XIII e XIV* (Florence, 1958). See also P. Mariano d'Alatri, *L'inquisizione francescana nell'Italia centrale nel sec. XIII* (Rome, 1954), especially pp. 59, 148–9 (and Dipl., AGC, 18.5.1300). A heretic condemned in 1321 (Bowsky, *Commune*, p. 76) was said to have been involved in a Siennese heretical group for two decades. The case described in G. Sanesi, 'Un notaio usuraio processato per eresia', *BSSP*, 6 (1899), pp. 497–509, does not relate to heretical beliefs.

76 See above p. 146.

77 Unfortunately parts of this will are illegible; the references to the Hospital and the Augustinian Hermits are probabilities, not certainties.

S Prospero to the tune of 5 l., though seven of them got only 10s. apiece. The tertiaries of the Humiliati were to receive 1 l., as was a minor hospital (S Agnese) and the church of S Donato (with a gift of 5s. to each of its priests). The leper-house received 10s., as did the brethren of the baptismal church of S Giovanni. Every anchorite in Siena or within a mile – the standard provision – was to get 1s. The general tenor of this will suggests that the mendicants had by no means completely ousted the older orders, even among those who ranked as their sympathizers and admirers.

Something of the same feeling emerges in the will of the timber-merchant (he refers to a workshop, so he presumably had a carpentry business also) Grimaldo di Venture (1292).⁷⁸ Grimaldo was a tertiary of the Humiliati and it was natural that he should allocate 5 l. to that Order ‘for building their church’. The same sum was to go to the Carmelites ‘for building an altar in their church’. Three orders of friars – Dominicans, Franciscans, Augustinian Hermits – received 2 l. each, the Servites 1 l. Twelve nunneries are named. The fabric of the cathedral receives 1 l., the Hospital (della Scala) 15s., the bishop 5s. Four other hospitals benefit, among them the leper-house. Lest anyone should feel neglected, 6d. was to go to every church in the city – and naturally 6d. to each anchorite. Grimaldo had retained property in the contado and links there. The church at Ampugnano was to benefit from the sale of land, as was the *pieve* at Sovicille, each of whose dependent chapels was also allocated 5s. ‘The poor of Grosseto’ were recipients of the largest specific charitable bequest, 8 l.

A similar attitude is evident, on a rather humbler scale, in the will of Francesco di Adota (1291) a hosier.⁷⁹ He hoped for burial in the episcopal cemetery and bequeathed 1 l. to the cathedral and 10s. to the bishop. His parish church, S Pietro in Castelvecchio, received 20s. ‘for adornment’ and its chaplains 10s. The main mendicant orders came off best (the Preachers, Minors and Augustinians got 4 l. each), the Servites and Carmelites (2 l.) and Humiliati (1 l.) less well. Two hospitals benefited and every monk and nun (this was exceptional) as well as every ‘hermit’ in the city or nearby was to receive 6d. He too left money to a church in the contado.

Francesco’s might be described as an eclectic will, but the preference felt for the new orders is unmistakable. Sometimes this sentiment is clearer still, the favoured beneficiaries tending to be the Dominicans. Fiore, the widow of Bartolomeo di Ildebrandino, drew up a will in 1301, seventeen years after her husband, in which fifty-four specific bequests were made to religious institutions or individuals.⁸⁰

78 Dipl., AGC, 6.2.1292.

79 ASS, Ms B 73, ff.212v–13.

80 Dipl., AGC, 13.6.1301. For her husband’s will see above, p. 146.

The will was made at the Dominican house, where she hoped to be buried, and legacies to this house, the fabric of its church, the prior, the Preachers' confraternity and nine named friars amounted to a total of 20 l. 10s. The Humiliati were to have 7 l. 10s., four other mendicant orders benefited, many nunneries and some monks, three hospitals and a parish church with its chaplain, several other confraternities and the fabric of the cathedral, whilst the usual terms award a donation to every anchorite.

A few years later a still more marked preference seems indicated in the will of one Fino di Maffeo, who also hoped for burial at S Domenico and special masses there.⁸¹ The Dominicans were to receive 16 l., the next most favoured religious legatee, the hospital of S Agnese, 4 l. This will also remembers a parish church and its priest, several monastic houses and – in the usual way – anchorites. Apart from that, there was money and clothing for the poor and wax candles for various churches. Some of Fino's property was earmarked for charitable causes after his wife's lifetime and she was instructed to raise money for the poor by selling the produce of one of their vineyards, 'for my soul and hers'.

Not all the ecclesiastical legatees of the Sienese were local or even regional. In 1285 a young merchant lay dying at Brienne le Château near Troyes in Champagne; he hoped for burial in the Premonstratensian house of Basses-Fontaines and he left money to that church and to the Minors and Preachers of Brienne, as well as to eight ecclesiastical bodies at Siena.⁸² Nor was the Holy Land a forgotten cause. The brethren of the confraternity of S Maria della Scala prayed for 'those who make the holy journey and gain the holy land beyond the sea' and mention of crusading in wills was common. Aldobrandino di Dietaiuto was a pious man though not a wealthy one, and one of his sons, his executor, was an Augustinian friar. He bequeathed 5s. (this was one-tenth of his total religious bequests) for 'aid to the present and future defenders of the Holy Sepulchre of our lord Jesus Christ against the Saracens'.⁸³ In 1277 a woman named Fina, who was probably unmarried and without close relatives, made a will before setting out on pilgrimage to Rome.⁸⁴ Considerably the largest of her numerous legacies for religious ends was 25 l. 'for the aid of the Holy Land beyond the sea when there is an expedition (*passagium*) for that purpose'. Infantino, a Sienese teacher of Latin who was a friend of Bishop Rinaldo Malavolti, made his will at Gaeta (north of Naples) in 1282.⁸⁵ Half of his estate was to be shared between his wife and various other relatives, the other half was assigned to the aid of the Holy Land. Fiore, a

81 Ibid., 27.12.1306.

82 Ibid., 5.2.1285.

83 Ibid., 19.6.1276 (with interesting inventory of property, dated 22 October 1280).

84 Ibid., 17.2.1277.

85 ASS, Ms B 73, ff. 228–9.

widow whose will has already been mentioned, left 10 l. 'for the aid of the Holy Land; I wish the prior of the convent of Friars Preacher at Siena to hold it until there is a general *passagium*, when he is to provide this sum for the said purpose'.⁸⁶ Some years later (1321) 200 Siennese cavalymen took the cross, but the project proved abortive and these would-be crusaders never left Italy.⁸⁷

Pilgrimage rarely features in Siennese wills, but Uberto di Viviano, a spicer, bequeathed money (the amount is illegible, but may be 10s.) for 'an honest (*legalis*) man to go on my behalf to the house of St James in Galicia'. The expectation that pilgrims would make wills before setting out is attested by the halving of the notarial charge for wills made in these circumstances.⁸⁸

CONFRATERNITIES

One is surely nearest to the heart of thirteenth-century Siennese spirituality in the confraternities of pious laymen and women.⁸⁹ The Hospital had such gilds, both of men and women, the *Domus Misericordiae* had one, the principal mendicant orders (Dominicans, Franciscans, Augustinians, Servites) each had their own and there were confraternities of *disciplinati* (flagellants) dedicated to St Nicholas and to the Holy Cross. Doubtless there were others, indeed one authority estimates the number of flagellant gilds alone in the late thirteenth century at twelve. One suspects that a quite high proportion of adult Siennese, especially among the middle elements, were members, though that is admittedly a guess.

No early statutes survive for most of these gilds, though some statutes of the Dominican *laudesi* founded by Ambrogio Sansedoni are preserved in the text of an episcopal privilege (1267): these reveal that the members met to sing praises at the Dominican house daily and went in procession through the city twelve times a year. More is known about the activities of one of the flagellant confraternities, the *disciplinati* of S Maria della Scala, whose early statutes date back to 1295 and 1300.⁹⁰ This gild, 'of Siena and the contado', dedicated its statutes 'to the honour and reverence of our Lord Jesus Christ and His Mother the Virgin Mary and all the saints

⁸⁶ Above, p. 148.

⁸⁷ *RIS*, CS, p. 390. P. Pirillo's investigation of crusading in Florentine wills at this period ('La Terrasanta nei testamenti fiorentini del Dugento' in F. Cardini, ed., *Toscana e Terrasanta nel Medioevo*, Florence, 1982, pp. 57–73) shows 13 per cent of a sample of wills including legacies for the Crusade.

⁸⁸ Dipl., Spedale, 3.8.1240; *Statuti . . . giudici e notai*, p. 108.

⁸⁹ See G. M. Monti, *Le confraternite medievali dell'alta e media Italia* (2 vols., Venice, 1927), especially 1, pp. 126–33, 228–49; G. G. Meersseman, *Ordo Fraternalitatis. Confraternite e pietà dei laici nel medioevo* (3 vols., Rome, 1977), especially 2, pp. 598–603, 649–65, 954–63, 1029–34, 1046–7, 1303; F. Dal Pino, 'I Servi di Maria a Siena', *MEFR*, 89 (1977), pp. 749–55.

⁹⁰ L. Banchi (ed.), *Capitoli della Compagnia dei Disciplinati a Siena* (Siena, 1866). The statutes of the Dominican flagellants are printed by G. Prunai in *BSSP*, n.s. 11 (1940), pp. 119–56 and in Meersseman, 2, pp. 649–65.

(*Santi e Sante*) of God; to the honour and reverence of the Holy Roman Church and our father the bishop of Siena; and for the salvation and consolation of the souls of all members of the gild, who are commended to Jesus Christ the Crucified'.

The lay officials of the gild (which had its own salaried chaplain) were a prior and chamberlain (treasurer), with six councillors serving for a three-monthly period. The prior served for six months. Eighteen other brethren reinforced these officials in the task of considering applications for admission, and those surmounting this preliminary hurdle required a two-thirds vote of a full capitular gathering to achieve reception into the noviciate. Candidates had to be at least twenty years of age. The grounds for exclusion were numerous: those belonging to other confraternities of flagellants, or having belonged within the last year, were ineligible, as were former members of religious orders, anyone who had committed a sin for which he could not obtain absolution, also usurious lenders and notaries who had registered usurious transactions. The prior and councillors had power to expel any brother 'at fault' (*chi fusse in colpa*), though one thus expelled could be readmitted after an interval of a year if he sought this and an investigation found that he had mended his ways. The gild was seen as a perpetual corporation, whose property (under the care of a 'Protector'), including alms and prayers, was common to all the brethren, 'both the dead and the living'.

Each month a chapter-meeting of all the brethren was held, on which occasion a payment of 1s. had to be made into the funds (1s. 6d. by those who failed to be present). This basic subscription, though not high, must have ruled out membership for the poor. Brethren had to recite nineteen paternosters and ave Marias daily (seven of each, with five more 'in reverence for the five wounds of Jesus Christ'), besides one more of each on sitting down to a meal and on rising from it and on going to bed and rising. They had to confess at least once a fortnight and to communicate thrice a year in the gild's chapel. They had to hear the mass daily 'or at least see the holy body of Christ', and might listen to sermons 'wherever they wished'. Presence at the gild's own mass on Sundays was compulsory, as was presence at the *disciplina* (self-flagellation) each Friday; the penance for absence was the recitation of many additional prayers, but three successive absences might lead to expulsion.

The obligatory sessions of flagellation took place in the gild chapel; voluntary flagellation on other occasions was permitted. During the *disciplina* the prior led the singing of 'some praise or other holy thing, in praise of Jesus Christ' and on each occasion he had also to say five paternosters and five ave Marias for the souls of departed brethren and their relatives. When the brothers went forth in procession *a disciplina* they were to carry their banner but not on other occasions. The statutes do not make it clear how frequent were these public processions.

Maundy Thursday was a regular day for them. They required the prior's consent and each prior had the right to ordain one at least once during his tenure of office.

There was a charitable side to the activities of all these confraternities. The Hospital's *disciplinati* and in particular the prior and chaplain had to visit their sick brethren. If alms were required for the succour of sick members the prior could levy 6d. from each brother with the consent of his councillors. The associated feminine confraternity (consorority?) was to be aided by its masculine counterpart in almsgiving so that it could dispense twelve *staia* of baked bread each week to 'poor, wretched, needy and deserving (*vergognose*) persons and religious bodies'. Annually in May each of the brethren was to make a formal promise of alms either financial or in kind; these offerings were voluntary but they had to be adhered to. Should any of the brethren fall into serious distress the officials were to consult together about what help could be given. Attendance at the funeral mass of a departed brother was compulsory and each member was to say a hundred paternosters and the same number of ave Marias for the dead man's soul within the week following his death. The organization of the funeral mass was the responsibility of the prior. Brethren were urged to offer hospitality to strangers who belonged to similar confraternities.

Naturally there were also rules governing conduct. The brothers were forbidden to swear or indulge in loose talk, to gamble, to enter taverns or other 'dishonest' premises. Each Sunday 'everyone must accuse anyone offending' in these respects or otherwise 'not leading a good life' to their prior, in secret; the prior might then award appropriate penance or recommend expulsion. This provision for secret accusation was doubtless accepted without complaint by citizens of a commune which paid officials to perform the same office of secret denunciation.⁹¹ Some of the moral clauses throw light on contemporary *mores*. The brethren were to be decently shod and clothed, short garments and pointed shoes being banned. Also 'let no one go wandering about in churches or in other dishonest places' (*ciascuno si guardi d'andare vagheggiando per le chiese, nè in altri luoghi disonesti*). Whenever they met – not merely in their chapel – they were to greet each other fraternally with the formula 'Praised be Jesus Christ', to which the reply was 'May He ever be praised and blessed'.

It would be interesting to know more about the practice, so central to some of these guilds, of flagellation. This was an activity common to many of the revivalist movements of the thirteenth century in Italy. The statutes of the *disciplinati* of the Holy Cross (which date however from the second half of the fourteenth century) give some detail about self-flagellation performed each Sunday after the mass.⁹²

91 Above, pp. 58–9.

92 Monti, *Le confraternite medievali*, 1, pp. 131–3.

The brethren were to kneel and whip themselves 'for such time as it shall take those not performing the discipline to recite five paternosters and five aves'. Then all were to sing *Adoramus*, to listen to the *Jube domine benedicere* and an epistle sung by one of the brethren, and to recite seven more paternosters and aves. More flagellation followed, during which the *Jube* was to be recited again and a passage read from the Gospels, succeeded by two paternosters and aves. Then a passage concerning Christ's Passion was read and a *laude* sung. Another paternoster and ave followed, then more prayers both in Latin and the vernacular and more flagellation again. After removing their special cowls the brethren returned to the church from the vestry to hear a reading of their statutes and for the assignment of penances. The liturgical detail, slightly simplified here, is very considerable; some of the prayers were to be said aloud, others recited silently.

CONCLUSION

The confraternities constituted a momentous development in piety in the second half of the thirteenth century, perhaps even more influential among laymen than the growth of the Franciscan and Dominican movements in the first half of the century. It is striking that these innovations could be successfully absorbed within the Church, as acknowledged and indeed greatly approved institutions, in such a brief period. With so much religious enthusiasm in the air, the surprising thing is not the occasional appearance of unorthodoxy but the fact that it remained exceptional. This process of adaptation speaks well for the flexibility and good sense of the prelates and the more influential mendicants.

The city authorities may have been more disposed to caution than were the religious leaders, to judge from the reception of a petition submitted to the General Council in 1308 by the gild of the Virgin Mary.⁹³ The rector, Chamberlain and councillors of this body explained that it existed 'for the sustenance of the poor of the city and contado of Siena. Many good men, knights, judges, doctors, merchants and other artisans and young nobles of the city have freely and spontaneously joined this company and God has inspired them to go through the city seeking alms and to take these to the poor and wretched, the needy and modest (*verecundi*). They distribute loaves, clothing and money among these people according to their needs, giving also whatever they can obtain through legacies and in other ways. Their firm and constant rule and intention is not to hold possessions of their own but to pass on at once whatever they receive for the use of the poor. If they receive fixed property they sell this at once and hand on the proceeds to the poor.' A difficulty had arisen, in that the gild lacked a legal corporation's power to appoint representatives to act on its behalf: it needed to

93 CG 73, ff. 162–5.

become a *collegium et universitas* so that it might empower representatives to act in selling, making gifts and exchanges, transferring and alienating property, and agreeing to rents, terms and other settlements and transactions. The Council displayed no enthusiasm for the gild's work or sympathy for its dilemma. By a large majority it rejected the petition, agreeing however that the Nine should consult men learned in canon and civil law on the subject.

A fundamental and deep-seated belief in the law prevailed among Siena's rulers. They were not to be swept off their feet by petitioners' rhetoric. Ambrogio Sansedoni would have seen the matter differently and would have been found more persuasive, but he had been dead for twenty years and the gild lacked an advocate comparable to him in standing and personality. Religious enthusiasm flowed and ebbed, the conviction that only firm legal principles and institutions could check the ever-present threats to internal stability remained constant.