5 Problems

It is time to turn to the problems which presented most difficulty to the commune whose institutions and personnel have been discussed. They will be considered under three headings, first those relating to public order within the city itself, secondly those concerned with the maintenance of control over the contado, and thirdly those connected with external policy and the structure of alliances in the Italian peninsula as a whole.

INTERNAL DISORDER

The maintenance of order within the city presented difficulties to all the medieval communes. The laws against carrying arms show what sort of trouble was feared. Shooting with a bow or crossbow was forbidden on pain of a 200 l. fine and if this was not paid within a month the guilty person was to have his hand amputated. Throwing stones, particularly from a tower, was a serious offence, as was 'starting a battle in the city'. Men tended to be on a short fuse, easily took offence and gave expression to their anger in physical violence, hence the laws referring to *rixe* and *meschie* (quarrels and fights, mêlées). Mercenaries, for example, were forbidden to enter the house of any magnate at a time when there was a *rumore* or *meschia* and there was a heavy penalty for summoning aid from outside the city at such a time.[1]

'Defensive arms', i.e. armour, were permitted only to those holding special permits and the sole *prima facie* case for receiving such a permit was that the applicant had *inimicitias capitales*, 'capital enmities'.[2] A total of 131 payments were made in respect of such licences (at 36s. each) in the early months of 1291; the holders were mainly from prominent families, though fifteen of them were servants or retainers (*famuli*).[3] No doubt aristocrats were particularly attached to the institution of the vendetta and most liable to have recourse to arms when they thought their honour impugned. What started as a fight could easily end as a murder. In 1273 nine men were condemned for 'having been present at a mêlée (*meschia*) and homicide' but were sentenced *in absentia* because all had managed to get away to Petriolo in the contado. One of these received the heaviest fine

1 *Const. 1262, Cont., BSSP*, p. 143; *Cost. 1309–10*, 2, p. 239.
2 *Const. 1262, Cont., BSSP*, 1, p. 141; 3, p. 81.
3 B 104, ff. 4–6v, 12, 13r and v, 15, 16r and v, 18, 19–21v, 23, 26v, 29v, 30v, 32v–3v, 35.

because he had mutilated the body of the victim. All were sentenced to fines only, possibly because their crime was one of revenge, having a political rather than a personal motive.[4]

Penalties for fights which had no fatal consequences tended to be light. In 1289 Pela di Ranieri Baldinotti paid fines of 200 l. on behalf of his two sons 'for a *meschia* they had with Berto Piccolomini', whilst Duccio 'de Lacontessa' paid 90 l. (60 l. plus a miscalculated one-third extra for late payment) for a fight with Bindo di Aldobrandino.[5] A few years later (1296) a number of unpaid fines for fighting were settled by payments of an agreed percentage of the original sentence. Among these was one of 300 l. paid on behalf of a Piccolomini (Enea) by his son Naddo, who intended to secure reimbursement from his father, and a rare fine for fighting levied on a woman, the widow Diamante.[6]

When political issues arose, violence could easily involve street fighting and attacks on the commune's officials. A revolt against Provenzano Salvani broke out on 30 April 1262 and an urgent council meeting had to consider 'the many serious crimes committed today, the blows and wounds inflicted and the armed people going around by day and night'. An official of the Capitano had been hurt when his men attempted to deal with fighting in the Campo.[7]

A decade later a special Council had to be called (October 1272) when Ciampolo Salimbeni, a prominent citizen and councillor, led his household retainers and other 'followers' in an assault on the city's own guard. Ciampolo's punishment for this offence was a fine of 1,000 l., but the strength of the Salimbeni family's position shows in the provision that only half of the fine had to be paid in cash, the remainder being deductible from money owed to Ciampolo by the Biccherna. That episode led to a law providing that henceforth the punishment for wounding a member of the commune's household or guard was always to be 1,000 l. and for killing one 1,500 l.[8] The penalties seem decidedly light and they were not always adhered to. In 1288 a man 'was found armed by night and he wounded one of the Podestà's guard'. The fine levied for this and other offences was 800 l., which was paid on his behalf by his guarantor, again a Salimbeni. In the intervening period (1276), shortly before all magnates were required to take oaths of obedience and pay surety, a serious dispute between the Salimbeni and the Podestà led to an appeal to San Gimignano for arbitration; that

4 CG 17, ff. 94–100; the murder was connected with one committed by a member of the Salimbeni family in 1262 (see Tempesti in *BSSP*, 43 (1936), p. 26).
5 B 99, ff. 14–15.
6 B 113, ff. 15v, 16, 25, 26, 30, 50, 58, 60v.
7 CG 10, ff. 29–30v (partly printed in *BSSP*, 43, pp. 50–1). For this period see below, p. 117.
8 CG 15, f. 94v.

commune sent two emissaries to negotiate concerning 'the good and pacific state of the commune of Siena'.[9]

Hot-blooded behaviour was expected of the young and felt to be more excusable in their case. In 1304 the Podestà and his officials investigated a report about threats made against Neri dei Pagliaresi and various others. After the imposition of the ban against those suspected, a council meeting decided that fines would be sufficient punishment in this instance. All that had happened was that 'on account of the good news of victory over the Ghibellines, they had shouted "To arms, to arms" or "Death to the Ghibellines". No death followed, thanks be to God, or destruction of any house or robbery or fire.' Moreover 'those who are said to be guilty . . . are young and not yet weighty in their understanding' (*gravis sensus*).[10] Such references to 'the young' are reminders of the milieu of the poets Cecco and Folgore.[11] However youth was not always accepted as an excuse. One of the Podestà's duties was to see that no unauthorized company should be formed among the young (*non lassare che si faccia alcuna compagna o vero compagnia di giovani*).[12]

Formalized fighting in the Campo, in theory a sporting contest between the terzi, verged on violence and public disturbance. Twentieth-century readers do not need to be told that sporting events can easily become violent occasions. Judicial immunity, granted in connection with accidents in horse races, also applied to wounds inflicted 'in the usual game and battle' (*pro ludo et in bataglia*) in the Campo. Participants wore a helmet and other protective clothing and carried a shield. Their main weapons were clubs, but throwing stones was a recognized gambit. Casualties, including fatal ones, were common. In 1291 events got so out of hand that at least ten players were killed, and thereafter an attempt was made to confine the Campo fights to fisticuffs, though it did not meet with much success.[13]

MAGNATES

The threat to internal peace came most of all from the great families, principally because their wealth gave them the means, such as household retainers, of overawing other elements in the population. Legislation designed to prevent the building up of family connections forbade close relations to hold certain offices contemporaneously or consecutively. In defining a 'family' it seems to have been

9 B 97, f. 43v: Davidsohn, *Forschungen*, 2, p. 204 (apparently the only source for the 1276 episode).
10 CG 65, ff. 64–8v.
11 See above, pp. 83–4.
12 *Cost. 1309–10*, 2, p. 238.
13 See W. Heywood, *Palio and Ponte. An account of the Sports of Central Italy from the Age of Dante to the 20th century* (London, 1904), especially pp. 174–96; for a chronicler's account, *RIS*, *CS*, p. 76.

found adequate to talk of members of the same house (*domus* or *casamentus*), 'as this is commonly understood'.[14]

Those who framed the laws knew a family when they saw one, as it were, and they also knew a magnate. Possibly the first use of that word in an official Sienese context occurred in January 1272 when a 'secret' council was summoned, its members being the Captains of the Guelf party, the court (Curia, the Podestà's officials) and 'many magnates of the city' (*plurium magnatorum civitatis*).[15] The word and concept fulfilled a need and had come to stay, at Siena as elsewhere. Soon after this there would be councils including sixty *boni homines de magnatibus civitatis* or 'a great number of magnates and rich men of the city'. Although the word 'grandi' continued to be employed in vernacular legislation, *magnates* remained the normal word in the 'popular' laws designed to limit the powers of the wealthy, as it had been for some decades at Padua and Bologna.[16]

Some of the magnate families came to have many branches and fissility could be a danger as well as solidarity. The numbers were often large. The consequences of this for the dispersed pattern of landholding in the contado have already been noted, as have the twenty-four part-owners of the Tolomei palace (1254). In 1310 sixty Tolomei involved in pacificatory proceedings met at the palazzo and claimed that they constituted at least two-thirds of all the male lay members of this *domus, progenies* and *casatus* then in Tuscany.[17] In 1292 officials were given power to send into forced residence the factions which were at enmity; the scandal and danger to the city's peace had come about 'on account of the discord and dissension between noble men of the house of Piccolomini'.[18]

But quarrels within a family were the exception. The typical magnatial dispute was one between families and factionalism of this sort – polarised at times by the external forces of Guelfism and Ghibellinism – was what the pacificatory moves of 1280 (treated later in this chapter, pp. 120–2) aimed to eradicate: the pacification was thus concerned with problems arising both from internal and external sources of discord. Characteristic affrays were those which resulted in Piccolomini being fined for involvement in brawling with others and Gallerani for inflicting wounds in similar circumstances (1302).[19] A serious quarrel could easily escalate into a private war: 'a hatred had grown up between the Tolomei and Malavolti', explains a chronicler (1306), 'there seemed no way of getting rid of it, and daily

14 'Breve 1250', §53.

15 CG 15, f. 36v.

16 CG 17, ff. 5, 8, 31v; 18, ff. 55–6: *Cost. 1309–10*, 2, p. 239. For *magnates* see G. Salvemini, *Magnati e popolani in Firenze dal 1280 al 1295* (Turin, 1960), p. 33n; G. Fasoli in *RSDI*, 6 (1933), pp. 351 ff; N. Rubinstein, *La lotta contro i magnati a Firenze*, 2: *Le origini della legge sul sodamento* (Florence, 1939).

17 Above, pp. 7, 37. Dipl., Tolomei, 3.6.1310 (text in English, '5 Magnate Families', pp. 343–7).

18 CG 43, ff. 70v–1.

19 B 113, f. 15v (one of many such fines in the second half of 1296); 116, f. 164v.

they put Siena in an uproar' (*a romore*). This enmity was characterized as 'a menace to the peace of all Tuscany' and the Nine were granted special powers to deal with the dispute, which led to the formation of a force of 3,000 armed men to deal with such quarrels. The chronicler has it that 'Siena's delinquents and those who did not wish to live reasonably' were chastened by this move[20] but family disputes continued; they were after all not merely a symptom of magnate-ship but a spectacular symbol of that status.

THE POPOLO

The expression of the magnates' overbearing social power, whether concentrated by political allegiance or lacking it, was the greatest threat to the city's peace. As early as 1229 those who felt excluded from the governing oligarchy and menaced by the ways in which its strength was expressed had developed an organization to counter this situation.[21] By the late 1230s the Twenty-four, an office of 'popular' origin, were the commune's main officials. Siena's Popolo was regional in its organization, being based on the terzi. Around 1253 its officials, the priors, were reinforced by the appointment of a non-Sienese Captain of the Popolo. The Popolo gained a share of political authority in a constitutional struggle waged mainly over fiscal and institutional issues. A counterweight to the monopoly of earlier oligarchy, it was also the creator of new problems for the internal peace of the city. The Popolo must be seen as an anti-oligarchical, not a democratic, body, as is made clear by a contemporary (1257) definition of the electors to its captaincy as 'noble and great (*magni*) citizens'.[22]

A characteristic decision of the council of the Popolo (1257) related to direct taxation. The body of assessors for the new *libra* (direct tax) was to have a majority of *populares*, i.e. members of the Popolo. Hitherto (the council decided) the 'rich and powerful' had not been assessed, as *populares* had, in accordance with their property. Now 'it was up to these *populares* to levy the tax'. The assessors were to levy it 'well and legally so that all those who have rich purses are assessed in full'. One speaker in the debate hoped that the Captain of the Popolo would warn the assessors 'that they should aim to the best of their ability at equality for all' (*ad egualgliantiam communem*).[23]

The main constitutional struggle was fought around the years 1255–57.[24] The Popolo asserted its right to a share in the work of legislation, in policy within the contado and in justice, and to defend the gilds against action by the Podestà. The

20 *RIS, CS*, pp. 86, 294–5; CG 68, ff. 113–16v.
21 For this paragraph see Mondolfo, *Populus*, chapter 2.
22 'Breve 1250', docs. (*ASI* (1866), 4), p. 54.
23 CG 6, ff. 124–5.
24 CG 6; excellent analysis in Mondolfo, chapter 2.

Popolo hammered away, seeking to strengthen its own organization and demanding innovations such as joint meetings between its council and the commune's. It put forward a programme of claims concerning office-holding: at least half the members of the General Council should be *populares* and the same should apply to smaller councils other than those concerned with diplomatic negotiations. This rule should hold also for the Emenders of the statutes and the electors of the Podestà. At least one of the three Provveditori should be 'of the Popolo'. The contestants reached formal constitutional agreements from time to time[25] and by 1262 all the Popolo's aims relating to office had been achieved.

An important gain by the same year was legal immunity for acts of revenge carried out by members of the Popolo 'at the wish and order of the Captain or the Twenty-four and their priors' and measures were passed dealing with armed gatherings, street-fighting and offences committed during Council-meetings.[26] Thus the Popolo both acted to check the social violence of the mighty and itself threatened violence. The wariness prevailing is confirmed by the formation of regional armed companies. On 4 May 1262 the Popolo decreed that 'there should be companies of those subordinate to the Popolo and its sworn members; all those who belong should be compelled to join'.[27] Some of these bodies had topographical titles, others received names such as 'Star' and 'Sailors'. Anti-popular companies also existed: a certain Ricovaro refused to be a councillor of the Popolo on the grounds that he had belonged to such a body, the 'King's men' (*societas realium*), though he denied actually bearing arms against the Twenty-four or the Popolo.[28]

Between 1262 and 1277 the Popolo lost much ground. The office of Captain disappeared in 1271 or soon after and although it was revived briefly in 1278–79 and more lastingly in 1289 it never regained its former authority.[29] Suspicion of the great families certainly survived. A very important measure of about 1271 prohibited the election of any member of a magnate family (*de casato seu de casatis*) and anyone 'who had received the honour of knighthood' to the senior office (now numbering Thirty-six).[30] That law, which seems the very essence of a popular programme, was incorporated in statutes issued in 1274, yet those statutes make no mention at all of the Popolo as still possessing its own council. Unfortunately these are very ill-documented years, so that nothing is known of

25 *Const. 1262*, p. 79.
26 CG 6, ff. 76–8.
27 CG 10, f. 32.
28 *Const. 1262*, Introduction, pp. lxiv, lxxv; CG 6, f. 185.
29 Ciampoli, pp. 25–9.
30 G. Francini, 'Appunti sulla costituzione guelfa del comune di Siena secondo il Costituto del 1274', *BSSP*, 46 (1939), pp. 11–28; Marrara, especially pp. 244–5; Mondolfo, *Le cause e le vicende della politica del comune di Siena nel sec. XIII* (Siena, 1904), pp. 35–7.

the process whereby the Popolo was virtually disbanded at a time when what it stood for seemed to have been achieved.

The measures against magnates were reasserted in May 1277 and given a precision which was likely to make them more effective. The authority of the Podestà and Thirty-six was reaffirmed and the former ordered to punish the guilty, be they 'great or small'. The Thirty-six were to be 'good, law-abiding merchants and lovers of the Guelf party'. Members of the *casati* were ineligible, and 'since doubt arises concerning the *casati*', a list of these was now issued, comprising the names of fifty-three families. They included: Piccolomini, Tolomei, Bonsignori, Gallerani, Salimbeni, Malavolti, Ugurgieri, Forteguerri, Sansedoni, Rinaldini, Pagliaresi, Selvolesi, Provenzani and Salvani – all the most famous names in Sienese banking and the conduct of the commune's affairs.[31] Members of these families were now banned from membership of the Thirty-six, but they were not to suffer the other legal disadvantages which characterized the 'anti-magnate' legislation of many of the Italian communes.[32] The law was a reaction to the great strength of Siena's leading families, but it was not drafted as part of the programme of a self-proclaimed anti-aristocratic organization (a 'Popolo'), nor was it aimed to deal specifically with the disturbances for which the magnates were notorious. In any case, 'magnate' and feuding families were not synonymous. Nearly two-thirds of the families branded as *casati* in 1277 were not involved in the major pacification of 1280 between leading Guelfs and Ghibellines, whilst several families in the 1280 lists were non-magnates.[33] The families which were listed as magnates in Florence in 1286 had to provide financial guarantees for their future good behaviour and the Sienese laws of 1277 contain the same provisions, yet they should be seen as an assertion of unwillingness to accept political domination by the great families rather than measures designed to check violence as part of the magnates' way of life. They express opposition to oligarchical monopoly of power, but one of the principal themes of this book is the ineffectiveness of that opposition. Their very limited efficacity is illustrated by the prominent role in the conciliar meetings of 1277–78 of members of such families as the Salimbeni, Piccolomini, Tolomei, Malavolti, Forteguerri and Pagliaresi.[34]

31 The text is printed by P. Luigi Sbaragli in *BSSP*, 44 (1937), pp. 59–62.

32 See G. Fasoli, 'Ricerche sulla legislazione antimagnatizia nei comuni dell'alta e media Italia', *RSDI*, 12 (1939), pp. 86–133, 240–309.

33 Below, pp. 120–2.

34 See P. Cammarosano, *Tradizione documentaria e storia cittadina. Introduzione al Caleffo Vecchio del comune di Siena* (Siena, 1988), p. 73 and n. I agree completely with the opinion of A. K. Isaacs (*I ceti dirigenti nella Toscana tardo comunale* (Florence, 1983) p. 86) that 'i casati nobili . . . restano forza portante del comune' throughout the period of the Nine.

The Sienese Popolo shrivelled away at the very stage at which it might have been expected to exert most influence. What had happened was that the well-to-do Guelf traders had overcome their 'left-wing' rivals, the *populares*, through a tacit alliance with their 'right-wing' rivals, the magnates. In 1289 the captaincy of the Popolo made a brief reappearance in an emasculated form and at that time the citizens were ordered – many of them in vain – to take an oath of obedience to the Popolo and its Captain. Soon afterwards the captaincy came to be nothing more than a judicial post ranking below the podesteria.[35] No effective check had been placed on the tendencies which made for internal violence.

THE CONTADO

The problem faced by Siena's authorities in the city's subject territory were more time-consuming and scarcely less crucial than those involving the peace of the city itself. Few Council-meetings passed without some discussion of difficulties encountered by the commune in its considerable territorial empire.

By the middle of the thirteenth century this zone of influence extended approximately to the boundaries it was to maintain for the remaining three centuries of the city's independence. To the north, where Siena's neighbour was the most powerful of the Tuscan cities, the frontier with Florence ran a mere fifteen kilometres from Siena; the territory in the Val d'Elsa and Chianti constituted a very meagre buffer indeed. The siting of the city within its own dominions was absurd, for its southern sphere of influence, in contrast, stretched far across the Maremma uplands to Grosseto, more than sixty kilometres to the south-west, and thence via the Aldobrandeschine county (where Siena claimed overlordship) to Montalcino, Montepulciano and the west side of the Chiana valley, where the neighbouring contado was that of Arezzo. To use a national analogy, this was a little as though the capital of Italy had remained at Turin. There was a contrast also between the fertility of Siena's miniature northern sphere of influence and the wide but often barren spaces of the south.

The process whereby Siena, in common with the other medieval Italian communes, was drawn into the acquisition of subject territories, requires little explanation; the city which remained a mere 'legal island' is a more puzzling phenomenon. Proximity drew the communes into a nexus of authorities, and as cities embarked on the process of achieving dominion they were sucked into the game in defensive reaction to the gains of their neighbours. As frontiers, based on dioceses, were claimed, prestige became involved in this interplay of power. During the high tide of Frederick II's sway Siena lost much of its rural authority, but in 1251, soon after his death, officials were appointed with the task of

35 Ciampoli, pp. 25–30.

3 THE CONTADO.

proposing 'how the contado of Siena may be brought back into the city's possession'.[36] Later it became a duty of the city's officials 'to augment the city and jurisdiction of Siena in the Maremma, the "mountains" (west of Siena) and elsewhere, by the purchase and acquisition of castles, entire or in part, and the acquisition of rights wherever possible'.[37] A committee of *savi* had the function of making recommendations to extend the 'arm and power' of Siena in the Maremma. Action along these lines was frequent and could be very expensive; to give a single instance, in 1298 it was resolved to buy Cerreto, a castle in the southern Chianti, for 36,000 l., though in the event the negotiations were only partially successful.[38]

Economic motives were involved in the extension of the contado, above all that of supplying the urban nucleus with bread. The grain of the subject territory was reserved for Siena and fixed quantities had to be provided; at times, frontier patrols were organized to prevent its export.[39] Less crucial, but important because local supplies were inadequate, was fish. The commune attempted to improve the supply by constructing fishponds in various suitable areas.[40] Lordship applied also to materials other than foodstuffs; any part of the territory could be ordered to send stone for the fabric of the cathedral.[41]

The military motives are no less clear. The boundary with Florence, not well defined by geographical features, constituted a 'frontier system' and one bastion of this, Monteriggioni, is a spectacular survival. To the south Siena's territory was dotted with castles whose small garrisons could serve to hold down local dissidence or, at other times, to check invasion.[42] The commune lacked the means to retain standing garrisons of any size. A typical conciliar debate (1289) concerned Trequanda, Sinalunga and Fabbrica, all in the south-eastern contado: the question was which of these three fortresses should be held, and the alternative to garrisoning was destruction.[43] In the southern Maremma there was no powerful bulwark at all but from the 1290s onwards costly attempts were made to found and populate two defensive sites, at Roccalbegna and Castelfranco Paganico.[44] The contado was above all a buffer for defence in depth against a

36 *B.* 11, p. 96.
37 *Cost. 1309–10*, 2, p. 503.
38 CG 53, ff. 70–2; 54, ff. 25v–7. On Cerreto, *Repertorio*, pp. 40–1.
39 CG 61, ff. 49v–50v (1302).
40 CG 5, f. 19 (1255); *B.* 26, p. 208 (1257).
41 *Cost. 1309–10*, 1, pp. 64–8.
42 Redon, chapter 1.
43 CG 38, f. 13.
44 Bowsky, *Commune*, pp. 194–5; P. Angelucci, 'Genesi di un borgo franco nel senese: Paganico' in *Università e tutela dei beni culturali: il contributo degli studi medievali e umanistici. Atti del convegno . . . 21–23 genn. 1977* (Florence), pp. 95–135.

raiding enemy – the methods of warfare made it the main victim of campaigning – as well as being a recruiting ground. As a condition of their subjection rural subjects provided cavalry, infantry and in particular the necessary corps of pioneers and sappers. The function of the contado was negative too, in that the commune endeavoured to deny its territory as recruiting land to the neighbouring cities of Florence (above all) and at times Arezzo and Orvieto.[45]

The commune's attitude towards its subject territory was harsh. The population was regarded as rootless – one should perhaps say, more literally, foundationless. The Sienese (not at all exceptionally, for it was known that villagers could carry their humble homes with them to another site) saw dwellers in wooden-hutted villages as creatures who might be moved around in accordance with military necessity. Hence, for example, those who cultivated the low-lying land round Abbadia a Isola were constantly ordered to reside in the nearby defended hill-site of Monteriggioni. Further east along the same frontier attempts were made to populate Quercegrossa at the expense of places on the Florentine side of the border.[46] In the Ardenga territory to the south-east similar efforts were made to shift population, despite the protests of the abbot.[47] In 1291 the decision was made to rebuild Rigomagno on a new site[48] and many other examples could be given of such policies. The measures were often the consequence of military needs. At one time residence in the town of Asciano was forbidden, though probably this order was ineffectual.[49] The *burgum* of Montepulciano was destroyed in 1281, the *rocca* of Roccastrada in 1302.[50] At Montalcino two men earned 18 l. 5s. by their good work in supervising the demolition of the town's churches (*pro salario quando steterunt ad faciendum destrui et dissipari ecclesias de Montalcino*). A clause in the 1262 constitution decreed the total destruction of all buildings and even flora on the hill where Montalcino stood, 'so that the hill itself should become a wild place, uninhabited in perpetuity'. The expressions 'discastellare' (to disfortify) and 'reincastellare' (to refortify) were found most useful by legislators.[51] It was indeed an obligation on the Podestà to destroy and 'keep destroyed in perpetuity' any place rebelling against Siena. Imperialism had economic as well as military aspects; thus an attempt was made to forbid money-lenders from operating at Montepulciano 'lest scandal should arise between us and the Montepulcianesi' (i.e., presumably, lest there be competition

45 *B.* 4, p. 86.
46 *Const. 1262*, pp. 376–9; CG 4, f. 16v; 35, f. 19; *B.* 28, p. 152.
47 CG 3, f. 64v.
48 CG 42, f. 46.
49 *Const. 1262*, p. 375.
50 B 80, f. 115; 117, f. 316.
51 B 35, f. 23; *Const. 1262*, pp. 385, 497 (index).

against Siena's own bankers).[52] Not everything that was decreed occurred, but much anxiety and misery were caused. The subject population and its humble residences were, in the eyes of their Sienese overlords, totally mobile.

So many things could go wrong in the contado that it is no surprise that difficulties occurred constantly. The territory was anything but a bloc, rather it was a fragmented, haphazard collection of lordships and townships, having almost nothing in common except its fragile subordination to Siena. To the south castles perched on isolated hill sites overlooked much parched upland, there was much pastoral land and cattle-stealing was a way of life. The seignorial norm was lay and monastic lordship. Around Siena itself more typically Tuscan agriculture tended to prevail, of mixed cultivation dominated by grain and the vine. Land tenure there was characterized by the stronger influence of the city, at the expense of seignorial families. A large proportion of the contado peasants must have lived little above the level of subsistence. The population was a mobile one for economic reasons as well as for Siena's strategic ones, hence deserted sites abounded.

Perhaps the greatest difficulty was the very nature of Sienese suzerainty, which everywhere involved compromise with other lordships. A person or community subject to the commune of Siena was commonly described as subject to its jurisdiction ('de iurisdictione'), but in reality the city's jurisdiction had to share with that of lords and other communes. Siena recognized that its judicial rights 'should not be to the prejudice of the true lords of places (*terrarum*), holding jurisdiction in whole or part'. The same principle applied to office-holding in the communities of the contado; when these had their own lord, 'possessing jurisdiction', he it was who appointed the local rector or official. Rights of private lordship over individual villeins were similarly guarded by Sienese law. The situation in the lands sold to the Salimbeni in 1275 was typical. There the Sienese courts had the right to hear suits involving murder and, in the case of strangers, wounding; theft and violence would go to those courts only if a delay of a month had passed without action in the local court.[53]

The conciliar discussions of the first six months of 1255 will serve to exemplify the sort of problems which arose in the contado.[54] Purchase of rights at various places was considered and negotiations over a purchase actually took place with the abbot of S Antimo. The Count of Elci's rights at Monte Ciriota and the obligations of the Montepulcianesi to pay tolls were debated. The taxation of villeins of Sienese citizens was a favourite theme, and factional struggles and a political murder at Torrita an anxiety. Questions arose over the garrisons at

52 *Const, 1262*, p. 381.
53 Redon, pp. 196–7.
54 CG 4.

Montorsaio and Campagnatico, fortifications were rebuilt at Montefollonico, new fortifications in the Val di Strove and Val d'Elsa were mooted. Serious robberies occurred on the Petriolo road and near Torrita. Raiding by Aldobrandeschi forces towards Grosseto was reported which raised questions about Sienese relations with the lords of Sassoforte, but this was the only major military incursion and indeed it was quite rare throughout the period covered by this volume for external enemies to campaign in Sienese territory.

Problems concerning food supply often involved other difficulties, for instance troops were needed for patrols to prevent the export of grain from the contado but these men could only be paid if taxation and fines were levied in the contado. It was a vicious circle: domination required money for soldiers, but the money could only be raised if the subject territory was already being taxed.[55] At their worst, the afflictions of the contado poor were appalling. The year 1295 was one of starvation and sickness in the countryside; the rural communities had defaulted in their tax payments, hence their residents were forbidden to travel, even to see the doctor. The city eventually relented to the extent of voting 1,000 florins as alms for the sick in the contado 'to the honour of God and the Blessed Virgin Mary and in order that the Omnipotent and His Mother may keep the city of Siena in peace and tranquillity'. The following year the poor of all those communities in the contado which were 'broken and dissolved' (i.e. bankrupt) submitted a petition claiming that only a few residents remained in each of these places and it was impossible for this handful to face the fiscal burdens still placed on them.[56] In 1297 the poor of the city and contado received a joint gift of 4,000 l.; but charity on that scale (denoting a period of bad harvests and exceptional suffering) was quite abnormal.[57]

With three tiers of authority in much of the contado – commune of Siena, lord, local commune – the questions that arose were dilemmas affecting the city's fundamental policies. Above all, should Siena settle for 'indirect rule', leaving government and administration to a local seignorial or communal authority? If so, what should it do when things went wrong, as frequently happened? One is inclined to feel that the Sienese should have opted more firmly for the colonial principle of indirect rule, yet this decision on its own would not have solved fiscal problems or those of public order. In March 1255 the council discussed the re-fortification of Montefollonico and 'the well in that place which has been petitioned for';[58] one could give numberless examples of this sort showing how the city was drawn into matters of local detail.

55 E.g. CG 41, ff. 44–68, 123v–4 (1291).
56 CG 48, ff. 50–5v; 49, ff. 79r and v; 50, f. 37; B 112, f. 116.
57 CG 51, ff. 103v–8v.
58 CG 4, f. 45

The Ardengheschi counts were overlords of the communities of Pari, Civitella, Montacuto and Fornoli, and Siena had to decide its position on the jurisdiction of these various authorities. A decision (1257) recognized the superior position of the counts, but it was not an easy one since the counts were normally regarded as a focus of resistance and lawlessness.[59] Where there was no intermediate lord the existence of communal organization was more obviously in Siena's interest, hence the decision (1283) that the inhabitants of places in the contado not possessing a commune should be compelled to have one.[60] It was a welcome development when the population of Buonconvento offered to reform their commune, which had suffered fiscal bankruptcy and fallen under the suzerainty of Percenna, a neighbour; they offered to 'bear the same burden as other *comitatenses* and pay the same dues'.[61] One difficulty of direct rule was the expense of appointing a full-time Sienese rector, another the problem of finding an able man who would face exile in a small place. A common compromise was to appoint a man whose obligation to reside locally was limited to four days in each month (as at Selva, from 1250).[62]

In a conciliar debate (1255) a speaker suggested that 'no noble holding rights of toll from time immemorial (*ab antiquo*) should be dispossessed of them'.[63] This may already have sounded an old-fashioned view. Earlier the commune had been confronted in the contado by lords most of whom held rights *ab antiquo*, but by the mid thirteenth century the situation had become much more complicated. It was difficult to reconcile the city's interests with both those of the subject communities and those of its citizens who might themselves be lords (or merely landholders or cultivators) in the countryside.[64] Legislation became necessary to deal with 'citizens possessing jurisdiction in any castle', citizens subject to the lordship of other citizens, villeins refusing rent in kind to lords who were citizens, and the local tax obligations of sharecroppers and others who quitted their native localities to move into Siena.[65] The taxation of villeins whose lords were Sienese citizens was a particularly difficult matter – the lord resented taxation by the city so heavy that too little remained for him – and sometimes the Sienese council heard petitions from sufferers who endured double taxation, by Siena and another lord.[66]

59 P. Angelucci, 'Gli Ardengheschi nella dinamica dei rapporti con il comune di Siena' in *I ceti dirigenti dell'età comunale nei sec. XII e XIII* (Pisa, 1982), pp. 119–56, especially 137–45. See also Redon, pp. 182–3 and *CV*, 4, pp. 1560–6.

60 CG 27, ff. 37–8.

61 CG 46, ff. 46–7v.

62 *CV*, 2, pp. 667–9 (for Selva, *Repertorio*, p. 32).

63 CG 4, f. 56.

64 See Cammarosano, especially pp. 191–2.

65 *Cost. 1309–10*, 1, pp. 313–14; 2, pp. 160–2.

66 CG 7, ff. 12v–13v and Alleg. A (1256); 22, Alleg. D (men of Torniella taxed by Count Aldobrandino and by Siena, 1278).

While it was accepted by the Sienese authorities that in the contado the commune was one lord among many, the military strength of its seignorial rivals was a matter for anxiety. Hence, for example, the large fine (500 l.) threatened for any *signore* or *nobile* of the contado sending armed men into the city to participate in a civil disturbance.[67] Moreover lordship was never a static institution. The abbot of S Salvatore (Monte Amiata) was losing ground to the abbey's local communities and the Ardengheschi losing authority to the Malavolti and Incontri families and the Sienese commune itself.[68] By the fourteenth century the most formidable forces in the contado were no longer the older 'contado nobles' but rather 'Sieneses families, both magnate ones and those of other social groups'.[69]

Statutes proclaimed the intention that the commune 'should extend its arm and power in the Maremma', but this was the area least under control. Siena derived little financial advantage from the territory and complained that its population was 'oppressed by the communities and nobles' of the region, both by tolls and direct taxation. The Podestà was ordered to send letters forbidding such taxation to 'the Aldobrandeschi counts and all the other barons and nobles and *lambardi* (military tenants) and the cities and communities of the Maremma' and many similar resolutions and threats are recorded. The Sienese themselves were forbidden by their commune to swear fealty to any 'lord or baron' of the Maremma (1284) and they were supposed to apply for permission before acquiring any form of fief there, including castles, jurisdiction or lordship.[70] The belief that problems arising from fundamental weaknesses in finance and communications could be solved by legislation seems unrealistic. A law was also passed (1302) whereby any Sienese citizen marrying a count, lord or baron of the Maremma was to suffer loss of citizenship, outlawry and a fine of 3,000 l., but a proposal that receipt of a fief or knighthood from any of these nobles should be forbidden failed to win acceptance.[71] The weakness of Siena's position was emphasized when the Aldobrandeschi recruited men within this region of Sienese suzerainty (1291) to fight against the commune of Siena.[72]

The Aldobrandeschi counts were supposed (and had been since 1221 or earlier) to pay Siena an annual *census* of 25 silver marks. Promises were occasionally made to fulfil this obligation but they never seem to have been effective, a sad indication of the inutility of 'rights' unsupported by power.[73] A fine of 1,500 l. levied by the

67 *Cost. 1309–10*, 2, p. 240.
68 Angelucci, in n. 59 above; Redon, chapter 1.
69 Isaacs, in n. 34, pp. 81–2.
70 *Cost. 1309–10*, 2, pp. 186, 503; CG 28, f. 28r and v.
71 CG 61, ff. 112v–14v, 122v–6v.
72 CG 42, f. 28v.
73 Ciacci, 2, pp. 111, 142–4, 167, 222; *Const. 1262*, p. 96n.

commune on Count Umberto, son of Count Aldobrandino of Santa Fiora, probably for involvement in a murder, was taken more seriously and eventually (1278) paid.[74]

BANDITRY

The problems of the contado were seen at their most extreme in the phenomenon of banditry. A common sequence of events was this. A man or men committed a violent crime. Unwilling to appear in court, they fled to the contado or beyond and meanwhile were condemned *in absentia*, put under ban (*bannitus*), i.e. outlawed. They then set up in the contado – not too close to Siena – with banditry (the word 'bandit' of course derives from *bannitus* = Italian *bandito*) as their way of life and means of subsistence.[75] Contado communities were threatened with heavy penalties for harbouring outlaws and the Podestà was supposed to send out anti-bandit patrols at least once a month, but neither of these measures achieved much.[76] The consequences are vividly portrayed in Lorenzetti's depiction of a highway robbery in the Palazzo Pubblico (in the rarely reproduced scene of the rural consequences of bad government). In the scene of 'good government in the countryside' Security, bearing a gallows in her hand, proclaims optimistically that 'so long as this lady (Justice) is in power', 'all men may freely travel without fear and all may sow and till the soil'.[77]

The most famous of Siena's bandits, Ghino di Tacco, won mention in the *Divina Commedia* and is the hero of a tale in the *Decameron*.[78] Ghino entered folk legend as a sort of Robin Hood figure, but Boccaccio did not misrepresent his occupation; he was indeed a highway robber (*rubatore delle strade*) whose band (*masnadieri*) robbed all who travelled in those parts (*chiunque per le circustanti parti passava*). Ghino descended from the Cacciaconti, a seignorial family whose homeland was in the Valdichiana where Sienese dominion had a frontier with Arezzo. He and his brother were outlawed by Siena (the reasons are unknown) around 1276. The main centres of their operations were Torrita and Rigomagno, north of Montepulciano. War between Siena and Arezzo gained Ghino support from the rival city and a nominal cause (Ghibellinism or, more accurately, anti-Florentinism). The Sienese condemned him for robbery on the Via Francigena near San Quirico (1288) and near Montepulciano (1291); on the latter occasion his victims were Florentine merchants. A few years later he moved his sphere of operations further

74 Ciacci, 1, pp. 230–1 and 2, pp. 251–2; B 73, f. 2.
75 Pazzaglini, pp. 103–8. See above, pp. 69–70.
76 *Const. 1262*, p. 221; *Cost. 1309–10*, 1, pp. 68–70.
77 The message on the scroll runs: 'Senza paura ognuom franco camini/E lavorando semini ciascuno/Mentre che tal comuno/Manterra questa donna in signoria/Che alevata arei ogni balia.'
78 On Ghino, see G. Cecchini, 'Ghino di Tacco', *ASI*, 115 (1957), pp. 263–98.

south, to the papal border (Radicofani), but in 1297 alarm was caused in Siena by the news that he was building a fortress – perhaps on the model of Siena's strategic foundations? – back in his home territory, between Sinalunga and Guardavalle.[79] After that he disappears from the list of Siena's anxieties and the date of his death is not known.

Ghino di Tacco was the archetypal bandit, but many other groups operated more briefly and on a smaller scale. Often their deeds caused sufficient disquiet for them to secure discussion in the General Council. The Brescian Bertolino who was Podestà of Siena in 1286 was in such fear when he set out for home at the end of his period of office that he called for military protection on the road.[80] A few years later Nuccio of Corsignano and his band achieved a spectacular coup at nearby Petroio, burning houses and stealing cattle and other property. He was caught and sentenced to death, yet the council eventually decided by a majority of 207 votes to 38 to pardon and release him.[81]

When a band disintegrated, its members, a floating brigand population, set the same problems as unemployed soldiery.[82] It is difficult to guess the average size of such bands. One which operated round Montepulciano (1303–07) had twenty-six members. They originated from various nearby places and not all came from impoverished backgrounds; several were described as sons of *domini* and others of *magistri*.[83] Not all Sienese groups of robbers operated in Sienese territory. In 1271 a company of Sienese 'Ghibellines' (the label probably had no serious political connotation) stole cloth from Florentine merchants in the district of Perugia. This was not an instance of successfully exporting one's problems, for the Perugians reacted to the theft by confiscating Sienese (Tolomei) cloth as a reprisal.[84]

THE CONTADO: CONCLUSIONS

The sources of trouble in the subject territory mentioned hitherto by no means exhaust the subject. Another was office-holding. There was often bitter contention for podesterie and rectorial posts. Whatever the precautions, it was difficult to persuade all that justice was being done in the allocation of these posts.[85] There was a belief that plenty of money could be made from such appointments and that those who made it were contriving to pay suspiciously low taxes.[86] The very number of the posts reveals why the subject took up so much time, particularly in

79 CG 52, ff. 107v–10 (printed in *ASI*, 115, pp. 296–8).
80 CG 32, ff. 33r and v.
81 CG 41, ff. 74–6v.
82 E.g. CG 49, ff. 39v–40, 51v; 50, f. 82r and v (1296).
83 B 121, f. 217v (1307: condemned in 1303).
84 CG 14, ff. 55r and v, 62.
85 CG 7, ff. 5v–6 (1256).
86 CG 42, ff. 21v–2, 36v–7, 47v, 50v–1v (1291).

view of disputes about which of them involved appointment by the Sienese authorities.[87] In the 1260s about 280 communities in the contado were organized as communes. Professor Redon (from whose map these figures are calculated) has well defined the status of these communities by styling them 'subjects rather than *fideles*'.[88]

Other territorial preoccupations existed in plenty. An ambitious programme of founding watering-places was the subject of much legislation. The resorts were thought to have fiscal possibilities and the revenues from them were farmed out.[89] The city's water supply was another matter involving negotiation with rural areas. A constantly open question was that of an outlet on the seacoast. This was an obvious objective in connection with the encouragement of maritime trade, hence the laborious but rather unsuccessful attempts to establish a port on the Tyrrhenian at Talamone.[90]

Historians have not hesitated to attempt a sort of 'credit and debit account' for Siena in respect of its subject territory, particularly in the financial sense. Above all the question is asked: was the contado 'exploited' by the city? The means of calculating the total revenue drawn from the contado – mainly through indirect taxation – simply do not exist. The same applies to the calculation of indirect military advantages and to expenditure on all sorts of matters involving the contado. The profits of justice were not considerable. They consisted for the most part in the very irregular payment of 'compositions' of overdue fines, amounting perhaps to one tenth of certain fines notionally due. In 1293 (to give one example) thirteen localities in the contado paid such compositions and these rendered the not very impressive – but still useful – total of about 2,500 l.[91] The contado was taxed, rendered a lot and cost a lot. Questions about the total balance and the fairness of contado taxation are unanswerable, certainly by this author at this juncture.

GHIBELLINISM

Another category of problem was that deriving from the commune's relationship with the power systems and alliances of Tuscany, which in turn were connected with those of the peninsula as a whole. These blocs, linked respectively with Hohenstaufen and papal-Angevin leadership, were coming to be described by the mid century as 'Ghibelline' and 'Guelf'. References to Ghibelline bands operating in the contado (for instance) show that this categorization, by implying a

87 E.g. CG 7, f. 22v.
88 Redon, p. 221 and map: and see particularly chapters 1, 4 and 5.
89 D. Barduzzi, *Provvedimenti per le stazioni termali senesi nei sec XIII e XIV* (Siena, 1899).
90 *Cost. 1309–10*, 1, pp. 342–3; Bowsky, *Commune*, especially pp. 175–6.
91 B 109.

distinction between social and political causation, does violence to the intricacies of the past; but lines have to be drawn.

The commune's external relations show Siena as a proud but not particularly powerful vessel tossed in the high seas of a stormy epoch. Throughout the 1240s the authority of Frederick II had predominated in Tuscany, his representatives (vicars general) being first Pandulf of Fasanella, then his own bastard son Frederick of Antioch. An imperial official held sway in the Sienese contado and at times Siena's Podestà was nominated by the Emperor. It seems likely that those who did not sympathize with the commune's pro-Hohenstaufen alignment were driven into exile in 1248 or about that time,[92] but Frederick's death in December 1250 totally altered the situation. Hohenstaufen authority in Tuscany rapidly dissolved and the major communes set about the restoration of their dominion in the countryside. Florence soon proved the greatest beneficiary and the Sienese found their ambitions, even in the south, blocked by their formidably assertive neighbour.

Only when another of Frederick's illegitimate sons, Manfred, began from 1257 to build up alliances in central and northern Italy, did Siena again become committed to the Ghibelline side. The following ten years saw the heyday of the city as the nucleus of Tuscan Ghibellinism, and also the apex of Siena's standing within Tuscany. The fateful decision to support Manfred, though in a sense it was the continuation of the commune's alignment through the 1240s, was in part a reaction to the pro-papal rapprochement of the Florentines, the most powerful claimants to hegemony in Tuscany and thus Siena's principal rivals.

Siena's Ghibelline decade is closely connected with the career of Provenzano Salvani, who had held office in the Biccherna in 1247 and 1254–55 and already in Frederick II's time featured in council meetings as a protagonist of the Hohenstaufen cause. In 1251 he was involved in negotiations with Florentine and Perugian Ghibellines. Although Provenzano was very prominent in promoting the 'popular' constitutional changes of 1256, the development which brought him to a position of near-dictatorship was Manfred's diplomatic campaign from 1257 to set up an anti-Guelf shield in Tuscany, a defence against the papacy and whatever candidate the pope might recruit as Manfred's opponent.[93]

In the summer of 1259 Siena became totally committed to Manfred's cause, the commune's officials swearing an oath of fealty to him in return for the promise of protection. This was a turbulent period, with much opposition to Provenzano's policy, but in a crucial conciliar meeting (August) he secured a majority of

92 Davidsohn, 2, pp. 347, 363n, 390n, 434; CG 1, ff. 57, 60v, 68v, etc. (1249); *B.* 9, pp. 71–4, 83–6, etc.

93 See F. Tempesti, 'Provenzano Salvani', *BSSP*, 43 (1936), pp. 3–56 (pp. 42–56 are docs). See also above, pp. 101–2.

fifty-seven votes to eight for resolutions that Manfred should have a say in the choice of Siena's next Podestà and that 'any man speaking words against the honour of King Manfred and his cavalry (*milites*) should be punished by the Captain of the Popolo, in his person and in his possessions'.[94]

The first large force of German cavalry reached Siena towards the end of 1259 and by the beginning of 1260 the leading officials held office 'by the grace of God and of the lord King of Sicily'.[95] A brief spring campaign brought the Florentines to the gates of Siena and in the summer a much larger force was collected, with elements from a number of Guelf cities. This swept through the countryside, then settled in camp some five miles east of Siena, at Montaperti. There on 4 September it suffered total defeat in one of the most famous of all medieval battles.

The outcome of the campaign appeared decisive. Provenzano Salvani, it seemed, had backed the right side and the Florentine decision to oppose Manfred had been a disastrous error. Manfred's relative Count Giordano of S Severino ruled Tuscany as his vicar and was installed as nominal Podestà at Siena, though he appointed successive representatives in that post.[96] The triumph over Florence was glorious, yet Siena's situation could not be without anxiety. Diplomatic relations, for a power dealing with stronger neighbours, are bound to be costly if humiliation is to be avoided. This was Siena's situation *vis-à-vis* Florence and, in a sense, *vis-à-vis* the Hohenstaufen succession state also. The commune's relationship with Ghibellinism in the 1260s fully justifies the inclusion of foreign policy in a chapter on 'problems'.

The German cavalry were very good soldiers, as they had proved, but also very expensive ones. By March 1261 Siena's financial situation was serious. Money was needed at once for one hundred cavalry and even an embassy to King Manfred, a showy affair requiring an enormous number of horses, was so costly that the commune could not meet the bill. Moreover an awkward difference of opinion had arisen with the royal representative about the border fortress of Staggia. To the Sienese the capture of this strategic point was one of the many happy consequences of Montaperti, yet the royal vicar claimed the place together with the nearby castle of Poggibonsi. It was humiliating that Provenzano had to give way, with the not very impressive proviso that if the vicar ever yielded up Staggia to any commune it should be to Siena.[97] The 'Sicilian' (royal) authorities pressed for more and more money, while the Sienese eyed nervously the

94 CG 8, ff. 40, 46v, 52, 57r and v (partly printed, with inaccuracies, by Tempesti, pp. 47–8): Davidsohn, 2, p. 645.
95 CG 9, f. 3v.
96 Concistoro 1773, nn. 43–4.
97 CG 10, ff. 18v, 20–1, 25.

ambitions of these allies in the Maremma as well as on the Florentine frontier. A fifty-day embassy to Manfred is an indication of hard-fought negotiation, while contemporaneous missions to the papal court show the realization that other options had to be kept open.[98]

The Manfredian alliance meant retaining a considerable cavalry force in the field. The 'league' (*societas Tuscie*) required a minimum standing force of 500 and there was even talk of 1,000. For several years the Sienese *tallia* (share) remained at around 100 to 120 horsemen and the city continued in a state of financial crisis, probably because the cost of the critical year 1260–61 was a liability which had not yet been liquidated.[99] Montaperti had been an expensive triumph and Manfred was, to most, a not altogether attractive ally. When the disturbed state of the peninsula brought large armed blocs into being the expense seemed appalling to a commune such as Siena which still thought of warfare in terms of small scattered garrisons and raids by citizen militias.

The Sienese banking houses which gave aid to Manfred's cause were punished by a papal condemnation (1262) the terms of which forbade the repayment of debts to them. A large-scale political exodus from the city followed the pope's action; many financiers, by no means all of them from the leading banking families, had decided that the Manfredian alliance was the less satisfactory alternative. It is understandable that few banks should have had sufficient capital to withstand a situation in which their debtors had orders from the highest religious authority to make no payments to them. Their landed wealth probably made the position of the greatest firms less vulnerable, but the papacy was itself an extremely important client and whoever was launched by the pope as a rival claimant to Manfred's kingdom was likely to be one also. Over one hundred Sienese bankers, including eight Tolomei, five or more Salimbeni, and three Piccolomini took the decision to seek exile, at Chiusi and Radicofani, and there (March 1263) formally reverted to obedience to the Church.[100]

Many other Sienese Guelfs followed what was virtually the only way of life open to parties in exile; they 'made a company together', says a chronicler, 'and went robbing, now in one place, now in another'.[101] Some met defeat at the hands of the Florentines (by then a Ghibelline power) in the Val di Greve, others were captured in a raid against Radicofani by German cavalry. However there were bankers among Siena's Guelfs able to make considerable loans to Count Charles of Anjou, the papal candidate for the Sicilian kingdom, and by the time of

98 Ibid., ff. 46v, 57v, 63v, 88–9.
99 Ibid., ff. 66, 67v, 78v–9; 11, ff. 27, 34v–5, 67v, etc. For the tallia see below, p. 201.
100 *Reg. Urb. IV*, 2, n. 274: Davidsohn, 2, pp. 745–7.
101 *RIS, CS*, pp. 63, 222.

Charles' arrival at Rome (June 1265) the situation within Siena itself had begun to look extremely insecure.

Manfred's defeat and death at Benevento (February 1266) at the hands of Charles of Anjou ushered in a time of stress and dilemma for Sienese Ghibellinism, but there was still a formidable German cavalry force in Tuscany and Siena's Ghibellines proved tenacious. To the pope (Urban IV) it must have seemed clear that all was ready for the negotiation of the city's abandonment of a lost cause and the mission of his representative Bernard de Languissel (May-?September 1266) began encouragingly. Provisional terms were reached between Siena's two parties, and the papal interdict on the city was lifted.[102] Yet somewhere things went wrong and no final agreement was reached. When a Guelf regime took over in Florence (April 1267), Siena and Pisa were left as the isolated protagonists of Tuscan Ghibellinism. The pope then tried again; in May seven representatives of the Sienese regime were at the papal court, as was a proctor of the exiled Guelfs. Negotiations proceeded for a compromise whereby power was to be shared between Guelfs and a Popolo, but terms could not be reached with the stubborn Ghibellines.[103]

Angevin forces continued to apply pressure in Tuscany, but the spring of 1268 saw the advent of Frederick II's grandson Conradin, the last possible saviour of Ghibellinism. Again external military connections proved an expensive commodity; the cost of the link with Conradin was tremendous. Siena paid 33,520 l. 13s. 11d. to Conradin in the spring of 1268 and over 7,500 l. (via the Bonsignori bank) to his ally Henry of Castile, the Roman senator. Later in the year the bill for German cavalry and the expenses of Conradin's Sienese sojourn (24 June-mid July), including presents for his entourage, totalled about 34,000 l. By then the commune's German liaison was costing it about five times the normal annual expenditure of the 1240s. And by the time the 1268 Biccherna accounts which record these expenses had been totalled up, Conradin in turn had met defeat (Tagliacozzo, 23 August) and death (29 October).

The last act of Sienese Ghibellinism proved to be as prolonged as the earlier ones. Salvani's semi-lordship ended in his death in an engagement fought outside Colle Val d'Elsa in June 1269 and the following April Florence and the Angevins won a further victory at Montevarchi. When Pisa withdrew from the alliance, Siena's Ghibellines at last reached terms with the city's Guelfs. The headquarters of the long-exiled Guelfs was close to the city, at Lucignano d'Arbia, and there Siena formally submitted to the Angevin King Charles (4 August 1270). The

102 *Archivio del Consiglio Generale . . . Siena* (Rome, 1952), p. 135; CG 12, ff. 25v–7v, 40v–1; Davidsohn, 2, pp. 813–14, 823n, 842–3.

103 *Registres de Clément IV*, ed. E. Jordan (Paris, 1893 ff), n. 472; Davidsohn, 2, pp. 847–60; 3, pp. 3–6.

survivors among the prisoners taken ten years before at Montaperti were freed. A new Podestà 'by the grace of God and King Charles' took office, a 'gift' of 3,200 florins was made to the King's vicar in Tuscany and the Sienese carroccio was repainted with a decoration of Guelf lilies.[104]

GUELFISM

Now it was the Ghibellines' turn to seek exile. They scattered, to Poggibonsi, Pisa, Cortona, Arezzo. The commune's authorities placed them under a ban, pronounced capital sentences on them and set about estimating the value of their property, which was confiscated in its entirety.[105] Should one speak of this development, as Bowsky does, as the fall of 'the Ghibelline regime'?[106] It might be more accurate to write of 'the Provenzano Salvani regime'. Those in control had persisted in backing the German rather than the French alliance and found a reversal a very difficult process. Loyalty to the Hohenstaufen was not a quintessential characteristic of the 'popular', predominantly merchant, regime, merely a policy favoured by it. Ghibelline or imperialist principles and attachment to the Hohenstaufen tradition do not seem to have been deeply felt by a large number of Sienese. Perseverance in a losing alliance was in part due to the belief that Florence's side could not possibly be Siena's, in part to a stubborn reluctance to compromise in diplomatic negotiation. It must have been hard indeed to accept that the triumph of Sienese and German arms on 4 September 1260 would be a unique occasion. Also Siena was to find participation in the pro-Angevin bloc no inexpensive option and this must have been predicted by the upholders of Ghibellinism. It was an ominous start for Sienese Guelfism that the city remained for three years (i.e. until June 1273) under papal condemnation.

In exile Siena's Guelfs had assumed the institutions of a legal corporation.[107] A conciliar gathering of their Party and *universitas* (corporation), then headed by two Captains, Pietro dei Tolomei and Notto dei Salimbeni, is recorded at Città della Pieve, near the borders of the Sienese, Perugian and Orvietan spheres of influence. This institutional persistence simplified the situation when the Guelfs returned to Siena.

The formalization of political exile applied also to the preservation of Ghibelline continuity. In February 1271 the Sienese Ghibellines met at Cortona to elect their officials, who included a Captain and 'the Twenty-four of the Popolo and city of

104 B 42, f. 105; 43, ff. 108, 111. Davidsohn, *Forschungen*, 2, pp. 161–3, 169.

105 Davidsohn, 3, pp. 83–6.

106 Bowsky, *Commune*, p. 258.

107 G. Francini, 'Appunti sulla costituzione guelfa del comune di Siena secondo il Costituto del 1274', *BSSP*, 46 (1939) pp. 11–28. The date given by Francini to the Città della Pieve document (1255) must be incorrect.

Siena'.[108] The Twenty-four had their own priors and there was an 'inner council'. They had a representative, a member of the Salvani family, within Sienese territory at Fornoli. They were busy diplomatically, and attempted to purchase the friendship of one of Arezzo's officials with a gift of 5,000 l. and (so it was said) the promise of Siena's contado when the city was regained. Banned from holding office and with their palazzi destroyed and their property confiscated, the leading Ghibellines had little to lose by opting for exile.

Many must none the less have chosen to remain, since as early as 1272 they were made responsible for raising fifty or sixty out of a total force of 200 cavalry. The allocation was not a summons for personal service, but a heavy financial imposition; those on whom the levy fell had to provide suitable armed riders or, if they could not, make a money payment in lieu.[109] By 1275 the Ghibelline share had risen to 100 out of a force of 300, with no alternative to a straight payment of 230 l. for each horse; in other words this was a tax on the wealthier Ghibellines designed to raise 23,000 l.[110] Confiscated Ghibelline property was offered on lease by the commune, without any tax advantage. The profit or interest on these leases was at one period earmarked for the Guelf Party, which received small gifts from the commune and loans totalling 2,000 l. (1273), but never became a powerful entrenched interest in its own right, as did Florence's Parte Guelfa.[111]

The history of Siena's Guelf Party after its victory is peculiarly ill-documented and elusive, perhaps through the destruction of its archive in accordance with the terms of the 'pacification' of 1280.[112] The regime proclaimed itself Guelf with an articulacy lacking in its Ghibelline predecessor, and its programme determined the commune's external policy into the fourteenth century. The Party's Captains were leading officials of the city and helped to elect the ruling Thirty-six, who had to be zealous supporters (*zelatores*) of the Guelf cause, and the Party also had its own conciliar structure. A new constitution was dedicated 'to the reverence and honour of the Holy Roman Church and its pastor' and 'the honour and exaltation of our lord King Charles of Sicily' and ordered the 'perpetual and firm maintenance of fealty to his serene Highness'. Yet somehow the Sienese Guelf Party lost its standing as an institution in the course of the 1270s, for reasons which are not clear but must include division within the city's leading groups at this time.

108 G. Giannelli, 'Un Governo di fuorusciti senesi nel 1271–72', *BSSP*, n.s. 8 (1949), pp. 80–92.

109 CG 15, f. 27. See below, p. 180.

110 CG 20, ff. 35–6.

111 CG 14, f. 11v (small donation from the commune to the Guelf party, 1271); 15, f. 50v; 17, f. 2v; *Cost. 1309–10*, 1, p. 320; Mondolfo, *Cause e vicende . . .*, pp. 50–1.

112 Francini. The poor surviving documentation of the parties in the 1270s may possibly be due to obedience to a clause in the 1280 pacification agreement under which the parties were to yield up their archives (see below, p. 121).

The notion of parties, both Guelf and Ghibelline, survived in Siena through the 1270s. This is evident from the development of a pacificatory movement towards the end of the decade, one aspect of which was the proclamation that both parties were to be 'broken and destroyed' (*rupte et casse*) and their very names and memory to be abolished. The background to this ambitious attempt to blot out the factional history of thirty years is the Tuscan mission of Nicholas III's legate Cardinal Latino Malabranca.[113] The Cardinal's base (1279–80) was Florence, the most important target for his enterprise, but his task extended to the 'pacification' of all Tuscany and Romagna. The supersession of the Thirty-six at Siena at some time before 12 September 1280 by Fifteen *gubernatores et difensores populi et communis* should probably be connected with the legate's scheme for a Tuscan general peace between the two factions.[114] The reappearance of the word 'Popolo' in the nomenclature of the governing Fifteen, after its absence from Siena for more than a decade, suggests the extent to which the city's older families were linked with the two parties. A movement to abolish them would naturally adopt the 'popular' label.

The process of formal pacification involved securing the agreement of numerous members of many families, some of them within the city, others still in exile a decade after the great Ghibelline exodus. The terms proposed by the Podestà and Fifteen provided for the return of the exiles, the restoration of their confiscated property and payment of compensation for the destruction of their homes. Certain families were to deposit financial pledges for their future good behaviour and families between which a particular enmity had arisen were to be linked by marriage. In specified cases dowries were to be provided to encourage such matches. To ensure the total abolition of both parties, these were to appoint no officials, hold no council meetings and hand over all their written records including statutes. More than 400 individuals were named in the main document warning members of both parties to abide by the terms of the arbitration. Another document names more than 150 Ghibellines in exile (excluding those Salvani who were in France or on financial business 'overseas'), revealing that a considerable nucleus of irreconcilable Ghibellines were still exiles after ten years.[115]

The immense labour of this work for peace seems to have been almost entirely

113 Papal interest in Siena is clear from the mission of Sienese representatives to Nicholas III's court in the autumn of 1278 (CG 22, ff. 42v–3v).

114 The earliest reference to the Fifteen as holding office appears to be *CV*, 3, n. 901 (pp. 1114–16): the CG minutes for this period have not survived.

115 For the pacification see *CV*, 2, pp. 1114–230 (nn. 901–39). For later payments of dowries see (e.g.) B 85, ff. 45v, 52, 54v.

ineffectual. If there was a Ghibelline return to the city it was a brief one indeed.[116] Siena renewed its participation in the Guelf League, a papal relative took over as Podestà and the scheme for abolishing the parties was totally forgotten. The following summer (1281) the Ghibellines, under Niccolo Bonsignori, launched an attempt at a *coup d'état* with assistance from Aldobrandeschi troops (he had married a daughter of one of the Counts). The raiding force of 200 cavalry reached the Campo and was only driven out after a sharp clash. Campaigning in the contado continued but there was no further endeavour by the exiles to take over control at Siena.[117]

From 1270 the Sienese answer to the commune's external problems – Siena's 'foreign policy' – was Guelfism. In Tuscany this meant membership of an alliance in which the chief regional power was Florence, even though Bolognese, Roman and, above all, Sicilian (i.e. Angevin) involvement was essential to the power bloc and Sicilian grain was the crucial element in its economic interdependence. The fundamental feature of the bloc was its continuing military league or 'tallia' (share).[118] The terms on which the Guelf Tuscan alliance was renewed in 1281 will serve to illustrate the nature of this league. The contracting powers included Florence, Siena, Lucca and Pistoia, as well as a number of minor communes (Volterra, Prato, San Gimignano, Colle, Poggibonsi). The renewal was for ten years, though the initial arrangements concerning the cavalry element were for one year only. The members of the league were to hold parliamentary gatherings ('colloquia') every three months. The Captains (military commanders) were to be chosen, for a six-month period, in such gatherings and each member commune was to appoint its own adviser to the Captain. The cavalry component was to consist of two thousand men from the contracting communes together with 500 French horsemen. Thus the foreign cavalry element numbered the same as in the 1260s, when the horsemen had been Germans; *plus ça change . . .*! The contribution of the various powers to the pay of the 500 was laid down, the major shares being those of Florence (166), Lucca (118), Siena (103) and Pistoia (47). The very lengthy terms of the alliance included much detail about military obligations.[119]

Throughout the 1270s and for the remainder of the century membership of this

116 There are difficulties about the chronology of the Ghibelline return in August 1281 alleged by the chroniclers (*RIS, CS*, p. 225) which seems incompatible with the attempted coup of July 1281. There are no extant CG records for 1280 (and gaps June 1277–June 1278, January–June 1279, June 1283–June 1284).

117 *RIS, CS*, pp. 225–6; Davidsohn, 3. pp. 235, 271–4.

118 On the tallia see L. Naldini, 'La "tallia militum societatis tallie Tuscie" nella seconda metà del sec. XIII', *ASI*, 78 (1920), 2, pp. 75–113 and Bowsky, 'Italian Diplomatic History: a Case for the Smaller Commune' in *Order and Innovation in the Middle Ages: Essays in Honor of J. R. Strayer* ed. W. C. Jordan, B. McNab, T. F. Ruiz (Princeton, 1976), pp. 55–74, 437–43.

119 *CV*, 3, n. 955 (pp. 1290–301).

league and its financial implications dominated Siena's perspective. Meetings of the Guelf parliaments were usually preceded by discussion in the Sienese council of the line to be taken by the commune's representatives. In 1275 this was concerned with the danger that the league might embark on an aggressive and hence expensive policy. The Sienese preferred a pacific attitude and urged opposition to plans for a campaign against Volterra.[120] On that occasion, as on others, the Florentines had informed the Sienese in advance of what their representatives would be proposing. The normal meeting-place for the League's parliaments was Empoli, a conveniently central town which had once been the meeting-place of Ghibelline gatherings and had now become a common residence for the Angevin vicars in Tuscany. The discussions were predominantly military, but more general diplomatic questions could arise, such as the attitude to be taken by the communes to the imperial claim of Rudolf of Hapsburg.[121]

The sharing of the financial burden, the provision of troops, military strategy and the salary of the Captain were the main business.[122] Siena's share in the French or foreign cavalry element (*de lingua seu gente francigena seu ultramontana*, by the 1281 terms) varied greatly; the 103 men of 1281 were exceptional, at other times Siena's contribution towards a much smaller corps was forty (December 1270) or even as few as ten (December 1273).[123] Plans for big armies were found daunting by the Sienese. A cavalry force of 500 mercenaries might imply wages for 125 as the Sienese share, a force of 1,000 the immense burden of a contribution of 250. The fact that Lucca's contribution in 1281, as well as Florence's, was much larger than that of Siena is a reminder of the commune's difficulties in asserting its role as a great Tuscan power.

The number of men due to be provided by the commune itself varied greatly also but could be very high; in 1292, a critical time on account of the Pisan war, Siena had to send 380 horsemen towards a total cavalry force of 1,500.[124] It was inevitable that the commune should frequently fall behind in its payments. The Captain's salary was itself a considerable item. The 1281 terms put his pay at 2,000 l. for a six-months term of office, but by 1307 it had risen to 1,000 florins, the equivalent, in terms of the weakening Sienese currency, to a rise of more than 30 per cent.[125]

Bowsky has styled Siena at this time, perhaps rather ruefully, a 'second rate' political power.[126] It rated, with Lucca, Pisa and Arezzo, appreciably below

120 CG 20, f. 98r and v.
121 Davidsohn, 3, p. 156.
122 CG 37, ff. 88v–9.
123 CG 13, ff. 85–7; 18, ff. 81–2.
124 CG 43, f. 42.
125 *CV*, 3, pp. 1296–300: B 118, f. 270v (1308).
126 Bowsky, *Commune*, p. 73.

Florence, and the terms of the league emphasized that in a way which perhaps diminished the city's prestige yet more. But Siena could not expect to stand on its own amid the turbulence, and Guelfism must be seen as a sort of military insurance policy with a high premium, a conscious investment.

The network was a very extensive one and this fact itself was surely a disadvantage to the Sienese. When King Charles was attacked by the Aragonese and became involved in a long war in defence of his Sicilian kingdom (the Sicilian Vespers, 1282–1302) he turned to the Tuscan cities for aid. A Sienese corps despatched to serve in the Regno cost some 4,000 l. over a four-month period in 1284 and was one of many such commitments.[127] When Count Guy de Montfort was the Vicar-general in Tuscany it was natural that he should require a *douceur* of 1,000 florins, but it could hardly have been foreseen that almost twenty years later he would be begging for 2,000 florins towards his ransom after capture by the Aragonese in a naval battle. The council was favourable to this petition, but the negotiations failed and in 1291 he died in captivity.[128] Another distant and complicated Guelf entanglement concerned the Colonna family. Pope Boniface VIII's quarrel and eventual war with the Colonna (1297) involved Siena in sending a contingent to Latium. This was not the end of the matter because the campaign was so effective that it was followed many years later by an appeal from the Colonna; they asked the Sienese to contribute to the cost of the fortresses and houses destroyed at Palestrina and elsewhere. A motion that the city should donate 500 l. was lost by a very narrow margin (118–114).[129]

The Guelf link with the papacy also had more direct consequences. The pope might become the city's (titular) Podestà and in all circumstances numerous diplomatic missions to the Curia were found necessary, some of them very prolonged. In 1292 four Sienese representatives were absent for twenty-seven days on such a mission and two for fifteen; embassies of this type required plenty of horses and involved a heavy bill for salaries and expenses.[130] Missions to the Angevin court were no briefer; in 1277 two envoys were away for 106 days (drawing a salary of 55 s. a day each) on an embassy there.[131] Papal legates as well as the popes themselves expected to receive presents, as witness the gift of a gold cup costing 200 florins to Cardinal Pietro of Piperno, Boniface's legate in Tuscany (1296).[132] As well as being expensive, pressures from powerful allies could be embarrassing or even humiliating. It cannot have been pleasant for the Sienese

127 B 85, ff. 37, 45v.
128 B 46, f. 28 (1270): CG 36, ff. 28v–9, 31: see also Davidsohn, *Forschungen*, 4, pp. 208–10.
129 CG 52, ff. 62 ff; B 114, f. 215; CG 69, ff. 127–8v.
130 B 96, f. 86; 107, ff. 146–7, 153, 168, 247; 114, ff. 219 etc.
131 B 69, f. 25.
132 B 113, f. 150v.

authorities to learn (1272) from the Angevin Vicar that he sought a special suspension of the sumptuary laws forbidding women to wear more than five pearl buttons in favour of Alessandro Salimbeni's daughter-in-law and certain other (no doubt zealously Guelf) ladies and maidens.[133]

Presents of money and valuables were a continuing drain on the commune's means. The commanders of the Guelf *tallia*, who were usually Tuscan baronial personalities, had to receive the occasional purse or belt or gold cup.[134] These were small items compared with the gifts required for the Angevin royal family and their officials and retainers. In 1271 2,000 florins and 1,000 ounces of gold were needed for the King, in 1273 1,200 florins for him and 600 for the Queen, 200 for royal 'barons and councillors', together with numerous minor gifts of jewelry and goblets for archbishops, marshals and judges, as well as a visiting cardinal.[135] At the same time another 1,000 florins were called for to aid a Guelf campaign against Genoa.[136] The fiscal grievances underlying the Sicilian anti-Angevin revolt of 1282 come to mind.

Royal visits were particularly expensive occasions. When the second Angevin ruler, Charles II, came to Siena in 1289 he received 1,000 florins and a valuable silver cup.[137] The next member of the French royal house to visit Tuscany was another Guelf leader, Charles of Valois. During the Count's stay in Siena (November 1301) his wife gave birth to a daughter and the infant received a present of 500 florins. The following spring the Count mentioned that further financial aid would be acceptable. Varying opinions about the amount to be offered were expressed in a council meeting. Finally a proposal for a sum of 2,000 florins scraped home by 155–77, just one vote more than the two-thirds majority required.[138]

CONCLUSION

The commune was thus much at the mercy of prevailing winds. To quote the contemporary poet, it was 'in gran tempesta'.[139] Problems of internal lawlessness were the most crucial of all, whilst those involving the contado perhaps gave rise to most discussion in the councils, but the very scale of the diplomatic and military involvements caused endless anxiety and brought home constantly the superior strength of Florence, the great rival. The disputes over diplomatic

133 CG 15, f. 43v.
134 B 80, f. 94v; 85, f. 23.
135 CG 14, ff. 39v–40, 98, etc.; 17, ff. 16v–23v, 26v, 31v, 82.
136 B 55, ff. 21–2.
137 B 65, f. 39v; 99, f. 100v.
138 CG 60, ff. 68v–9v, 82v–3v; 61, ff. 78–9.
139 *Purgatorio*, VI, 77.

alignment also drove many Sienese into the discomfort and deprivation of exile.

The diplomatic revolution of 1270, the belated abandonment of the Hohenstaufen connection in favour of the Angevin one, left a curious legacy in the form of personal names. Some parents rashly called their infants by names which denoted their own loyalties. One may be sure that any Sienese 'Manfredo' was born before 1266, that any 'Carlo' was born after 1270. No doubt there were plenty of Sienese sceptics concerning Ghibelline and Guelf 'principles', but the 150 or more Ghibelline exiles of the 1270s and 1280s should be borne in mind. Clearly many felt a loyalty so strong that they could not stomach residence in a Guelf Siena, while some may have regarded themselves as too committed to withdraw from their position. Loyalty to party, as well as loyalty to family, was capable of competing with Sienese civic patriotism.

Altogether the men who advised on and administered the commune's policies bore no light burden. Internal turbulence, an unruly territorial dominion, the anxieties of a foreign policy dependent on stronger powers, made this a testing time indeed. Also it was humiliating, after the 1260s, to have to face existence as a junior partner of a once defeated foe. The relationship with Florence was a special one, in that it was one of a particularly bitter nature for the Sienese.