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Vendetta Politics and State Formation in Early Modern Modena: A
Case Study of the Bellencini-Fontana Vendetta, 1547-1562

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Abstract

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By Amanda G. Madden

This dissertation examines state formation in sixteenth-century Modena, Italy during a critical yet under-examined period in the city's political history. Based on chronicles, letters, legal sources, family archives, and conventual sources, this case study analyses a decades-long vendetta between the politically prominent Bellencini and Fontana clans. Focusing on the collision between a strong nobility and state centralization during the sixteenth century, this study examines the practice of vendetta among the governing elites. In particular, these violent practices expose the competing discourses of localized and state authority at a moment when the Dukes of Ferrara, Modena, and Reggio sought to enforce standardization in their politically fragmented territories. While Modenese defiance of unilateral d'Este reform did not function as the primary impulse for factional violence, Modenese discontent with the ways in which the Este effected reform provide an explanation for why vendettas remained difficult to bring under control. In order to curb vendetta, the dukes needed to account for the strength of regional interests. An examination of vendettas among Modena's governing elite and the Este dukes' inability to pacify them without the cooperation of the local nobility illuminates this negotiation with the state for power. The contradictions inherent in the simultaneity of vendetta practices and Modenese state-building allows for a broader picture of how state formation came about. As this study shows, it was a process of reform and resistance, coercion and cooperation.

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Table of Contents

Introduction.....	pp. 1
Chapter 1: “By this bitter cloth we will not be divided”: Factional Politics in Sixteenth-century Modena.....	pp. 29
Chapter 2: A Tale of two Lucias: Institutions, Familial Interests, and Ducal Reform.....	pp. 77
Chapter 3: The Laws of Violence: Vendetta Practices and Ducal Initiatives towards State Formation.....	pp. 125
Chapter 4: The Families Discipline Themselves: Testaments, Self-disciplining, and Patrimonial Strategies.....	pp. 174
Chapter 5: “God knows how things will end between the Bellencini and Fontana”: Instruments of Peace and Elite Resistance.....	pp. 224
Conclusion.....	pp. 267
Bibliography.....	pp. 278
Appendix A: Key Dates.....	pp. 289

Introduction

On April 14, 1526, in a moment of ominous portent for a city already wracked by factionalism and political unrest, someone found Matteo Forni, a soldier of Count Guido Rangone, lying wounded on one of Modena's dark and narrow side streets.¹ The embattled papal governor the Florentine Filippi Nerli, shut the doors of the city.² He immediately summoned several of the Tassoni to the fortress to account for the wounding of their enemy Matteo.³ He publicly ordered three suspects, Baldissera Tassone, Daniel Tassone and Ippolito Castaldi to present themselves to him within four hours or face a penalty of 1000 ducats and banishment. To guard against their escape and prevent further violence, Nerli placed 300 guards around the city.⁴

In response to this latest episode of bloodshed, the remaining threads of Modena's already tenuous civic unity threatened to completely unravel. Initially focused on saving

¹ "1526. Sabato a dì 14 aprilo. Fu ferito Mathè fiolo fu de misser Alberto dal Forno la sera dali Servi, e non fu trovato se non da hore 6 de note quasi morto, el quale era al soldo del conto Guido Rangone." Tommasino Bianchi detto Lancellotti, *Cronaca Modenese*, 12 vol. (Parma: Pietro Fiaccadori, 1862-1884), 2:334. All translations are mine unless otherwise noted. I have endeavored to render them as sensible in English as possible. Due to the variety of spellings of proper names in the text, e.g. Bellincini, Bellencini, Belencin, etc., I have also normalized them where applicable.

² "E a dì ditto le porte de Modena stevano sempre serate, e le carre che erano venute bisognò tornaseno a casa cariche, e da hore 15 el signore governatore misser Filippo Nerli fiorentino fece chiamare tutti li Tassoni in castello, se estima per le ferite de Mathè dal Forno palaz[z]o che in termino de hore 4 se dovesse presentare denanze da lui in castello Lodovico de ser Daniel Tassone, Baldissera de ser Pompeo Tassone, e Ippolito de ser Francesco Castaldi, ala pena de ducati mille altramente sarano chiamati in bando." Ibid.

³ For the better part of a decade, the Tassoni had fought many of their Modenese counterparts. In 1514, the Tassoni are recorded as having fought the Carandini and in June of that year, the Tassoni and Rangoni signed a peace agreement with the Fogliani, Carandini, Ronchi, and Pazzani. The peace agreement lasted precisely four days before the factions took up arms again and ended only when Count Sigismondo Rangone agreed to give his illegitimate daughter to Giacomo Fogliani. By March of 1515, the factions were again at one another's throats. Violence broke out again in the following year of 1516. In 1525, after a suspicious fire at their castle, once again they declared war on their enemies. By 1525 the Seghizzi had joined their cause as had several other families and in 1526, the altercation between the Tassoni and Forni took place. Ibid., 137, 138, 157-9, 164, 317, 319.

⁴ "E da hore 20 vene in Modena 300 fanti per guarda del Città che se apsetavano dui dì fa." Ibid, 2:334.

their son, the Forni summoned a doctor from Bologna to administer to Matteo.⁵ The doctor treated his patient with every means at his disposal, but it became quickly apparent that Matteo would die. News of his impending death sent an already tense city over the edge.⁶ As soon as the Forni family realized that their son's death was near, they quickly took up arms and went to find their enemies. This important Modenese clan and their adherents the Fogliani, Carandini, Seghizzi, and Cavellerini prepared themselves for war against the Tassoni and their partisans.⁷ Their fellow civic notable the Modenese historian Tommasino Bianchi "Lancellotti" (hereafter referred to as Lancellotti) did not believe the city would make it through the night without the spilling of Modenese blood.

Others shared Lancellotti's views that the coming night would bring further violence to the city. Expecting unrest, citizens, shop owners, and nobles alike shut their doors. The Bishop of Modena decreed that anyone harboring the accused would be excommunicated.⁸ Once again, the governor was fighting to restore the city's fragile stability.

⁵ "...e in ditto hora arrivò in Modena M...di Rengera da Bologna medico a stafeta, per medicare ditto Matteo dal Forno, e da hore 24 volendo ditto medico medicare ditto Mattio fece preperare tutte le cose necessarie al morire, e poi comenzò a disfarlo per medicarlo, e como le fasse se comenzorno a vanire lui morì, e subti li soi parenti feceno una armata, e veneno ala boca dela piazza dala prexon per volere andare a trovare li suoi inimici, e subito el conto Guido Rangone montò a cavallo, e andò in piazza, et li fece tornare a casa, e subito se serò tut[t]e le botege in piaz[z]a, e tutt[t]a la Cit[t]à sotto sopra, chi andava a casa di Tassone, e chi a casa di Forni, e ogni homo se fortificava in casa." Ibid., 2:335.

⁶ "E a dì ditto da hore una de note el capitano dala piazza con li sui fanti descalci vano cercande li 4 preminati per canali, e canalette per trovarli, e tuto el dì ge hano cercato per li monasteri, e caxe, e non li hano trovati; et hano prexe molti famigli e fantesche de' citadini dove havevano suspeto per intendere dove erano, e sin qui non li hano trovati, e tuta via una parte, e l'altra se fortifica de zente; se pensa che questa note se farà qualche gran male; ancora non se sa perchè sia stato ferito, e morto ditto Mathè dal Forno chi dice non causa dala morte de Tassone, e chi dice per la morte de Francesco Castaldi, e chi dice per femine." Ibid.

⁷ "E da hore una de note el signor Governatore con el conto Guido, con li soi homini d'arme, et archibuxeri, e schiopeteri vano la Cità aciochè el non se factia novità fra li Forni, Foiano, e Carandini, Seghizzio, e Cavellerini, e altri di quella parte; e li Tassoni, Castaldi, e altri de qualla parte contraria alli Forni." Ibid., 2:335.

⁸ "E a dì ditto da hore 23 fu fatto una crida al palazzo per parte del reverendo vicario del Vescovo, sotto pena de excommunicatione a che havebbe Lodovico Tassone, Baldissera Tassone, Ippolito Castaldi, e Paulo Trotto in casa, ge debai dare la repula se religioso como mondano, e non li debiano acceptare, et masime li

Violent factionalism continually beset Modena in these years; the gaps between moments of violence were growing alarmingly shorter. Merely months before, at the end of September of 1525, the civic notables the Carandini signed a truce with the Tassoni for the death of Tassone Tassone.⁹ This death had threatened to completely upset the city's fragile equilibrium as the Tassoni formed a pact vowing the destruction of their enemies.¹⁰ The papal governor and his officials barely managed to pacify these factions before this latest cycle of violence broke out.

Their previous efforts in prosecuting feuds, provided little deterrence to the factions. As a result, the governors were forced to resort to increasingly harsher measures. Putting pressure on the Tassoni, the governor summoned some of the Tassoni's wives and children to the castle. He rounded up some of the missing Tassoni's kin-- Girolimo and Jacomo Tassone--and tortured them to extract information about Matteo Forni's death and their relatives' whereabouts.¹¹ Governor Nerli declared that anyone harboring the fugitives would be fined 200 ducats. Fathers were obligated for their sons, wives for their husbands, patrons for their servants and clients—all who would not come forward would answer.¹² Despite governor Nerli's stringent call for cooperation, no one

monasteri dentro, e de fora e contrafacendo cadano in excommunicatione, et se ge procederà in pense, e censure." Ibid.

⁹ "E a dì ultimo el signor Governatore fa procedere con la rason contra ale segurità dela pace fra li Tassoni, e Carandini per la morte de Tassone di Tassoni." Ibid., 2:318.

¹⁰ "E a dì 14 ditto per la morte del soprascritto Tasson tutti li Tasson de Modena hanno fatto liga insieme de stare a morte, e destrutione de sui inimici." Ibid., 2: 317.

¹¹ "E a dì ditto el se dice che in castello ge hano prexon Girolomo Tassone Cavaliere, et Jacomo de misser Lucretio Tassone, e che hano dato dela corda a certi altri per trovare li malfatori, ancora non li hanno trovati, ma ben hano saputo dove sono stati qualche poco, ma non stano fermi, hora in questa canaleta, or canale, hora in questa casa, o in quella altra, sempre fugendo che pareno porchi smaltati de merda, secondo che se dise per alcuni che li hano veduti, e li biri con li pono vedere con le torze nè senza." Ibid., 2:336.

¹² "E a dì ditto el signor Governatore ha fatto fare la crida ala renger del palazzo, e per la Città in più lochi, che per tutto questo dì, chi sa dove siano quelli che hano morto Matteo Forni li debia acusare, e guadagnare ducati 200 e serà tenuto secreto, altramente passato questo dì caderà in la pena del doppio secondo le altre cride, et ge serà spianato le case, et sia obligato el padre per el fiolo, e la moglie per el marito, e lo patron per el famio, e masare e altre cose assai." Ibid., 2:337.

came forward with news of the suspects nor did the men themselves appear. While the factions were fighting amongst themselves, they were also resisting papal interference. As a result, peace was proving elusive.

Another vendetta loomed. The Captain of the Piazza and Count Guido Rangone went house by house in search of the suspects.¹³ They combed the canals. They looked in the monasteries and the houses, but did not find them. Fighting broke out in the Duomo. Unrest threatened in the streets. Many of Modena's elites were either in custody or suspect. Lancellotti darkly noted: "These are the fruits of "civil war."¹⁴ Indeed, sixteenth-century Modena provided Lancellotti and his contemporaries with ample opportunity to reflect on these matters: the fruits of violence, their causes, and the consequences.¹⁵

During this period of internecine warfare, political turmoil, and crisis, Modena's sovereigns—the Este rulers of Ferrara, Modena, and Reggio—like many of their counterparts, sought political stability in their fragmented and fractious state by shoring up their political power within their state and strengthening their position without. The Dukes of Modena-Ferrara formed alliances with other sovereigns, reformed their system of taxation, built up their standing army and militias, reconstructed their city walls, and rehabilitated their territorial governments so they would function more efficiently. They

¹³ "E a di ditto la mattina le porte sono state serate, e con bone guarfe, apena hano lasato intrare le care, e posta altra zente, e nisuno lasano andare for a, e questa note pasata el Capitano dela piazza è andato cercande per le case per trovare quelli che hanno morto Matteo dal Forno, et se dice che el gè andato el conto Guido in persona e non li hano trovati, et se dise che hano menato in castello 15 done parte con li fioli per sapere la verità dove sono quelli che hano morto ditto Mattheo, et non fu mai olduto el maggiore rumore de quelle femine e fioli che facevano in castello." Ibid., 2:336.

¹⁴ "questi sono de li fruti de la guerra civile..." Ibid., 3:336.

¹⁵ When using the terms "at war" or *inimicitia*, what Lancellotti was really talking about was vendetta Trevor Dean rightly points out that "such clearly defined categories hardly fit the Italian evidence: there was no single word for feud (when feud is meant, *inimicitia*, *odio*, or *guerra* are used)." Dean, however, departs from my understanding by placing war and vendetta in opposition; a subtle distinction but an important one. In particular, he defines vendetta as "an event or a response to an event, not a state of continous animosity." See, Trevor Dean, "Marriage and Mutilation: Vendetta in Late-Medieval Italy," *Past and Present* 157, no. 1 (1996):3-36 at 15. I have chosen to conceptualize vendetta in its more ritual terms as public, reputational, and ritualistic following the work of other scholars.

stamped out the spreading of heresy to ensure peace and conformity and encouraged religious reform. They patronized poets, artists, musicians, and architects that would spread their fame and glory. The Este did all of these things in pursuit of a stronger, more prosperous state; a state less subject to being tossed about or swept under by mercurial European political currents.

These laudable goals and programs of reform were not without obstacles. In confronting the need for a stronger system of governance amidst the complex political realities of the sixteenth century, the Este encountered a number of roadblocks. These included archaic political structures throughout the state more suited to localized, regional forms of government than conducive to centralization. Geographic distance from many of their territories, including Modena, prevented direct oversight. This geographic and political distance proved particularly problematic when these parts of the Este territories possessed their own institutions. Lastly, a particularly strong feudal nobility with independent jurisdictions of their own, deep roots in the towns, and an accustomed say in local matters posed the most complex challenge to the Este state as the Dukes of Ferrara-Modena learned as they moved towards greater state centralization.

Focusing on the collision between a strong nobility and ducal efforts at state centralization during the sixteenth century, this dissertation examines the practice of vendetta among the governing elites, especially the Forni, Tassoni, Bellencini, and Fontana families, in sixteenth-century Modena.¹⁶ Guided by the question of how

¹⁶ This literature on the feud is vast. Select studies include, Paul R. Hyams, *Rancor and Reconciliation in Medieval England* (Ithaca, NY: Cornell University Press, 2003); Stephen D. White, "Feuding and Peacemaking in Medieval Touraine around the year 1100," *Traditio* 42 (1986):195-263; Daniel Lord Smail, "Common Violence: Vengeance and Inquisition in Fourteenth-Century Marseille," *Past and Present* 151 (1996): 28-59; Idem, *The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264-1423* (Ithaca: Cornell University Press, 2003); Stuart Carroll, *Blood and Violence in Early Modern France* (Oxford: Oxford University Press, 2006); Keith Mark Brown, *Bloodfeud in Scotland, 1573-1625:*

sovereigns dealt with violence in their efforts at state formation, this study enriches extant scholarship by exploring these themes in a relatively understudied polity whose trajectory of political development differed from other states on the Italian peninsula. In particular, this study builds upon the body of work delineating tensions between regional power and centralizing impulses in the formation of the early modern state. As Giovanna Benadusi succinctly articulated in her examination of the roles of Tuscan provincial elites in state formation, “One of the principal issues in the debate [on the nature of state formation] involves the transformation of fragmented and divided territorial units into more unified and centralized political entities.”¹⁷ Assessments of how the rulers of early modern states effected this transformation vary.¹⁸ As scholars increasingly argue, however, centralizing reform impulses worked side by side with local practices in state formation as rulers incorporated regional institutions and customs.¹⁹

An examination of vendettas among Modena’s governing elite and the Este dukes’ inability to pacify them without their cooperation, illuminates this negotiation with the state for power. Very little is known of the practice of governance in the Este territories during the sixteenth century. The political culture of the reigns of Alfonso I (r. 1505-34), Ercole II (r. 1534-59), and Alfonso II (r. 1559-1597) remain politically shadowy. Much more is known about court life in Ferrara and religious culture in the

Violence, Justice, and Politics in and Early Modern Society (Edinburgh, John Donald Press, 1986); William Ian Miller, *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland* (Chicago: University of Chicago Press, 1990); Hilla Zmora, *State and Nobility in Early Modern Germany: The Nightly Feud in Franconia, 1440-1567* (Cambridge: Cambridge University Press, 1997); Jeppe Büchert Netterstrom, “Introduction: The Study of Feud in Medieval and Early Modern History,” in *Feud in Medieval and Early Modern Europe*, ed Jeppe Büchert Netterstrom and Bjørn Poulsen (Aarhus, DEN: Aarhus University Press, 2007); Howard Kaminsky, “The Noble Feud in the Later Middle Ages,” *Past and Present* 177 (2002): 55-83 at 66.

¹⁷ Giovanna Benadusi, *A Provincial Elite in Early Modern Tuscany: Family and Power in the Creation of the State* (Baltimore, MD: The Johns Hopkins University Press, 1996), 1.

¹⁸ See Elena Fasono Guarini, “Gli stati dell’Italia centro-settrionale tra Quattro e Cinquecento: Continuità e trasformazioni,” *Società e storia* 21 (1981): 617-39.

¹⁹ Jonathan Davies, *Culture and Power: Tuscany and its Universities, 1537-1609* (Leiden, NE: Brill, 2009).

territories than the daily practice of governance.²⁰ As Werner L. Gundersheimer, a leading scholar of Ferrarese studies noted in 1990, “We simply don’t have the data at this point to get into the analysis of the details of the system of social and economic controls and rewards that operated throughout that society in a vertical way over the long durée of the sixteenth and seventeenth centuries.”²¹ When what is known about the duchy of Ferrara-Modena is compared to the well-studied polities of Florence, Naples, Venice, Milan, Genoa, the Papal States, and to a lesser extent Pisa, Savoy, and Siena, the body of scholarship seems thin indeed.²²

By examining data on the Modense governing nobility during the sixteenth century, this study moves toward an analysis of the social controls Gundersheimer points towards in the quotation above and undertakes a case study examining Modenese politics through the lens of vendetta practices. As Andrea Zorzi notes, “the feud is one of the most obvious terrains to encounter the nexus between social and governmental practice, of interactions between the comportment of organized social groups and the initiative of appointed officials.”²³ Indeed, it is within Modenese vendettas that we are able to see the collision between ducal ambitions, factional politics, and the social pressures being exerted upon elite families by Este reform. By examining vendetta in this context, the

²⁰ See, Lewis Lockwood, *Music in Renaissance Ferrara* (Princeton: Princeton University Press, 1985); Luciano Chiappini, *La Corte Estense alla metà del Cinquecento: I Compendi di Cristoforo di Messisburgo* (Ferrara: Beliriguardo, 1984).

²¹ Werner L. Gundersheimer, “Ferrarese Studies: An Agenda for the Future*,” in *La Corte di Ferrara e Il suo mecenatismo, 1441-1598*, Gli atti del convegno internazionale La Corte di Ferrara, ed. Marianne Pade, et al (Copenhagen: Forum for Renaissance-studier, 1990), 353-60 at 359.

²² Moreover, scholars often subsume the duchy of Modena into Ferrarese studies themselves. This blurs a distinction our sixteenth-century protagonists may have made since in many respects the duchy of Modena remained an semi-independent entity culturally, socially, and politically. Not only does this confuse audiences unacquainted with the political history of the Este state, it muddies the analysis of politics.

²³ Andrea Zorzi, “ ‘Ius erat in armis’: Faide e conflitti tra pratiche sociali e pratiche di governo,” in *Origini dello stato. Processi di formazione statale in Italia fra medioevo ed età moderna*, ed. Giorgio Chittolini, et al, (Bologna: Il Mulino/Istituto storico italo-germanico in Trento, 1994), 609-29 at 614.

political, social, and cultural issues which provided the structural genesis for violence will be brought to the forefront. At the heart of these issues, existed a strong desire for regional autonomy among the Modenese elite.

By providing a window into this desire for self-government, the practice of vendetta exposes the competing discourses of localized and state authority at a moment when rulers sought to enforce standardization. In Modena, as elsewhere, local interests linked ineluctably to familial interests due to the prominence of the elites in the structural roots of politics and governance. Elite participation in economic, political, and religious life provided the base for this familial power and influence. While vendetta certainly centered on these family practices, their feuds were not simply about factions competing amongst themselves in these localized spheres for status, power, and influence. Instead, these violent altercations magnified the collision between local interests and ducal pressures for state-centralization in a changing political landscape.

Indeed, vendettas paradoxically strengthened local identity in the face of ducal encroachment into Modenese politics. These fights were about local matters and the participants sought for them to remain so. Not only did Modenese families practice discipline amongst themselves in the face of vendetta, but ducal attempts to wrest these powers from their grasp only strengthened their resolve to mediate conflicts—even violently—amongst themselves. As William Beik argued in his examination of the practice of French absolutism in seventeenth-century Languedoc, when rulers attempted to supersede extant political institutions and practices, they most often met with defiance.²⁴ While Modenese defiance of unilateral Este reform did not provide the

²⁴ William Beik, *Absolutism and Society in Seventeenth-century France: State Power and Provincial Aristocracy in Languedoc* (Cambridge, UK: Cambridge University Press, 1985).

primary impulse for these factional fights as deep structural issues undergirded the practice of vendetta, Modenese discontent with the ways in which the Este effected reform provide an explanation for why these vendettas remained difficult to bring under control. In order to curb vendetta, the Este needed to account for the strength of regional interests.

By extricating the practice of vendetta from aristocratic mores in the sixteenth century and turning the attention towards vendetta as a form of localized resistance to absolutism, this study proposes a rethinking of vendetta's practitioners and the impulses behind their actions. Edward Muir notably framed vendetta as a declining practice confined to increasingly marginalized and localized aristocrats seeking to retain their identity and customs.²⁵ Trevor Dean argues that the practice died out even earlier in the late-medieval period as politics developed more coercive systems of justice.²⁶ Daniel Smail argues in several places that vendetta died out in the sixteenth century as dispute resolution moved into the courts.²⁷ Like Stuart Carroll, however, I argue for an extension of 'vindicatory violence,' into the era of absolutism.²⁸ Expanding upon these arguments, I extricate the impulses behind this type of violence from the continuation of aristocratic identity. This case study proposes a rethinking of periodization and an understanding of state formation that incorporates discordant dialogues between ruler and ruled about the meaning of governance.

²⁵ Edward Muir, *Mad Blood Stirring: Vendetta and Factions in the Friuli during the Renaissance* (Baltimore, MD: The Johns Hopkins University Press, 1993), 280-1.

²⁶ Trevor Dean, *Crime and Justice in Late Medieval Italy* (Cambridge: Cambridge University Press, 2007), 121-32.

²⁷ Daniel Lord Smail. "Factions and Vengeance in Renaissance Italy: A Review Article," *Comparative Studies in Society and History* 38, no. 4 (Oct. 1996): 781-9.

²⁸ Stuart Carroll, *Blood and Violence in Early Modern France* (Oxford: Oxford University Press, 2006).

As a first step in this endeavor, I focus on a Modenese vendetta between two politically prominent families—the Bellencini and Fontana—which took place in the mid-sixteenth century. This tight focus enables me to dig deeply into the wide variety of documentation generated by this vendetta. As state formation in the sixteenth-century duchy of Modena remains a relatively unexplored subject, I have chosen the case-study method in lieu of a more extensive social history. In part, the documentation shapes this choice. More so than any other local, contemporary, vendetta, the Bellencini-Fontana feud produced the most records, commentary, and response among rulers and ruled. Several chroniclers of various standpoints recorded detailed accounts of both violence and the varied responses to it. The ducal governors commented extensively on what could be done to contain the violence between the two families and ways to go about it. The dukes themselves promulgated laws and drafted proclamations in response to the vendetta practices of these clans. The families themselves wrote letters and generated wills and petitions—themselves a form of commentary on the events taking place. In short, both observers and participants imbued the vendetta with varied and particular meanings interpretations richly suited for detailed analysis and comparison.

This documentation includes the more familiar narrative sources of chronicles and histories. Clio certainly blessed the city of Modena with a rich chronicle tradition—a fact which attests to a strong local identity. Of these chronicles, several have been published in the last couple of centuries. These include Lancellotti's extensive *History of Modena*, a nearly continuous run of daily observations and commentary, stretching over five decades, Francesco Panini's *Chronicle of the City of Modena*, relating a brief history of Modena from the dawn of creation to 1562, and Andrea Tedesco's *Annals of the City of*

Modena. The Modenese nun, Suor Lucia Pioppi started writing her *Diary* in 1541 and an anonymous chronicler continued her work after her death; the *Diary* contains entries through the year 1612. Leonello Beliardì authored an idiosyncratic history of Modena's occupation by the papacy spanning the years 1512-1518. Several other sixteenth-century chronicles have been published in recent years. The result of this rich chronicle tradition is a constant narrative from the beginning to end of the sixteenth century which I heavily rely upon in my reconstruction of events simply because they so richly convey the local perspective on the meaning of governance.

If Modena possesses a rich historical tradition, gaps in other types of documentation exist.²⁹ As Laura Turchi points out in her explanation of the nature of the Modenese archives, the surviving documentation amply reflects local particularism. Certain desirable types of documentation potentially fruitful for the study of vendetta, such as criminal archives, copies of pardons granted to suspects, or records of confiscations of property, prove hard to come by. These documental lacunae exist for several reasons, including archival reorganizations in the sixteenth and eighteenth centuries, respectively. Moreover, the Este state archives and the Modenese state archives remained separate until the devolution of Ferrara in 1598 and the Este made their permanent home in Modena and combined them. This arrangement afforded some confusion and, as a result, during the period between papal occupation and devolution (1511-1598) certain types of administrative records remain partial, incomplete, or missing. As a result, this study relies upon on both a local and a state archive which by

²⁹ For more on the nature of the Modenese archives, see Laura Turchi, "Fonti pubbliche per la storia dello stato estense (secoli XV-XVI)" *Estratto da Reti Medievali Rivista* 9, no.1 (2008): 1-30. <<http://www.retimedievali.it>>.

vagaries of historical circumstance now exist side by side resulting in the duplication of certain types of evidence while other types of documentation remain missing.

If some of the records of the sixteenth-century ducal administration remain missing or are incomplete, local records exist in abundance.³⁰ The records of regional governors (*the Rettori dello Stato*) provide some of the most important documentation for the functioning of government in the sixteenth century in the absence of a complete run of court and chancery records. This impressively preserved collection contains exemptions and privileges granted to Modena, a collection of Modenese laws, and possesses a nearly complete run of letters written to the duke from the late fifteenth century and through the devolution and beyond. These letters contain the day to day concerns of the governors, the podestà, and the citizens of Modena. These letters reflect their respective preoccupations including domestic unrest, salt taxes, food prices, and, naturally, violence. As a result, these missives hold a mirror up to both local concerns and ducal initiatives and provide glimpses of local responses to the latter.

Certain other types of documentation prove important for this study, chiefly, archival material found in the collection known as the *Particolari*. This important archive includes petitions, letters to the Este family, copies of privileges granted, and a smattering of wills, dowry contracts, civil cases, and criminal sentences of important Modenese families. This collection proves particularly important for this study since it includes documents now presumably buried in the voluminous notarial archives, records simply lost or destroyed, or inaccessible records retained in private familial collections. These papers form the most complete run of sixteenth-century familial records yet to be located

³⁰ The guide to the Modenese state archives is available in PDF form for download. For this guide and relevant bibliography, see <<http://www.asmo.beniculturali.it/index.php?it/203/bibliografia>>.

in the Modenese archive and provide even better documentation for the seventeenth and eighteenth centuries. These records provide the most comprehensive family data outside Modena's limited number of private archives—several of which I consulted.

Last but not least, notarial records and the archives of several of the cities religious houses round out the documentation for this study. The voluminous notarial records filled gaps where applicable and copies of documents contained in the incomplete archives of the religious houses patronized by these families round out the picture. Each source on its own provides rich and intriguing insights into motivations for, perceptions of, and responses to vendetta violence. Together, they recreate a complex conversation about the relationship of the local to the state; a dialectic which informed the development of the Modenese state into subsequent centuries. This dialogue reflected the fragmented nature of the Este state and the localized nature of Modenese government even up to the present day.

As a result of this fragmentation and Modena's place in the Este territories, the city failed to develop socially, politically, and economically as did other cities of similar size on the peninsula.³¹ Indeed, the Este dukedom, of which Modena formed an important part, does not fit neatly within the traditional political narratives of Italian history. These political trends include the rise of economically and politically powerful urban communes that subsequently developed into city-states or principalities like Genoa, Venice, Florence, or Pisa. As one of the few historians to study the Este state has notes,

³¹ Trevor Dean, *Land and Power in Late Medieval Ferrara: The Rule of the Este, 1350-1450* (Cambridge: Cambridge University Press, 1988), 10.

“Ferrara is important because of its eccentricity.”³² A brief overview of these eccentricities is important to establish context for this study.

The Este lordship was established in 1264 when the Ferrarese council elected the Guelf Obizzo II (r. 1264-1293) as lord of Ferrara for life. This Este signoria quickly gained control over the surrounding territories including Modena (1288) and Reggio (1298). The commune of Modena and its surrounding *contado* became part of the Este signoria in 1288 when members of the local nobility struggling for political dominance, notably the Rangoni, Boschetti, and Guidoni, betrayed the city to Obizzo II in return for money, defeat of their opponents, and, in the case of the Rangoni, marriage into the Este family. A few years later—in 1306—the Este lost control of Modena. In 1336, after several years of effort, Obizzo III (r. 1317-1352) regained control over the city and Modena was officially proclaimed part of the Este lordship. Obizzo III recognized the city’s statutes and retained the magisterial communal framework: Modena was still to be governed by the Council of Conservators—traditionally dominated by the noble families—and a podestà, both enjoying administrative oversight over the *contado*.³³

Though the city remained partially autonomous, Modena, like the capital city of Ferrara, failed to develop a mercantile aristocracy, a strong and politically influential guild system, or an organized popolo.³⁴ This was despite the fact that the seat of the lordship, Ferrara, functioned as a hub on the important route between the interior trade of Bologna and the maritime trade of Venice and hosted two annual fairs attracting trade

³² Ibid., 16.

³³ B. Benedetti et al, *Modena nella storia* (Modena: Edizioni Il Fiorino, 1992).

³⁴ Lauro Martines, *Power and Imagination: City-states in Renaissance Italy* (Baltimore: The Johns Hopkins University Press, 1979), 94-110.

from all over the peninsula. Este interests and those of the nobility remained primarily agrarian. This was true for most of the territory including Modena.

The fact that the city did not develop a strong communal tradition or become an economic powerhouse should not minimize Modena as choice of focus for this study. While Modena itself did not possess the economic importance of Florence or Venice, the population and proximity to the papacy of Rome, or the internecine politics of Milan, neither was it an unimportant backwater. It was a key part of the Este duchy—later to become the capital in 1598—and a thriving center of religious life, artistic pursuit, agriculture, and industry. In particular, the city and the surrounding countryside remained home to a strong and influential nobility who played a seminal part in the fortunes of Renaissance and early modern Italy.

The power and influence of the nobility proved to be the defining feature of the Modenese state—both an asset and a hindrance to the Este. Coming to terms with Modena's local nobility remained a recurrent theme throughout the duchy's development particularly from the fifteenth century onwards. The reigns of Nicolo III (r. 1393-1441) and Leonello d'Este (r. 1441-1450) were characterized by the cooptation of the Modenese nobility into the government to achieve greater territorial and political stability. With the aid of a developing bureaucracy, outlying areas were brought under increasing control and the marquis' collection of lands and lordships began to coalesce. The success of this centralization, however, built upon the internal power structures of the areas slowly brought under Este control.

This increasing centralization also relied upon careful policies in regards to the feudal nobility and a gradual creation of a bureaucratic class. The Este cultivated support

by relying on a policy of liberality to those loyal to them, which provided a “powerful means of establishing political relationships. In addition to outright gifts of land or the conversion of fiefs to allods, the Este continued to grant new fiefs to their servants and supporters.”³⁵ Increasingly, Este vassalship in Modena often coincided with court or administrative service. Thus, Este service—political, administrative, or financial—provided the engine in Modena for social advancement. This creation of an administrative elite provided a counter-balance to the powerful feudal nobles.

By the latter half of the fifteenth-century, these strategies established a foundation for Este rule. In 1452, the Holy Roman Emperor Frederick I invested Borso d’Este (r. 1450-1471) with title of Duke of Modena and Reggio in a lavish public ceremony in Ferrara.³⁶ Borso, a talented political leader and administrator, strengthened his duchy with a growing and increasingly specialized bureaucratic structure. He established a *Consiglio di Giustizia* (council of justice) which not only served him in an advisory capacity but had the tripartite function of supreme court, court of appeal, and venue of original jurisdiction for the entirety of his territory. He also established a *Consiglio Segreto* (secret council) composed of advisors read in law. Those on the secret council not only held staff offices at the highest level but also served as liaisons between the prince and the lower rungs of his administration. Borso appointed many of the Modenese elite to these posts. As the administration grew larger and larger, elites from the Modenese territories were pressed into service and became increasingly powerful and

³⁵ Dean, *Land and Power*, 50.

³⁶ Werner L. Gundersheimer, *Ferrara: The Style of a Renaissance Depotism* (Princeton: Princeton University Press, 1973), 152.

wealthy.³⁷ As part of their reward, the Este gave them even more power locally by granting them privileges and preferments.

Their favored status, however, did not, however, ensure complete cooperation with ducal wishes, particularly in regards to local matters. In fact, this often provided them with a sense of self-consequence which deeply inflected local politics. Families like the Rangoni, Forni, Petrezzani, Boschetti, and Fogliani fought intrepidly to keep control of various matters such as land-rights, ecclesiastical appointments, and tax collection.³⁸ Despite various initiatives advanced by the dukes and their governors to curb these pretensions, the elites did not always follow Este policies. Instead, as political leaders they retained an identification with localized rule which strongly influenced their political choices. As a result, tensions between the duke and the nobility grew as the state developed.

These tensions particularly came to the fore during the papal occupation of Modena during the second and third decade of the sixteenth century. The occupation caused much misery and misfortune in Modena and exacerbated the city's sense of autonomy. When Julius II (r. 1503-13) conquered the duchies of Modena and Reggio in 1511, the city remained under papal governorship for fifteen years. During the papal rule, the most famous of Modena's papal governor's, Francesco Guicciardini was to characterize the city as:

³⁷ This administration was composed of several concentric circles around the duke. The first circle consisted of the duke's private secretaries who served both as advisors and handled his personal and diplomatic correspondence. Next was the *Consiglio Segreto*, who advised the duke on legal matters. After this were the scribes and notaries who composed the ducal *cancellaria* (chancery) and *camera*. Finally, the outer circle consisted of courtiers who possessed little in the way of bureaucratic function but attended the duke as part of their feudal obligation, were representatives of their towns and regions, and ambassadors to the court. See, Gundersheimer, *Ferrara: The Style of Renaissance Depotism*, 285-96.

³⁸ For an extended discussion of these matters, see David S. Chambers and Trevor Dean, *Clean Hands and Rough Justice: An Investigating Magistrate in Renaissance Italy* (Ann Arbor, MI: University of Michigan Press, 1997), 164-77.

A grand city—abundant, rich, a surfeit of nobility, a flood of counts and barons, where the governors have compensations ordinarily and extraordinarily grand, where they have the major part of the authority: not subject to rules, or any laws, and all is according to their will.³⁹

One party that did profit from the confused and chaotic nature of Modenese politics—both before and after the papal interregnum was the urban nobility. During this time, Modena’s leading political families not only struggled against the papal occupation and its interruption of the status quo, they fought bitterly amongst themselves for political power. This consolidated their preeminence in local politics.

The political fluctuations of the first half of the sixteenth-century only furthered their hold over the city. The urban nobility, effectively the only parties in control due to the power vacuum left by the Este misfortunes, did little to ameliorate the chaotic political situation. One group in particular, led by Gerardo and Francesco Maria Rangoni, an old comital family, and their adherents, the Tassoni, Forni, and Grillenzoni, opened the doors of the city in the dead of night to the papal army.⁴⁰ How much benefit was accrued by this faction for the city’s betrayal to the papacy is unclear. They did succeed in earning the enmity of other clans, the Fogliani, Pazzani, Marescotti, Ronchi, and Carandini, led by Alessandro and Sigismondo Rangoni. The city, already victim to famine, plague, and foreign occupation, became even more dangerous as the *local* factions assassinated one another in the streets.

This conflict was only one of the local factional struggles among the Modenese elite during these years. The real power in Modena resided in its governing council

³⁹ “...città grande, abundant, ricche, piene di nobiltà, piene di conti e di baroni, dove e’ governatori hanno gli emolumenti ordinari ed straordinari grandissimi, dove hanno la autorità molto maggiore: non sottoposta a legge o regola alcuna, é tutta in arbitrio loro.” Francesco Guicciardini, *Scritti autobiografici e rari*, ed. R. Palmarocchi (Bari: G. Laterza, 1936): 9:209.

⁴⁰ Susanna Peyronel Rambaldi, *Speranze e crisi nel Cinquecento Modenese: tensione religiose e vita cittadina ai tempi di Giovanni Morone* (Milan: F. Angeli, 1979), 19, n.21.

known the *Consiglio di Conservatori* (Council of Conservators). Composed of ten men elected every three months from the urban patriciate, the council was controlled by a discrete group of families who jealously guarded their own privileges and fought among themselves for its control. Through various strategies, Modenese nobles created a stranglehold on office-holding and they were able to do so relatively untrammelled. The chronicler Leonardo Beliardì, whose work spanned the years from 1512 to 1518, emphasized the brutality of these conservatorial families as he recounted atrocity after atrocity: The Tassoni killing the Carandini, the Rangoni in arms against one another, and fighting between the Grillenzoni, Fogliani, Millani, and Fontana. In 1513, he wrote:

Note how this city of Modena at present finds itself in such disorder that neither property nor shops are safe, and people are not safe in their houses, where they are being killed, and at night men are assassinated and killed, and every man is in worst need and the territory is without governor and without any official, and the factions of the Rangoni, Tassoni, Grillenzoni, and Millani are at their height.⁴¹

Beliardì ended his chronicle with an exhortation for peace which he, like his fellow historian Lancellotti, believed would come after the restoration of Modena to its rightful sovereign Duke Alfonso I d'Este. Lancellotti, Beliardì, and their fellow citizens seeking refuge from the chaos of these decades hoped that an Este restoration would restore peace and order to Modena by curbing the excessive power of the governing elite.

Indeed, Alfonso I did regain Modena in 1526 having learned in the interim hard political lessons from the papal takeover of Modena particularly in regards to the nobility who had betrayed him to Julius II. As a result, when Duke Alfonso regained the city, he sought reform. Lancellotti wrote optimistically of this fact:

⁴¹ “Nota come in questa Città de Modona al presente se ritrova in tanto disordine che la roba non é salva ne le botege, et le persone non son salve in caxe sua, dove sono amazate, et la nocte son asasinati et amazati de li homini, et ogni homo sta di malissima voglia et é la terra senza governatore et senza alchuno offitiale, et la parte de li Rangoni, Tassoni, Grillenzoni, et Millani son in gran altura.” Leonello Beliardì, *Cronaca della città di Modena (1512-1518)* (Modena: Francesco Cosimo Panini, 1981), 89.

We poor citizens have always been in great travail and partiality, except from the day of June 6 in which this city returned under the dominion of Our Illustrious Signore. And now we will be in peace and everything will go better according to our hopes. Well it is to say that this day has arrived...⁴²

Beginning with Alfonso I and his regaining of Modena, the Dukes of Ferrara-Modena increasingly asserted various legal and social pressures on these governing elites in the aim of regional stabilization and centralization.

As I argue throughout this work, this moment denoted complex shifts in the relationship between local power and state authority. While the Bellencini-Fontana conflict was by no means the only struggle to have taken place between the Dukes of Modena and local elites as the dukes sought to centralize their state and the elites fought to retain their local power, it exemplified these conflicts in particular ways. As I show in Chapter one, the ducal government lacked sufficient mechanisms to stop local quarrels from becoming disruptive and violent. A bureaucratic structure removed from the center of power and the reliance upon non-local representatives to oversee their interests made it difficult for the Este to intervene in local matters in any real way. Nor did they traditionally do so.

From the beginning the Este remained content with allowing Modena to retain the bulk of its communal traditions; the most important being governed by the city statutes and the Council of Conservators. When important matters arose like the 1547 assassination of Annibale Bellencini, the ducal governors and the podestà were forced to send to Ferrara for guidance and wait upon ducal action. In the case of a violent crime and subsequent tensions between the nobility, this delay could prove costly and only

⁴² “excepto da dì 6 zugno 1527 in qua che ditta Città ritornò sotto al dominio di Sua Illusstrissima Signoria et stiamo in pace et spereme stare meglio per lo avenire faciandose lo accordo como se spera,…”
Lancellotti, *Cronaca*, 2:10.

allowed matters to potentially escalate beyond ducal control. That the Modenese nobility understood and exploited this system became plainly evident after the events of 1547.

Moreover, the same local elites with tendencies toward violence were the same elites whom the Este relied upon to govern the state. The careers of several of the Bellencini exemplify this fact as we will see with Alfonso I's favorite Lodovico Bellencini and his brother Giambattista. Both men, frequent members of the Council of Conservators, sometime members of the intimate ducal councils, and frequent overseers of communal institutions like the College of Bankers, frequently involved themselves in the factional fights the city remained notorious for.

This paradox of violent elites retaining their hold on the Modenese government derived from the strong traditions of communal governance by a powerful and cohesive oligarchy who oversaw the city's affairs virtually unchecked. That Alfonso I and his successor Ercole II tolerated this state of affairs earned him harsh critique. The chronicler Lancellotti, in particular, critiqued the dukes for their lack of interference. What Lancellotti did not recognize, however, was that this noble violence and its particular virulence was partially symptomatic of elite resistance to reform and desire to retain political independence.

Elite opposition derived from the ducal reforms threatening the status quo. From 1530s onwards, the Este family sought to centralize their state. Establishing a stronger organizational foundation, however, would require the cooperation of the Modenese possessing the requisite social capital, as well as administrative, financial, and military expertise, ready cash, and the personal authority associated with high social standing. The Este family had traditionally recognized this and endeavored to employ pre-existing

power elites in his court and central institutions, and to keep them in check by offering them additional social and political opportunities, thereby ensuring that they served his own interests. In turn, Modenese elites had traditionally sought to negotiate or extract terms of service protecting and/or extending their privileges, status, and income. This constant struggle between patrimonial rulers and elite groups over the control of the “means of administration” lay at the heart of the state-building process in Renaissance Italy. This symbiotic dialectic could prove fragile if the balance of power tilted in either direction.

Before Alfonso I’s resumption of the governance of Modena, this status quo had subtly changed in favor of the local elites. As a result, the Dukes of Modena undertook a series of reforms including that of the Council of Conservators.⁴³ This restructuring sought to restrict membership to a cohesive group known to be loyal to the Este.⁴⁴ In particular, Alfonso sought in 1533 to rid this body of those men believed to be loyal to the departing papal regime. The list he proposed, however, created an outcry as it undercut the Council’s traditional prerogative of nominating their own. In the eyes of the Modenese, the duke chose men perceived to be “young” and “inexpert” and disrespectful of the city’s political traditions.⁴⁵ Despite the Modenese elite’s resistance, the Este recognized that allowing the Modenese to fully control the membership of the Council “risked creating a group fully in possession of the entirety communal power.”⁴⁶ In that spirit, his son Ercole II once again sought to restrict the membership of the Council in

⁴³ For a similar reform program in the Medicean state, see Benadusi, *A Provincial Elite in Early Modern Tuscany*, 66-73.

⁴⁴ Albano Biondi and Grazia Biondi, *Modena “metropoli” dello stato: Storie e microstorie di primo Seicento* (Modena: Archivio Storico, 2003), 44.

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

1547. His measures proved marginally more successful but only with the support of men like Giambattista Bellencini—a man he appointed to oversee these reforms. This appointment alone exemplifies how complicated and contentious the process of reform could be.

In Chapter two, I further explore elite resistance to reform by examining the 1534 schism in the convent of S. Geminiano. Bishop Giovanni Morone (r. 1530-1550) who sought to reform the city's convents in order to curb the influence of the conservatorial families on the religious practices of their sisters and daughters encountered the same elite resistance the Este faced; more so as he arrived to the see of Modena unattenuated to local politics. Indeed, several conservatorial families--including the Bellencini who led the charge—refused to cooperate with Morone's program. As in many other things, in this matter their resistance was far from subtle. The Bellencini and their adherents pushed back; so much so that instead of reforming S. Geminiano as was his original intent Morone was forced to accede to the wishes of the Bellencini and their adherents to found an entirely new convent for their daughters. With the foundation of this convent, the convent of S. Lorenzo, the victory of the Bellencini was complete. This foundation provided further evidence of their local power and the difficulties the ducal reforms would face in attempting to curb the elites.

The Modenese elites would not relinquish their control lightly. The *Diario* of Lucia Pioppi examined in the second part of the chapter exemplified the Bellencini imprint on the convent of S. Lorenzo and the extent of their clout. As a document possessing more of the features of a *Libri di Famiglia* than a conventual record, the *Diario* shows to what extent the Bellencini family and their adherents resisted reforms

and resented the interference of outsider Bishops on the religious life of their women. Many of the entries in the *Diario* not only betray the impact of the Bellencini upon the life of the institution but the extent to which their factional quarrels shaped politics and governance both within and without the convent.

The Duke of Ferrara-Modena, however, found the Bellencini's interference threatening. As a response to increasing participation of the convents in their faction's outside quarrels and continuing meddling of their families in convent affairs, in 1550 Duke Ercole II went outside ecclesiastical jurisdiction and promulgated a law forbidding families from having contact with their cloistered daughters without his express permission. This avenue of legal reform was something the Este increasingly turned to in attempts to curb the power of the Modenese. As we see in Chapter three, from the 1530s onwards Alfonso I and his successors progressively enacted legislation tightening their jurisdictional powers. In particular, they targeted the vendetta practices of the nobility in an attempt to monopolize the right of justice.

Returning to the genesis of the vendetta in 1547, the second section of the chapter juxtaposes the reforms of Ercole II against the actions of the elite disposed to resist these reforms. The Bellencini proved resistant and even hostile towards ducal attempts of imposing a peace agreement on the two clans. Even when Duke Ercole began implementing initiatives tightening the legislation on banditry, and began imposing stiffer monetary fines on violence, the Bellencini, the Fontana, and their peers found devious ways to circumvent his legislation. Elite resistance to these measures and interference in vendetta practices proved surprisingly creative. These included undertaking complicated

property transactions exploiting legal loopholes to prevent their goods from being confiscated.

Indeed, towards the end of Ercole II's reign, due to the intransigence of the Modenese nobility, the Duke of Modena began to recognize that he could not unilaterally impose reform on the Modenese elite. As a consequence of this evolving realization, he began undercutting his own legal initiatives targeting vendetta by granting pardons to several of the Bellencini and Fontana petitioners for extraordinary grace. While some scholars interpret the granting of special grace as an exercise of sovereignty, in this context I read petitions as increasing acknowledgement of the need for cooperation between the duke and his governing elite in the exercise of state formation.⁴⁷

The evolving strategies of vendetta practicing families in their thwarting of ducal initiatives further underscores this need for cooperation. I examine property transactions in more detail in Chapter four as further evidence of inventive resistance to Este reforms. By practicing vendetta, the families risked not only life and limb but the confiscation of property. The penalty for breaking the peace could be an increasingly substantial monetary fine and a confiscation of one-third of the estate. Evidence suggests, however, that the Bellencini, Fontana, and the Forni changed their testamentary practices in response to this legal evolution. In turn, this promoted further ducal reform as he passed laws targeting fraudulent vendetta practices.

As the case of Alessandra Fontana shows, however, reform still encouraged resistance on the part of these families. The heir of Jacopo Fontana, Alessandra came

⁴⁷ For an examination of the relationship between grace and sovereignty see, Cecilia Nubola "Supplications between Politics and Justice: The Northern and Central Italian States in the Early Modern Age," in *Petitions in Social History*, ed. by Lex Veerma van Voss (Cambridge: Cambridge University Press, 2001), 35-56.

under ducal suspicion for subversive property transactions. With the help of an advocate, however, Alessandra successfully petitioned Duke Alfonso II to keep her estate intact by virtue of her sex. There are other suggestive cases indicating that Modenese vendetta practitioners began to favor female heirs in their goal of resisting ducal infringement on their traditional prerogatives.

In Chapter five, I examine another area of increasing ducal encroachment on the traditional purview of Modenese elites—the contract of peace agreements. In 1534, Duke Alfonso I sought to regularize these formerly private covenants. These instruments had been traditionally drawn up privately by feuding families in the presence of a notary. Henceforth, instruments of peace were to be drawn up in front of a ducal representative. As in other arenas, the Modenese oligarchy fought these ducal initiatives. As the intransigence of the Bellencini in signing a peace agreement after the death of Annibale shows, despite reform initiatives, the Modenese elite fought hard to retain their traditional purviews. After several decades of violence, Duke Alfonso II finally responded by drafting an incredibly comprehensive peace agreement which encompassed not only their principals, their heirs, and relatives to the fourth degree but also dependents—a broad category including women, servants, and minor children.

While the vendetta practicing elite resisted these initiatives, they were not impervious to the various threats vendetta posed to their interests. A reassessment of the testamentary practices of these factions shows that some members of these families desired peace and stability. They expressed these desires by threatening disinheritance of their heirs who participated in vendetta practices. Indeed, pressure from their peers and

less rancorous family members appears to have worked more effect than various ducal strategies to impose obedience on their elite.

This evidence of resistance to unilateral ducal reform shows that for the practical everyday realities of the state “officials needed the collaboration of the locality.”⁴⁸

Without this collaboration, “an official could not penetrate the thick solid network of solidarity and connivance tying together the members of a community and members of a faction.”⁴⁹ Various things tied together factions and communities—common interests, economic relationships, marriage alliances, and as will be argued—violence as an expression of resistance. The sociologist Roger Gould has argued “incidents of collective violence are demonstrations of solidarity by groups whose cohesiveness has been cast into doubt by their failure to persuade adversaries to back down.”⁵⁰ This formulation provides possibilities for explaining a rise in elite violence and not a decline at the very moment when the Duchy of Ferrara-Modena, like other states in Europe, moved towards state-like conditions. The governing elite—faced with external and internal pressures—resorted to violence to defend their interests in the face of ducal encroachment.

Thus, violence, like other relationships among the Modenese elite, whether political, social, or economic, served to strengthen their ties with one another and defend their interests. As a result of the coherence violence provided in articulating the relationships between localized patterns of governance and the state, it also served the state-building project. As Ruth McKay points out in her study of absolutism in seventeenth-century Castile:

⁴⁸ Dean and Chambers, *Clean Hands and Rough Justice*, 17.

⁴⁹ *Ibid.*, 18.

⁵⁰ Roger V. Gould, “Collective Violence and Group Solidarity: Evidence from a Feuding Society,” *American Sociological Review* 64, no. 3 (June 1999): 356-80 at 357.

The key to understanding these contradictions lies in the ability to envision the simultaneity of authority. Royal authority was not something that came only from above, and particularism was not something that existed only at the local level. The “state” did not confront “society,” but rather they met and interpenetrated one another—indeed they are meaningless conceived apart.⁵¹

The contradictions inherent in the simultaneity of vendetta practices and Modenese state formation allow us to paint a broader picture of how state formation came about. It was a process of reform and resistance, coercion and cooperation. It is to these contradictions that we now turn.

⁵¹ Ruth McKay, *The Limits of Royal Authority: Resistance and Obedience in Seventeenth-Century Castile* (Cambridge: Cambridge University Press, 1999), 15.

Chapter One: “By this bitter cloth we will not be divided...”: Factional
Politics in Sixteenth-Century Modena

On June 9, 1562, the feast day of S. Lorenzo, a day traditionally celebrated by the Bellencini, the Modenese patrician Lanfranco Fontana dispatched several couriers with packages intended for members of the Bellencini family in Modena, Reggio, Parma, and Florence.⁵² So important were these packages, he perfectly timed it so they would arrive at the same hour and on the same day. The cathedral canon Cornelio Bellencini had gone to bed in his chamber in Buomporto castle when a servant brought him one of the packages: a box painted with flowers and tied with a string. When he took up the string to read the letter attached, he triggered an internal mechanism.⁵³ The box exploded in his face and set both him and the room ablaze.⁵⁴ His servants found him blackened, withered,

⁵² “Il dì 9 giugno. Il signor Lanfranco Fontana mandò la scattola artificiosamente fatta alli soi nemici per ammazarli, siccome fece per una di dette scattole dippinta di fuora, et su la scattola una lettera ligata con uno spago forte indirizzata al magnifico signore molto reverendo signore Cornelio Bellencini di quei dalla piazza, il quale essendo a letto nella sua torre di Buonporto gli fu dato detta schattola, et ello tagliando spago per leggere la lettera sparrò una arteglia così artificiosamente dentro, che lo ferì nella faccia, nelle cosse et in tutta la vita, che pareva un carbone secco et brusato. Fu portato a Modena a casa sua, dove ello confessato et comunicato fece testamento et lassò al nostro monastero di S. Lorenzo di Modena cento scudi d'oro in oro *gratis*. Hebbe l'oglio santo et raccomandatione dell'anima; se ne passò a miglior vita da tal strazio.” Suor Lucia Pioppi, *Diario (1541-1612)*, ed. Rolando Bussi (Modena: Panini, 1982), 36-7.

⁵³ In the same year, Marzio Colloredo sent package bombs to his enemies Nicolò and Urbano Savorgnan. It is unclear whether or not this happened before or after the events of June 1562. See, Muir, *Mad Blood Stirring*, 264. The chronicler Forciroli claimed that Lanfranco Fontana and Marzio Colloredo were great friends: “Usava Lanfranco di conversare molto intrinsecamente con Marzio Coloreto da Udine cavaliere di valore et molto grido, uno de' principali della fazione Turriana contro quella de' Savorignani nel Friuli, con costui avendo conferito il suo disegno; amendue insieme con Ursino Milano si ritirarono in Castelnuovo, castello allora del sig. Pallavicino Rangoni sul modonese. Quivi fabbricarono una palla di metallo vuota di dentro et con un bucco nel mezzo d'una scatola con una (A margine: “Di questa scatola ne fa memoria Giuseppe Orolggi nell'annotazione che fa al 7 libro delle Metamorfosi d'Ovidio tradotte in rima dall'Anguillara. Vedi al libro 7, fol. 296”) ruota piccola d'archibugio ordinata a far fuoco subito che fosse fatta scroccare, come avveniva nell'aprirsi della scatola, che chiusa col coperchio, tutta piena di polvere et coperta di carta rossa veniva legata con una corda da leuto forte a foggia di tramesso, con una lettera sopra dirizzata a colui contro il quale aveva da fare l'effetto.” See Francesco Forciroli, *Vite dei Modenesi illustri*, ed. Sonia Cavicchioli (Modena: Aedes Muratoriana, 2007), 173-189 at 183.

⁵⁴ The chronicle of Giovan Battista Spaccini contains detailed plans and a diagram of how these boxes were made with the following inscription: “et ello tagliando il spago per leggere la lettera sparrò una arteglia così artificiosamente dentro, che lo ferì nella faccia, nelle cosse et in tutta la vita, che pareva un carbone secco et brusato.” Giovan Battista Spaccini, *Cronaca di Modena* (Modena: Francesco Cosimo Panini, 1993), 400.

and burned. They carried him the twenty miles south to his palazzo in Modena to receive last rites. Lingerin in excruciating pain for two days, Cornelio died shortly after commending his soul to God.

At the same time many miles away in Parma, a courier was delivering one of the packages to the bedchamber that Cornelio's nephew Giambattista the younger shared with his wife Hortensia Tassone.⁵⁵ When Giambattista opened his gift, he sustained wounds almost identical to those of Cornelio. Mortally wounded in his face, he lost both an eye and hand before perishing.⁵⁶ Shrapnel from the bomb also wounded his wife; unlike her husband she survived the attack but remained gravely ill for many months.

Another courier found the canon Aurelio Bellencini dining with his nephews Cesare, Lodovico, Camillo, and Costanzo in the Bellencini palazzo in Modena.⁵⁷ Shrapnel wounded him in the eyes but he survived the concussion. The explosion also wounded his nephews and set the room on fire. At the same moment, a courier was delivering one of the parcels to the Cambii palazzo in Reggio.⁵⁸ A retainer brought the package to Signor Cambii and his wife at the dinner table where they were entertaining guests. Signor Cambii opened the box and immediately perished in the explosion. The detonation wounded his wife as well as some of their guests and servants. Signora Cambii sustained grave wounds; she lingered in pain for many months before dying.

⁵⁵ "Siccome ancora il signore Giambattista Bellencini, suo nepote, et il signore Ippolito figliuolo del signore capitano Nigrino morseno di tal schattole mandate dal ditto suo inimico; morseno in Parma, sendo banditi da Modena." Pioppi, *Diario*, 36.

⁵⁶ "lo feri nelle faccia, e in una mano, e li cavò un occhio." Ibid.

⁵⁷ "...così delle retroscritte schattole restò ferito il molto magnifico signore il signore Aurelio Bellenzini il quale campò, ma perse un occhio per tal ferita; restarono toccati il signor Cesare, il signor Lodovico, il signor Camillo et il signor Costanzo Bellencini suoi signori nipoti, ma solamente toccati dal fuoco per la gran polvere che dentro era nell'artificio della schattola." Ibid.

⁵⁸ "Fu dato di dette scattole tutte in uno giorno et in un'ora alli signori Cambii in Reggio sendo a tavola; morseno in dui con la moglie sua gravida, et molti altri restarono feriti di quelli che si trovavano a tavola et di quei servivano; restò ferita la molto magnifica signora la signora Hortensia Tassone sposa del signore Battista Bellencini, la quale era seco a Parma mentre era bandita." Ibid.

By stroke of fortune, several of Lanfranco Fontana's intended victims escaped a fiery death.⁵⁹ Customs officials stopped one of the couriers at the border as he was on his way to Florence to deliver a package to the exiled Giovan Francesco Forno.⁶⁰ When an official took the package for inspection, it exploded, killing him and two of his underlings.⁶¹ By the time the smoke had cleared, nine had died from Lanfranco's exploding boxes.⁶² Members of three generations of the Bellencini family had been murdered. Many more had been wounded. All were aghast at the cruelty.

Modena's sovereign—Alfonso II, Duke of Ferrara, Modena, and Reggio—was furious. He offered the princely sum of one thousand *scudi* to anyone who could bring Lanfranco Fontana to justice.⁶³ Lanfranco's alleged conspirators, Giambattista Ronchi, Guido Machelli, Tommaso, and Giacomo Fontana, were captured and sent to the prison in Ferrara.⁶⁴ In a blatant expression of his displeasure, the duke commissioned a marble

⁵⁹ The Cronaca Tassoni names several other intended recipients not included in the other accounts. "Eodem anno die 9 Iunij, cum crudelos inimicicio essent inter Fontanos et Belencinos mutinenses, quidam Lanfrancus Fontana, cuius domus confinat conventui et ecclesie Servorum, misit per personae ignotas quasdam capsuals ad intar timapanuli pulchre depictas cum litera unicuique alligata et sigillata cum suprascripto, unam Dominio Cornelio Belencino ad Bomportum in turi Belincinorum, unam Ioanni Baptiste et unam Aurelio de Belencinis, qui erant exules in civitate Parme, unam Ioanni Furnio in villa Forzani, unam Ioanni Francisco Furnio in civitate Florentie et aliam Thome Cambio et fratribus in civitate Regij, que uno die date singulis supradictis et singuli incidissent filum, quo erat littera capsulae alligata." Antonio Tassoni, *Cronaca di Modena* (Modena: Francesco Panini, 1888), 348.

⁶⁰ Archivio di Stato di Modena (hereafter ASMo), *Rettori dello Stato*, B. 12, Governor Alfonso Trotti to Duke Alfonso D'Este II, June 12, 1562.

⁶¹ "Ne fu mandata una al capitano Giovan Francesco Forno bandito, che stava in Fiorenza, e gli gabellini della città l'asperso, e resterano morti in dui, et molti altri feriti;" Pioppi, *Diario*, 38.

⁶² "e a tutti questi ne furono mandati per essere dall parte de' signori Bellencini, perché altrimenti non gli potevano havere, et morse di tal trappola et ignanno il reverendo signor Cornelio Bellencini, il signor Giambattista Bellencini suo nipote, il signor Ippolito Negrini, i due signori Cambii di Reggio, et la sua consorte gravida di sei mesi, gli due gabellini fiorentini, che siano in gloria poverini, talché furono col nonnato figliuolo della gentildonna gravida di Reggio 9 persone che morseno di tale artificio." Ibid.

⁶³ "Fu bandito perpetuo dallo Stato dell'ecceellentissimo signore duca di Ferrara, fu fatto taglia di miglia scudi a chi lo dava vivo nelle mani del signore duca, et scudi 500 a chi lo dava morto. In oltre, sendo bandito, chi lo ammazava guadagnava il bando, et non sendo bandito poteva cavar di bando qualunque li piaceva, secondo disse il nostro fattore che stette ad udire la grida, el molte altre persone che vennero al monastero." Ibid.

⁶⁴ "Seguito della morte delli signori Bellencini et loro amici. Dopo le scaricate et infallibili schattole al male, fu mandato prigionero a Ferrara il magnifico signore il signore Giambattista Ronchi, il signore Guido Machelli, il signore Tommaso Fontana e il signore Giacomo Fontana, tutti di sospetto, secondo fu detto al

sculpture of Lanfranco Fontana with a noose around his neck, a barrel of gunpowder, and flames at his feet.⁶⁵ Carved underneath his effigy was an account of his crimes.⁶⁶ The sculpture was placed outside the Fontana palazzo for all to see. This was the closest Duke Alfonso ever came to meting out punishment. Lanfranco Fontana was never apprehended.

This incendiary incident and the events which preceded it exemplify the consequences of a comparably weak system of ducal governance in the face of a relatively autonomous nobility. This chapter traces the Bellencini-Fontana vendetta from the first recorded act of violence in 1547 under the reign of Ercole II to the explosive events of 1562 under the reign of Alfonso II. The vendetta began in 1547 when Lanfranco and his cousins Giovan Stefano and Galeazzo Fontana murdered Annibale Bellencini outside the Fogliani palazzo. Lanfranco and his kin immediately fled in order to escape punishment. Their actions, however, started a cycle of reciprocal violence that preoccupied the government for more than thirty years. While their Fontana kinsmen pursued the fight, Lanfranco and his cousins remained in exile for several years before successfully petitioning Duke Ercole II to return to Modena in 1556. They returned, however, at an inopportune time, just as the duke, his governors, and their peers

monastero da diverse persone. Dio li diffenda per misericordia, poiché non si può provvedere al male successo.” Ibid.

⁶⁵ “Il dì 25 dicembre. Fu condotta a Ferrara a Modena una gran pietra marmora, nella quale era scolpito sopra il signore Lanfranco Fontana grandò quant’è un corpo d’huomo, et era appiccato sulla forca, et haveva sotto I piedi scolpito un bariletto pieno di polvere da bombarda, et gettava fuor le fiamme, così scolpite, et fu murata detta statua in mezzo il parieto della casa del detto signor Lanfranco Fontana dalli Servi, et v’era scritto a suo carico tutto il tradimento (nel) suddetto marmoro. Sotto l’eccelesimo signore duca da Este duca di Ferrara.” Pioppi, *Diario*, 44.

⁶⁶ For more on pitture infamanti, see Gherardo Ortalli, “...*pingatur in Palatio...*”: *La pittura infamante nei secoli XIII-XVI* (Rome: Jouvence, 1979); Samuel Y. Edgerton, *Pictures and Punishment: Art and Criminal Proseccion during the Florentine Renaissance* (Ithaca, NY: Cornell University Press, 1985).

successfully concluded a pacification between the two factions nine years in the making.⁶⁷ Indeed, Ercole's grant of extraordinary grace proved to be a costly mistake.

The case of Lanfranco Fontana exemplified ducal policies towards a violent nobility and the problems inherent in ducal governance. With the return of Lanfranco Fontana, the uneasy truce was broken. Lanfranco had been in Modena only a very short time before he became involved in an infamous duel with one of the Bellencini relatives—Captain Camillo Forni.⁶⁸ After again incurring Ercole II's wrath, he returned into exile. Merely one year later, he participated in a Fontana altercation with the Bellencini outside the city. Once again banished, for the third time, Lanfranco Fontana planned his fiery revenge. In 1559, Duke Ercole II died and his son Alfonso II replaced him. By this time, Lanfranco Fontana was out of ducal reach. The pardoning of Lanfranco Fontana, his eventual return, and his final "capture" at the ending of the vendetta represented not only the challenges the dukes' faced in curbing noble violence but also changing ducal strategies.

Indeed, Lanfranco Fontana was representative of deep ruptures in Modenese society between local practices and ducal governance. While he could fairly be characterized as one of the more blood-thirsty members of his extensive clan and had played a starring role since the inception of the violence in 1547, he did not act in isolation or without the support of his kin. In many ways, Lanfranco Fontana proved to be the government's harshest lesson that the Este policies towards their Modenese nobility needed to be changed. Indeed, his career of killing Bellencini provides a clear example of ducal problems restraining the powerful Modenese nobility. From 1547,

⁶⁷ ASMo, *Particolari*, Fontana, F. 449.

⁶⁸ For a discussion of the duel between Lanfranco Fontana and Camillo Forni, see David Quint, "Duelling and Civility in Sixteenth-Century Italy," *I Tatti Studies: Essays in the Renaissance* 7 (1997): 231-79.

Lanfranco Fontana was a clear candidate for prison or execution should the Duke of Ferrara-Modena possess the wherewithal to effectively prosecute the violence of his nobility. The Duke of Modena, however, lacked a coherent framework for coping with these problems. As a result of lacking effective tools for prosecuting violence, from the moment a quarrel broke out among two young bravi, the duke and other authorities failed to take the measures necessary to contain the quarrels of the Modenese elites. In order to delve deeper into these difficulties in restraining a violent and powerful nobility, the first section of this chapter examines the death of Annibale Bellencini, the events which followed immediately afterwards, and their expressiveness of the inability of the duke to intervene in meaningful ways.

The Bellencini-Fontana vendetta and its protagonists exposed inherent problems in Modenese politics as practiced; namely ducal weakness and noble excess. It was one thing for Ercole II and his predecessors to overlook a few altercations amongst members of the nobility. Many early modern sovereigns ignored noble misdeeds when it suited them. It was another thing entirely for a sovereign to allow violence to escalate to the extreme level that it did in 1562. If part of a centralized state's task is to control violence, by preliminary verdict, Ercole II failed perilously in this case. For his perceived inaction, his contemporaries judged him harshly.

Ercole II inherited an increasingly powerful nobility from the chaos of his father Alfonso I's reign and the policies of his predecessors. As Ercole sought to stabilize his state, the power and influence the nobility presented various obstacles. These barriers to his growing sovereignty included the oligarchy's tight grip on Modena's government. Their management of revenue and a monopoly of the Council of Conservators and the

governance of corporate bodies like the Monte, the College of Bankers, and the professional guilds exemplified this tight grip. Their networks, alliances, and control of Modena's institutions made governance without their cooperation difficult and complicated attempts at reform.

Seeking to retain their autonomy, the Modenese elite assiduously resisted interference in their affairs. As evidence of this resistance, the Bellencini did not prove responsive to the type of unilateral pressure the duke placed on them to sign a peace agreement after the murder of Annibale Bellencini in 1547. Despite ducal attempts to broker a peace, the Bellencini, with Annibale's father Giambattista at their head, initially refused to sign. Even when the Bellencini and Fontana finally signed these ducal-brokered peace accords, they resumed their vendetta when it suited them. As evident in their agreement to submit to an accord after the intercession of their peers, their dense social networks appear to have had more effect on their actions than the assertion of pressure by the Este. Their extended kin carried more weight in their political calculations. Pressure from allies and relations proved to have had as great an effect on the trajectory of vendetta as ducal inducements to refrain from further violence. As the negotiations between Giambattista and Duke Ercole over peace with the Fontana show, ducal force could only exert so much pressure on factional considerations. Indeed, ducal force just engendered more resistance.

This chapter contextualizes these trends by examining noble violence as symptomatic of this conflict between ducal sovereignty and elite intransigence. Doing so through the lens of vendetta sheds further light on the political excesses of the ruling elites and the interaction with ducal sovereignty. Indeed, Modena's group cohesion and

“networks of solidarity” come into sharp relief when the Bellencini-Fontana vendetta is examined more closely. The violence of this vendetta was not restricted exclusively to fierce young bravi trying to prove their honor. The government, the countryside, the convents, the churches, the rich and the poor—all were impacted. It was “una causa civile,” a civil matter infecting every limb of Modenese society. Because it was a civil matter, the Bellencini-Fontana conflict opens a window onto how the Modenese oligarchy interacted with practices of governance.

More importantly, this vendetta shows that state formation was neither linear nor simple. The nobility’s networks of solidarity proved an impenetrable wall for sovereigns should they ignore the need for cooperation. In order for the Este to succeed in their endeavors to create a consolidated state, they had to allow for local interests. Vendetta violence proved to be one of the means by which the Este dukes and their elites negotiated competing claims for local power. This discussion will set the stage for examinations in subsequent chapters of various perspectives on the meanings of vendetta violence for participants and the functions it served at a critical moment in state formation.

“Those who are supposed to provide, do not provide...”

Lancellotti, *Cronaca*, 10:131

The inability of the dukes to effectively restrain the Modenese nobility was well noted and much lamented by his subjects. The most comprehensive source for this period in the city’s history is that of the chronicle Tommasino Bianchi “Lancellotti” himself a member of the Modenese patrician class and a sometimes fierce ducal critic. Born in Modena to the apothecary Jacopo Lancellotti and his wife Cassandra of the notable Modenese clan the Seghizzi, he joined the College of Bankers in 1507. He then embarked upon a distinguished career in the ducal government. Increasingly prosperous and politically prominent, he joined the College of Notaries in 1527 and began to invest in Modena’s nascent silk business. His lifetime of service to the state included tenure as fiscal agent of the commune (massaro), treasurer of the Monte di Pietà, tax collector, and sitting frequent terms on the Council of Conservators. During his lifetime Lancellotti kept a daily diary from the year 1503 until his death in 1554. A witness to the reign of two dukes and increasing factionalism and violence in his beloved native city, his idiosyncratic and comprehensive chronicle remains a rich source of information for the practices and attitudes of the ruling elite. As a result, his great work also provides a window into their perceptions towards ducal initiatives and attempts to exercise power. We now turn to the events of 1547 and Lancellotti’s perception of them.

From 1547 onwards, Lancellotti was particularly harsh critic of what he perceived to be as ducal ineffectiveness but in the beginning of that year Lancellotti gave little hint of disaffection. According to his chronicle, the year 1547 began in Modena much the

same as previous years. The political situation in Italy remained tenuous. As a result, Duke Ercole II continued to play diplomatic chess on an increasingly complex stage since, at any moment, the delicate balance of power could be upset. News filtered in from Genoa of unrest and renewed factionalism between the Doria and the Fieschi families. Mitigating these uncertainties was the rumor that Ercole was seeking a marriage alliance with Poland in order to further solidify his support abroad.⁶⁹ Lancellotti's only critique of these developments was that Ercole had not informed the Council of Conservators of his plans.

When the duke raised taxes later in the month, Lancellotti said very little. Constantly in need of revenue to finance wars and fortify against foreign incursions, Duke Ercole's tax hikes put further strains on an already stressed population.⁷⁰ A series of poor harvests and the destruction of crops had burdened food supplies. By raising taxes, Modena's sovereign risked pushing the population into famine conditions. The ever-present threats of earthquakes, floods, and intemperate weather only compounded the problem. In February, an earthquake hit.⁷¹ It did little damage in Modena, but caused severe damage further west in Reggio.⁷² Modena's turn, however, to face natural disaster came later in the month when the flood-prone city suffered another deluge. After the flood, grain prices rose from 8 soldi to 40 soldi a bushel.⁷³ Lancellotti still had no comment on how well his sovereign provided for his subjects.

⁶⁹ Lancellotti, *Cronaca*, 10:1.

⁷⁰ *Ibid.*, 10:14.

⁷¹ *Ibid.*

⁷² *Ibid.*, 10:16.

⁷³ *Ibid.*, 10:88.

Instead, Lancellotti focused on the doings of the elites. There were the usual marriages, births, and deaths.⁷⁴ Ser Zorzo Codebò died on February 6 at the ripe old age of 84 years.⁷⁵ He was survived by his son, Giambattista, a well-respected man, and the current head of the Council of Conservators. Filippo Tassone died towards the end of February of kidney ailments. Bartolomeo Fogliani married for the third time and took a daughter of Richetto di Richetti of Rubera to wife.⁷⁶ A more lavish wedding took place towards the end of February between a member of the countly Rangone family and the illustrious Gonzaga lineage.⁷⁷ The bride, Lavinia Rangone, brought with her an impressive dowry of 15,000 scudi. The wedding was followed by a feast at the house of Giberto Pio, the lord of Sassuolo.⁷⁸ There were no reports that the feast suffered from lack of provisions.

Indeed, as Lancellotti relates it, the business of government and trade hummed along. Daniel Zarlatino, son of Angelo, and Lorenzo, son of Girolimo Valentini and a nephew of Girardino Molza were preliminarily elected to the Banker's College. They would assume their residency after paying their initiation fee of 43 Modenese bolognini over the course of nine years.⁷⁹ Later that month, Nicolò Carandini was elected to the College, bringing the rolls to 57.⁸⁰ He joined many Modenese notables, including our chronicler Tommaso Lancellotti, Giambattista Bellencini, Giovan Tommaso Fontana and

⁷⁴ As noted of chronicles and their writers in the introduction to a recent work on history writing, "Chroniclers were not modern detached historians. They were opinionated, often deeply partisan, and intensely personal. Idiosyncrasy and anecdote pervade their accounts." See, "Introduction," in *Chronicling History: Chroniclers and Historians in Medieval and Renaissance Italy*, ed. by Sharon Dale et al (University Park, PA: The Pennsylvania State University Press, 2007), ix; Also see, Eric Cochrane, *Historians and Historiography in the Italian Renaissance* (Chicago: University of Chicago Press, 1981).

⁷⁵ *Ibid.*, 10:13, 33.

⁷⁶ *Ibid.*, 10:13.

⁷⁷ *Ibid.*, 10:19.

⁷⁸ *Ibid.*, 10:21.

⁷⁹ *Ibid.*, 10:10

⁸⁰ *Ibid.*, 10:13.

members of the Valentini, Codebò, Carandini, and Grillenzoni lineages.⁸¹ The College of Bankers was as large as it had ever been. The elite prospered.

In May, however, an event happened which drew Lancellotti's particular notice and would unleash a storm of commentary. On the evening of the Feast of the Ascension in May of 1547, Annibale Bellencini and Giovan Stefano Fontana encountered one another on the street outside the Fogliani palazzo.⁸² Soon after, the two men came to blows and Giovan Stefano wounded Annibale. Immediately afterwards, the assailant and his companions fled from the city through the nearest gate. Word of the altercation spread quickly in the ensuing commotion.⁸³ The governor's secretary, Gentile Albino, received word and went immediately to the Bellencini palazzo, where he found a mob of men ready to take up arms in defense of their kinsman Annibale. They apprised Albino of the situation and demanded that the malefactor be apprehended.⁸⁴ Albino tried to calm the men as much as possible and placed guards around the city. He called for the suspect's apprehension.⁸⁵ Shortly thereafter, he wrote a letter to the duke with an air of obvious concern.

⁸¹ For a list of the 57 conservators, see Lancellotti, *Cronaca*, 10:16.

⁸² "A dì ditto. Questa sira da hore 24 ½ è stato ferito Annibale ditto el capitano fiolo del Magnifico M. Giambattista Bellencini in la panza da uno fusetto alla spagnola et se crede ch'el morirà. E questo è stato da casa de M. Bertolamè Fogliano suso el Canale chiare dove era una granda compagnia de zoveni. Se dice essere stato Giovan Stevano fiolo de M. Geminiano Fontana." *Ibid.*, 10:75.

⁸³ "Questa sera dopo cena essendo il capitano Annibale Bellencini figliuolo di M. Giambattista sul canal chiaro poco lontano da casa sua, nel medesimo loco essendo Giovan Stefano figliuolo di M. Geminiano Fontana anchor lui habitante in quella vicinanza per quanto s'intende si salutarono l'un altro, poi trapassato setto capitano annibale." per non era alcun seco detta fontana hebbe agli modo di sparire prima romore si sapesse il agli saputo li il Barigello fu subito a cavallo o li suoi pigliando la via fuori della porta Barzonara piu vicino al loco del delitto ne anchor o ritornato. Io parimente lui subito alla piazza et anchor a casa proprio di Bellencini ove era fatto gran concorso de gente" *Archivio di Stato di Modena hereafter ASMo., Rettori dello stato*, B. 11, Gentile Albino to Ercole II, May 18, 1547.

⁸⁴ "Et me gli offersi tutto quello et da loro fosse domandato questa occurenza per sapere del malfattore haverlo ossendo possibile nelle namius ritornato." *Ibid.*

⁸⁵ *Ibid.*

At first, the reasons for the altercation were uncertain. In his letter, Albino reported that Annibale had snubbed Giovan Stefano in the street as he was passing the young man and his cousins. Gravely insulted, Giovan Stefano turned to follow him—hunting him down, and wounding him with his dagger.⁸⁶ The chronicler Forciroli had a slightly different take on the matter. He claimed that Annibale had laughed at Giovan Stefano and insulted his girth in front of all of their friends and companions: “Oh look at that ass and paunch on him! He is not even able to move and his legs are not even able to accommodate him.”⁸⁷ With the abundance of young Modenese nobles ready to defend their honor, however, such an event was not unusual.

As a group, however, Lancellotti and the Modenese elite seemed particularly affected by this event. Several days later, Annibale died of his wounds. His kin buried him in the church of the Carmine with pomp and circumstance; the deceased was accompanied to his family tomb by a great company of men of arms, many Modenese nobles, the cathedral chapter, and a procession of monks.⁸⁸ The chronicler Suor Lucia Pioppi, still a young girl, witnessed the procession from the window of her ancestral palace. She noted poignantly how her mother and father wept. Indeed, Suor Lucia and her

⁸⁶ “Il Fontana lo segui di dietro gli caccia un pugnale nelle [...] della agli ferita lui se ne sta per morire.” Ibid.

⁸⁷ “Ora, caminando Annibale con alcuni de' suoi, et essendo tutti incamicciati et con finti abiti sconosciuti, a caso s'abbatterono in Fiovan Stefano, Lanfranco, et gli altri cugini de Fontani ancor//loro senza compagnia usciti fuori, ai quali cominciando dar la caccia, passarono tant'oltre, che a forza di molte busse gli fecero pigliar la fuga. La mattina che segui dietro, ritrovandosi con molte risa il fatto successo, Annibale vi soggiunse: “Oh che spesse et buone asinate ebbe quel pancione, che non si poteva muovere, né farla commodamente per le gambe, come gli altri,” accennando a Giovan Stefano, il quale indi non molto lontano si trovava et sentiva il tutto, che di natura era assai grassi et corpolento.” Forciroli, *Vite dei Modenesi Illustri*, 78.

⁸⁸ “Il dì 20 maggio la vigilia della Senza fu ammazzato il signor capitano Annibale figliuolo del signor Giambattista Bellencini presso l' Ave Maria sulla banchetta sotto il portico de' Levizzani, dove stava sentato il detto signor capitano al fresco sul Canale Chiaro, et ebbe un sola ferita d'uno stiletto per mano del signor Giovan Stefano Fontana; fu sepolto il giorno seguente con bellissimo funerale, et io lo vidi passare dalle nostre finestre agli Incappuzzati con tutto il Capitolo, e tutte le Regole, et Compagnie; fu accompagnato da tutti gli gentiluomini et nobili al Carmine, che sia in gloria, et per lui pianse messer padre et madonna madre.” Pioppi, *Diario*, 4.

family were not the only ones affected. The death of Annibale Bellencini generated more commentary, observation, and documentation than most of the other seemingly important events in 1547. Indeed, in a city infamous for its violent nobility, Lancellotti's undue emphasis upon one death foreshadowed the events to come.

Writing from a privileged standpoint as one who served with the Bellencini and socialized with them, Lancellotti foresaw the trouble to come. He undoubtedly possessed inside information on the finer details of events. Privileged information was not required, however, to foresee the dangers in this death. Annibale Bellencini came from one of the most eminent families of Modena who were important cogs in the state machinery.⁸⁹ Francesco Panini—a sixteenth-century historian of the Modenese nobility—counted the Bellencini among local families who were “illustrious men, possessing not only nobility,” but also persons who “gave light and splendor to all of Italy.”⁹⁰ Among the illustrious ancestors of this “bellicose” family were Iacopino Bellencini, a former Syndic of the Commune, and Catelano Bellencini, the famed jurist.⁹¹ Other luminaries included

⁸⁹ Panini maintained the Bellencini came “from Perugia and noble blood,” and changed their name from Baglioni to Bellencini upon their immigration into the territory. Other sources suggest that the Bellencini descended from the Bagno family of Florence. Members of the Guelf faction and enemies of the Uberti who fled Florence and Tuscany after their defeat at the hands of the Ghibellines in 1260, The Bagno, later Bagnesi, sought refuge in Modena and changed their name to Bellencini to disguise their origins. See, Panini, *Cronica della città di Modena*, 158. For another account with emphasis on the Bellencini's Florentine origins, see Giambattista di Crollanza, et. al, *Annuario di nobiltà italiana IV* (Pisa: Libreria Galileo, 1881), 644-5; Whatever their ancestral antecedents, the Bellencini family appears in Modenese records and chronicles around the time of the city's handover to the Este lords of Ferrara. Bellencino di Bellencini is listed as one of the Savii (later the Council of Conservators) from 1299—a few years after members of the Modenese nobility offered the city to Obizzo d'Este in 1288. See, Lodovico Antonio Muratori, *Delle antichità estensi ed italiane: Delle antichità estensi continuazione, parte seconda* (Modena: Stamperia Ducale 1740), 60; In 1315 Bellencino di Bellencini left a will establishing Bellencini patronage of what was later to become the Bellencini chapel in the Duomo. It is around this time that the Bellencini begin to appear more regularly in Modenese records.

⁹⁰ “Et in questa città per ogni tempo sono fiorite, et fioriscono et famiglia, et huomini illustri, che non pure hanno nobilitata, et illustrate lei sola, ma data luce, et/ splendore a tutta l'Italia.” Panini, *Cronica della città di Modena*, 140.

⁹¹ “Ma come si sia, si ha di q[uesti] fra gli altri luoghi assai antica, et honorata memoria nell'anno 1331 nel quale messer Iacopino Bellencini, come al suo luogo si disse, eletto con altri tre Sindaco del Commune diede la signoria de Modena a Giovanni Re di Boemia.” Panini, *Cronica della città di Modena*, 158.

Aurelio Bellencini, a cathedral canon with a reputation for learning not only in law but also in the liberal arts.⁹²

At the time of Annibale Bellencini's death in 1547, the family was well entrenched in the city's hierarchy. The victim's immediate forebears had proven themselves invaluable in ducal service. Annibale Bellencini was the grandson of Aurelio—a famous statesman and favorite of Ercole I.⁹³ For his service to the duke, Ercole granted Aurelio the title of Count Palatine and granted him and his descendants certain tax exemptions.⁹⁴ His son Lodovico earned further honors for his service to Alfonso I, including a grant of 200 Modenese biolche and the right to bear arms for him and his descendants.⁹⁵ Lodovico also served as senator of Rome under Leo X.⁹⁶ Several of Annibale's living relatives were also ducal favorites. At the time of his death, Annibale's uncle Francesco was serving as a senator in Rome under the vicariate of Paul III.⁹⁷ His uncle Bartolomeo had just returned from his tenure as auditor of Genoa. The murdered Annibale had powerful and influential relatives.

The assailant Giovan Stefano's family, the Fontana, were just as powerful and illustrious in origin.⁹⁸ Allies of the Este family before their assumption of the governance

⁹² “Hora non con minor lode fiorisce ne studii medesimi l'uno, et l'altro Aurelio amendue Giurisconsulti, et amendue canonici della chiesa di Modena fra quali Aurelio già d'Agostino non solo è ornato della scientia legale, na in ogni sorta di lettera è in modo dotto, et profondo, et di sì bello ingengo che non pur alla famiglia sua, ma a tutta la città è di splendore, e d'ornamento grande, “ Ibid.

⁹³ For a brief synopsis of Aurelio's career, see Lodovico Vedriani, *Dottori Modonesi, di telogia, filosofia, legge canonica, e civile con I suoi ritratti dal naturale in rame; Et altri letterati insigni per l'opere, e dignità loro* (Modena: Cassiani, 1665), 70-1.

⁹⁴ ASMo, *Particolari*, Bellencini, B. 114.

⁹⁵ Biolche are a Modenese measurement of land. 1 biolche= 2.5 hectares.

⁹⁶ Vedriani, *Dottori Modonesi*, 121.

⁹⁷ For more on Francesco's career see, Vedriani, *Dottori Modonesi*, 122-4.

⁹⁸ “Ma da Piacenza, o da Ferrara credo, che avesse origine la famiglia de Fontana, nel tempo che i Fontana furono espulsi nell'anno 1270 con altri de principali di Ferrara dalli Marchesi di quella città, ov'erano potenti et nobili, de quali alcuni può essere, che venessero in questa città non ancora de Marchesi; si come nel'anno 1208 Podestà di Modena messer Guglielmo Rangone ci venne ad habitare Salinguerra espulso

of Ferrara, they had long served the Este. Among notable members of the Fontana were Lanfranco's ancestor and namesake who "made a name for the house by every means," and Roberto Fontana, "no less learned in the legal professions than his ancestors."⁹⁹ While the Fontana had not been entrenched as deeply in Modenese politics for as long as the Bellencini, at the time of Annibale's death their office-holding patterns and service in the Modenese government looked nearly identical.

The Fontana and Bellencini were political peers. Not only did the Bellencini and Fontana encounter one another daily in the streets of the city—Modena is not large—they served the Dukes of Ferrara-Modena in various capacities at court. A list from the sixteenth century names Alfonso Bellencini in 1562 as an 'official of the house.' Gaspare Bellencini served as an official of the *guardaroba* from 1536 to 1569.¹⁰⁰ Francesco Bellencini served on the *Consigliere di Segnatura* from 1558 until 1565 and Ippolito Bellencini as *scalco* (majordomo) from 1540 until 1567. Gerolamo Bellencini served in an unnamed capacity. At least five members of the Fontana family held places at court during the same years.¹⁰¹

Men of both families also held important ambassadorial positions. In 1515, the commune sent Annibale's uncle Ludovico Bellencini and Baldissera Fontana as ambassadors to Pope Julius II to request confirmation of the city's privileges and a

della medesima città del Marchese. In questa famiglia de Fontana olre I molti altri de valore..." Panini, *Cronica della città di Modona*, 158.

⁹⁹ "oltre i moltri altri de valore è stato a di nostri Lanfranco, il quale ha fatto in ogni parte nominare questa casa; hora vi è Roberto, il quale con li suoi studii legali illustrerà non meno de gli altri suoi antichi la sua famiglia." Ibid.

¹⁰⁰ Guido Guerzoni, *Le corti Estensi e la devoluzione di Ferrara del 1598* (Carpi: Quadernii dell'archivio storico, 2000), 259.

¹⁰¹ Ibid.

plenary indulgence on the feast of S. Geminiano.¹⁰² In 1523, and again in 1524, the Council of Conservators sent Lodovico Bellencini as ambassador to Rome to confirm the privileges the newly elected Leo X granted to the city.¹⁰³ In addition to acting in ambassadorial positions, they had joined the circuit of traveling professional bureaucrats on the duke's recommendation. Francesco Bellencini, Annibale's uncle, alone served as a senator of Rome, governor of Parma, and as a member of the duke's secret council on several occasions.¹⁰⁴

Considering the high rate of endogamy practiced by Modenese elites, the Bellencini and Fontana shared not only professional ties but also bonds of kinship. Each family was related in some way to the other principal families of Modena.¹⁰⁵ Marriages between the Bellencini and the Castaldi, Carandini, Cesi, Colomba, Fogliani, Molza, Tassone, and Zavaia clans are recorded throughout the sixteenth century, as are marriages between the Fontana, Balugola, Tassoni, and Masetti clans.¹⁰⁶ Similar to the elites of Florence, Venice, and other locales on the peninsula, the Modenese elites created further alliances via their marriage strategies: "A complex and precise calculus was at work, most especially when marriage set up relations between families in command of capital

¹⁰² "Et nel principio del seguente anno il Comune mandò Ambasciatori a Roma a Papa Leone messer Lucrezio Tassone, messer Ludovico Bellencini, messer Giovan Castelvetro, messer Bernardino Mazzone, messer Giovan Filippo Cavallerino, et messer Baldissera Fontana con commissione di domandargli molte gratie, le quale da loro furono tutte ottenute, et in particolare l'Indulgenza plenaria nella festa del glorioso San Geminiano," Panini, *Cronica della città di Modena*, 134.

¹⁰³ "Et nel principio del seguente anno 1523 li Conservatori manda/rone Ambasciatori a Roma a Papa Adriano messer Ludovico Bellencini,"; "Et li Conservatori di Modena nel principio de seguente anno 1524 mandarono ambasciatori al novo Pontefice messer Lodovico Bellencini..." Ibid., 134.

¹⁰⁴ "Di questa famiglia sono usciti molti huomini bellicosì, et ancora Giurisconsulti honorati, e tra gli altri a tempo nostro Francesco, il quale per la sua eccellente dottrina, et valore è stato Senatore di Roma, Governatore di Parma, et ultimamente consigliere segreto de Principi da Este, al cui servitio poco da se ne passò a miglior vita." Ibid., 158.

¹⁰⁵ There is no study at present on the practice of endogamy and the Modenese elites. Much of this information, therefore, is necessarily based upon what has been recorded in Chronicles.

¹⁰⁶ Both Tommasino Lancellotti's *Cronaca Modenese* and Sr. Lucia Pioppi's *Diario* record marriage data for the elite families of Modena.

of a material or symbolic kind.”¹⁰⁷ The core group of Modenese families chose to marry among other consular families for precisely these reasons. As in other locales in Italy, marriage alliances solidified these networks of conciliar families.

The local service of these two families, now further linked by violence, included frequent terms on the Council of Conservators—Modena’s highest governmental body—a privilege that by the sixteenth century had become closed to all but the most elite families.¹⁰⁸ Indeed, various members of each family served throughout the sixteenth century.¹⁰⁹ Annibale’s uncle Francesco served on the Council for the first trimester of 1547. Giovan Stefano’s kinsman Francesco Fontana was serving at the time of Annibale’s death. With the two men’s uncles and fathers serving in such close proximity, the murder could have far-reaching implications for the business of government if the men did not come to an accord soon. Indeed, there was every incentive for them to do so. At the end of May, it appeared that an agreement was likely, since Giambattista Bellencini traveled to Ferrara to work out a peace agreement with the Fontana under the duke’s supervision.¹¹⁰

Summoning the principles to Ferrara, however, proved to be a miscalculation since ducal influence on local matters remained slim. By the end of June in 1547, a peace agreement had not been made and matters were beginning to look more threatening to civic order. Lancellotti related that the kinsmen of Giovan Stefano Fontana, his father

¹⁰⁷ Anthony Molho, *Marriage Alliance in Late Medieval Florence* (Cambridge: Harvard University Press, 1994), 13.

¹⁰⁸ For a brief discussion of ducal reform of Modena’s council of conservators, see Susanna Peyronel Rambaldi, *Speranze e Crisi nel Cinquecento Modenese*, 26-8.

¹⁰⁹ ASMò, *Rettori dello Stato*, B. 106.

¹¹⁰ “A dì ditto. El Magnifico M. Giambattista Bellencini é andato a Ferrara perchè la Excellentia del Duca ha scritto al Signore Governatore ch’el facia fare tregua lui con li Fontana e ch’el se facia dare la segurtà sino in quarta generatione; e per qusta causa è andato a Ferrara e li Fontana hanno per lhori el M. Cesaro di Nobili da Lucca per uno consigliere de Sua Excellentia.” Lancellotti, *Cronaca*, 10:89.

Geminiano, and his uncles Bartolomeo and Giovan Francesco Fontana had shut themselves in their houses in fear of Bellencini retaliation. Despite Giambattista Bellencini presence in Ferrara with the duke, matters moved slowly in regards to the peace agreement. Increasingly unsatisfied with this pace of resolution, ducal officials summoned more men for information to answer the growing suspicion that the conflict was more far-reaching than a simple fight between two young men. As a speedy resolution to this pressing matter seemed unlikely, already Lancellotti was growing pessimistic about the outcome between the two families. He confided in his chronicle: “God knows how this enmity will end.”¹¹¹ Unless the duke could find a way to curb the political influence of the local clans, a chance at peace remained slim.

Lancellotti’s chronicle is invaluable in that it puts a face on the intransigent resistance of the local nobility to ducal influence. Lancellotti placed the blame for a lack of speedy resolution on Annibale’s father, Giambattista Bellencini a man about whom he had much to say. By common report, Giambattista was a powerful, influential, and arrogant man. The in-law of Cardinal Jacopo Cortese, he possessed influence in Rome and played a key role in the negotiations with Pope Paul III in Modena’s return to the house of Ferrara.¹¹² From 1538 he served regular terms on the Council of Conservators taking turns with his illustrious brothers Francesco and Agostino. He possessed the ear of Duke Ercole and the commune regularly sent him on missions to Ferrara to intercede for them on various matters. His local power was great.

¹¹¹ “Dio sa come serà el fin de questa inimicita.” Ibid.,10:119.

¹¹² “A dì ditto. Vene nova da Roma a misser Giambattista Bellencini per litre de 22 del presente, come lo accordo delo Illmo Duca 4 Ercole 2 Estense nostro signore è fatto con la Giesia circa al fatto de Ferrara, e che l’paga al presente Papa Paulo III ducati 180000; e Sua Santità fa cardinale el Reverendissimo don Impolito al presente Arcivescovo de Milan, e certe altre conditione che non se sano ancora chiaramente.” Ibid., 2:91.

Giambattista's local reputation was also larger than life. Despite his political influence and ducal regard, Giambattista appeared to be violently disliked by some of his peers. Lancellotti accused him not only of belligerence but also of a dissolute lifestyle.¹¹³ He intimated that Annibale had inherited his father's propensities: "he [Giambattista] has so little shame that he has been an evil example to his relatives..."¹¹⁴ Giambattista had not only communicated his insolence to his son, he possessed undue influence with the governor and podestà. Lancellotti accused him of inciting several of his sons besides Annibale to violence.¹¹⁵ In sum, Giambattista was a dangerous man. Lancellotti prophesized that Giambattista would prove the ruin of his house and would not consent to peace without returning violence on the Fontana. The local reach of the duke would prove too short to stop them from coming to blows.

¹¹³ "Sabato a dì 25 zugno. M. Geminiano Fontana padre de quello che amazò Annibale figlio del Magnifico cavallero Giambattista Bellencini a dì passati per nome Giovan Stevano, et M. Bartolameo ditto el Grasso di Fontana et M. Giovan Francesco di Fontana padri de quelli che erano con detto che amazò el detto Annibale detto el capitano, stano tutti tri serrati in casa con persone e con grandò suspecto de essere amazati perchè li Bellencini vano per la città con persone dreto et ne teneno in casa e M. Giambattista è a Ferrara tanti dì fano chiamato dal duca e non expedito de cosa alcuna, et ge sta con granda spesa de persone che ha con lui. Io penso ch'el ge sia calato lo andare a spasso ogni dì per la contrade de Modena vedande e visitande le piacevole done, e lui ne ha una in Modena a sua posta con la quale el g'era quando suo figlio fu ferito, et faceva tal exercitio senza vergogna de persona de dare mal exemplo al proximo, essendo vecchio de anni 80 e più, tutto canuto e secco ch'el par uno bastono, e mai non parlava se non de femine triste e chative, e se l'era fatto a dispiacere a nisuna de dette femine e ch' el ge bisognasse el suo aiuto, lui era sempre el suo advocato denante al Signore Governatore et Magnifico Podestà, et prometeva e pagava per loro più con parole de promettere che de pagare, e sempre se ne arideva come s' el fusse stato nel latto sino alli occhii: è tutta la sua casa in grandissimo desordenò. Dio ge ha mandato in sua vecchieza questa adversità acciò ch' el se amenda della sua mala via: ma el proverbio dice: castiga cane e castiga lupo e non castigare l'homo canuto. El ge saria da dire assai..." Ibid., 10:110.

¹¹⁴ Ibid.

¹¹⁵ "Io ve so dire che ha atrovato soi pari a questa volta. Essendo una volta uno suo giolo Alberto molesto a una persona de Modena ge disse: Bellencini Bellencini, vui voreti petinare tante gate ch'el ge ne serà una di quelle che ve sragifgnarano, e ben è stato vero. El detto Annibale andava de notte con compagni e faceva a dispiacere a questo, e a quello, e poi de di non pareva quello; a uno cittadino de Modena de farge a dispiacere e lui ge disse: fallo a quello che ha morto Aurelio tuo fratello: e subito quello cittadino lo disse a suo padre, el quale non ge fece molta rason, e poi ge disse non pensati già per havere fioli assai che nui altri cittadini vogliamo che se mangiate e se non ve portareti ben el ve incontrarà de quello incontrò a Giovan Francesco dal Forno; el quale per volere mangiare li altri, per havere fioli assai, fu amazato da Alberto Petrezani, e per quello ne naque mali assai e fu causa della ruina de tutte doe quelle casate. Al fin Alberto è scampato di poi assai anni e morì de sua morte circa dui anni fa. Sichè chi lege intenda." Ibid., 10:110-11.

The blame for this development was laid not only on Giambattista Bellencini's but also Duke Ercole's shoulders. Lancellotti wrote to the duke personally to give him advice in the matter: "Note to you, reader, that in the twelve days that have passed I wrote a letter to his excellency the Duke, [telling him] if he will not provide for this city every day there will be these killings since no one has made provision for this."¹¹⁸ Like many others, Lancellotti clearly expected immediate ducal intervention in order to prevent further violence between these conservatorial families whose leadership in civic affairs impacted the daily life of the city. The Bellencini were certainly becoming more of a civic menace. Their grip on the city grew increasingly stronger. In a clear contravention of the governor's orders, they were going about the city armed and in large numbers, "whether for homicide or another matter is not important; for everyone knows this is their way."¹¹⁹ Shocked by Bellencini behavior and their unrepentance, the governor wrote a letter to the duke on July 31, 1547 decrying Codebò's assassination for its cold-bloodedness, but also asking the duke to intervene in punishing this heinous crime: "[Codebò] was a man of worth, and neither was he armed nor guarded as he had not caused displeasure."¹²⁰

The Bellencini clearly sought to assert their influence over local events. As Codebò had recently been appointed to a position on the Council of Justice, and consequently acted as ducal representative, the act could be construed as particular

¹¹⁸ "Notate lettori che sino ali 12 del passato io scrisse una lettera alla Excellentia del Duca, s' el non provedeva a questa città ogni dì se faria delli amazamenti, e sin qui non ge ha fatto provvisione alcuna." Lancellotti, *Cronaca*, 124.

¹¹⁹ "Lunedì a dì primo agosto. Molti Bellencini vanno per la città questa mattina a testa levata et in compagnia de numero 5 per compagnia e tutti con le spade ch'el pare che l'omicidio fatto eri sia una cosa che non importa; ma per l'avenire se saprà el tutto." Ibid.

¹²⁰ "la qual cosa m'è stata di quel gran dispiacere che V.E. può pensare vedendo questo procedere alla romagnuola d'aver ammazzato quest'huomo da bene che se ne andava senz'arme, e senza guardarsi di loro perchè non gli haveva fatto dispiacere." ASMo, *Rettori dello Stato*, B. 10, Gentile Albino to Ercole II, July 31, 1547.

defiance on their part. Indeed, rumors speculated that he was assassinated in order to prevent the Fontana from receiving pardons. No one in the city could understand why the duke was not taking immediate action as the Council of Conservators threatened to veer out of control. The violence between their members raised the possibility of open warfare.

The Bellencini were directly challenging ducal authority and exposing Ercole's weaknesses in pursuing grievances against local nobles. The governor summoned several of the Bellencini to the castle including three of Annibale's brothers and his nephew Alessandro—the reputed mastermind behind the attack on Giambattista Codebò.¹²¹ Lancellotti doubted that the men would appear, especially since the father of Girolamo had recently bought a very fast horse. The other Bellencini suspects had long since fled. Seeking refuge with their powerful friends, Alessandro Bellencini and his accomplices reputedly fled to the Rangone castle in Spilamberto.¹²² Matters were becoming so alarming that the Council of Conservators sent the Canon Guido di Guidone as an ambassador to Ferrara to plead with the duke to intervene.¹²³ There seemed to be little Ercole could do, however, to touch the Bellencini without openly disgracing this family of ducal favorites or finding a way to directly intervene in local politics in unprecedented ways.

¹²¹ “A dì ditto. Eri sira fu chiamato in castello M. Cornelio beneficiato et M. Giacomo laico fioli del Magnifico M. Giambattista Bellencini et M. Girolamo fu de M. Augustino Belencino fratello de Alessandro che è stato uno delli 4 che hanno amazato M. Giambattista Codebò e gionto che ge furno el Signore Governatore li fece metter in presone destretta. El potria essere che non ge voriano essere andati perchè a tempi passati ge n'è andato delli altri et ge hanno lasata la testa.” Lancellotti, *Cronaca*, 10:124.

¹²² Sandoninni, *Un famoso bandito Modenese*,” 436.

¹²³ “Martedì a dì 2 agosto. Li Signori Conservatori et adionti hanno eletto ambasciatore ad andare a Ferrara a dolerse al Illmo Duca el Reverendo M. Guido di Guidone prete et canonico per lo eccesso accaduto della morte del Magnifico dottore M. Giambattista Codebò.” Lancellotti, *Cronaca*, 10:125.

Lancellotti framed the violence as a lack of ducal authority and clear evidence of ducal ineffectiveness in regards to local matters. His perspectives on the Bellencini and Fontana vendetta formed a crucial part of this critique. He criticized the duke harshly for failing to assert authority over his noble subjects when the opportunity presented itself. According to Lancellotti, after the first confrontation between the Bellencini and Fontana, Ercole II suffered from inaction. This paralysis led to a second death and a subsequent escalation of violence. While Lancellotti often held contradictory ideas on what actions the duke should take, whether the duke should curb the nobility's ability to bear arms, publicly punish the perpetrators, or refrain from favoring notoriously violent families or other measures, he stressed the need for immediate and clear action to contain Modena's violent nobility.

Lancellotti's assessment of the situation and call for intervention in local politics proved to be astute. Their local power proved so great that the Bellencini had effectively locked down the government with their violence as the Council of Conservators possessed more influence over the city's daily life than Duke Ercole. As evidence that their local influence proved greater, the governor complained "no one in the city will speak to me for fear of provoking the Bellencini."¹²⁴ As a result, local tensions continued to grow after the assassination of Codebò. Matters were quickly getting out of hand and the duke was perceived to be doing nothing to stop it. It seemed the Bellencini were the only faction in charge. As final proof, violence between the two factions continued. A

¹²⁴ "Nemmeno io da me posso havere alcuna chiarezza, perchè non c'è persona nella città, la quale anchor che sapesse poco o molto venisse a dire cosa alcuna per non provocare li Bellencini, de' quali pare che ognuno tremi." Ibid.

fight broke out between Camillo Camicelli and Paolo Barabbano, the former an adherent of the Fontana, the latter a partisan of the Bellencini.¹²⁵

Despite the recent spate of deaths, however, local politics continued on as before even if Duke Ercole was searching his conscience. As the months wore on and the Bellencini resisted ducal attempts at brokering a peace, there was little question in the mind of Lancellotti or other observers that the duke was having difficulty intervening in these local fights. Lancellotti complained: “nothing has been done by our duke in the matter of Doctor Francesco Codebò’s death.”¹²⁶ Before the assassination in San Pietro, the duke had yet to make any overt moves toward justice or toward disciplining the Fontana. Giovan Stefano and his accomplices had yet to be captured—although, to be sure, finding bandits sheltered by friends, family, or kinsmen in the Modenese countryside could prove to be a quixotic endeavor. Yet, there is no clear sense that he made any moves towards this end. Perhaps Ercole, not accustomed to intervening directly in local politics expected the matter to come to a peaceful end. As per their usual custom, he initially anticipated that his governing elites would come to an agreement amongst themselves.

With the assassination of Codebò, however, it became increasingly clear that the families were unlikely to come to an accord anytime soon. Both the symbolic and actual commission of this assassination speak volumes to a perception on the part of the Bellencini that justice was theirs—and theirs alone—to take. Even when the duke finally

¹²⁵ Sandoninni, “Un famoso bandito Modenese,” 439.

¹²⁶ “A di ditto. Ancora non se sente cosa alcuna che habia fatto el duca nostro per la querela che ha sentito Sua Excellentia della morte del Magnifico Dottore M. Giambattista Codebò, che fu morto Domenica passata in Sancto Petro in Modena essendo a vespro; per la qual morte è detenuto in castello et sono in presone M. Cornelio beneficiato et M. Giacomo fioli del Magnifico Cavallero M. Giambattista Bellencini et M. Girolamo fiolo fu del Magnifico Dottore M. Augustino Bellencini sino a questa hora 15 che io scrivo qui.” Lancellotti, *Cronaca*, 10:126.

acted after a great deal of pressure by summarily revoking the right to bear arms, the nobility remained in charge. More cognizant of the local climate than his sovereign, the governor strongly cautioned him against this move. Fearful at the growing unrest, many nobles protested, including the powerful Francesco Bellencini. In particular, he complained that the gesture was inherently distrustful of the “status and quality” of a man who had faithfully served the duke and had placed the highest trust in his “justice and integrity.”¹²⁷ Francesco offered assurances that no conspiracy was being planned in his house despite the public assassination of his cousin Annibale.¹²⁸ Acknowledging the murder of Codebò recently committed by Alessandro Bellencini, he sought to reassure the duke that this one act did not signify widespread violent intent on the part of the Bellencini.¹²⁹ The Bellencini retained their control over local events. In their confidence, they freely retaliated. As did the Fontana.

After the death of Codebò, Lancellotti increasingly began to question ducal effectiveness at controlling Modenese violence. Lancellotti darkly noted in a chronicle entry dated August 4, 1547:

¹²⁷ “et che governatore suo di Modena habbia detto publicamente, che la grida che si è fatta, si è fatto solamente a contemplatio narra et per offendere noi, il che ragionevole non dovrebbe essere cose che l’arme...et che se fussimo declarati ribelli di v. Eccellenza del che non me do pero colpa alcuna a lui la quale per la sua giusticia et integrita non macha di fare le cose che convengono ma li ministri fanno qualche volta quel li [...] et l’animo, senza considerare gradi, et qualità, et servitu de sudditti.” ASMo, Bellencini, *Particolari*, B. 113, Francesco Bellencini to Duke Ercole II, August 27, 1547.

¹²⁸ “ci siano tolte per male et iniqua suggestioni di chi diro quando dio mi dara l’occasione desserti alla prezena.” Ibid.

¹²⁹ “Et se bene M. Alessandro Bellincini ha comesso homicidio ne la persona del Codebò, che a me rincrise solamente questa non doveva pero essere cagioni che a tutti noi fusse fatta potere la pena de l’altrui peccato. Fu morto parimente il detto M. Annibale, et assassinato come si sa publicamente, ne si fece alcuna tali dimostrazione di lui, ma per sollamento de le ricevuti offese M. Giambattista suo patre fu citato a Ferrara dove ancho si ritrova vecchio et primo di tutti i suoi comodi...” Ibid.

If our Illustrious Duke will not take action, as I wrote he should do on this past June 12, ...at present this city will become a city of factionalism and they will kill one another like dogs in the fullness of their hate and malevolence.¹³⁰

If we take Lancellotti's assessments at face value, Ercole II does not seem to have been able to wrest the power of violence from the nobles. In Lancellotti's narrative, the line of causation is clear. Giovan Stefano Fontana murdered Annibale Bellencini. This was no ordinary murder, however, since the men were not members of an ordinary family. Their fathers and kinsmen, due to their power and influence with the duke and their positions inside the local government, could pose a serious threat to the state if they did not immediately agree to let bygones be bygones and sign a peace agreement. The duke, as their sovereign, could theoretically override the power of the Council of Conservators and had the responsibility to ensure that this happened for the good of all.

The reality, however, was not so simple. On August 4, 1547 Giovan Francesco Fontana was summoned to Ferrara to sign an accord.¹³¹ The next day Bartolomeo Fontana and Alberto, nephew of Geminiano, left to join their kinsman.¹³² Since Gerolamo, Cornelio, and Giambattista Bellencini were already being held in Modena, along with several of the Fontana, the duke and his counselors could not put more pressure on the families without summoning their extended kindred and eviscerating

¹³⁰ "Se lo Illmo Duca nostro non ge provederà, come ge scrisse io Thomasino Lancelotti presente scrittore sino alli 12 de zugno proximo passato della quale ne ho la copia apresso de mi, al presente questa Magnifica città doventerà una città partiale et se amazaranno come cani per vendicarse per essere tutta piean d'odio e malevolentia..." Lancellotti, *Cronaca*, 10:128.

¹³¹ "Zobia a dì 4 agosto. M. Giovan Francesco Fontana questo dì è stato chiamato in castello dal Signore Governatore M. Francesco Villa et g'è andato acompagnato da 4 armati etiam lui, et Sua S. ge ha fatto comandamento che el vada a Ferrara e lui ha detto che el ge anderà. Venerdì a dì 5 ditto. M. Giovan Francesco Fontana s'è partito questa notte passata de Modena per andare a Ferrara acompagnato da molti cavalli de soi parenti e amici: forse che la Excellentia vorà che M. Giambattista Bellencini e lui faciano la pace." Ibid., 10:128.

¹³² "Item se dice esserge ancora andato a Ferrara con M. Giovan Francesco, M. Bartolomeo Fontana ditto el Grasso, et M. Alberto Fontana nepote de M. Geminiano padre de quello che amazò el capitano Annibale Bellencini el quale è infirmo e tutti se partirno la notte pasata." Ibid.

Modena's administration. Giambattista Bellencini, however, was ordered not to leave Ferrara on pain of 2900 scudi.¹³³ It was hoped that keeping Giambattista in Ferrara would tie his hands.

However, the ducal thumbscrews were not working. Alessandro Bellencini was unashamedly spotted near Modena in the company of four horsemen unconcerned by the threat of capture.¹³⁴ Lancellotti's disapproval was ever growing. He noted darkly of these events:

these things are happening in the city due to disobedience and faulty vigilance but I am certain that God will open the eyes of those that are closed. This city at present is grossly disorderly, because those who are supposed to provide, do not provide...¹³⁵

Growing desperate, Ercole II revoked the right to bear arms. No sooner than this ducal decree was promulgated on August 11 than the next day a servant of the Fontana was wounded.¹³⁶ The Bellencini and Fontana continued to defy their sovereign where local matters were concerned.

¹³³ "El magnifico M. Giambattista Bellencini che è in Ferrara molti dì fano, secondo se dice, ha comandamento dalla Excellentia de Duca de non se partire da Ferrara ala pena de scuti 2900, e questo per la morte acascata del Magnifico Dottore eccellente M. Giambattista Codebò che fu morto in Sancto Petro in la giesia nel hora del vespro con archebuxi da preda e arme molto vituperosamente da Alexandro del quondam Magnifico M. Augostino Bellencini e compagni, secondo se dice." Ibid.

¹³⁴ "Ancora se dice che detto Alessandro con molti cavalli 4 dì fa sono venuti apresso Modena per fare qualche novità et se ne tornorno via senza havere fatto cosa alcuna." Ibid., 10:131

¹³⁵ "A dì ditto. Havendo la Magnifica Comunità de Modena fatto fare in le beccaria nova uno loco da serarge li porci che vano vagabondi per la città, acascxò essere preso uno porco del Signore Governatore M. Francesco Villa, e posto in detto luoco: e subito ge andò uno suo servitore e roppe la chiavadura et lo lasò andare per la città: e per questo malo exemplo el ne va per la città granda quantità perchè se lui avesse obedito, tutti li altri haveriano obedito: ma questa è una fabula apresso alli altri desordeni che sono acascati et acascano in la città oer causa della sua mala obedientia e mala vigilantia, ma sono certo che Dio ge aprirà li ochii, overo gli serarà. Questa città è al presente molto desordenata, perchè chi ge doveria provvedere non ge provvede." Ibid.

¹³⁶ "A dì ditto. Ferite date a una massara di Fontana questo dì da mexo dì: se dice che la stava con M. Camillo dal Bamabaxo che feritte Gaspare de M. Rigo Cimixello del meso passato, el quale guaritte. La causa perchè non se dice, ma se dice che lei sta con M. Giovan Francesco Fontana." Ibid., 10:133.

In the meantime, their political power continued unabated. It took Duke Ercole three years to convince the Bellencini to sign an accord. Lancellotti noted that “Giambattista did not want to make peace for anything and, perhaps, would rather be sent into exile.”¹³⁷ The duke commanded, threatened and cajoled. Nevertheless, the *capo* of the Bellencini was still proving recalcitrant.¹³⁸ At one point, Ercole commanded that peace be brokered between the Bellencini and Fontana within three days under an unspecified penalty.¹³⁹ The Bellencini ignored him.

Meanwhile, the violence between the two factions continued, indicating that ducal persuasion and the attempt to govern the matters of the Council of Conservators was proving ineffective. There were a series of parries and feints between the two factions. On Saturday, 31 May 1550, under the cover of night, Giambattista Pachion, an adherent of the Bellencini residing in their palazzo, wounded Daniel, son of Nicolò Fontana.¹⁴⁰ Pachion fled. Ducal officers searched all of Modena and the surrounding countryside and issued a warrant for Pachion's capture placing heavy penalties on those who knew of his whereabouts and would not come forward with information. Anticipating a new outbreak

¹³⁷ “Mercordì santo a dì 17 aprilo. Questo dì non è ancora fatto la pace fra li Bellencini per la morte de Annibale fiolo de M. Giambattista Bellencini el quale per niente vole fare pace piuttosto vole essere mandato in esilio, e forse lo Illmo Duca lo servirà come se dice ch' el farà.” Lancellotti, *Cronaca*, 10:56.

¹³⁸ “A dì passati la Ex.tia del Duca ha fatto pregare M. Giambattista Bellencini che voglia fare la pace con li Fontana per la morte de Annibale suo fiolo, e non l'a mai voluta fare; e al presente pregaranno Sua Ex.tia e lui non li vorrà ascolatre: cussì se incontra a essere unstinato a non compaicere el suo signore delle juste domande.” Ibid., 10:232.

¹³⁹ “E a dì ditto dopo la partita de Sua Ex.tia è stato dato uno comandamento da parte de Sua Ex.tia è stato dato uno comandamento da parte de Sua Ex.tia a tutti quelli cittadini che erano a Ferrara che in termino de 3 dì se debiano ritrovare in Ferrara per far la pace ala pena de...” Ibid., 10:58.

¹⁴⁰ “Sabato a dì ultimo. Le porte sono aserate questa matina e nisuno può andare for a: pur ne lasano venire dentre al merchato excetto li caradori che teneno uno miglio per porta. E questo perchè eri sira da hore 1 ½ de notte fu tratto uno archibuxo a Daniel fiolo de Ser Nicolò fu de M. Baldissera Fontana essendo suxo el Canale chiaro in capo alla contrada che va alla casa sua, e per gratia de Dio non ge fece male alcuno. Alcuni de soi compagni seguitorno quello del archebuxo e lo agionseno dalla Croce della preda et detteno de bone ferite a uno Giambattista Pachion che sta in casa delli Bellencini et uno altro Batista Romagnolo fuzite che non lo poteno havere, el quale ancora lui praticha in casa deli Bellencini. El tuto procede per la inimicia hano insciemo Bellencini et M. Carolo Tassone al quale ge fu morto uno suo fiolo da uno de Cimicelli et altri.” Ibid., 11:227.

of violence, the duke ordered all of the Bellencini to again come to Ferrara.¹⁴¹ The Bellencini came but they did not submit. Lancellotti lamented “this city will never remain in peace because the youth of Modena have been set a bad example by their elders.”¹⁴² The hold of families like the Bellencini over local governance had continued unabated for too long.

Attempting to once again insert himself in local politics, Duke Ercole took further measures. He closed the gates of the city and detained men and women believed to have knowledge of the fugitive, since he was convinced that someone had information concerning Pachion's whereabouts.¹⁴³ The wife of Battista Romagnolo, Pachion's accomplice, was sent to prison shortly thereafter in an attempt to pressure the family.¹⁴⁴ The Captain of the Piazza entered the Bellencini palazzo in search of Pachion and arrested Giovanni di Gerolamo Bellencini.¹⁴⁵ Finally, the body of Pachion showed up in a

¹⁴¹ “Lunedì a dì 2 ditto. M. Giacomo de M. Giambattista, M. Aurelio fu de M. Lodovico, M. Gerolamo fu de M. Augustino tutti de Bellencini sono andati a Ferrara per comandamento del Illmo Duca nostro acompagnati da molti cavalli per essere inimicia con li Fontana e pere essere stato tratto de uno archibuxo a Daniel filio de Ser Nicolò fu de M. Baldissera Fontana zoveneto de anni 18 da uno Giambattista Pachion che stava in casa del preditto M. Aurelio e fratelli el quale fuzite verso casa de ditti Bellencini de M. Lodovico et fu agiunto dalla Croce della preda et ge fu dato molte ferite da Paulo fiole de M.ro Petro Baraban quale era con ditto Fontana suxo el Canale chiaro in capo della contrada che va alla casa de ditto Fontana e questo fu ali 30 del passato in venderdi de sira de hore 1 ½ de notte, el quale Pachion non se sa dove se sa dove el sia vivo nè morto per rispetto della crida fatta che chi lo sa lo debbia denontiare sotto grandissima pena. Et essendosene dogliuto a Ferrara M. Giovan Francesco et M. Bartolameo Fontana che sono confinati in Ferrara tanti mesi fano con Ex.tia del Duca de tal caso, Sua Ex.tia ha comandato alli predetti 3 che vadano a Ferrara per asettarli insciemo se a Dio et alla gente del mondo piacerà, acciochè la città viva pacificamente.” Ibid.

¹⁴² “ma sino che Sua Ex.tia non leva dalla città tutti quelli che vivono ociosamente e che tutto el dì stano per piazza, per le giesie e per le bothege e alli trebi questa città non starà mai in pace perchè li gioveni de Modena etiam delli vecchi che doveriano coregere li gioveni dano peggiore exemplo alli gioveni che no fa li gioveni verso de l'horì.” Ibid., 10:230.

¹⁴³ “Martedì a dì 3 ditto. Le porte sono aserate questa matina e questo per nova comissione de pigliare homini e donne che posano haver saputo dove è stato et è Giambattista Pachion vivo or morto...” Ibid.

¹⁴⁴ “E a dì ditto apresso terza è stato prexo la moglie de Battista Romagnolo che era con el preditto Giambattista Pachion, etiam sua madona et altre donne et homini.” Ibid.

¹⁴⁵ “El a dì ditto nel hora del desinare el capitano della piazza con soi biri sono intrati in casa de Bellencini et hano cerchato per la sua casa et hano prexo Giovan fiolo fu de M. Gerolamo Bellencini naturale et lo hano menato in castello in prexon e ancora le porte sono serate. Dio sa come passerà la cosa fra ditti Bellencini e Fontana.” Ibid., 10:230.

house in the parish of San Pietro.¹⁴⁶ Still, the Bellencini would not sign an accord. On July 13, 1550, the governor wrote with increasingly forceful rhetoric and a doubtful tone about the necessity of brokering a peace:

I do not want to keep quiet about what has reached my ears by many avenues in this land—the ever increasing division between the Bellencini and the Fontana. So much so that it is becoming a civil matter as well as one of law, since they are men of arms and there are many partisans of the two families. Some of [them] are calling for protection against their adversaries in such a manner that it is even more necessary for universal quiet for you to find a way to end this matter with your prudence and grace...¹⁴⁷

The ducal governors were now echoing Lancellotti's doubts that Duke Ercole could regain control over the situation. Clearly, suspicious reports of more planned violence between the two families were beginning to reach his ears. Modena's sovereign was quickly losing all appearance of control over the willful actions of his subjects.

Local politics still guided the situation. At this point, the political peers of the Bellencini began to step in to try their hand at brokering a peace between the two factions. On July 11, 1550, the governor wrote to the duke of this possibility: "I have been talking with all the men of note in this territory, each of whom would like to see a resolution to this quarrel...and an accord between the Bellencini and Fontana."¹⁴⁸ On August 19, 1550 a letter from another scion of the Modenese nobility, Francesco Molza,

¹⁴⁶ "El se dice essere stato atrovato Giambattista Pachion morto in una casa in S.ta Petro." Ibid., 10:230.

¹⁴⁷ "Non voglio tacergli che per molte vie mi viene alle orecchie che questa terra si va sempre piu dividendo li animosità inclinoverdosi si allor parte di bellencini et si a quella di fontani talmente che non solo gli huomini da arme si adheriscono ad una di queste parte ma ando se che le cause civile alcuno la lite che alcuno adherente di queste due famiglie l'altro chiama per protetrice la contraria in modo che tanto più mi pare che sia necessario per la quiete universale che lei con la prudenza et bonta sua cerchi di condurre a fine queste paci et non modo cercando che le presente origli allor gli bacchio le mani humilmente raccomandandomi una buona gratia." ASMo, *Rettori dello stato*, B. 11, Ferrante de Tassone to Duke Ercole II, July 13, 1550.

¹⁴⁸ "Parlando con tutte le qualita di huomini di questa terra, ogn'un si vuole vederla In volta in questa Brighe et quelli non ci sono pare et subito et ogni pericola occasione non con li faccia intrare quando quella Briga et la principale si potesse accordare cioe tra Bellencini et Fontana sarebbe bene perche ne seguita rebbono tutte l'altre ma quando no si potesse o andasse al longo non' sarrebbero a lasciare l'altre intentase M. Rigo Cimicello mostra haver gran desiderio di vivere quieto..." Ibid.

mentioned Ugucione Rangone's continuing brokering of negotiations between the two factions to ensure "the universal satisfaction and peace of the city."¹⁴⁹

The influence of their peers and fellow councilors seems to have worked on the Bellencini temporarily, as they appeared more willing to assent to peace at the request of their compatriots. On January 18, 1551 Ferrante wrote to the duke again to report that he had received assurance "from all the principal heads [of the houses] assenting to the peace...with much difficulty having been happily concluded and has been solemnly ratified in front of me with the appropriate penalty of 500 scudi..."¹⁵⁰ Due to the localized nature of Modenese politics, their peers had succeeded where the duke had not.

The local foundation of their political power proved to have strong roots. The Bellencini and the Fontana factions were a many-headed hydra; as soon as one member committed to observe a truce, another cousin, brother, nephew, or uncle would breach the pact in some manner. In some cases, they simply refused to sign. In other cases, they assured the duke and his representative of their willingness to observe a truce only to have tensions between the parties resurface. In some instances, they had fled beyond the duke's jurisdiction: to the Modenese mountains beyond the duke's reach, to Bologna, to Venice, to serve in foreign armies, to join their relatives with business interests in Portugal or Spain. The process of arranging a truce doubtless felt like a never-ending story. Governor Clemente di Thieri, perhaps more sensitive to the challenges of the job (one of the biggest appears to have been preventing the Bellencini and Fontana from killing one another) complained of the inordinate local power in the nobility's hands:

¹⁴⁹ "Hoggi Il Conte Ugucione non é stato a ritrovare et dettomi come desidero delle pace fra Bellencini Fontana della quale ne nasceva la universale sodisfatto e quieto della città..." ASMo., *Rettori dello stato*, B. 11, Ferrante Tassone to Duke Ercole II, August 19, 1550.

¹⁵⁰ ASMo, *Rettori dello stato*, B. 11, Ferrante Tassone to Duke Ercole II, January 18, 1551.

There is the greatest scandal in this city, where there are many nobles and factions that hardly heed the governor or the podestà of this city, of which things I can hardly relate with brevity...other than to say they greatly dishonor me.¹⁵¹

Lancellotti's judgment of the situation had proved astute. The political power of the Modenese elites proved too difficult to overcome.

Ducal intervention proved not only ineffective but exacerbating. The governing elites not only resisted ducal attempts at imposing peace and order but increasingly practiced outright defiance. Lanfranco Fontana became their particular target. The Bellencini hired Marco Armato di Montagnana to assassinate their enemy in the nearby duchy of Mantua—an attempt that was unsuccessful.¹⁵² The Bellencini subsequently assaulted the castello in Rolo with 200 men at arms to force Lanfranco Fontana from his hideout.

The Bellencini needn't have gone to such extreme lengths to get their hands on Lanfranco Fontana, however. In 1557 Lanfranco Fontana petitioned the duke for clemency—a petition which the duke unwisely granted. Shortly after his return to Modena, Captain Camillo Forno, a cognate of the Bellencini, challenged Lanfranco Fontana to a duel, accusing Lanfranco of plotting to kill him.¹⁵³ The two men exchanged a series of broadsides, insulting and challenging one another. Lanfranco accepted and, as was customary in the dueling ritual, chose the weapons and location. In particular, in a choice strongly echoing a chivalric ethos, he chose to fight Captain Forni by tourney on

¹⁵¹ “grandissimo scandolo i questa città, dove sono molti nobili et fattionarius quali apena estimano li governo che li podestà, quali tutte cose faccio { } brevità, oltre cio che questo si mostra pure anco ch'io uno sia atto al piena governo che hanno havuto tutti gli altri governatori in questa città cosa che di diritto torna in mio dishonore.” ASMo, *Rettori dello stato*, B. 112, Clemente de Thieri to Duke Ercole II, Aug. 8, 1555.

¹⁵² “nel 1552 un Marco Aromato di Montaguana prigionie, confessò che un Pendaglia da Sermide gli disse avere avuti danari dai Bellencini, perchè uccidesse in Mantova I Fontana, della qual cosa il Governatore avvisava il Duca il 15 giugno, affinchè egli alla sua volta ne desse avviso al Cardinale di Mantova, ed al Conte Lodovico Gonzaga...” Tommaso Sandonnini, “*Un famoso Bandito Modenese*,” in *Atti e memorie delle rr. deputazioni di storia patria per la provincia Modenesi e Parmensi* 4, no. 2 (1887): 427-58 at 439.

¹⁵³ *Ibid.*, 441.

horseback. News of this challenge between the two men quickly spread throughout the city and was on everyone's lips. A preacher denounced the anticipated fight from the pulpit, stirring further unrest. Duke Ercole tried to prevent the duel by forbidding it, but proved unable to persuade the two men to back down.

In a move directly contravening ducal orders, the two men arranged a tournament in the territories of Mantua outside of Estense jurisdiction. Lanfranco Fontana and Captain Forni showed up on the appointed day and fought in front of a large audience including the Duke of Mantua. Though blows were exchanged, neither was seriously wounded. Once again, the Duke of Modena attempted intervention. Another peace was brokered and Lanfranco, Galeazzo, and Giacomo Fontana, Giambattista Ronchi, Francesco and Furio Molza, and others were banished from Modena for six months. It was Lanfranco Fontana's second banishment.

This violent trajectory emphasizes Bellencini and Fontana resistance to ducal interference where vindication would have its way. Shortly after the duel, Alfonso Trotti related to the Duke on February 7, 1559 that the Fontana and their adherents have been causing the greatest importunity and scandal. As the Modenese elite grew increasingly unruly, the governor predicted retaliation.¹⁵⁴ Neither the brokering of peace nor the banishments was to any avail and the duke's attempts to enforce peace only seemed to backfire upon him.

Increasingly secure in their local power, the two families grew increasingly bold in their defiance. On August 10, 1559, a "beautiful party was going on in the house of the

¹⁵⁴ "li Fontani et suoi adherenti mi fecero grandissima instancia et li volessi cedere et mi fecero ricerchare nel medissimo tempo et molti altri mezi con importunita, onde vietavo li scandali come anche erano solo li Fontani non gli la voles dare in modo alcuno escusando mi anech che io havevo espresso..." ASMo, *Rettori dello stato*, B. 113, Alfonso Trotti to Duke Ercole II, Feb. 7, 1559.

Bellencini when a message came to the new gate.”¹⁵⁵ The message, which interrupted the party, was dire. “Battista Ronchi, in the company of two others, gave eight wounds to Cesarino da Parma, a great friend of the Bellenzini.” Ronchi threw the wounded Cesarino in a ditch, left him for dead, and returned to the Fontana house in Modena for reinforcement. Galeazzo, Lanfranco, and Jacopo Fontana, together with others of their friends and relatives, went to find the wounded Cesarino. They found him still alive in the ditch where Ronchi had left him and took him to a nearby house for care.

Cesarino da Parma sent word to the proud Giambattista Bellencini in the piazza asking for help.¹⁵⁶ As soon as he received word, Giambattista went to the gathering and “explained all to the ears of Aurelio Bellencini.” He said to Aurelio: “I want you to follow me, mount a horse, and bring four of our nephews, the sons of Bartolomeo Bellencini, and Giovanni and Francesco Forni, and the son of Negrino, and come to the walls of the gate, where the aforesaid Fontana will arrive at the house of Ludovico Carandini and the Fontana fountain.”¹⁵⁷ The chronicler Suor Lucia Pioppi noted the sad result: “This fight caused the death of Galeazzo Fontana, Nicolò Grillenzoni, Spantachione Furlano, and a Veronese, one of the Bolognese of the faction of Fontana. Those wounded included Jacopo Fontana and Lanfranco Fontana who fled with the rest

¹⁰⁴ “Il dì 10 agosto. Il giorno di San Lorenzo. Il dì detto nell’hora del desinare, sendo un bello convivio in casa de’ signori Bellencini giunse un messo che portò nuova come il signore Giambattista Ronchi in compagnia di due altri dettero otto ferite a Cesarino da Parma molto amico dei detti signori Bellencini et il detto ferito si gettò nelle fosse, facendo il morto et essi tornati che furono a Modena andettero dal signore capitano Galeazzo Fontana, et dal signore Lanfranco; così col signore Jacopo Fontana et altri suoi parenti et amici fecero un’armata d’huomini ben a cavallo e molta forta. Andettero per trovare il detto Cesarini, il quale era stato veduto uscire dalla fossa vivo, et si faceva medicare in una casa di contadini.” Pioppi, *Diario*, 34.

¹⁵⁶ “così vedendo l’armata mandò dal signore Giambattista Bellencini dalla piazza pregandolo lo volesse aiutare; et subito havuto tal nuova, il detto signore Giambattista se ne venne a questo convivio detto di sopra, et disse il tutto nell’orecchia al signore Aurelio Bellencini” Ibid.

¹⁵⁷ “Et ello così sprovveduto disse: Chi mi vuol bene mi seguita. Così, montato a cavallo, fu seguitato da quattro suoi nipoti figliuoli del signore Batholomeo Bellinzini, et dal capitano signore Giovanni e Francesco Forno, dal figliuolo del signore capitano Negrino, et andettero fuori della porta, giunsero i detti Fontani tra la casa del signore Ludovico Carandini et Fontanone de Fontanoni;” Ibid.

of their company that remained alive.”¹⁵⁸ The duke banished more of the culprits including some of the Bellencini, several of whom took refuge in the neighboring territories belonging to the Duke of Parma. Various members of the Bellencini, also anticipating retaliation, fled to safe havens. Alessandro Bellencini fled to his strongly fortified villa in Buomporto. It was Lanfranco Fontana’s third banishment. In exile, Lanfranco Fontana planned his next move. It was on June 9, 1562, that Lanfranco Fontana dispatched a courier with letter bombs targeting members of the Bellencini family in Modena, Reggio, Parma, and Florence. After he dispatched the couriers, Lanfranco Fontana fled to powerful friends in Milan.

Contemporaries vilified Lanfranco Fontana as a disrupter of peace and murderer of innocents.¹⁵⁹ The chronicler Suor Lucia Pioppi—a nun of the Modenese convent of S. Lorenzo—narrated the incident in detail and included two poems about it in her *Diario*: one a dramatic verse dialogue in *terza rima* imitating Canto III of Dante’s *Inferno*; the other an elegiac Petrarchan sonnet mourning the death of Giambattista Bellencini.¹⁶⁰ The chronicler Giovanni Battista Spaccini called the bombs “diabolic” and Lanfranco “cruel” in his chronicle nearly forty years later.¹⁶¹ Ludovico Vedriani devoted a great deal of space to the incident in his *Historia Dell’Antichissima Città di Modena* written over one

¹⁵⁸ “così a scaramuzza venne morto il signore capitano Fontana Galeazzo, il signore Nicolò Grillenzoni, Spantachione Furlano, uno Veronese, uno Bolognese dalla parte di Fontana, et fuggì ferito in una casa il signore Jacopo Fontana dentro da Modena, et fuggì il signore Lanfranco Fontana col resto della compagnia che gli era restata.” *Ibid.*, 35.

¹⁵⁹ Each of the accounts point towards the deaths of “innocents”—particularly defenseless dependents of the Bellencini, women, and children and several accounts frame him as “diabolic” or unnatural in some way. This suggests that Lanfranco Fontana broke some unwritten rules with his actions. Further study, however, needs to be done on what these rules may have been in order to understand the full extent of his transgressions.

¹⁶⁰ Pioppi, *Diario*, 38-43.

¹⁶¹ Spaccini, *Cronaca*, 1:400-1.

hundred years after the fact.¹⁶² The chronicler Francesco Forciroli explicated and analyzed these events in his *Lives of Noted Modenese (Vite dei Modenesi illustri)*.¹⁶³ For his deeds, he became an infamous and hated man. So much so that Lanfranco's mysterious death in 1567 inspired the chronicler Francesco Pannini to predict a new era of peace, prosperity and plentitude:

Now is the hour of our blessing under the peaceful rule of Alfonso II, successor and son of Ercole II, after the death of Lanfranco Fontana, first in his family, of whom posterity has said much,...and now that the peace has been stabilized between these two families [the Bellencini and Fontana], this city will live in such quiet, and tranquility without vendetta or civil war... and edifices will built to those things public just as they have been for [things] private, and not only of edifices but also of rewards, will the people be honored by and ennobled.¹⁶⁴

The name Lanfranco Fontana became synonymous with violence, terror, and cruelty.

Indeed, his last act of revenge became symbolic of the problems and contradictions inherent in Modenese politics during this era. How can the actions of one man characterize the politics of an entire era and a system of relations and actions? The simple answer is that Lanfranco Fontana did not act alone. While his methods for inflicting revenge remained unorthodox, in his bombing of the Bellencini he carried on a fight begun fifteen years prior with the assassination of his cousin Barbara's husband, Judge Giambattista Codebò. This explosive moment in Modenese history and the events which proceeded it came to exemplify elite excess, ducal ineffectiveness, and a time

¹⁶² Lodovico Vedriani, *Historia dell'antichissima città di Modona* (Modena: Cassiani, 1666).

¹⁶³ Forciroli, *Vite dei Modenesi illustri*, 173-89.

¹⁶⁴ "Ma hora che l'anno di nostra salute 1567, mentre io faceva questa breve memoria di fatti di Modena, sotto le felice signoria di Alfonso II sucessore, et figliolo ad Hercole II, dopo la morte di Lanfranco Fontana principale di quella famiglia, et huomo, che a posterì ha lasciato assai, che ragionare di lui, stabilisi la pace violata fra le dette due famiglia, vive questa città in tanta quiete, et tranquillità senza guerre o civili, o esterne,...et honorati edificii così publici, come privati, et non solo di edificii, ma di ricchezze, et di popolo honorato, e nobile,..." Panini, *Cronica della Città di Modona*, 140-1.

when the powerful patrician clans that controlled Modena's fortunes were virtually unrestrained.

Lanfranco Fontana also exposed the weakness of ducal policies towards their vendetta practicing nobilities. This long and distinguished career of murdering the Bellencini remained virtually unchecked by the Dukes of Modena until Alfonso II's reign. The pardoning of Lanfranco Fontana, the problems caused by his return, and his symbolic configuration as representative of the worst sins of the nobility represents not only the challenges the dukes' faced curbing noble violence but also the necessity for changes in ducal policies towards the governing class.

Lanfranco Fontana perfectly exemplified the excesses of the local elites. The "Infamous Bandit" Lanfranco Fontana played a starring role in the vendetta since its inception. From 1547 to 1562, Lanfranco alone was responsible for the deaths of at least eleven members of the Bellencini faction and quite possibly more.¹⁶⁵ This long and distinguished career of murdering the Bellencini remained virtually unchecked by the Dukes of Ferrara-Modena until Alfonso II's reign. For his perceived inaction in curbing an egregious criminal, Duke Ercole's contemporaries judged him harshly.

His son Alfonso II, however, better understood local politics. In 1565, after thirty-plus years of continuous violence between the Fontana and Bellencini factions, and three years after Lanfranco Fontana sent his infamous exploding boxes, at ducal behest Governor Alfonso Trotti undertook the most comprehensive effort to date to quash the

¹⁶⁶ "Et Agentes prestati mag. de Bellencinis. Et de Furno et quilibet eorum respdetives ut supra eorum nominibus propriis, et nominibus, ac vice quibus supra, et omnium ac singulorum et querume...suorum filiorum, nepotum, affinus, cognatorum, et Agnatorum usque in quartum gradum inclusive suo Ius Canonicum, comprahendendo etiam Naturales, et Spurios, et etiam si ex devanato, et reprobato certu nati essent, et nacerentur, et tam habitantes in dominio...et eorum heredes et secesseres..." ASMo, *Particolari*, Bellencini, B. 110.

vendetta between the Bellencini and Fontana. He drew up an instrument of peace naming Bartolomeo Bellencini, son of Ludovico; Aurelio and other sons of Alberto Bellencini; Nicolò, Cornelio and the other heirs of Giambattista Bellencini the elder; Annibale, oldest son of Annibale Bellencini, as well as Aurelio Bellencini, son of Augustino. Likewise named in this document were Geminiano, son of Gaspare Fontana; Giovanni Filippo, son of Giambattista Fontana, Camillo and his brothers—the sons of Giberto Fontana, Giulio Fontana, and Giovan Francesco Fontana. Also named were Captain Camillo Forno, Captain Giovanni Forni, and Prospero Forni. This instrument also stipulated that the Millani and Tassoni families were obligated to observe the truce.

Alfonso II's father had failed to contain the violence between the two families and the duke wasn't taking any chances. The unusually comprehensive scope of the peace instrument of 1565 makes it clear that the duke wanted to take every measure possible to prevent further retaliation by any members of these families by making them as collectively responsible for peace as they were for civic order. He also made certain to include relatives to the fourth degree, their associates, their servants, their descendants, and even their women:

and not only those named by name but also their children, nephews, affines, cognates, and agnates to the fourth degree as comprehended by canon law, including bastards—acknowledged and unacknowledged...those who live within the residence and those who serve within the residence...as well as their heirs and future successors for fifteen generations.¹⁶⁶

¹⁶⁶ “Et Agentes prestati mag. de Bellencinis. Et de Furno et quilibet eorum respdetives ut supra eorum nominibus propriis, et nominibus, ac vice quibus supra, et omnium ac singulorum et querume...suorum filiorum, nepotum, affinus, cognatorum, et Agnatorum usque in quartum gradum inclusive suo Ius Canonicum, compraehendendo etiam Naturales, et Spurios, et etiam si ex devanato, et reprobato certu nati essent, et nacerentur, et tam habitantes in dominio...et eorum heredes et secesseres...” ASMo, *Particolari*, Bellencini, B. 110.

Alfonso II had clearly learned from his father's mistakes. But what precisely had he learned?

Much of the historiography on vendetta characterizes the practice as a pastime of the feudal magnates that died out with the triumph of communal regimes and a growing uniformity in civic culture. In Venice, for example, scholars have found that vendettas and their factional underpinnings were systematically stomped out during the growth of the republic in the late thirteenth and fourteenth centuries. Diligent against factional violence, the Venetian republic took measures like promulgating bans against large gatherings that often led to chance fights. They also, for example, forcefully prosecuted the types of ritualistic insults known to lead to violence.¹⁶⁷ According to much of the Florentine historiography, an equally strong civic culture and an association of vendetta practices with the hated feudal magnates led to the vendetta's dying out by 1400.¹⁶⁸ Similar measures were enacted in other locales in later periods as increasingly centralized states tightened the reins of justice on their subject territories and increasingly co-opted the elites into pursuing grievances within the confines of the state system.¹⁶⁹ Moreover, as other scholars have noted, the birth and solidification of the criminal justice system allowed for new and more convenient venues for factions and combatants to pursue

¹⁶⁷ See, Muir, *Mad Blood Stirring*, 52-55; Guido Ruggiero, *Violence in Early Renaissance Venice* (Oxford: Oxford University Press, 1980).

¹⁶⁸ Marvin Becker, "Changing Patterns of Violence and Justice in Fourteenth and Fifteenth Century Florence," *Comparative Studies in Society and History* 17 (1976): 284; Andrea Zorzi, "Politica e giustizia a Firenze al tempo degli Ordamenti anti-magnatizi," in *Ordamenti di Giustizia fiorentini; studi in occasione del VII centenario*, ed. V. Arrighi (Florence, 1995), 105-47.

¹⁶⁹ See, Joanne M. Ferraro, *Family and Public Life in Brescia, 1580-1650: The Foundations of Power in the Venetian State* (Cambridge: Cambridge University Press, 1993).

complaints with one another, as was the case in Bologna.¹⁷⁰ These trends did not happen, however, in Ferrara or its subject territory of Modena.

Due to various factors, Modena's ruling classes and their relationship to the state developed in ways both comparable to and different from other parts of Italy. As was the case in other cities with a strong communal tradition, a mercantile aristocracy rose to prominence in Modena during the course of the thirteenth and fourteenth centuries. While Modena possessed a strong communal tradition, the territory also contained a particularly strong feudal aristocracy. While the two struggled for position with one another, they more often worked in concert. Eventually the feudal nobles moved into Modena and positions of civic governance. Civic notables increasingly gained territories and titles from their service to the ducal administration and court. By the sixteenth century, these classes were becoming indistinguishable in form and function as they increasingly intermarried and assumed the same social position.

These feudal families possessed a sometimes harmonious, sometimes uneasy, and sometimes contentious relationship with the Este. The comital Rangone family and their relationship with the Este provides a prime example. Not powerful enough to challenge Este ascendancy in the thirteenth century, they, along with the Boschetti and Guidoni families, delivered Modena into the hands of Obizzo II Este in 1288. The Este rewarded the Rangoni with a marriage alliance, fiefs, and a consecration of their privileges. As a result, the Rangoni continued to be one of the most powerful families in Modena and the *contado*. The Rangoni, however, could work against the Este when it suited them, as

¹⁷⁰ Sarah Rubin Blanshei, "Crime and Law Enforcement in Medieval Bologna," *Journal of Social History* 16, no. 1 (Autumn, 1982): 121-38.

proven when some of their members delivered Modena into the hands of the papacy in 1517.

Civic notables like the Bellencini and Fontana did not possess the same illustrious feudal origins as the Rangoni. Instead, they owed their increasing prominence to the liberality of Este rewards to those in their service. Notaries, merchants, civic councilmen, and lawyers, they gained lands and titles by serving on ducal councils, by undertaking the ever-growing number of ambassadorships to various courts, performing other diplomatic missions abroad, and serving in the increasing number of administrative positions at the Este court. They accrued wealth by accumulating business interests in the nascent silk industry, or by engaging in various types of trade with Venice, Florence, and Genoa. They took administrative positions in other Italian polities. They fought battles in the service of one of the many rulers jockeying for political position on the Italian peninsula or the European continent. They married into the old feudal families. Increasingly, they became indistinguishable from the feudal elites.

The civic elites possessed as problematic a relationship to the Dukes of Modena as their feudal counterparts. Despite the fact that they were indebted to the dukes for ennoblement, the civic elites of Modena retained a strong sense of their origins in communal traditions. A discrete group of families increasingly came to take over civic administration and occupy the growing number of local offices. They monopolized the seats on the Council of Conservators—a governmental body that greatly influenced the day-to-day governance of Modena. By the sixteenth century, an increasingly distinct group of Modenese families had successfully transformed conciliar offices and

government posts into their private patrimony.¹⁷¹ By 1500, 119 families in a city of 18,000 were eligible to serve on the council. Among these 119 families, roughly twenty percent served frequently. In 1530, the numbers of these eligible families had been reduced to ninety-two. This contraction created a powerful oligarchy that like the feudal nobility worked with the duke's interests when it suited them and circumvented them when it did not.

In sum, uneasy relationships between the dukes, on the one hand, and feudal and civic elites, on the other, dominated Modenese politics. Modena and its position within the Duchy of Ferrara-Modena does not fit neatly within the traditional political narratives of Italian history that emphasize the rise of economically and politically powerful urban communes that subsequently developed into city-states or principalities like Milan, Genoa, Venice, Florence, or Pisa. Modena failed to develop socially, politically, and economically in similar ways to other cities of comparable size. In this conglomeration of feudal territories, petty lordships, counties, small cities, and communes held in fief to various sovereign entities including the church, the papacy, and the Holy Roman Empire, neither an organized popolo nor the feudal aristocracy ever became truly ascendant.

Due to the local prominence of both civil elites and feudal magnates, Modena became a top-heavy society noted for the lawlessness of both civic and feudal notables. The ambiguity of nobility in the duchy of Ferrara-Modena is reflected in their practice of violence. Indeed, Ercole's predecessors hadn't been successful at control of violence. Under Ercole I, the complaints and issues look remarkably similar. In April of 1483, Lancellotti's father wrote in his chronicle that "all of Modena was in arms" due to

¹⁷¹ Marco Cattini, "Profilo economico e sociale di una città eterodossa," in Matteo Al Kalak, *Gli eretici di Modena: Fede e potere alla metà del Cinquecento* (Milan: Mursia, 2008), 233-249 at 246.

violence between the Rangoni, Ronchi, and Cortese families.¹⁷² The Forni and Petrezzani families also participated in a bitter vendetta begun over a dispute regarding a benefice. After a violent altercation between the factions in the Duomo in June of 1487, Violante Rangone wrote to the duke: “because of the great *parentado* on both sides, Modena is all in arms and great evil will befall unless your Excellency takes things in hand, because the governors take no action.”¹⁷³ In order to take things in hand, however, from the distance of Ferrara the duke would need to force both civic elites and the feudal nobility to submit.

It was difficult to force this submission, however, when the only impartial representative of ducal interests remained the governor. The ducal governors felt equally helpless in the face of this strong elite. The violence was such that in December 1488 the podestà Antonio Oldoini begged Modena’s sovereign to intervene:

It pains me to my soul... that I must every day take my pen in hand and trouble your lordship’s head with the scandals and disorders that happen every day in this city of yours, and that I cannot do my office or my duty...It is a pity to see this poor city of yours: ruffians and rowdies go armed about the piazza, armed gatherings and celebrations go on at night, every day someone is wounded...I work with my pen, I inquire and condemn, but this does not make them stop.¹⁷⁴

Duke Ercole I faced the same issues regarding noble violence as his descendents. Despite Ercole the elder’s dispatch of the special commissioner Beltramino di Cusadri to quell factionalism and noble violence, the Forni-Petrezani feud continued to wreak havoc in Modena. The Rangoni, Cortesi, Fogliani, and Tassoni continued to fight each other in various configurations up until the end of the special commissioner’s tenure in Modena

¹⁷² Lancellotti, *Cronaca*, 1:11.

¹⁷³ ASMo, *Particolari*, Rangone, B. 1169, Violante Rangone to Duke Ercole I, June 1487 as quoted in Dean and Chambers, *Clean Hands, Rough Justice*, 163.

¹⁷⁴ ASMo, *Rettori dello Stato*, Reggio, b. 112, Antonio Oldoini to Ercole I, Dec. 11, 1488, as quoted in Chambers and Dean, *Clean Hands and Rough Justice*, 177.

and Reggio in 1491. It was not necessarily the deficiency of the Este governors that was at issue (although they too were liable to corruption and incompetence) but “princely reluctance to prosecute or punish noble wrongdoing.”¹⁷⁵ This princely reluctance would only increase not decrease into the next century due to a series of circumstances.

By the sixteenth century, the Este had become embroiled in greater power struggles, like the rest of the peninsula. In 1494, Charles VIII marched through Italy to claim the kingdom of Naples and four years later Louis XII of Orléans claimed the duchy of Milan.¹⁷⁶ Between 1510 and 1512—two centuries after the Este incorporated Modena into Ferrara—Alfonso d’Este I was forced to cede Modena and Reggio to Pope Julius II.¹⁷⁷ The papacy and the emperor traded Modena back and forth for seventeen years.¹⁷⁸ The city was restored to Duke Ercole II on October 12, 1531. By the time the duke had regained control, the damage had already been done to Modena’s tenuous political stability.

This is not an unusual political story for the sixteenth century on the Italian peninsula. For various reasons, however, the Este had difficulties in reasserting their historically fragile control over the nobility after the city returned to Este hands. Due to the tenuousness of their sovereignty and the ad hoc application of Este policies, the dukes found themselves particularly reliant on a group of elites whose interests sometimes coincided and sometimes conflicted with their own. Moreover, these elites still possessed interests and political power on the borders of Este jurisdiction and elsewhere. Indeed,

¹⁷⁵ Dean and Chambers, *Clean Hands, Rough Justice*, 267.

¹⁷⁶ Martines, *Power and Imagination*, 277.

¹⁷⁷ Daniela Frigo, “‘Small States’ and Diplomacy: Mantua and Modena,” in *Politics and Diplomacy in Early Modern Italy: The Structure of Diplomatic Practice, 1450-1800*, ed. Daniela Frigo. trans. Adrian Belton (Cambridge: Cambridge University Press, 2000), 147-75 at 155.

¹⁷⁸ *Ibid.*, 156.

Lanfranco Fontana's ability to literally throw a bomb into the middle of the ducal administration proves the continued strength of localized power.

A comparison of the men and families mentioned in the 1565 instrument of peace, as well as in records of court and conservatorial service, reveals some interesting patterns. Even after the incidents of 1562, there was no change in either conservatorial or court service among either the Bellencini or Fontana families or their partisans the Forni, Machelli, and Tassoni, also named in the instrument of peace. Between 1563 and 1565, members of these families continued to serve on the council. Francesco Fontana served on a session of the Conservators in the first half of 1563.¹⁷⁹ Alfonso II continued to employ members of the Fontana family at court.¹⁸⁰ Likewise, the Bellencini continued to hold places in Ferrara.¹⁸¹ The same patterns held true for terms on the Council of Conservators. Francesco Bellencini served on the Council of Conservators in the second half of 1563, while Girolamo Bellencini served in the first half of 1564; both men served the duke at court in the decade between 1560 and 1570. Giovan Francesco Fontana, named above in the instrument of peace brokered between the factions, served on the first session of the council in 1563 next to Lanfranco Cortesi, Antonio Balugola, and Gaspare Cimicelli, each of whose families or the men themselves had been implicated in personal violence during the years 1555 to 1565. He also served the duke at court between 1560

¹⁷⁹ ASMo, *Particolari*, Bellencini, B. 111.

¹⁸⁰ Ercole Fontana is listed on the court rolls from 1562 to 1578. Fabrizio Fontana acted as an official of the chamber from 1585 until 1592. Giacomo Fontana served as a captain in Duke Alfonso II's service from 1560 until 1597. Giovanni Fontana served the duke in various capacities from 1585 until 1597 and Ippolito Fontana served his sovereign in 1569. Guerzoni, *Le Corte Estensi*, 279.

¹⁸¹ Alfonso Bellencini served Duke Alfonso II from 1562 to 1563. Gaspare Bellencini retained the position he had held under Alfonso II's predecessor—Ercole II—as official of the guardarobe. Girolamo Bellencini served the duke from 1560 to 1569. Ippolito Bellencini held a position at court from 1559 until 1567 and again from 1588 until 1597. *Ibid.*, 259.

and 1565. Thus, one cannot help but conclude that the duke allowed men implicated in violence to retain their official positions in the government.

It was not simply that the duke allowed members of the Bellencini and Fontana families to retain their positions that provides a benchmark for the power of the Modenese elites. The other families mentioned in the above instrument of peace also speak to the same pattern.¹⁸² The same correlation between governmental service and interpersonal violence holds true for other office-holding families. On February 4, 1559 a brawl took place at the house of Nicolo Castelvetro between Count Alessandro Rangone, one of the Bellencini, and a Carandini (both unnamed).¹⁸³ In a letter dated February 9, 1559, then governor Alfonso Trotti updated the duke on his investigation into a brawl at the house of Nicolo Castelvetro of the conciliar Castelvetro family “whose stars [had] risen in a short amount of time...and were now of the nobility.”¹⁸⁴ Trotti confirms that “it was clear that Count Alessandro had wounded Marco Antonio Carandini” during the course of the brawl.¹⁸⁵ The Carandini were well-known and deeply enmeshed in the ducal government. The rolls of the Conservators list Claudio Carandini as the joint head of the

¹⁸² Curzio Forni served at court from 1576 until 1589. Gerolamo Forni appears on the court rolls for the years 1562 to 1564. Ludovico Tassone served as ducal secretary and chancellor from 1559 until 1589. Ercole Tassone functioned as master of the chamber from 1555 until 1589. Guerzoni, *Le Corte Estensi*, 309.

¹⁸³ “Dopo quanto scrissi all Ecc. Con una mia di tre in materia del caso occorso in casa di M. Nicolo Castelvetro atteso poi ad informarmi parti con l’armamente di tutto cioe che in era seguito meglio et non si et aveva potuto fare {...} esperimente quando le ne diedi il aviso et ando in effetto che tral il conte Alessandro et il Bellencino et il Carandino, non era passata cosa di tale importanza...” ASMo, *Rettori dello Stato*, B. 112, Alfonso Trotti to Duke Ercole, Feb. 9, 1559.

¹⁸⁴ “Li Castelvetro ancor essi di presente si trovavono molto accresciuti in brieve tempo, et di facultà, et di gente,” Panini, *Cronica della Città Modona*, 160.

¹⁸⁵ “Ancor con una mia seconda lettera scritta all Ecc. in materia del caso occorso in casa di M. Niccolo Castelvetro io l’avisan poi pienamente come sera la cosa accomodata, per rispondere nondimeno a quanto esse mi scrive a me con la sua degli anco con li presente, et se lacome chiaro et colui et diede li ferita a Marco Antonio Carandino fosse agli Ma one del case Alessandro,” Alfonso Trotti to Duke Ercole, Feb. 9, 1559.

Council, along with Antonio Morone, in 1560.¹⁸⁶ In the same year that the brawl took place, Giovan Cesare Castelvetro served on the council in the first half of the year. Owning the house in which a brawl took place did not tarnish the reputation of Nicolò Castelvetro—he sat on the Council of Conservators in the second half of 1559.¹⁸⁷

The correlation between interpersonal violence and governmental service raises interesting questions about the Este state. The vendetta practitioners of this study were part of the pool of elites serving the Duke of Modena at court or in other capacities. It is significant that at the same time the Modenese elites were engaged in interpersonal violence, the duke continued to reward these elites with further preferment as well as rely on them for the state to function. In practical terms, this reinforces the idea that state “officials needed the collaboration of the locality.”¹⁸⁸ Without this collaboration, “an official could not penetrate the thick solid network of solidarity and connivance” tying together the members of a community and members of a faction.¹⁸⁹ The Este found it nearly impossible to penetrate the thick web of alliances which formed the bedrock of Modenese power. As a result, when ducal and conservatorial interests collided, this forced the two parties to negotiate past a stalemate. In the next chapter, these negotiations will be examined in an incident wherein ducal interests and familial prerogatives collided over the governance of a convent of women.

¹⁸⁶ Giorgio Chittolini, “The ‘Private,’ ‘The Public,’ the ‘State’,” in *The Origins of the State in Italy, 1300-1600*, ed. Julius Kirchner (Chicago: University of Chicago Press, 1995), 34-61 at 43.

¹⁸⁷ *Ibid.*

¹⁸⁸ Dean and Chambers, *Clean Hands and Rough Justice*, 17.

¹⁸⁹ *Ibid.*, 18.

Chapter One: “By this bitter cloth we will not be divided...”: Factional
Politics in Sixteenth-Century Modena

On June 9, 1562, the feast day of S. Lorenzo, a day traditionally celebrated by the Bellencini, the Modenese patrician Lanfranco Fontana dispatched several couriers with packages intended for members of the Bellencini family in Modena, Reggio, Parma, and Florence.¹⁹⁰ So important were these packages, he perfectly timed it so they would arrive at the same hour and on the same day. The cathedral canon Cornelio Bellencini had gone to bed in his chamber in Buomporto castle when a servant brought him one of the packages: a box painted with flowers and tied with a string. When he took up the string to read the letter attached, he triggered an internal mechanism.¹⁹¹ The box exploded in his face and set both him and the room ablaze.¹⁹² His servants found him blackened,

¹⁹⁰ “Il dì 9 giugno. Il signor Lanfranco Fontana mandò la scattola artificiosamente fatta alli soi nemici per ammazarli, siccome fece per una di dette scattole dippinta di fuora, et su la scattola una lettera ligata con uno spago forte indirizzata al magnifico signore molto reverendo signore Cornelio Bellencini di quei dalla piazza, il quale essendo a letto nella sua torre di Buonporto gli fu dato detta schattola, et ello tagliando spago per leggere la lettera sparrò una arteglia così artificiosamente dentro, che lo ferì nella faccia, nelle cosse et in tutta la vita, che pareva un carbone secco et brusato. Fu portato a Modena a casa sua, dove ello confessato et comunicato fece testamento et lassò al nostro monastero di S. Lorenzo di Modena cento scudi d'oro in oro *gratis*. Hebbe l'oglio santo et raccomandatione dell'anima; se ne passò a miglior vita da tal strazio.” Suor Lucia Pioppi, *Diario (1541-1612)*, ed. Rolando Bussi (Modena: Panini, 1982), 36-7.

¹⁹¹ In the same year, Marzio Colloredo sent package bombs to his enemies Nicolò and Urbano Savorgnan. It is unclear whether or not this happened before or after the events of June 1562. See, Muir, *Mad Blood Stirring*, 264. The chronicler Forciroli claimed that Lanfranco Fontana and Marzio Colloredo were great friends: “Usava Lanfranco di conversare molto intrinsecamente con Marzio Coloreto da Udine cavaliere di valore et molto grido, uno de' principali della fazione Turriana contro quella de' Savorignani nel Friuli, con costui avendo conferito il suo disegno; amendue insieme con Ursino Milano si ritirarono in Castelnuovo, castello allora del sig. Pallavicino Rangoni sul modonese. Quivi fabbricarono una palla di metallo vuota di dentro et con un bucco nel mezzo d'una scatola con una (A margine: “Di questa scatola ne fa memoria Giuseppe Orolggi nell'annotazione che fa al 7 libro delle Metamorfosi d'Ovidio tradotte in rima dall'Anguillara. Vedi al libro 7, fol. 296”) ruota piccola d'archibugio ordinata a far fuoco subito che fosse fatta scroccare, come avveniva nell'aprirsi della scatola, che chiusa col coperchio, tutta piena di polvere et coperta di carta rossa veniva legata con una corda da leuto forte a foggia di tramesso, con una lettera sopra dirizzata a colui contro il quale aveva da fare l'effetto.” See Francesco Forciroli, *Vite dei Modenesi illustri*, ed. Sonia Cavicchioli (Modena: Aedes Muratoriana, 2007), 173-189 at 183.

¹⁹² The chronicle of Giovan Battista Spaccini contains detailed plans and a diagram of how these boxes were made with the following inscription: “et ello tagliando il spago per leggere la lettera sparrò una arteglia così artificiosamente dentro, che lo ferì nella faccia, nelle cosse et in tutta la vita, che pareva un carbone secco et brusato.” Giovan Battista Spaccini, *Cronaca di Modena* (Modena: Francesco Cosimo Panini, 1993), 400.

withered, and burned. They carried him the twenty miles south to his palazzo in Modena to receive last rites. Lingered in excruciating pain for two days, Cornelio died shortly after commending his soul to God.

At the same time many miles away in Parma, a courier was delivering one of the packages to the bedchamber that Cornelio's nephew Giambattista the younger shared with his wife Hortensia Tassone.¹⁹³ When Giambattista opened his gift, he sustained wounds almost identical to those of Cornelio. Mortally wounded in his face, he lost both an eye and hand before perishing.¹⁹⁴ Shrapnel from the bomb also wounded his wife; unlike her husband she survived the attack but remained gravely ill for many months.

Another courier found the canon Aurelio Bellencini dining with his nephews Cesare, Lodovico, Camillo, and Costanzo in the Bellencini palazzo in Modena.¹⁹⁵ Shrapnel wounded him in the eyes but he survived the concussion. The explosion also wounded his nephews and set the room on fire. At the same moment, a courier was delivering one of the parcels to the Cambii palazzo in Reggio.¹⁹⁶ A retainer brought the package to Signor Cambii and his wife at the dinner table where they were entertaining guests. Signor Cambii opened the box and immediately perished in the explosion. The detonation wounded his wife as well as some of their guests and servants. Signora Cambii sustained grave wounds; she lingered in pain for many months before dying.

¹⁹³ "Siccome ancora il signore Giambattista Bellencini, suo nepote, et il signore Ippolito figliuolo del signore capitano Nigrino morseno di tal schattole mandate dal ditto suo inimico; morseno in Parma, sendo banditi da Modena." Pioppi, *Diario*, 36.

¹⁹⁴ "Io ferì nelle faccia, e in una mano, e li cavò un occhio." Ibid.

¹⁹⁵ "...così delle retroscritte schattole restò ferito il molto magnifico signore il signore Aurelio Bellenzini il quale campò, ma perse un occhio per tal ferita; restarono toccati il signor Cesare, il signor Lodovico, il signor Camillo et il signor Costanzo Bellencini suoi signori nipoti, ma solamente toccati dal fuoco per la gran polvere che dentro era nell'artificio della schattola." Ibid.

¹⁹⁶ "Fu dato di dette scattole tutte in uno giorno et in un'ora alli signori Cambii in Reggio sendo a tavola; morseno in dui con la moglie sua gravida, et molti altri restarono feriti di quelli che si trovavano a tavola et di quei servivano; restò ferita la molto magnifica signora la signora Hortensia Tassone sposa del signore Battista Bellencini, la quale era seco a Parma mentre era bandita." Ibid.

By stroke of fortune, several of Lanfranco Fontana's intended victims escaped a fiery death.¹⁹⁷ Customs officials stopped one of the couriers at the border as he was on his way to Florence to deliver a package to the exiled Giovan Francesco Forno.¹⁹⁸ When an official took the package for inspection, it exploded, killing him and two of his underlings.¹⁹⁹ By the time the smoke had cleared, nine had died from Lanfranco's exploding boxes.²⁰⁰ Members of three generations of the Bellencini family had been murdered. Many more had been wounded. All were aghast at the cruelty.

Modena's sovereign—Alfonso II, Duke of Ferrara, Modena, and Reggio—was furious. He offered the princely sum of one thousand *scudi* to anyone who could bring Lanfranco Fontana to justice.²⁰¹ Lanfranco's alleged conspirators, Giambattista Ronchi, Guido Machelli, Tommaso, and Giacomo Fontana, were captured and sent to the prison in Ferrara.²⁰² In a blatant expression of his displeasure, the duke commissioned a marble

¹⁹⁷ The Cronaca Tassoni names several other intended recipients not included in the other accounts. "Eodem anno die 9 Iunij, cum crudelos inimicicio essent inter Fontanos et Belencinos mutinenses, quidam Lanfrancus Fontana, cuius domus confinat conventui et ecclesie Servorum, misit per personae ignotas quasdam capsuals ad intar timapanuli pulchre depictas cum litera unicuique alligata et sigillata cum suprascripto, unam Dominio Cornelio Belencino ad Bomportum in turi Belincinorum, unam Ioanni Baptiste et unam Aurelio de Belencinis, qui erant exules in civitate Parme, unam Ioanni Furnio in villa Forzani, unam Ioanni Francisco Furnio in civitate Florentie et aliam Thome Cambio et fratribus in civitate Regij, que uno die date singulis supradictis et singuli incidissent filum, quo erat littera capsulae alligata." Antonio Tassoni, *Cronaca di Modena* (Modena: Francesco Panini, 1888), 348.

¹⁹⁸ Archivio di Stato di Modena (hereafter ASMo), *Rettori dello Stato*, B. 12, Governor Alfonso Trotti to Duke Alfonso D'Este II, June 12, 1562.

¹⁹⁹ "Ne fu mandata una al capitano Giovan Francesco Forno bandito, che stava in Fiorenza, e gli gabellini della città l'asperso, e resterano morti in dui, et molti altri feriti;" Pioppi, *Diario*, 38.

²⁰⁰ "e a tutti questi ne furono mandati per essere dall parte de' signori Bellencini, perché altrimenti non gli potevano havere, et morse di tal trappola et ignanno il reverendo signor Cornelio Bellencini, il signor Giambattista Bellencini suo nipote, il signor Ippolito Negrini, i due signori Cambii di Reggio, et la sua consorte gravida di sei mesi, gli due gabellini fiorentini, che siano in gloria poverini, talché furono col nonnato figliuolo della gentildonna gravida di Reggio 9 persone che morseno di tale artificio." Ibid.

²⁰¹ "Fu bandito perpetuo dallo Stato dell'eccelestissimo signore duca di Ferrara, fu fatto taglia di migliaia scudi a chi lo dava vivo nelle mani del signore duca, et scudi 500 a chi lo dava morto. In oltre, sendo bandito, chi lo ammazava guadagnava il bando, et non sendo bandito poteva cavar di bando qualunque li piaceva, secondo disse il nostro fattore che stette ad udire la grida, el molte altre persone che vennero al monastero." Ibid.

²⁰² "Seguito della morte delli signori Bellencini et loro amici. Dopo le scaricate et infallibili schattole al male, fu mandato prigionero a Ferrara il magnifico signore il signore Giambattista Ronchi, il signore Guido Machelli, il signore Tommaso Fontana e il signore Giacomo Fontana, tutti di sospetto, secondo fu detto al

sculpture of Lanfranco Fontana with a noose around his neck, a barrel of gunpowder, and flames at his feet.²⁰³ Carved underneath his effigy was an account of his crimes.²⁰⁴ The sculpture was placed outside the Fontana palazzo for all to see. This was the closest Duke Alfonso ever came to meting out punishment. Lanfranco Fontana was never apprehended.

This incendiary incident and the events which preceded it exemplify the consequences of a comparably weak system of ducal governance in the face of a relatively autonomous nobility. This chapter traces the Bellencini-Fontana vendetta from the first recorded act of violence in 1547 under the reign of Ercole II to the explosive events of 1562 under the reign of Alfonso II. The vendetta began in 1547 when Lanfranco and his cousins Giovan Stefano and Galeazzo Fontana murdered Annibale Bellencini outside the Fogliani palazzo. Lanfranco and his kin immediately fled in order to escape punishment. Their actions, however, started a cycle of reciprocal violence that preoccupied the government for more than thirty years. While their Fontana kinsmen pursued the fight, Lanfranco and his cousins remained in exile for several years before successfully petitioning Duke Ercole II to return to Modena in 1556. They returned, however, at an inopportune time, just as the duke, his governors, and their peers

monastero da diverse persone. Dio li diffenda per misericordia, poiché non si può provvedere al male successo.” Ibid.

²⁰³ “Il dì 25 dicembre. Fu condotta a Ferrara a Modena una gran pietra marmora, nella quale era scolpito sopra il signore Lanfranco Fontana grandò quant’è un corpo d’huomo, et era appiccato sulla forza, et haveva sotto I piedi scolpito un bariletto pieno di polvere da bombarda, et gettava fuor le fiamme, così scolpite, et fu murata detta statua in mezzo il parieto della casa del detto signor Lanfranco Fontana dalli Servi, et v’era scritto a suo carico tutto il tradimento (nel) suddetto marmoro. Sotto l’eccelestissimo signore duca da Este duca di Ferrara.” Pioppi, *Diario*, 44.

²⁰⁴ For more on pitture infamanti, see Gherardo Ortalli, “...pingatur in Palatio...”: *La pittura infamante nei secoli XIII-XVI* (Rome: Jouvence, 1979); Samuel Y. Edgerton, *Pictures and Punishment: Art and Criminal Proseccion during the Florentine Renaissance* (Ithaca, NY: Cornell University Press, 1985).

successfully concluded a pacification between the two factions nine years in the making.²⁰⁵ Indeed, Ercole's grant of extraordinary grace proved to be a costly mistake.

The case of Lanfranco Fontana exemplified ducal policies towards a violent nobility and the problems inherent in ducal governance. With the return of Lanfranco Fontana, the uneasy truce was broken. Lanfranco had been in Modena only a very short time before he became involved in an infamous duel with one of the Bellencini relatives—Captain Camillo Forni.²⁰⁶ After again incurring Ercole II's wrath, he returned into exile. Merely one year later, he participated in a Fontana altercation with the Bellencini outside the city. Once again banished, for the third time, Lanfranco Fontana planned his fiery revenge. In 1559, Duke Ercole II died and his son Alfonso II replaced him. By this time, Lanfranco Fontana was out of ducal reach. The pardoning of Lanfranco Fontana, his eventual return, and his final "capture" at the ending of the vendetta represented not only the challenges the dukes' faced in curbing noble violence but also changing ducal strategies.

Indeed, Lanfranco Fontana was representative of deep ruptures in Modenese society between local practices and ducal governance. While he could fairly be characterized as one of the more blood-thirsty members of his extensive clan and had played a starring role since the inception of the violence in 1547, he did not act in isolation or without the support of his kin. In many ways, Lanfranco Fontana proved to be the government's harshest lesson that the Este policies towards their Modenese nobility needed to be changed. Indeed, his career of killing Bellencini provides a clear example of ducal problems restraining the powerful Modenese nobility. From 1547,

²⁰⁵ ASM_o, *Particolari*, Fontana, F. 449.

²⁰⁶ For a discussion of the duel between Lanfranco Fontana and Camillo Forni, see David Quint, "Duelling and Civility in Sixteenth-Century Italy," *I Tatti Studies: Essays in the Renaissance* 7 (1997): 231-79.

Lanfranco Fontana was a clear candidate for prison or execution should the Duke of Ferrara-Modena possess the wherewithal to effectively prosecute the violence of his nobility. The Duke of Modena, however, lacked a coherent framework for coping with these problems. As a result of lacking effective tools for prosecuting violence, from the moment a quarrel broke out among two young bravi, the duke and other authorities failed to take the measures necessary to contain the quarrels of the Modenese elites. In order to delve deeper into these difficulties in restraining a violent and powerful nobility, the first section of this chapter examines the death of Annibale Bellencini, the events which followed immediately afterwards, and their expressiveness of the inability of the duke to intervene in meaningful ways.

The Bellencini-Fontana vendetta and its protagonists exposed inherent problems in Modenese politics as practiced; namely ducal weakness and noble excess. It was one thing for Ercole II and his predecessors to overlook a few altercations amongst members of the nobility. Many early modern sovereigns ignored noble misdeeds when it suited them. It was another thing entirely for a sovereign to allow violence to escalate to the extreme level that it did in 1562. If part of a centralized state's task is to control violence, by preliminary verdict, Ercole II failed perilously in this case. For his perceived inaction, his contemporaries judged him harshly.

Ercole II inherited an increasingly powerful nobility from the chaos of his father Alfonso I's reign and the policies of his predecessors. As Ercole sought to stabilize his state, the power and influence the nobility presented various obstacles. These barriers to his growing sovereignty included the oligarchy's tight grip on Modena's government. Their management of revenue and a monopoly of the Council of Conservators and the

governance of corporate bodies like the Monte, the College of Bankers, and the professional guilds exemplified this tight grip. Their networks, alliances, and control of Modena's institutions made governance without their cooperation difficult and complicated attempts at reform.

Seeking to retain their autonomy, the Modenese elite assiduously resisted interference in their affairs. As evidence of this resistance, the Bellencini did not prove responsive to the type of unilateral pressure the duke placed on them to sign a peace agreement after the murder of Annibale Bellencini in 1547. Despite ducal attempts to broker a peace, the Bellencini, with Annibale's father Giambattista at their head, initially refused to sign. Even when the Bellencini and Fontana finally signed these ducal-brokered peace accords, they resumed their vendetta when it suited them. As evident in their agreement to submit to an accord after the intercession of their peers, their dense social networks appear to have had more effect on their actions than the assertion of pressure by the Este. Their extended kin carried more weight in their political calculations. Pressure from allies and relations proved to have had as great an effect on the trajectory of vendetta as ducal inducements to refrain from further violence. As the negotiations between Giambattista and Duke Ercole over peace with the Fontana show, ducal force could only exert so much pressure on factional considerations. Indeed, ducal force just engendered more resistance.

This chapter contextualizes these trends by examining noble violence as symptomatic of this conflict between ducal sovereignty and elite intransigence. Doing so through the lens of vendetta sheds further light on the political excesses of the ruling elites and the interaction with ducal sovereignty. Indeed, Modena's group cohesion and

“networks of solidarity” come into sharp relief when the Bellencini-Fontana vendetta is examined more closely. The violence of this vendetta was not restricted exclusively to fierce young bravi trying to prove their honor. The government, the countryside, the convents, the churches, the rich and the poor—all were impacted. It was “una causa civile,” a civil matter infecting every limb of Modenese society. Because it was a civil matter, the Bellencini-Fontana conflict opens a window onto how the Modenese oligarchy interacted with practices of governance.

More importantly, this vendetta shows that state formation was neither linear nor simple. The nobility’s networks of solidarity proved an impenetrable wall for sovereigns should they ignore the need for cooperation. In order for the Este to succeed in their endeavors to create a consolidated state, they had to allow for local interests. Vendetta violence proved to be one of the means by which the Este dukes and their elites negotiated competing claims for local power. This discussion will set the stage for examinations in subsequent chapters of various perspectives on the meanings of vendetta violence for participants and the functions it served at a critical moment in state formation.

“Those who are supposed to provide, do not provide...”

Lancellotti, *Cronaca*, 10:131

The inability of the dukes to effectively restrain the Modenese nobility was well noted and much lamented by his subjects. The most comprehensive source for this period in the city’s history is that of the chronicle Tommasino Bianchi “Lancellotti” himself a member of the Modenese patrician class and a sometimes fierce ducal critic. Born in Modena to the apothecary Jacopo Lancellotti and his wife Cassandra of the notable Modenese clan the Seghizzi, he joined the College of Bankers in 1507. He then embarked upon a distinguished career in the ducal government. Increasingly prosperous and politically prominent, he joined the College of Notaries in 1527 and began to invest in Modena’s nascent silk business. His lifetime of service to the state included tenure as fiscal agent of the commune (massaro), treasurer of the Monte di Pietà, tax collector, and sitting frequent terms on the Council of Conservators. During his lifetime Lancellotti kept a daily diary from the year 1503 until his death in 1554. A witness to the reign of two dukes and increasing factionalism and violence in his beloved native city, his idiosyncratic and comprehensive chronicle remains a rich source of information for the practices and attitudes of the ruling elite. As a result, his great work also provides a window into their perceptions towards ducal initiatives and attempts to exercise power. We now turn to the events of 1547 and Lancellotti’s perception of them.

From 1547 onwards, Lancellotti was particularly harsh critic of what he perceived to be as ducal ineffectiveness but in the beginning of that year Lancellotti gave little hint of disaffection. According to his chronicle, the year 1547 began in Modena much the

same as previous years. The political situation in Italy remained tenuous. As a result, Duke Ercole II continued to play diplomatic chess on an increasingly complex stage since, at any moment, the delicate balance of power could be upset. News filtered in from Genoa of unrest and renewed factionalism between the Doria and the Fieschi families. Mitigating these uncertainties was the rumor that Ercole was seeking a marriage alliance with Poland in order to further solidify his support abroad.²⁰⁷ Lancellotti's only critique of these developments was that Ercole had not informed the Council of Conservators of his plans.

When the duke raised taxes later in the month, Lancellotti said very little. Constantly in need of revenue to finance wars and fortify against foreign incursions, Duke Ercole's tax hikes put further strains on an already stressed population.²⁰⁸ A series of poor harvests and the destruction of crops had burdened food supplies. By raising taxes, Modena's sovereign risked pushing the population into famine conditions. The ever-present threats of earthquakes, floods, and intemperate weather only compounded the problem. In February, an earthquake hit.²⁰⁹ It did little damage in Modena, but caused severe damage further west in Reggio.²¹⁰ Modena's turn, however, to face natural disaster came later in the month when the flood-prone city suffered another deluge. After the flood, grain prices rose from 8 soldi to 40 soldi a bushel.²¹¹ Lancellotti still had no comment on how well his sovereign provided for his subjects.

²⁰⁷ Lancellotti, *Cronaca*, 10:1.

²⁰⁸ *Ibid.*, 10:14.

²⁰⁹ *Ibid.*

²¹⁰ *Ibid.*, 10:16.

²¹¹ *Ibid.*, 10:88.

Instead, Lancellotti focused on the doings of the elites. There were the usual marriages, births, and deaths.²¹² Ser Zorzo Codebò died on February 6 at the ripe old age of 84 years.²¹³ He was survived by his son, Giambattista, a well-respected man, and the current head of the Council of Conservators. Filippo Tassone died towards the end of February of kidney ailments. Bartolomeo Fogliani married for the third time and took a daughter of Richetto di Richetti of Rubera to wife.²¹⁴ A more lavish wedding took place towards the end of February between a member of the countly Rangone family and the illustrious Gonzaga lineage.²¹⁵ The bride, Lavinia Rangone, brought with her an impressive dowry of 15,000 scudi. The wedding was followed by a feast at the house of Giberto Pio, the lord of Sassuolo.²¹⁶ There were no reports that the feast suffered from lack of provisions.

Indeed, as Lancellotti relates it, the business of government and trade hummed along. Daniel Zarlatino, son of Angelo, and Lorenzo, son of Girolimo Valentini and a nephew of Girardino Molza were preliminarily elected to the Banker's College. They would assume their residency after paying their initiation fee of 43 Modenese bolognini over the course of nine years.²¹⁷ Later that month, Nicolò Carandini was elected to the College, bringing the rolls to 57.²¹⁸ He joined many Modenese notables, including our chronicler Tommaso Lancellotti, Giambattista Bellencini, Giovan Tommaso Fontana and

²¹² As noted of chronicles and their writers in the introduction to a recent work on history writing, "Chroniclers were not modern detached historians. They were opinionated, often deeply partisan, and intensely personal. Idiosyncrasy and anecdote pervade their accounts." See, "Introduction," in *Chronicling History: Chroniclers and Historians in Medieval and Renaissance Italy*, ed. by Sharon Dale et al (University Park, PA: The Pennsylvania State University Press, 2007), ix; Also see, Eric Cochrane, *Historians and Historiography in the Italian Renaissance* (Chicago: University of Chicago Press, 1981).

²¹³ *Ibid.*, 10:13, 33.

²¹⁴ *Ibid.*, 10:13.

²¹⁵ *Ibid.*, 10:19.

²¹⁶ *Ibid.*, 10:21.

²¹⁷ *Ibid.*, 10:10

²¹⁸ *Ibid.*, 10:13.

members of the Valentini, Codebò, Carandini, and Grillenzoni lineages.²¹⁹ The College of Bankers was as large as it had ever been. The elite prospered.

In May, however, an event happened which drew Lancellotti's particular notice and would unleash a storm of commentary. On the evening of the Feast of the Ascension in May of 1547, Annibale Bellencini and Giovan Stefano Fontana encountered one another on the street outside the Fogliani palazzo.²²⁰ Soon after, the two men came to blows and Giovan Stefano wounded Annibale. Immediately afterwards, the assailant and his companions fled from the city through the nearest gate. Word of the altercation spread quickly in the ensuing commotion.²²¹ The governor's secretary, Gentile Albino, received word and went immediately to the Bellencini palazzo, where he found a mob of men ready to take up arms in defense of their kinsman Annibale. They apprised Albino of the situation and demanded that the malefactor be apprehended.²²² Albino tried to calm the men as much as possible and placed guards around the city. He called for the suspect's apprehension.²²³ Shortly thereafter, he wrote a letter to the duke with an air of obvious concern.

²¹⁹ For a list of the 57 conservators, see Lancellotti, *Cronaca*, 10:16.

²²⁰ "A dì ditto. Questa sira da hore 24 ½ è stato ferito Annibale ditto el capitano fiolo del Magnifico M. Giambattista Bellencini in la panza da uno fusetto alla spagnola et se crede ch'el morirà. E questo è stato da casa de M. Bertolamè Fogliano suso el Canale chiare dove era una granda compagnia de zoveni. Se dice essere stato Giovan Stevano fiolo de M. Geminiano Fontana." *Ibid.*, 10:75.

²²¹ "Questa sera dopo cena essendo il capitano Annibale Bellencini figliuolo di M. Giambattista sul canal chiaro poco lontano da casa sua, nel medesimo loco essendo Giovan Stefano figliuolo di M. Geminiano Fontana anchor lui habitante in quella vicinanza per quanto s'intende si salutarono l'un altro, poi trapassato setto capitano annibale." per non era alcun seco detta fontana hebbe agli modo di sparire prima romore si sapesse il agli saputo li il Barigello fu subito a cavallo o li suoi pigliando la via fuori della porta Barzonara piu vicino al loco del delitto ne anchor o ritornato. Io parimente lui subito alla piazza et anchor a casa proprio di Bellencini ove era fatto gran concorso de gente" *Archivio di Stato di Modena hereafter ASMo., Rettori dello stato*, B. 11, Gentile Albino to Ercole II, May 18, 1547.

²²² "Et me gli offersi tutto quello et da loro fosse domandato questa occurenza per sapere del malfattore haverlo ossendo possibile nelle namius ritornato." *Ibid.*

²²³ *Ibid.*

At first, the reasons for the altercation were uncertain. In his letter, Albino reported that Annibale had snubbed Giovan Stefano in the street as he was passing the young man and his cousins. Gravely insulted, Giovan Stefano turned to follow him—hunting him down, and wounding him with his dagger.²²⁴ The chronicler Forciroli had a slightly different take on the matter. He claimed that Annibale had laughed at Giovan Stefano and insulted his girth in front of all of their friends and companions: “Oh look at that ass and paunch on him! He is not even able to move and his legs are not even able to accommodate him.”²²⁵ With the abundance of young Modenese nobles ready to defend their honor, however, such an event was not unusual.

As a group, however, Lancellotti and the Modenese elite seemed particularly affected by this event. Several days later, Annibale died of his wounds. His kin buried him in the church of the Carmine with pomp and circumstance; the deceased was accompanied to his family tomb by a great company of men of arms, many Modenese nobles, the cathedral chapter, and a procession of monks.²²⁶ The chronicler Suor Lucia Pioppi, still a young girl, witnessed the procession from the window of her ancestral palace. She noted poignantly how her mother and father wept. Indeed, Suor Lucia and her

²²⁴ “Il Fontana lo segui di dietro gli caccia un pugnale nelle [...] della agli ferita lui se ne sta per morire.” Ibid.

²²⁵ “Ora, caminando Annibale con alcuni de' suoi, et essendo tutti incamicciati et con finti abiti sconosciuti, a caso s'abbatterono in Fiovan Stefano, Lanfranco, et gli altri cugini de Fontani ancor//loro senza compagnia usciti fuori, ai quali cominciando dar la caccia, passarono tant'oltre, che a forza di molte busse gli fecero pigliar la fuga. La mattina che segui dietro, ritrovandosi con molte risa il fatto successo, Annibale vi soggiunse: “Oh che spesse et buone asinate ebbe quel pancione, che non si poteva muovere, né farla commodamente per le gambe, come gli altri,” accennando a Giovan Stefano, il quale indi non molto lontano si trovava et sentiva il tutto, che di natura era assai grassi et corpolento.” Forciroli, *Vite dei Modenesi Illustri*, 78.

²²⁶ “Il dì 20 maggio la vigilia della Sensa fu ammazzato il signor capitano Annibale figliuolo del signor Giambattista Bellencini presso l'Ave Maria sulla banchetta sotto il portico de' Levizzani, dove stava sentato il detto signor capitano al fresco sul Canale Chiaro, et ebbe un sola ferita d'uno stiletto per mano del signor Giovan Stefano Fontana; fu sepolto il giorno seguente con bellissimo funerale, et io lo vidi passare dalle nostre finestre agli Incappuzzati con tutto il Capitolo, e tutte le Regole, et Compagnie; fu accompagnato da tutti gli gentiluomini et nobili al Carmine, che sia in gloria, et per lui pianse messer padre et madonna madre.” Pioppi, *Diario*, 4.

family were not the only ones affected. The death of Annibale Bellencini generated more commentary, observation, and documentation than most of the other seemingly important events in 1547. Indeed, in a city infamous for its violent nobility, Lancellotti's undue emphasis upon one death foreshadowed the events to come.

Writing from a privileged standpoint as one who served with the Bellencini and socialized with them, Lancellotti foresaw the trouble to come. He undoubtedly possessed inside information on the finer details of events. Privileged information was not required, however, to foresee the dangers in this death. Annibale Bellencini came from one of the most eminent families of Modena who were important cogs in the state machinery.²²⁷ Francesco Panini—a sixteenth-century historian of the Modenese nobility—counted the Bellencini among local families who were “illustrious men, possessing not only nobility,” but also persons who “gave light and splendor to all of Italy.”²²⁸ Among the illustrious ancestors of this “bellicose” family were Iacopino Bellencini, a former Syndic of the Commune, and Catelano Bellencini, the famed jurist.²²⁹ Other luminaries included

²²⁷ Panini maintained the Bellencini came “from Perugia and noble blood,” and changed their name from Baglioni to Bellencini upon their immigration into the territory. Other sources suggest that the Bellencini descended from the Bagno family of Florence. Members of the Guelf faction and enemies of the Uberti who fled Florence and Tuscany after their defeat at the hands of the Ghibellines in 1260, The Bagno, later Bagnesi, sought refuge in Modena and changed their name to Bellencini to disguise their origins. See, Panini, *Cronica della città di Modena*, 158. For another account with emphasis on the Bellencini's Florentine origins, see Giambattista di Crollanza, et. al, *Annuario di nobiltà italiana IV* (Pisa: Libreria Galileo, 1881), 644-5; Whatever their ancestral antecedents, the Bellencini family appears in Modenese records and chronicles around the time of the city's handover to the Este lords of Ferrara. Bellencino di Bellencini is listed as one of the Savii (later the Council of Conservators) from 1299—a few years after members of the Modenese nobility offered the city to Obizzo d'Este in 1288. See, Lodovico Antonio Muratori, *Delle antichità estensi ed italiane: Delle antichità estensi continuazione, parte seconda* (Modena: Stamperia Ducale 1740), 60; In 1315 Bellencino di Bellencini left a will establishing Bellencini patronage of what was later to become the Bellencini chapel in the Duomo. It is around this time that the Bellencini begin to appear more regularly in Modenese records.

²²⁸ “Et in questa città per ogni tempo sono fiorite, et fioriscono et famiglia, et huomini illustri, che non pure hanno nobilitata, et illustrate lei sola, ma data luce, et/ splendore a tutta l'Italia.” Panini, *Cronica della città di Modena*, 140.

²²⁹ “Ma come si sia, si ha di q[uesti] fra gli altri luoghi assai antica, et honorata memoria nell'anno 1331 nel quale messer Iacopino Bellencini, come al suo luogo si disse, eletto con altri tre Sindaco del Commune diede la signoria de Modena a Giovanni Re di Boemia.” Panini, *Cronica della città di Modena*, 158.

Aurelio Bellencini, a cathedral canon with a reputation for learning not only in law but also in the liberal arts.²³⁰

At the time of Annibale Bellencini's death in 1547, the family was well entrenched in the city's hierarchy. The victim's immediate forebears had proven themselves invaluable in ducal service. Annibale Bellencini was the grandson of Aurelio—a famous statesman and favorite of Ercole I.²³¹ For his service to the duke, Ercole granted Aurelio the title of Count Palatine and granted him and his descendants certain tax exemptions.²³² His son Lodovico earned further honors for his service to Alfonso I, including a grant of 200 Modenese biolche and the right to bear arms for him and his descendants.²³³ Lodovico also served as senator of Rome under Leo X.²³⁴ Several of Annibale's living relatives were also ducal favorites. At the time of his death, Annibale's uncle Francesco was serving as a senator in Rome under the vicariate of Paul III.²³⁵ His uncle Bartolomeo had just returned from his tenure as auditor of Genoa. The murdered Annibale had powerful and influential relatives.

The assailant Giovan Stefano's family, the Fontana, were just as powerful and illustrious in origin.²³⁶ Allies of the Este family before their assumption of the

²³⁰ “Hora non con minor lode fiorisce ne studii medesimi l'uno, et l'altro Aurelio amendue Giurisconsulti, et amendue canonici della chiesa di Modena fra quali Aurelio già d'Agostino non solo è ornato della scientia legale, na in ogni sorta di lettera è in modo dotto, et profondo, et di sì bello ingengo che non pur alla famiglia sua, ma a tutta la città è di splendore, e d'ornamento grande, “ Ibid.

²³¹ For a brief synopsis of Aurelio's career, see Lodovico Vedriani, *Dottori Modonesi, di telogia, filosofia, legge canonica, e civile con I suoi ritratti dal naturale in rame; Et altri letterati insigni per l'opere, e dignità loro* (Modena: Cassiani, 1665), 70-1.

²³² ASMo, *Particolari*, Bellencini, B. 114.

²³³ Biolche are a Modenese measurement of land. 1 biolche= 2.5 hectares.

²³⁴ Vedriani, *Dottori Modonesi*, 121.

²³⁵ For more on Francesco's career see, Vedriani, *Dottori Modenesi*, 122-4.

²³⁶ “Ma da Piacenza, o da Ferrara credo, che havesse origine la famiglia de Fontana, nel tempo che i Fontana furono espulsi nell'anno 1270 con altri de principali di Ferrara dalli Marchesi di quella città, ov'erano potenti et nobili, de quali alcuni può essere, che venessero in questa città non ancora de Marchesi; si come nel'anno 1208 Podestà di Modena messer Guglielmo Rangone ci venne ad habitare Salinguerra

governance of Ferrara, they had long served the Este. Among notable members of the Fontana were Lanfranco's ancestor and namesake who "made a name for the house by every means," and Roberto Fontana, "no less learned in the legal professions than his ancestors."²³⁷ While the Fontana had not been entrenched as deeply in Modenese politics for as long as the Bellencini, at the time of Annibale's death their office-holding patterns and service in the Modenese government looked nearly identical.

The Fontana and Bellencini were political peers. Not only did the Bellencini and Fontana encounter one another daily in the streets of the city—Modena is not large—they served the Dukes of Ferrara-Modena in various capacities at court. A list from the sixteenth century names Alfonso Bellencini in 1562 as an 'official of the house.' Gaspare Bellencini served as an official of the *guardaroba* from 1536 to 1569.²³⁸ Francesco Bellencini served on the *Consigliere di Segnatura* from 1558 until 1565 and Ippolito Bellencini as *scalco* (majordomo) from 1540 until 1567. Gerolamo Bellencini served in an unnamed capacity. At least five members of the Fontana family held places at court during the same years.²³⁹

Men of both families also held important ambassadorial positions. In 1515, the commune sent Annibale's uncle Ludovico Bellencini and Baldissera Fontana as ambassadors to Pope Julius II to request confirmation of the city's privileges and a

espulso della medesima città del Marchese. In questa famiglia de Fontana olre I molti altri de valore..." Panini, *Cronica della città di Modona*, 158.

²³⁷ "oltre i moltri altri de valore è stato a di nostri Lanfranco, il quale ha fatto in ogni parte nominare questa casa; hora vi è Roberto, il quale con li suoi studii legali illustrerà non meno de gli altri suoi antichi la sua famiglia." Ibid.

²³⁸ Guido Guerzoni, *Le corti Estensi e la devoluzione di Ferrara del 1598* (Carpi: Quadernii dell'archivio storico, 2000), 259.

²³⁹ Ibid.

plenary indulgence on the feast of S. Geminiano.²⁴⁰ In 1523, and again in 1524, the Council of Conservators sent Lodovico Bellencini as ambassador to Rome to confirm the privileges the newly elected Leo X granted to the city.²⁴¹ In addition to acting in ambassadorial positions, they had joined the circuit of traveling professional bureaucrats on the duke's recommendation. Francesco Bellencini, Annibale's uncle, alone served as a senator of Rome, governor of Parma, and as a member of the duke's secret council on several occasions.²⁴²

Considering the high rate of endogamy practiced by Modenese elites, the Bellencini and Fontana shared not only professional ties but also bonds of kinship. Each family was related in some way to the other principal families of Modena.²⁴³ Marriages between the Bellencini and the Castaldi, Carandini, Cesi, Colomba, Fogliani, Molza, Tassone, and Zavaia clans are recorded throughout the sixteenth century, as are marriages between the Fontana, Balugola, Tassoni, and Masetti clans.²⁴⁴ Similar to the elites of Florence, Venice, and other locales on the peninsula, the Modenese elites created further alliances via their marriage strategies: "A complex and precise calculus was at work, most especially when marriage set up relations between families in command of capital

²⁴⁰ "Et nel principio del seguente anno il Comune mandò Ambasciatori a Roma a Papa Leone messer Lucrezio Tassone, messer Ludovico Bellencini, messer Giovan Castelvetro, messer Bernardino Mazzone, messer Giovan Filippo Cavallerino, et messer Baldissera Fontana con commissione di domandargli molte gratie, le quale da loro furono tutte ottenute, et in particolare l'Indulgenza plenaria nella festa del glorioso San Geminiano," Panini, *Cronica della città di Modena*, 134.

²⁴¹ "Et nel principio del seguente anno 1523 li Conservatori manda/rono Ambasciatori a Roma a Papa Adriano messer Ludovico Bellencini,"; "Et li Conservatori di Modena nel principio de seguente anno 1524 mandarono ambasciatori al novo Pontefice messer Lodovico Bellencini..." Ibid., 134.

²⁴² "Di questa famiglia sono usciti molti huomini bellicosì, et ancora Giurisconsulti honorati, e tra gli altri a tempo nostro Francesco, il quale per la sua eccellente dottrina, et valore è stato Senatore di Roma, Governatore di Parma, et ultimamente consigliere segreto de Principi da Este, al cui servitio poco da se ne passò a miglior vita." Ibid., 158.

²⁴³ There is no study at present on the practice of endogamy and the Modenese elites. Much of this information, therefore, is necessarily based upon what has been recorded in Chronicles.

²⁴⁴ Both Tommasino Lancellotti's *Cronaca Modenese* and Sr. Lucia Pioppi's *Diario* record marriage data for the elite families of Modena.

of a material or symbolic kind.”²⁴⁵ The core group of Modenese families chose to marry among other consular families for precisely these reasons. As in other locales in Italy, marriage alliances solidified these networks of conciliar families.

The local service of these two families, now further linked by violence, included frequent terms on the Council of Conservators—Modena’s highest governmental body—a privilege that by the sixteenth century had become closed to all but the most elite families.²⁴⁶ Indeed, various members of each family served throughout the sixteenth century.²⁴⁷ Annibale’s uncle Francesco served on the Council for the first trimester of 1547. Giovan Stefano’s kinsman Francesco Fontana was serving at the time of Annibale’s death. With the two men’s uncles and fathers serving in such close proximity, the murder could have far-reaching implications for the business of government if the men did not come to an accord soon. Indeed, there was every incentive for them to do so. At the end of May, it appeared that an agreement was likely, since Giambattista Bellencini traveled to Ferrara to work out a peace agreement with the Fontana under the duke’s supervision.²⁴⁸

Summoning the principles to Ferrara, however, proved to be a miscalculation since ducal influence on local matters remained slim. By the end of June in 1547, a peace agreement had not been made and matters were beginning to look more threatening to civic order. Lancellotti related that the kinsmen of Giovan Stefano Fontana, his father

²⁴⁵ Anthony Molho, *Marriage Alliance in Late Medieval Florence* (Cambridge: Harvard University Press, 1994), 13.

²⁴⁶ For a brief discussion of ducal reform of Modena’s council of conservators, see Susanna Peyronel Rambaldi, *Speranze e Crisi nel Cinquecento Modenese*, 26-8.

²⁴⁷ ASMo, *Rettori dello Stato*, B. 106.

²⁴⁸ “A di ditto. El Magnifico M. Giambattista Bellencini é andato a Ferrara perchè la Excellentia del Duca ha scritto al Signore Governatore ch’el facia fare tregua lui con li Fontana e ch’el se facia dare la segurtà sino in quarta generatione; e per qusta causa è andato a Ferrara e li Fontana hanno per l’horì el M. Cesaro di Nobili da Lucca per uno consigliere de Sua Excellentia.” Lancellotti, *Cronaca*, 10:89.

Geminiano, and his uncles Bartolomeo and Giovan Francesco Fontana had shut themselves in their houses in fear of Bellencini retaliation. Despite Giambattista Bellencini presence in Ferrara with the duke, matters moved slowly in regards to the peace agreement. Increasingly unsatisfied with this pace of resolution, ducal officials summoned more men for information to answer the growing suspicion that the conflict was more far-reaching than a simple fight between two young men. As a speedy resolution to this pressing matter seemed unlikely, already Lancellotti was growing pessimistic about the outcome between the two families. He confided in his chronicle: “God knows how this enmity will end.”²⁴⁹ Unless the duke could find a way to curb the political influence of the local clans, a chance at peace remained slim.

Lancellotti’s chronicle is invaluable in that it puts a face on the intransigent resistance of the local nobility to ducal influence. Lancellotti placed the blame for a lack of speedy resolution on Annibale’s father, Giambattista Bellencini a man about whom he had much to say. By common report, Giambattista was a powerful, influential, and arrogant man. The in-law of Cardinal Jacopo Cortese, he possessed influence in Rome and played a key role in the negotiations with Pope Paul III in Modena’s return to the house of Ferrara.²⁵⁰ From 1538 he served regular terms on the Council of Conservators taking turns with his illustrious brothers Francesco and Agostino. He possessed the ear of Duke Ercole and the commune regularly sent him on missions to Ferrara to intercede for them on various matters. His local power was great.

²⁴⁹ “Dio sa come serà el fin de questa inimicita.” Ibid.,10:119.

²⁵⁰ “A dì ditto. Vene nova da Roma a misser Giambattista Bellencini per litre de 22 del presente, come lo accordo delo Illmo Duca 4 Ercole 2 Estense nostro signore è fatto con la Giesia circa al fatto de Ferrara, e che l’paga al presente Papa Paulo III ducati 180000; e Sua Santità fa cardinale el Reverendissimo don Impolito al presente Arcivescovo de Milan, e certe altre conditione che non se sano ancora chiaramente.” Ibid., 2:91.

Giambattista's local reputation was also larger than life. Despite his political influence and ducal regard, Giambattista appeared to be violently disliked by some of his peers. Lancellotti accused him not only of belligerence but also of a dissolute lifestyle.²⁵¹ He intimated that Annibale had inherited his father's propensities: "he [Giambattista] has so little shame that he has been an evil example to his relatives..."²⁵² Giambattista had not only communicated his insolence to his son, he possessed undue influence with the governor and podestà. Lancellotti accused him of inciting several of his sons besides Annibale to violence.²⁵³ In sum, Giambattista was a dangerous man. Lancellotti prophesized that Giambattista would prove the ruin of his house and would not consent to peace without returning violence on the Fontana. The local reach of the duke would prove too short to stop them from coming to blows.

²⁵¹ "Sabato a dì 25 zugno. M. Geminiano Fontana padre de quello che amazò Annibale figlio del Magnifico cavallero Giambattista Bellencini a dì passati per nome Giovan Stevano, et M. Bartolameo ditto el Grasso di Fontana et M. Giovan Francesco di Fontana padri de quelli che erano con detto che amazò el detto Annibale detto el capitano, stano tutti tri serrati in casa con persone e con grandò suspecto de essere amazati perchè li Bellencini vano per la città con persone dreto et ne teneno in casa e M. Giambattista è a Ferrara tanti dì fano chiamato dal duca e non expedito de cosa alcuna, et ge sta con granda spesa de persone che ha con lui. Io penso ch'el ge sia calato lo andare a spasso ogni dì per la contrade de Modena vedande e visitande le piacevole done, e lui ne ha una in Modena a sua posta con la quale el g'era quando suo figlio fu ferito, et faceva tal exercitio senza vergogna de persona de dare mal exemplo al proximo, essendo vecchio de anni 80 e più, tutto canuto e secco ch'el par uno bastono, e mai non parlava se non de femine triste e chative, e se l'era fatto a dispiacere a nisuna de dette femine e ch' el ge bisognasse el suo aiuto, lui era sempre el suo advocato denante al Signore Governatore et Magnifico Podestà, et prometeva e pagava per loro più con parole de promettere che de pagare, e sempre se ne arideva come s' el fusse stato nel latto sino alli occhii: è tutta la sua casa in grandissimo desordenò. Dio ge ha mandato in sua vechiezza questa adversità acciò ch' el se amenda della sua mala via: ma el proverbio dice: castiga cane e castiga lupo e non castigare l'homo canuto. El ge saria da dire assai..." Ibid., 10:110.

²⁵² Ibid.

²⁵³ "Io ve so dire che ha atrovato soi pari a questa volta. Essendo una volta uno suo giolo Alberto molesto a una persona de Modena ge disse: Bellencini Bellencini, vui voreti petinare tante gate ch'el ge ne serà una di quelle che ve sragifgnarano, e ben è stato vero. El detto Annibale andava de notte con compagni e faceva a dispiacere a questo, e a quello, e poi de di non pareva quello; a uno cittadino de Modena de farge a dispiacere e lui ge disse: fallo a quello che ha morto Aurelio tuo fratello: e subito quello cittadino lo disse a suo padre, el quale non ge fece molta rason, e poi ge disse non pensati già per havere fioli assai che nui altri cittadini vogliamo che se mangiate e se non ve portareti ben el ve incontrarà de quello incontrò a Giovan Francesco dal Forno; el quale per volere mangiare li altri, per havere fioli assai, fu amazato da Alberto Petrezani, e per quello ne naque mali assai e fu causa della ruina de tutte doe quelle casate. Al fin Alberto è scampato di poi assai anni e morì de sua morte circa dui anni fa. Sichè chi lege intenda." Ibid., 10:110-11.

The blame for this development was laid not only on Giambattista Bellencini's but also Duke Ercole's shoulders. Lancellotti wrote to the duke personally to give him advice in the matter: "Note to you, reader, that in the twelve days that have passed I wrote a letter to his excellency the Duke, [telling him] if he will not provide for this city every day there will be these killings since no one has made provision for this."²⁵⁶ Like many others, Lancellotti clearly expected immediate ducal intervention in order to prevent further violence between these conservatorial families whose leadership in civic affairs impacted the daily life of the city. The Bellencini were certainly becoming more of a civic menace. Their grip on the city grew increasingly stronger. In a clear contravention of the governor's orders, they were going about the city armed and in large numbers, "whether for homicide or another matter is not important; for everyone knows this is their way."²⁵⁷ Shocked by Bellencini behavior and their unrepentance, the governor wrote a letter to the duke on July 31, 1547 decrying Codebò's assassination for its cold-bloodedness, but also asking the duke to intervene in punishing this heinous crime: "[Codebò] was a man of worth, and neither was he armed nor guarded as he had not caused displeasure."²⁵⁸

The Bellencini clearly sought to assert their influence over local events. As Codebò had recently been appointed to a position on the Council of Justice, and consequently acted as ducal representative, the act could be construed as particular

²⁵⁶ "Notate lettori che sino ali 12 del passato io scrisse una lettera alla Excellentia del Duca, s' el non provedeva a questa città ogni dì se faria delli amazamenti, e sin qui non ge ha fatto provvisione alcuna." Lancellotti, *Cronaca*, 124.

²⁵⁷ "Lunedì a dì primo agosto. Molti Bellencini vanno per la città questa mattina a testa levata et in compagnia de numero 5 per compagnia e tutti con le spade ch'el pare che l'omicidio fatto eri sia una cosa che non importa; ma per l'avenire se saprà el tutto." Ibid.

²⁵⁸ "la qual cosa m'è stata di quel gran dispiacere che V.E. può pensare vedendo questo procedere alla romagnuola d'aver ammazzato quest'huomo da bene che se ne andava senz'arme, e senza guardarsi di loro perchè non gli haveva fatto dispiacere." ASMo, *Rettori dello Stato*, B. 10, Gentile Albino to Ercole II, July 31, 1547.

defiance on their part. Indeed, rumors speculated that he was assassinated in order to prevent the Fontana from receiving pardons. No one in the city could understand why the duke was not taking immediate action as the Council of Conservators threatened to veer out of control. The violence between their members raised the possibility of open warfare.

The Bellencini were directly challenging ducal authority and exposing Ercole's weaknesses in pursuing grievances against local nobles. The governor summoned several of the Bellencini to the castle including three of Annibale's brothers and his nephew Alessandro—the reputed mastermind behind the attack on Giambattista Codebò.²⁵⁹ Lancellotti doubted that the men would appear, especially since the father of Girolamo had recently bought a very fast horse. The other Bellencini suspects had long since fled. Seeking refuge with their powerful friends, Alessandro Bellencini and his accomplices reputedly fled to the Rangone castle in Spilamberto.²⁶⁰ Matters were becoming so alarming that the Council of Conservators sent the Canon Guido di Guidone as an ambassador to Ferrara to plead with the duke to intervene.²⁶¹ There seemed to be little Ercole could do, however, to touch the Bellencini without openly disgracing this family of ducal favorites or finding a way to directly intervene in local politics in unprecedented ways.

²⁵⁹ “A dì ditto. Eri sira fu chiamato in castello M. Cornelio beneficiato et M. Giacomo laico fioli del Magnifico M. Giambattista Bellencini et M. Girolamo fu de M. Augustino Belencino fratello de Alessandro che è stato uno delli 4 che hanno amazato M. Giambattista Codebò e gionto che ge furno el Signore Governatore li fece metter in presone destretta. El potria essere che non ge voriano essere andati perchè a tempi passati ge n'è andato delli altri et ge hanno lasata la testa.” Lancellotti, *Cronaca*, 10:124.

²⁶⁰ Sandoninni, *Un famoso bandito Modenese*,” 436.

²⁶¹ “Martedì a dì 2 agosto. Li Signori Conservatori et adionti hanno eletto ambasciatore ad andare a Ferrara a dolerse al Illmo Duca el Reverendo M. Guido di Guidone prete et canonico per lo eccesso accaduto della morte del Magnifico dottore M. Giambattista Codebò.” Lancellotti, *Cronaca*, 10:125.

Lancellotti framed the violence as a lack of ducal authority and clear evidence of ducal ineffectiveness in regards to local matters. His perspectives on the Bellencini and Fontana vendetta formed a crucial part of this critique. He criticized the duke harshly for failing to assert authority over his noble subjects when the opportunity presented itself. According to Lancellotti, after the first confrontation between the Bellencini and Fontana, Ercole II suffered from inaction. This paralysis led to a second death and a subsequent escalation of violence. While Lancellotti often held contradictory ideas on what actions the duke should take, whether the duke should curb the nobility's ability to bear arms, publicly punish the perpetrators, or refrain from favoring notoriously violent families or other measures, he stressed the need for immediate and clear action to contain Modena's violent nobility.

Lancellotti's assessment of the situation and call for intervention in local politics proved to be astute. Their local power proved so great that the Bellencini had effectively locked down the government with their violence as the Council of Conservators possessed more influence over the city's daily life than Duke Ercole. As evidence that their local influence proved greater, the governor complained "no one in the city will speak to me for fear of provoking the Bellencini."²⁶² As a result, local tensions continued to grow after the assassination of Codebò. Matters were quickly getting out of hand and the duke was perceived to be doing nothing to stop it. It seemed the Bellencini were the only faction in charge. As final proof, violence between the two factions continued. A

²⁶² "Nemmeno io da me posso havere alcuna chiarezza, perchè non c'è persona nella città, la quale anchor che sapesse poco o molto venisse a dire cosa alcuna per non provocare li Bellencini, de' quali pare che ognuno tremi." Ibid.

fight broke out between Camillo Camicelli and Paolo Barabbano, the former an adherent of the Fontana, the latter a partisan of the Bellencini.²⁶³

Despite the recent spate of deaths, however, local politics continued on as before even if Duke Ercole was searching his conscience. As the months wore on and the Bellencini resisted ducal attempts at brokering a peace, there was little question in the mind of Lancellotti or other observers that the duke was having difficulty intervening in these local fights. Lancellotti complained: “nothing has been done by our duke in the matter of Doctor Francesco Codebò’s death.”²⁶⁴ Before the assassination in San Pietro, the duke had yet to make any overt moves toward justice or toward disciplining the Fontana. Giovan Stefano and his accomplices had yet to be captured—although, to be sure, finding bandits sheltered by friends, family, or kinsmen in the Modenese countryside could prove to be a quixotic endeavor. Yet, there is no clear sense that he made any moves towards this end. Perhaps Ercole, not accustomed to intervening directly in local politics expected the matter to come to a peaceful end. As per their usual custom, he initially anticipated that his governing elites would come to an agreement amongst themselves.

With the assassination of Codebò, however, it became increasingly clear that the families were unlikely to come to an accord anytime soon. Both the symbolic and actual commission of this assassination speak volumes to a perception on the part of the Bellencini that justice was theirs—and theirs alone—to take. Even when the duke finally

²⁶³ Sandoninni, “Un famoso bandito Modenese,” 439.

²⁶⁴ “A di ditto. Ancora non se sente cosa alcuna che habia fatto el duca nostro per la querela che ha sentito Sua Excellentia della morte del Magnifico Dottore M. Giambattista Codebò, che fu morto Domenica passata in Sancto Pietro in Modena essendo a vespro; per la qual morte è detenuto in castello et sono in presone M. Cornelio beneficiato et M. Giacomo fioli del Magnifico Cavallero M. Giambattista Bellencini et M. Girolamo fiolo fu del Magnifico Dottore M. Augustino Bellencini sino a questa hora 15 che io scrivo qui.” Lancellotti, *Cronaca*, 10:126.

acted after a great deal of pressure by summarily revoking the right to bear arms, the nobility remained in charge. More cognizant of the local climate than his sovereign, the governor strongly cautioned him against this move. Fearful at the growing unrest, many nobles protested, including the powerful Francesco Bellencini. In particular, he complained that the gesture was inherently distrustful of the “status and quality” of a man who had faithfully served the duke and had placed the highest trust in his “justice and integrity.”²⁶⁵ Francesco offered assurances that no conspiracy was being planned in his house despite the public assassination of his cousin Annibale.²⁶⁶ Acknowledging the murder of Codebò recently committed by Alessandro Bellencini, he sought to reassure the duke that this one act did not signify widespread violent intent on the part of the Bellencini.²⁶⁷ The Bellencini retained their control over local events. In their confidence, they freely retaliated. As did the Fontana.

After the death of Codebò, Lancellotti increasingly began to question ducal effectiveness at controlling Modenese violence. Lancellotti darkly noted in a chronicle entry dated August 4, 1547:

²⁶⁵ “et che governatore suo di Modena habbia detto publicamente, che la grida che si è fatta, si è fatto solamente a contemplatio narra et per offendere noi, il che ragionevole non dovrebbe essere cose che l’arme...et che se fussimo declarati ribelli di v. Eccellenza del che non me do pero colpa alcuna a lui la quale per la sua giusticia et integrita non macha di fare le cose che convengono ma li ministri fanno qualche volta quel li [...] et l’animo, senza considerare gradi, et qualità, et servitu de sudditti.” ASMo, Bellencini, *Particolari*, B. 113, Francesco Bellencini to Duke Ercole II, August 27, 1547.

²⁶⁶ “ci siano tolte per male et iniqua suggestioni di chi diro quando dio mi dara l’occasione desserti alla prezena.” Ibid.

²⁶⁷ “Et se bene M. Alessandro Bellincini ha comesso homicidio ne la persona del Codebò, che a me rincrise solamente questa non doveva pero essere cagioni che a tutti noi fusse fatta potere la pena de l’altrui peccato. Fu morto parimente il detto M. Annibale, et assassinato come si sa publicamente, ne si fece alcuna tali dimostrazione di lui, ma per sollamento de le ricevuti offese M. Giambattista suo patre fu citato a Ferrara dove ancho si ritrova vecchio et primo di tutti i suoi comodi...” Ibid.

If our Illustrious Duke will not take action, as I wrote he should do on this past June 12, ...at present this city will become a city of factionalism and they will kill one another like dogs in the fullness of their hate and malevolence.²⁶⁸

If we take Lancellotti's assessments at face value, Ercole II does not seem to have been able to wrest the power of violence from the nobles. In Lancellotti's narrative, the line of causation is clear. Giovan Stefano Fontana murdered Annibale Bellencini. This was no ordinary murder, however, since the men were not members of an ordinary family. Their fathers and kinsmen, due to their power and influence with the duke and their positions inside the local government, could pose a serious threat to the state if they did not immediately agree to let bygones be bygones and sign a peace agreement. The duke, as their sovereign, could theoretically override the power of the Council of Conservators and had the responsibility to ensure that this happened for the good of all.

The reality, however, was not so simple. On August 4, 1547 Giovan Francesco Fontana was summoned to Ferrara to sign an accord.²⁶⁹ The next day Bartolomeo Fontana and Alberto, nephew of Geminiano, left to join their kinsman.²⁷⁰ Since Gerolamo, Cornelio, and Giambattista Bellencini were already being held in Modena, along with several of the Fontana, the duke and his counselors could not put more pressure on the families without summoning their extended kindred and eviscerating

²⁶⁸ "Se lo Illmo Duca nostro non ge provederà, come ge scrisse io Thomasino Lancelotti presente scrittore sino alli 12 de zugno proximo passato della quale ne ho la copia apresso de mi, al presente questa Magnifica città doventerà una città partiale et se amazaranno come cani per vendicarse per essere tutta piean d'odio e malevolentia..." Lancellotti, *Cronaca*, 10:128.

²⁶⁹ "Zobia a dì 4 agosto. M. Giovan Francesco Fontana questo dì è stato chiamato in castello dal Signore Governatore M. Francesco Villa et g'è andato acompagnato da 4 armati etiam lui, et Sua S. ge ha fatto comandamento che el vada a Ferrara e lui ha detto che el ge anderà. Venerdì a dì 5 ditto. M. Giovan Francesco Fontana s'è partito questa notte passata de Modena per andare a Ferrara acompagnato da molti cavalli de soi parenti e amici: forse che la Excellentia vorà che M. Giambattista Bellencini e lui faciano la pace." Ibid., 10:128.

²⁷⁰ "Item se dice esserge ancora andato a Ferrara con M. Giovan Francesco, M. Bartolomeo Fontana ditto el Grasso, et M. Alberto Fontana nepote de M. Geminiano padre de quello che amazò el capitano Annibale Bellencini el quale è infirmo e tutti se partirno la notte pasata." Ibid.

Modena's administration. Giambattista Bellencini, however, was ordered not to leave Ferrara on pain of 2900 scudi.²⁷¹ It was hoped that keeping Giambattista in Ferrara would tie his hands.

However, the ducal thumbscrews were not working. Alessandro Bellencini was unashamedly spotted near Modena in the company of four horsemen unconcerned by the threat of capture.²⁷² Lancellotti's disapproval was ever growing. He noted darkly of these events:

these things are happening in the city due to disobedience and faulty vigilance but I am certain that God will open the eyes of those that are closed. This city at present is grossly disorderly, because those who are supposed to provide, do not provide...²⁷³

Growing desperate, Ercole II revoked the right to bear arms. No sooner than this ducal decree was promulgated on August 11 than the next day a servant of the Fontana was wounded.²⁷⁴ The Bellencini and Fontana continued to defy their sovereign where local matters were concerned.

²⁷¹ "El magnifico M. Giambattista Bellencini che è in Ferrara molti dì fano, secondo se dice, ha comandamento dalla Excellentia de Duca de non se partire da Ferrara ala pena de scuti 2900, e questo per la morte acascata del Magnifico Dottore eccellente M. Giambattista Codebò che fu morto in Sancto Petro in la giesia nel hora del vespro con archebuxi da preda e arme molto vituperosamente da Alexandro del quondam Magnifico M. Augustino Bellencini e compagni, secondo se dice." Ibid.

²⁷² "Ancora se dice che detto Alessandro con molti cavalli 4 dì fa sono venuti apresso Modena per fare qualche novità et se ne tornorno via senza havere fatto cosa alcuna." Ibid., 10:131

²⁷³ "A dì ditto. Havendo la Magnifica Comunità de Modena fatto fare in le beccaria nova uno loco da serarge li porci che vano vagabondi per la città, acascò essere preso uno porco del Signore Governatore M. Francesco Villa, e posto in detto luoco: e subito ge andò uno suo servitore e roppe la chiavadura et lo lasò andare per la città: e per questo malo exemplo el ne va per la città granda quantità perchè se lui avesse obedito, tutti li altri haveriano obedito: ma questa è una fabula apresso alli altri desordeni che sono acascati et acascano in la città oer causa della sua mala obedientia e mala vigilantia, ma sono certo che Dio ge aprirà li ochii, overo gli serarà. Questa città è al presente molto desordenata, perchè chi ge doveria provedere non ge provede." Ibid.

²⁷⁴ "A dì ditto. Ferite date a una massara di Fontana questo dì da mexo dì: se dice che la stava con M. Camillo dal Bamabaxo che feritte Gaspare de M. Rigo Cimixello del meso passato, el quale guaritte. La causa perchè non se dice, ma se dice che lei sta con M. Giovan Francesco Fontana." Ibid., 10:133.

In the meantime, their political power continued unabated. It took Duke Ercole three years to convince the Bellencini to sign an accord. Lancellotti noted that “Giambattista did not want to make peace for anything and, perhaps, would rather be sent into exile.”²⁷⁵ The duke commanded, threatened and cajoled. Nevertheless, the *capo* of the Bellencini was still proving recalcitrant.²⁷⁶ At one point, Ercole commanded that peace be brokered between the Bellencini and Fontana within three days under an unspecified penalty.²⁷⁷ The Bellencini ignored him.

Meanwhile, the violence between the two factions continued, indicating that ducal persuasion and the attempt to govern the matters of the Council of Conservators was proving ineffective. There were a series of parries and feints between the two factions. On Saturday, 31 May 1550, under the cover of night, Giambattista Pachion, an adherent of the Bellencini residing in their palazzo, wounded Daniel, son of Nicolò Fontana.²⁷⁸ Pachion fled. Ducal officers searched all of Modena and the surrounding countryside and issued a warrant for Pachion's capture placing heavy penalties on those who knew of his whereabouts and would not come forward with information. Anticipating a new outbreak

²⁷⁵ “Mercordì santo a dì 17 aprilo. Questo dì non è ancora fatto la pace fra li Bellencini per la morte de Annibale fiolo de M. Giambattista Bellencini el quale per niente vole fare pace piuttosto vole essere mandato in esilio, e forse lo Illmo Duca lo servirà come se dice ch' el farà.” Lancellotti, *Cronaca*, 10:56.

²⁷⁶ “A dì passati la Ex.tia del Duca ha fatto pregare M. Giambattista Bellencini che voglia fare la pace con li Fontana per la morte de Annibale suo fiolo, e non l'a mai voluta fare; e al presente pregaranno Sua Ex.tia e lui non li vorrà ascolatre: cussì se incontra a essere unstinato a non compaicere el suo signore delle juste domande.” Ibid., 10:232.

²⁷⁷ “E a dì ditto dopo la partita de Sua Ex.tia è stato dato uno comandamento da parte de Sua Ex.tia è stato dato uno comandamento da parte de Sua Ex.tia a tutti quelli cittadini che erano a Ferrara che in termino de 3 dì se debiano ritrovare in Ferrara per far la pace ala pena de...” Ibid., 10:58.

²⁷⁸ “Sabato a dì ultimo. Le porte sono aserate questa matina e nisuno può andare for a: pur ne lasano venire dentre al merchato excetto li caradori che teneno uno miglio per porta. E questo perchè eri sira da hore 1 ½ de notte fu tratto uno archibuxo a Daniel fiolo de Ser Nicolò fu de M. Baldissera Fontana essendo suxo el Canale chiaro in capo alla contrada che va alla casa sua, e per gratia de Dio non ge fece male alcuno. Alcuni de soi compagni seguitorno quello del archebuxo e lo agionseno dalla Croce della preda et detteno de bone ferite a uno Giambattista Pachion che sta in casa delli Bellencini et uno altro Batistta Romagnolo fuzite che non lo poteno havere, el quale ancora lui praticia in casa deli Bellencini. El tuto procede per la inimicia hano insciemo Bellencini et M. Carolo Tassone al quale ge fu morto uno suo fiolo da uno de Cimicelli et altri.” Ibid., 11:227.

of violence, the duke ordered all of the Bellencini to again come to Ferrara.²⁷⁹ The Bellencini came but they did not submit. Lancellotti lamented “this city will never remain in peace because the youth of Modena have been set a bad example by their elders.”²⁸⁰ The hold of families like the Bellencini over local governance had continued unabated for too long.

Attempting to once again insert himself in local politics, Duke Ercole took further measures. He closed the gates of the city and detained men and women believed to have knowledge of the fugitive, since he was convinced that someone had information concerning Pachion's whereabouts.²⁸¹ The wife of Battista Romagnolo, Pachion's accomplice, was sent to prison shortly thereafter in an attempt to pressure the family.²⁸² The Captain of the Piazza entered the Bellencini palazzo in search of Pachion and arrested Giovanni di Gerolamo Bellencini.²⁸³ Finally, the body of Pachion showed up in a

²⁷⁹ “Lunedì a dì 2 ditto. M. Jacomo de M. Giambattista, M. Aurelio fu de M. Lodovico, M. Gerolamo fu de M. Augustino tutti de Bellencini sono andati a Ferrara per comandamento del Illmo Duca nostro acompagnati da molti cavalli per essere inimicia con li Fontana e pere essere stato tratto de uno archibuxo a Daniel filio de Ser Nicolò fu de M. Baldissera Fontana zoveneto de anni 18 da uno Giambattista Pachion che stava in casa del preditto M. Aurelio e fratelli el quale fuzite verso casa de ditti Bellencini de M. Lodovico et fu agiunto dalla Croce della preda et ge fu dato molte ferite da Paulo fiole de M.ro Petro Baraban quale era con ditto Fontana suxo el Canale chiaro in capo della contrada che va alla casa de ditto Fontana e questo fu ali 30 del passato in venderdi de sira de hore 1 ½ de notte, el quale Pachion non se sa dove se sa dove el sia vivo nè morto per rispetto della crida fatta che chi lo sa lo debbia denontiare sotto grandissima pena. Et essendosene dogliuto a Ferrara M. Giovan Francesco et M. Bartolameo Fontana che sono confinati in Ferrara tanti mesi fano con Ex.tia del Duca de tal caso, Sua Ex.tia ha comandato alli predetti 3 che vadano a Ferrara per asettarli insciemo se a Dio et alla gente del mondo piacerà, acciochè la città viva pacificamente:.” Ibid.

²⁸⁰ “ma sino che Sua Ex.tia non leva dalla città tutti quelli che vivono ociosamente e che tutto el dì stano per piazza, per le giesie e per le bothege e alli trebi questa città non starà mai in pace perchè li gioveni de Modena etiam delli vecchi che doveriano coregere li gioveni dano peggiore exemplo alli gioveni che no fa li gioveni verso de l'horì.” Ibid., 10:230.

²⁸¹ “Martedì a dì 3 ditto. Le porte sono aserate questa matina e questo per nova comissione de pigliare homini e donne che posano haver saputo dove è stato et è Giambattista Pachion vivo or morto...” Ibid.

²⁸² “E a dì ditto apresso terza è stato prexo la moglie de Battista Romagnolo che era con el preditto Giambattista Pachion, etiam sua madona et altre donne et homini.” Ibid.

²⁸³ “El a dì ditto nel hora del desinare el capitano della piazza con soi biri sono intrati in casa de Bellencini et hano cerchato per la sua casa et hano prexo Giovan fiolo fu de M. Gerolamo Bellencini naturale et lo hano menato in castello in prexon e ancora le porte sono serate. Dio sa come passerà la cosa fra ditti Bellencini e Fontana.” Ibid., 10:230.

house in the parish of San Pietro.²⁸⁴ Still, the Bellencini would not sign an accord. On July 13, 1550, the governor wrote with increasingly forceful rhetoric and a doubtful tone about the necessity of brokering a peace:

I do not want to keep quiet about what has reached my ears by many avenues in this land—the ever increasing division between the Bellencini and the Fontana. So much so that it is becoming a civil matter as well as one of law, since they are men of arms and there are many partisans of the two families. Some of [them] are calling for protection against their adversaries in such a manner that it is even more necessary for universal quiet for you to find a way to end this matter with your prudence and grace...²⁸⁵

The ducal governors were now echoing Lancellotti's doubts that Duke Ercole could regain control over the situation. Clearly, suspicious reports of more planned violence between the two families were beginning to reach his ears. Modena's sovereign was quickly losing all appearance of control over the willful actions of his subjects.

Local politics still guided the situation. At this point, the political peers of the Bellencini began to step in to try their hand at brokering a peace between the two factions. On July 11, 1550, the governor wrote to the duke of this possibility: "I have been talking with all the men of note in this territory, each of whom would like to see a resolution to this quarrel...and an accord between the Bellencini and Fontana."²⁸⁶ On August 19, 1550 a letter from another scion of the Modenese nobility, Francesco Molza,

²⁸⁴ "El se dice essere stato atrovato Giambattista Pachion morto in una casa in S.ta Petro." Ibid., 10:230.

²⁸⁵ "Non voglio tacergli che per molte vie mi viene alle orecchie che questa terra si va sempre piu dividendo li animosità inclinoverdosi si allor parte di bellencini et si a quella di fontani talmente che non solo gli huomini da arme si adheriscono ad una di queste parte ma ando se che le cause civile alcuno la lite che alcuno adherente di queste due famiglie l'altro chiama per protetrice la contraria in modo che tanto più mi pare che sia necessario per la quiete universale che lei con la prudenza et bonta sua cerchi di condurre a fine queste paci et non modo cercando che le presente origli allor gli bacchio le mani humilmente raccomandandomi una buona gratia." ASMo, *Rettori dello stato*, B. 11, Ferrante de Tassone to Duke Ercole II, July 13, 1550.

²⁸⁶ "Parlando con tutte le qualita di huomini di questa terra, ogn'un si vuole vederla In volta in questa Brighe et quelli non ci sono pare et subito et ogni pericola occasione non con li faccia intrare quando quella Briga et la principale si potesse accordare cioe tra Bellencini et Fontana sarebbe bene perche ne seguita rebbono tutte l'altre ma quando no si potesse o andasse al longo non' sarrebbero a lasciare l'altre intentase M. Rigo Cimicello mostra haver gran desiderio di vivere quieto..." Ibid.

mentioned Ugucione Rangone's continuing brokering of negotiations between the two factions to ensure "the universal satisfaction and peace of the city."²⁸⁷

The influence of their peers and fellow councilors seems to have worked on the Bellencini temporarily, as they appeared more willing to assent to peace at the request of their compatriots. On January 18, 1551 Ferrante wrote to the duke again to report that he had received assurance "from all the principal heads [of the houses] assenting to the peace...with much difficulty having been happily concluded and has been solemnly ratified in front of me with the appropriate penalty of 500 scudi..."²⁸⁸ Due to the localized nature of Modenese politics, their peers had succeeded where the duke had not.

The local foundation of their political power proved to have strong roots. The Bellencini and the Fontana factions were a many-headed hydra; as soon as one member committed to observe a truce, another cousin, brother, nephew, or uncle would breach the pact in some manner. In some cases, they simply refused to sign. In other cases, they assured the duke and his representative of their willingness to observe a truce only to have tensions between the parties resurface. In some instances, they had fled beyond the duke's jurisdiction: to the Modenese mountains beyond the duke's reach, to Bologna, to Venice, to serve in foreign armies, to join their relatives with business interests in Portugal or Spain. The process of arranging a truce doubtless felt like a never-ending story. Governor Clemente di Thieri, perhaps more sensitive to the challenges of the job (one of the biggest appears to have been preventing the Bellencini and Fontana from killing one another) complained of the inordinate local power in the nobility's hands:

²⁸⁷ "Hoggi Il Conte Ugucione non é stato a ritrovare et dettomi come desidero delle pace fra Bellencini Fontana della quale ne nasceva la universale sodisfatto e quieto della città..." ASMo., *Rettori dello stato*, B. 11, Ferrante Tassone to Duke Ercole II, August 19, 1550.

²⁸⁸ ASMo, *Rettori dello stato*, B. 11, Ferrante Tassone to Duke Ercole II, January 18, 1551.

There is the greatest scandal in this city, where there are many nobles and factions that hardly heed the governor or the podestà of this city, of which things I can hardly relate with brevity...other than to say they greatly dishonor me.²⁸⁹

Lancellotti's judgment of the situation had proved astute. The political power of the Modenese elites proved too difficult to overcome.

Ducal intervention proved not only ineffective but exacerbating. The governing elites not only resisted ducal attempts at imposing peace and order but increasingly practiced outright defiance. Lanfranco Fontana became their particular target. The Bellencini hired Marco Armato di Montagnana to assassinate their enemy in the nearby duchy of Mantua—an attempt that was unsuccessful.²⁹⁰ The Bellencini subsequently assaulted the castello in Rolo with 200 men at arms to force Lanfranco Fontana from his hideout.

The Bellencini needn't have gone to such extreme lengths to get their hands on Lanfranco Fontana, however. In 1557 Lanfranco Fontana petitioned the duke for clemency—a petition which the duke unwisely granted. Shortly after his return to Modena, Captain Camillo Forno, a cognate of the Bellencini, challenged Lanfranco Fontana to a duel, accusing Lanfranco of plotting to kill him.²⁹¹ The two men exchanged a series of broadsides, insulting and challenging one another. Lanfranco accepted and, as was customary in the dueling ritual, chose the weapons and location. In particular, in a choice strongly echoing a chivalric ethos, he chose to fight Captain Forni by tourney on

²⁸⁹ “grandissimo scandolo i questa città, dove sono molti nobili et fattionarius quali apena estimano li governo che li podestà, quali tutte cose faccio { } brevità, oltre cio che questo si mostra pure anco ch'io una sia atto al piena governo che hanno havuto tutti gli altri governatori in questa città cosa che di diritto torna in mio dishonore.” ASMo, *Rettori dello stato*, B. 112, Clemente de Thieri to Duke Ercole II, Aug. 8, 1555.

²⁹⁰ “nel 1552 un Marco Aromato di Montaguana prigionie, confessò che un Pendaglia da Sermide gli disse avere avuti danari dai Bellencini, perchè uccidesse in Mantova I Fontana, della qual cosa il Governatore avvisava il Duca il 15 giugno, affinchè egli alla sua volta ne desse avviso al Cardinale di Mantova, ed al Conte Lodovico Gonzaga...” Tommaso Sandonnini, “*Un famoso Bandito Modenese*,” in *Atti e memorie delle rr. deputazioni di storia patria per la provincia Modenesi e Parmensi* 4, no. 2 (1887): 427-58 at 439.

²⁹¹ *Ibid.*, 441.

horseback. News of this challenge between the two men quickly spread throughout the city and was on everyone's lips. A preacher denounced the anticipated fight from the pulpit, stirring further unrest. Duke Ercole tried to prevent the duel by forbidding it, but proved unable to persuade the two men to back down.

In a move directly contravening ducal orders, the two men arranged a tournament in the territories of Mantua outside of Estense jurisdiction. Lanfranco Fontana and Captain Forni showed up on the appointed day and fought in front of a large audience including the Duke of Mantua. Though blows were exchanged, neither was seriously wounded. Once again, the Duke of Modena attempted intervention. Another peace was brokered and Lanfranco, Galeazzo, and Giacomo Fontana, Giambattista Ronchi, Francesco and Furio Molza, and others were banished from Modena for six months. It was Lanfranco Fontana's second banishment.

This violent trajectory emphasizes Bellencini and Fontana resistance to ducal interference where vindication would have its way. Shortly after the duel, Alfonso Trotti related to the Duke on February 7, 1559 that the Fontana and their adherents have been causing the greatest importunity and scandal. As the Modenese elite grew increasingly unruly, the governor predicted retaliation.²⁹² Neither the brokering of peace nor the banishments was to any avail and the duke's attempts to enforce peace only seemed to backfire upon him.

Increasingly secure in their local power, the two families grew increasingly bold in their defiance. On August 10, 1559, a "beautiful party was going on in the house of the

²⁹² "li Fontani et suoi adherenti mi fecero grandissima instancia et li volessi cedere et mi fecero ricerchare nel medissimo tempo et molti altri mezi con importunita, onde vietavo li scandali come anche erano solo li Fontani non gli la voles dare in modo alcuno escusando mi anech che io havevo espresso..." ASMo, *Rettori dello stato*, B. 113, Alfonso Trotti to Duke Ercole II, Feb. 7, 1559.

Bellencini when a message came to the new gate.”²⁹³ The message, which interrupted the party, was dire. “Battista Ronchi, in the company of two others, gave eight wounds to Cesarino da Parma, a great friend of the Bellenzini.” Ronchi threw the wounded Cesarino in a ditch, left him for dead, and returned to the Fontana house in Modena for reinforcement. Galeazzo, Lanfranco, and Jacopo Fontana, together with others of their friends and relatives, went to find the wounded Cesarino. They found him still alive in the ditch where Ronchi had left him and took him to a nearby house for care.

Cesarino da Parma sent word to the proud Giambattista Bellencini in the piazza asking for help.²⁹⁴ As soon as he received word, Giambattista went to the gathering and “explained all to the ears of Aurelio Bellencini.” He said to Aurelio: “I want you to follow me, mount a horse, and bring four of our nephews, the sons of Bartolomeo Bellencini, and Giovanni and Francesco Forni, and the son of Negrino, and come to the walls of the gate, where the aforesaid Fontana will arrive at the house of Ludovico Carandini and the Fontana fountain.”²⁹⁵ The chronicler Suor Lucia Pioppi noted the sad result: “This fight caused the death of Galeazzo Fontana, Nicolò Grillenzoni, Spantachione Furlano, and a Veronese, one of the Bolognese of the faction of Fontana. Those wounded included Jacopo Fontana and Lanfranco Fontana who fled with the rest

¹⁰⁴ “Il dì 10 agosto. Il giorno di San Lorenzo. Il dì detto nell’hora del desinare, sendo un bello convivio in casa de’ signori Bellencini giunse un messo che portò nuova come il signore Giambattista Ronchi in compagnia di due altri dettero otto ferite a Cesarino da Parma molto amico dei detti signori Bellencini et il detto ferito si gettò nelle fosse, facendo il morto et essi tornati che furono a Modena andettero dal signore capitano Galeazzo Fontana, et dal signore Lanfranco; così col signore Jacopo Fontana et altri suoi parenti et amici fecero un’armata d’huomini ben a cavallo e molta forta. Andettero per trovare il detto Cesarini, il quale era stato veduto uscire dalla fossa vivo, et si faceva medicare in una casa di contadini.” Pioppi, *Diario*, 34.

²⁹⁴ “così vedendo l’armata mandò dal signore Giambattista Bellencini dalla piazza pregandolo lo volesse aiutare; et subito havuto tal nuova, il detto signore Giambattista se ne venne a questo convivio detto di sopra, et disse il tutto nell’orecchia al signore Aurelio Bellencini” Ibid.

²⁹⁵ “Et ello così sprovveduto disse: Chi mi vuol bene mi seguita. Così, montato a cavallo, fu seguitato da quattro suoi nipoti figliuoli del signore Batholomeo Bellinzini, et dal capitano signore Giovanni e Francesco Forno, dal figliuolo del signore capitano Negrino, et andettero fuori della porta, giunsero i detti Fontani tra la casa del signore Ludovico Carandini et Fontanone de Fontanoni;” Ibid.

of their company that remained alive.”²⁹⁶ The duke banished more of the culprits including some of the Bellencini, several of whom took refuge in the neighboring territories belonging to the Duke of Parma. Various members of the Bellencini, also anticipating retaliation, fled to safe havens. Alessandro Bellencini fled to his strongly fortified villa in Buomporto. It was Lanfranco Fontana’s third banishment. In exile, Lanfranco Fontana planned his next move. It was on June 9, 1562, that Lanfranco Fontana dispatched a courier with letter bombs targeting members of the Bellencini family in Modena, Reggio, Parma, and Florence. After he dispatched the couriers, Lanfranco Fontana fled to powerful friends in Milan.

Contemporaries vilified Lanfranco Fontana as a disrupter of peace and murderer of innocents.²⁹⁷ The chronicler Suor Lucia Pioppi—a nun of the Modenese convent of S. Lorenzo—narrated the incident in detail and included two poems about it in her *Diario*: one a dramatic verse dialogue in *terza rima* imitating Canto III of Dante’s *Inferno*; the other an elegiac Petrarchan sonnet mourning the death of Giambattista Bellencini.²⁹⁸ The chronicler Giovanni Battista Spaccini called the bombs “diabolic” and Lanfranco “cruel” in his chronicle nearly forty years later.²⁹⁹ Ludovico Vedriani devoted a great deal of space to the incident in his *Historia Dell’Antichissima Città di Modena* written over one

²⁹⁶ “così a scaramuzza venne morto il signore capitano Fontana Galeazzo, il signore Nicolò Grillenzoni, Spantachione Furlano, uno Veronese, uno Bolognese dalla parte di Fontana, et fuggì ferito in una casa il signore Jacopo Fontana dentro da Modena, et fuggì il signore Lanfranco Fontana col resto della compagnia che gli era restata.” *Ibid.*, 35.

²⁹⁷ Each of the accounts point towards the deaths of “innocents”—particularly defenseless dependents of the Bellencini, women, and children and several accounts frame him as “diabolic” or unnatural in some way. This suggests that Lanfranco Fontana broke some unwritten rules with his actions. Further study, however, needs to be done on what these rules may have been in order to understand the full extent of his transgressions.

²⁹⁸ Pioppi, *Diario*, 38-43.

²⁹⁹ Spaccini, *Cronaca*, 1:400-1.

hundred years after the fact.³⁰⁰ The chronicler Francesco Forciroli explicated and analyzed these events in his *Lives of Noted Modenese (Vite dei Modenesi illustri)*.³⁰¹ For his deeds, he became an infamous and hated man. So much so that Lanfranco's mysterious death in 1567 inspired the chronicler Francesco Pannini to predict a new era of peace, prosperity and plentitude:

Now is the hour of our blessing under the peaceful rule of Alfonso II, successor and son of Ercole II, after the death of Lanfranco Fontana, first in his family, of whom posterity has said much,...and now that the peace has been stabilized between these two families [the Bellencini and Fontana], this city will live in such quiet, and tranquility without vendetta or civil war... and edifices will built to those things public just as they have been for [things] private, and not only of edifices but also of rewards, will the people be honored by and ennobled.³⁰²

The name Lanfranco Fontana became synonymous with violence, terror, and cruelty.

Indeed, his last act of revenge became symbolic of the problems and contradictions inherent in Modenese politics during this era. How can the actions of one man characterize the politics of an entire era and a system of relations and actions? The simple answer is that Lanfranco Fontana did not act alone. While his methods for inflicting revenge remained unorthodox, in his bombing of the Bellencini he carried on a fight begun fifteen years prior with the assassination of his cousin Barbara's husband, Judge Giambattista Codebò. This explosive moment in Modenese history and the events which proceeded it came to exemplify elite excess, ducal ineffectiveness, and a time

³⁰⁰ Lodovico Vedriani, *Historia dell'antichissima città di Modona* (Modena: Cassiani, 1666).

³⁰¹ Forciroli, *Vite dei Modenesi illustri*, 173-89.

³⁰² "Ma hora che l'anno di nostra salute 1567, mentre io faceva questa breve memoria di fatti di Modena, sotto le felice signoria di Alfonso II sucessore, et figliolo ad Hercole II, dopo la morte di Lanfranco Fontana principale di quella famiglia, et huomo, che a posterì ha lasciato assai, che ragionare di lui, stabilisi la pace violata fra le dette due famiglia, vive questa città in tanta quiete, et tranquillità senza guerre o civili, o esterne,...et honorati edificii così publici, come privati, et non solo di edificii, ma di ricchezze, et di popolo honorato, e nobile,..." Panini, *Cronica della Città di Modona*, 140-1.

when the powerful patrician clans that controlled Modena's fortunes were virtually unrestrained.

Lanfranco Fontana also exposed the weakness of ducal policies towards their vendetta practicing nobilities. This long and distinguished career of murdering the Bellencini remained virtually unchecked by the Dukes of Modena until Alfonso II's reign. The pardoning of Lanfranco Fontana, the problems caused by his return, and his symbolic configuration as representative of the worst sins of the nobility represents not only the challenges the dukes' faced curbing noble violence but also the necessity for changes in ducal policies towards the governing class.

Lanfranco Fontana perfectly exemplified the excesses of the local elites. The "Infamous Bandit" Lanfranco Fontana played a starring role in the vendetta since its inception. From 1547 to 1562, Lanfranco alone was responsible for the deaths of at least eleven members of the Bellencini faction and quite possibly more.³⁰³ This long and distinguished career of murdering the Bellencini remained virtually unchecked by the Dukes of Ferrara-Modena until Alfonso II's reign. For his perceived inaction in curbing an egregious criminal, Duke Ercole's contemporaries judged him harshly.

His son Alfonso II, however, better understood local politics. In 1565, after thirty-plus years of continuous violence between the Fontana and Bellencini factions, and three years after Lanfranco Fontana sent his infamous exploding boxes, at ducal behest Governor Alfonso Trotti undertook the most comprehensive effort to date to quash the

³⁰⁴ "Et Agentes prestati mag. de Bellencinis. Et de Furno et quilibet eorum respdetives ut supra eorum nominibus propriis, et nominibus, ac vice quibus supra, et omnium ac singulorum et querume...suorum filiorum, nepotum, affinus, cognatorum, et Agnatorum usque in quartum gradum inclusive suo Ius Canonicum, comprahendendo etiam Naturales, et Spurios, et etiam si ex devanato, et reprobato certu nati essent, et nacerentur, et tam habitantes in dominio...et eorum heredes et secesseres..." ASMo, *Particolari*, Bellencini, B. 110.

vendetta between the Bellencini and Fontana. He drew up an instrument of peace naming Bartolomeo Bellencini, son of Ludovico; Aurelio and other sons of Alberto Bellencini; Nicolò, Cornelio and the other heirs of Giambattista Bellencini the elder; Annibale, oldest son of Annibale Bellencini, as well as Aurelio Bellencini, son of Augustino. Likewise named in this document were Geminiano, son of Gaspare Fontana; Giovanni Filippo, son of Giambattista Fontana, Camillo and his brothers—the sons of Giberto Fontana, Giulio Fontana, and Giovan Francesco Fontana. Also named were Captain Camillo Forno, Captain Giovanni Forni, and Prospero Forni. This instrument also stipulated that the Millani and Tassoni families were obligated to observe the truce.

Alfonso II's father had failed to contain the violence between the two families and the duke wasn't taking any chances. The unusually comprehensive scope of the peace instrument of 1565 makes it clear that the duke wanted to take every measure possible to prevent further retaliation by any members of these families by making them as collectively responsible for peace as they were for civic order. He also made certain to include relatives to the fourth degree, their associates, their servants, their descendants, and even their women:

and not only those named by name but also their children, nephews, affines, cognates, and agnates to the fourth degree as comprehended by canon law, including bastards—acknowledged and unacknowledged...those who live within the residence and those who serve within the residence...as well as their heirs and future successors for fifteen generations.³⁰⁴

³⁰⁴ “Et Agentes prestati mag. de Bellencinis. Et de Furno et quilibet eorum respdetives ut supra eorum nominibus propriis, et nominibus, ac vice quibus supra, et omnium ac singulorum et querume...suorum filiorum, nepotum, affinus, cognatorum, et Agnatorum usque in quartum gradum inclusive suo Ius Canonicum, compraehendendo etiam Naturales, et Spurios, et etiam si ex devanato, et reprobato certu nati essent, et nacerentur, et tam habitantes in dominio...et eorum heredes et secesseres...” ASMo, *Particolari*, Bellencini, B. 110.

Alfonso II had clearly learned from his father's mistakes. But what precisely had he learned?

Much of the historiography on vendetta characterizes the practice as a pastime of the feudal magnates that died out with the triumph of communal regimes and a growing uniformity in civic culture. In Venice, for example, scholars have found that vendettas and their factional underpinnings were systematically stomped out during the growth of the republic in the late thirteenth and fourteenth centuries. Diligent against factional violence, the Venetian republic took measures like promulgating bans against large gatherings that often led to chance fights. They also, for example, forcefully prosecuted the types of ritualistic insults known to lead to violence.³⁰⁵ According to much of the Florentine historiography, an equally strong civic culture and an association of vendetta practices with the hated feudal magnates led to the vendetta's dying out by 1400.³⁰⁶ Similar measures were enacted in other locales in later periods as increasingly centralized states tightened the reins of justice on their subject territories and increasingly co-opted the elites into pursuing grievances within the confines of the state system.³⁰⁷ Moreover, as other scholars have noted, the birth and solidification of the criminal justice system allowed for new and more convenient venues for factions and combatants to pursue

³⁰⁵ See, Muir, *Mad Blood Stirring*, 52-55; Guido Ruggiero, *Violence in Early Renaissance Venice* (Oxford: Oxford University Press, 1980).

³⁰⁶ Marvin Becker, "Changing Patterns of Violence and Justice in Fourteenth and Fifteenth Century Florence," *Comparative Studies in Society and History* 17 (1976): 284; Andrea Zorzi, "Politica e giustizia a Firenze al tempo degli Ordamenti anti-magnatizi," in *Ordamenti di Giustizia fiorentini; studi in occasione del VII centenario*, ed. V. Arrighi (Florence, 1995), 105-47.

³⁰⁷ See, Joanne M. Ferraro, *Family and Public Life in Brescia, 1580-1650: The Foundations of Power in the Venetian State* (Cambridge: Cambridge University Press, 1993).

complaints with one another, as was the case in Bologna.³⁰⁸ These trends did not happen, however, in Ferrara or its subject territory of Modena.

Due to various factors, Modena's ruling classes and their relationship to the state developed in ways both comparable to and different from other parts of Italy. As was the case in other cities with a strong communal tradition, a mercantile aristocracy rose to prominence in Modena during the course of the thirteenth and fourteenth centuries. While Modena possessed a strong communal tradition, the territory also contained a particularly strong feudal aristocracy. While the two struggled for position with one another, they more often worked in concert. Eventually the feudal nobles moved into Modena and positions of civic governance. Civic notables increasingly gained territories and titles from their service to the ducal administration and court. By the sixteenth century, these classes were becoming indistinguishable in form and function as they increasingly intermarried and assumed the same social position.

These feudal families possessed a sometimes harmonious, sometimes uneasy, and sometimes contentious relationship with the Este. The comital Rangone family and their relationship with the Este provides a prime example. Not powerful enough to challenge Este ascendancy in the thirteenth century, they, along with the Boschetti and Guidoni families, delivered Modena into the hands of Obizzo II Este in 1288. The Este rewarded the Rangoni with a marriage alliance, fiefs, and a consecration of their privileges. As a result, the Rangoni continued to be one of the most powerful families in Modena and the *contado*. The Rangoni, however, could work against the Este when it suited them, as

³⁰⁸ Sarah Rubin Blanshei, "Crime and Law Enforcement in Medieval Bologna," *Journal of Social History* 16, no. 1 (Autumn, 1982): 121-38.

proven when some of their members delivered Modena into the hands of the papacy in 1517.

Civic notables like the Bellencini and Fontana did not possess the same illustrious feudal origins as the Rangoni. Instead, they owed their increasing prominence to the liberality of Este rewards to those in their service. Notaries, merchants, civic councilmen, and lawyers, they gained lands and titles by serving on ducal councils, by undertaking the ever-growing number of ambassadorships to various courts, performing other diplomatic missions abroad, and serving in the increasing number of administrative positions at the Este court. They accrued wealth by accumulating business interests in the nascent silk industry, or by engaging in various types of trade with Venice, Florence, and Genoa. They took administrative positions in other Italian polities. They fought battles in the service of one of the many rulers jockeying for political position on the Italian peninsula or the European continent. They married into the old feudal families. Increasingly, they became indistinguishable from the feudal elites.

The civic elites possessed as problematic a relationship to the Dukes of Modena as their feudal counterparts. Despite the fact that they were indebted to the dukes for ennoblement, the civic elites of Modena retained a strong sense of their origins in communal traditions. A discrete group of families increasingly came to take over civic administration and occupy the growing number of local offices. They monopolized the seats on the Council of Conservators—a governmental body that greatly influenced the day-to-day governance of Modena. By the sixteenth century, an increasingly distinct group of Modenese families had successfully transformed conciliar offices and

government posts into their private patrimony.³⁰⁹ By 1500, 119 families in a city of 18,000 were eligible to serve on the council. Among these 119 families, roughly twenty percent served frequently. In 1530, the numbers of these eligible families had been reduced to ninety-two. This contraction created a powerful oligarchy that like the feudal nobility worked with the duke's interests when it suited them and circumvented them when it did not.

In sum, uneasy relationships between the dukes, on the one hand, and feudal and civic elites, on the other, dominated Modenese politics. Modena and its position within the Duchy of Ferrara-Modena does not fit neatly within the traditional political narratives of Italian history that emphasize the rise of economically and politically powerful urban communes that subsequently developed into city-states or principalities like Milan, Genoa, Venice, Florence, or Pisa. Modena failed to develop socially, politically, and economically in similar ways to other cities of comparable size. In this conglomeration of feudal territories, petty lordships, counties, small cities, and communes held in fief to various sovereign entities including the church, the papacy, and the Holy Roman Empire, neither an organized popolo nor the feudal aristocracy ever became truly ascendant.

Due to the local prominence of both civil elites and feudal magnates, Modena became a top-heavy society noted for the lawlessness of both civic and feudal notables. The ambiguity of nobility in the duchy of Ferrara-Modena is reflected in their practice of violence. Indeed, Ercole's predecessors hadn't been successful at control of violence. Under Ercole I, the complaints and issues look remarkably similar. In April of 1483, Lancellotti's father wrote in his chronicle that "all of Modena was in arms" due to

³⁰⁹ Marco Cattini, "Profilo economico e sociale di una città eterodossa," in Matteo Al Kalak, *Gli eretici di Modena: Fede e potere alla metà del Cinquecento* (Milan: Mursia, 2008), 233-249 at 246.

violence between the Rangoni, Ronchi, and Cortese families.³¹⁰ The Forni and Petrezzani families also participated in a bitter vendetta begun over a dispute regarding a benefice. After a violent altercation between the factions in the Duomo in June of 1487, Violante Rangone wrote to the duke: “because of the great *parentado* on both sides, Modena is all in arms and great evil will befall unless your Excellency takes things in hand, because the governors take no action.”³¹¹ In order to take things in hand, however, from the distance of Ferrara the duke would need to force both civic elites and the feudal nobility to submit.

It was difficult to force this submission, however, when the only impartial representative of ducal interests remained the governor. The ducal governors felt equally helpless in the face of this strong elite. The violence was such that in December 1488 the podestà Antonio Oldoini begged Modena’s sovereign to intervene:

It pains me to my soul... that I must every day take my pen in hand and trouble your lordship’s head with the scandals and disorders that happen every day in this city of yours, and that I cannot do my office or my duty...It is a pity to see this poor city of yours: ruffians and rowdies go armed about the piazza, armed gatherings and celebrations go on at night, every day someone is wounded...I work with my pen, I inquire and condemn, but this does not make them stop.³¹²

Duke Ercole I faced the same issues regarding noble violence as his descendents. Despite Ercole the elder’s dispatch of the special commissioner Beltramino di Cusadri to quell factionalism and noble violence, the Forni-Petrezani feud continued to wreak havoc in Modena. The Rangoni, Cortesi, Fogliani, and Tassoni continued to fight each other in various configurations up until the end of the special commissioner’s tenure in Modena

³¹⁰ Lancellotti, *Cronaca*, 1:11.

³¹¹ ASMo, *Particolari*, Rangone, B. 1169, Violante Rangone to Duke Ercole I, June 1487 as quoted in Dean and Chambers, *Clean Hands, Rough Justice*, 163.

³¹² ASMo, *Rettori dello Stato*, Reggio, b. 112, Antonio Oldoini to Ercole I, Dec. 11, 1488, as quoted in Chambers and Dean, *Clean Hands and Rough Justice*, 177.

and Reggio in 1491. It was not necessarily the deficiency of the Este governors that was at issue (although they too were liable to corruption and incompetence) but “princely reluctance to prosecute or punish noble wrongdoing.”³¹³ This princely reluctance would only increase not decrease into the next century due to a series of circumstances.

By the sixteenth century, the Este had become embroiled in greater power struggles, like the rest of the peninsula. In 1494, Charles VIII marched through Italy to claim the kingdom of Naples and four years later Louis XII of Orléans claimed the duchy of Milan.³¹⁴ Between 1510 and 1512—two centuries after the Este incorporated Modena into Ferrara—Alfonso d’Este I was forced to cede Modena and Reggio to Pope Julius II.³¹⁵ The papacy and the emperor traded Modena back and forth for seventeen years.³¹⁶ The city was restored to Duke Ercole II on October 12, 1531. By the time the duke had regained control, the damage had already been done to Modena’s tenuous political stability.

This is not an unusual political story for the sixteenth century on the Italian peninsula. For various reasons, however, the Este had difficulties in reasserting their historically fragile control over the nobility after the city returned to Este hands. Due to the tenuousness of their sovereignty and the ad hoc application of Este policies, the dukes found themselves particularly reliant on a group of elites whose interests sometimes coincided and sometimes conflicted with their own. Moreover, these elites still possessed interests and political power on the borders of Este jurisdiction and elsewhere. Indeed,

³¹³ Dean and Chambers, *Clean Hands, Rough Justice*, 267.

³¹⁴ Martines, *Power and Imagination*, 277.

³¹⁵ Daniela Frigo, “‘Small States’ and Diplomacy: Mantua and Modena,” in *Politics and Diplomacy in Early Modern Italy: The Structure of Diplomatic Practice, 1450-1800*, ed. Daniela Frigo. trans. Adrian Belton (Cambridge: Cambridge University Press, 2000), 147-75 at 155.

³¹⁶ *Ibid.*, 156.

Lanfranco Fontana's ability to literally throw a bomb into the middle of the ducal administration proves the continued strength of localized power.

A comparison of the men and families mentioned in the 1565 instrument of peace, as well as in records of court and conservatorial service, reveals some interesting patterns. Even after the incidents of 1562, there was no change in either conservatorial or court service among either the Bellencini or Fontana families or their partisans the Forni, Machelli, and Tassoni, also named in the instrument of peace. Between 1563 and 1565, members of these families continued to serve on the council. Francesco Fontana served on a session of the Conservators in the first half of 1563.³¹⁷ Alfonso II continued to employ members of the Fontana family at court.³¹⁸ Likewise, the Bellencini continued to hold places in Ferrara.³¹⁹ The same patterns held true for terms on the Council of Conservators. Francesco Bellencini served on the Council of Conservators in the second half of 1563, while Girolamo Bellencini served in the first half of 1564; both men served the duke at court in the decade between 1560 and 1570. Giovan Francesco Fontana, named above in the instrument of peace brokered between the factions, served on the first session of the council in 1563 next to Lanfranco Cortesi, Antonio Balugola, and Gaspare Cimicelli, each of whose families or the men themselves had been implicated in personal violence during the years 1555 to 1565. He also served the duke at court between 1560

³¹⁷ ASMo, *Particolari*, Bellencini, B. 111.

³¹⁸ Ercole Fontana is listed on the court rolls from 1562 to 1578. Fabrizio Fontana acted as an official of the chamber from 1585 until 1592. Giacomo Fontana served as a captain in Duke Alfonso II's service from 1560 until 1597. Giovanni Fontana served the duke in various capacities from 1585 until 1597 and Ippolito Fontana served his sovereign in 1569. Guerzoni, *Le Corte Estensi*, 279.

³¹⁹ Alfonso Bellencini served Duke Alfonso II from 1562 to 1563. Gaspare Bellencini retained the position he had held under Alfonso II's predecessor—Ercole II—as official of the guardarobe. Girolamo Bellencini served the duke from 1560 to 1569. Ippolito Bellencini held a position at court from 1559 until 1567 and again from 1588 until 1597. *Ibid.*, 259.

and 1565. Thus, one cannot help but conclude that the duke allowed men implicated in violence to retain their official positions in the government.

It was not simply that the duke allowed members of the Bellencini and Fontana families to retain their positions that provides a benchmark for the power of the Modenese elites. The other families mentioned in the above instrument of peace also speak to the same pattern.³²⁰ The same correlation between governmental service and interpersonal violence holds true for other office-holding families. On February 4, 1559 a brawl took place at the house of Nicolo Castelvetro between Count Alessandro Rangone, one of the Bellencini, and a Carandini (both unnamed).³²¹ In a letter dated February 9, 1559, then governor Alfonso Trotti updated the duke on his investigation into a brawl at the house of Nicolo Castelvetro of the conciliar Castelvetro family “whose stars [had] risen in a short amount of time...and were now of the nobility.”³²² Trotti confirms that “it was clear that Count Alessandro had wounded Marco Antonio Carandini” during the course of the brawl.³²³ The Carandini were well-known and deeply enmeshed in the ducal government. The rolls of the Conservators list Claudio Carandini as the joint head of the

³²⁰ Curzio Forni served at court from 1576 until 1589. Gerolamo Forni appears on the court rolls for the years 1562 to 1564. Ludovico Tassone served as ducal secretary and chancellor from 1559 until 1589. Ercole Tassone functioned as master of the chamber from 1555 until 1589. Guerzoni, *Le Corte Estensi*, 309.

³²¹ “Dopo quanto scrissi all Ecc. Con una mia di tre in materia del caso occorso in casa di M. Nicolo Castelvetro atteso poi ad informarmi parti con l’armamente di tutto cioe che in era seguito meglio et non si et aveva potuto fare {...} esperimente quando le ne diedi il aviso et ando in effetto che tral il conte Alessandro et il Bellencino et il Carandino, non era passata cosa di tale importanza...” ASMo, *Rettori dello Stato*, B. 112, Alfonso Trotti to Duke Ercole, Feb. 9, 1559.

³²² “Li Castelvetro ancor essi di presente si trovavono molto accresciuti in brieve tempo, et di facultà, et di gente,” Panini, *Cronica della Città Modona*, 160.

³²³ “Ancor con una mia seconda lettera scritta all Ecc. in materia del caso occorso in casa di M. Niccolo Castelvetro io l’avisano poi pienamente come sera la cosa accomodata, per rispondere nondimeno a quanto esse mi scrive a me con la sua degli anco con li presente, et se lacome chiaro et colui et diede li ferita a Marco Antonio Carandino fosse agli Ma one del case Alessandro,” Alfonso Trotti to Duke Ercole, Feb. 9, 1559.

Council, along with Antonio Morone, in 1560.³²⁴ In the same year that the brawl took place, Giovan Cesare Castelvetro served on the council in the first half of the year.

Owning the house in which a brawl took place did not tarnish the reputation of Nicolò Castelvetro—he sat on the Council of Conservators in the second half of 1559.³²⁵

The correlation between interpersonal violence and governmental service raises interesting questions about the Este state. The vendetta practitioners of this study were part of the pool of elites serving the Duke of Modena at court or in other capacities. It is significant that at the same time the Modenese elites were engaged in interpersonal violence, the duke continued to reward these elites with further preferment as well as rely on them for the state to function. In practical terms, this reinforces the idea that state “officials needed the collaboration of the locality.”³²⁶ Without this collaboration, “an official could not penetrate the thick solid network of solidarity and connivance” tying together the members of a community and members of a faction.³²⁷ The Este found it nearly impossible to penetrate the thick web of alliances which formed the bedrock of Modenese power. As a result, when ducal and conservatorial interests collided, this forced the two parties to negotiate past a stalemate. In the next chapter, these negotiations will be examined in an incident wherein ducal interests and familial prerogatives collided over the governance of a convent of women.

³²⁴ Giorgio Chittolini, “The ‘Private,’ ‘The Public,’ the ‘State’,” in *The Origins of the State in Italy, 1300-1600*, ed. Julius Kirchner (Chicago: University of Chicago Press, 1995), 34-61 at 43.

³²⁵ *Ibid.*

³²⁶ Dean and Chambers, *Clean Hands and Rough Justice*, 17.

³²⁷ *Ibid.*, 18.

Chapter 3: The Laws of Violence: Vendetta Practices and Ducal Initiatives
towards State Formation

On February 10, 1533, Doctor Alberto Tassone stopped for a moment to read a letter under the portico of the Pellicceria. As he read, the young noble Aurelio Bellencini approached him. Without warning, Aurelio stabbed Alberto on the side of his head with his dagger. The unsuspecting Tassone did not see the blow and thus, was unable to defend himself. The wounded man fell to the ground and died immediately—unable even to call upon the Virgin for aid.³²⁸ The assassin forthwith fled down the street towards the duomo. Word of the ambush immediately spread throughout the city.

Upon hearing the hue and cry, the city's unofficial patron, Count Ercole Rangone, sought out ducal governor Enea Pio at the castle to inform him of the crime. After hastily consulting amongst themselves, the governor and the podestà closed the gates of the city to prevent Aurelio from escaping. Authorities rapidly discovered during the search, however, that Aurelio had fled. Count Ercole, a “great friend” of the deceased, mounted a horse and rode the thirty-seven miles to Ferrara to inform Duke Alfonso I of the recent developments. Governor Pio now had a large problem on his hands: An important dead noble, a missing perpetrator, and a very angry, large, and influential clan up in arms and demanding swift justice.

³²⁸ “A dì ditto. Fu morto misser Alberto fu de misser Ercole Tassone in Pilizaria sotto el porticho dela canóniga alo incontro dela Cartaria de M.ro Opize Malacria da hore 17, el quale leggeva una lettera, e quello che ge ha dato, secondo se dice, non gera andato a posta, ma imbatendose a vedere cusì bela posta, e havendoge volte le spale lo prexe, et de uno pugnale ge dete a traverso la testa; dato grande cortellade cascò súbito in terra, e poi ge ne dete andò per Domo, e fuzi via, secondo m'è stato ditto, e súbito el signor conto Hercole Rangone andò in Castello dal signor Enea governatore a farge intendere el caso, el quale fece serare le porte súbito, ma el malfattore er già andato fora allo porta. E in termino de circa hore una e mezo el ditto Conto montò a cavallo, e andò alla via de Ferrara per farlo intendere al signor Duca, perchè ditto misser Alberto era intrinseco amico del ditto signor Conto, e già dela sua parte.” Lancellotti, *Cronaca*, 4:201.

The Tassoni were demanding Aurelio's head. Upon hearing of the threat to his son's life, Aurelio's father, the esteemed jurist Ludovico Bellencini, returned from his hunting expedition in the countryside.³²⁹ Expecting trouble, he brought with him a company of armed cavalymen for protection against Tassoni reprisal. The Bellencini barricaded themselves in their palazzo to confer on the best course of action.³³⁰ Aurelio remained missing. Rumors flew that he found asylum with a friend of the family, Count Julio Boiardo of Scandiano.³³¹

The Tassoni were determined to get to Aurelio. Upon receiving word of Aurelio's escape, the victim's brother, Pio Tassone, went to Duke Alfonso to invoke justice. He also sent a message to his cousin, Count Galeazzo Tassone, the captain of Reggio, asking him to capture Aurelio on behalf of the clan. Aurelio's protector, Julio Boiardo,

³²⁹ “benchè quando acadete el caxo dela morte del ditto, lui era in campagna a cac[c]ia, et era con lui Bartolomeo, suo fiolo, Jacomo de misser Giambattista Bellencini, Roberto Carandini compagno intrinseco de misser Alberto Tassone, et Antonio suo famiglio, al quale ge fu ditto in campagna del caxo acaduto, e subito vene in Modena con arma inastada in mane, dubitande de inbaterse cogli iudici, benchè el gera andato incontra molti suoi parenti a cavallo; el qualo quando li vide dubitò molto de lori, sino non li ebe cognosuti, e a questo modo le alegrezze e li piaceri de ogni sorte poteriano reusire pianti amarissimi, e spexa grandissima.” Ibid. 4:200-1.

³³⁰ “Lunedì a dì 10 febraio. Essendo andato miser Lodovico Bellencini a casa questo dì, el parse che el ge fusse ditto della morte de misser Alberto Tassone essendo in compagnia, e súbito v[i]ene al[la] volta de Modena, e per qualche suspet[t]o lui con circa sei compagni a cavale venene in Modena da hore circa 22 con le arme inastade in mane, ma ditto misser Lodovico con tutti soi fratelli di Bellencini stano con grande guarda e suspeto in caxa per la morte de misser Alberto Tassone che è stato morto questo dì ut supra.” Ibid., 4:202.

³³¹ “Martedì a dì 11 febraio. Esendo eri da hore 17 stato morto miser Alberto fu de misser Ercole Tasson[e], el s'è publicato per la Città essere stato Aurelio fiolo de misser Lodovico Bellencini Modeneso, e como lo eb[b]le morto, che lui andò a Scandian[o] castello del conto Julio Boiar[d]o suo amicissimo, el qualo ge lo asicurò et intendando li Tassone essere in ditto loco mandorno litre e messo a posta a Reggio dal conto Galeaz[z]o fiolo fù de misser Julio Tassone da Ferrara capitano de Reggio, como era stato morto el ditto misser Alberto suo Parente e benvolente, el quale súbito mandò el barixelo de Reggio a Scandian[o] per havere ditto Aurelio, el quale conto Julio non ge lo volse dare, e lo ditto barixelo ge comandò sotto pena dela desgratia del signor duca Alfonso da Este duca de Ferrara, Modena, e Rezo, e dela privatione del stato, e dela vita, e de dece millia ducati che lo debia incontinentemente ritrovarse denanze del prefatto Duca in Ferrara, e cossi è stato ritenuto detto Aurelio in Scandiano prexo, sino si habia la risposta dal signor Duca con bona guarda, e ditto conto Julio è passato per da Modena, e andato a stafeta a Ferrara, ma el ge trovarà el signor conto Ercole Rangone che ge andò eri a stafeta in favore delli Tasson[e], el quale fa grandissima instantia con la Excellentia del Duca che el faria iustitia de uno eccesso cossì terribile, e in una persona tale como era ditto misser Alberto, qualo era dottore, e cavallero, ma non publicava li suoi privilegi per potere andare privatamente secondo se dice.” Ibid., 4:203.

however, was reluctant to turn him over. Provisionally, he held the right to refuse. The counts of Scandiano, while in fealty to the house of Este, possessed their own feudal jurisdiction.

Duke Alfonso I commanded that Aurelio be taken to the prison and held in custody under pain of political disgrace, privation of status, ten thousand ducats and the possible forfeiture of his life. Anticipating ducal wrath, Count Boiardo sent a courier to the duke to intercede on Aurelio's behalf. Not to be outdone, Count Ercole Rangone did likewise on the Tassoni's behalf. Watching the race to get to the duke and win him to their side, Lancellotti speculated that Duke Alfonso would decide in favor of the Tassoni "in the case of this most terrible excess committed on such a person as Alberto who was a Doctor and a Knight, who did not advertise his privileges or power."³³² In Lancellotti's mind, the case was open and shut. The murderer Aurelio Bellencini would soon be caught and brought to justice.

As subsequent events attest, however, the capture and prosecution of Aurelio would not be so a simple. Imperial Spanish soldiers lodging in the territory of Count Boairdo were reported to be hostile. As a result of their rumored protection of Aurelio, it was by no means certain that the fugitive could be captured without undertaking a serious fight with larger political implications—one that potentially involved not only the Modenese nobility, their sovereign, and his vassals, but the Emperor as well. The duke, however, could not ignore his subject's outright act of hostility without being perceived as wholly partial and, at worst, ineffectual.

Tassone's protestations for justice worked, at least initially. The slain man's brother, Pio Tassone, obtained a proclamation from the duke that the fugitive be brought

³³² Ibid.

to face justice in Ferrara on the Friday following the assassination, on pain of 2000 ducats.³³³ Many, however, doubted that Aurelio would be turned over. Lancellotti observed:

I think this is cause for great concern and the consequences are yet to be seen. It is said that Master Pio is amassing all the adherents of the Tassoni and their friends to ruin Lodovico Bellencini, but because the Duke holds Master Lodovico in high esteem no one knows what will come of this.³³⁴

Though Lancellotti hesitated to predict the end of the matter, he, like the rest of the city of Modena, anticipated that if the Tassoni did not obtain the official justice they sought for Alberto's murder, they would attempt to take justice into their own hands. If they did, violence was certain. Regardless, the matter was unlikely to end well. The Tassoni were highly placed and influential. The Bellencini, however, made formidable opponents possessing as they did a great deal of power and influence of their own.³³⁵ Moreover, as we have seen with Lodovico's sister Suor Lucia Bellencini's fight for precedence in the convent and their brother Giambattista's intransigence after his son Anniabale's death, they were not above employing any stratagem necessary in order to have their way.

Once again, the Bellencini faction's machinations worked. As will be shown below, ducal forces never captured Aurelio. Instead, the duke eventually acceded to what must have seemed a compromise position. He banished Aurelio from Modena for an

³³³ "lui ha da fare per esserge fatto uno comandamento ala pena de ducati 2000 che per tuto venerdì proximo el se debia essere presentato in persona denanze ala excelentia del signor Duca;" Ibid., 4:203.

³³⁴ "el se dice che el non sà se lui ge andarà o non più cauxe e rispeti, io credo che el sia in grande affano, e lo effetto lo dimostrerà per lo avenire, e ditto M.ro Pio è stato sforzato andarge da tuto el parentà deli Tassoni, e altri soi amici per ruinare misser Lodovigo Belencin, s'el Duca vorà, ma perchè el Duca haveva misser Lodovigo in bon concetto, non so como pasarà la cosa." Ibid.

³³⁵ "Mercordì a dì 12 febraio. M.ro Pio Tassone fixico, et fratello de misser Alberto Tassone, che fu morto in Pillizaria in Modena a dì 10 del presente è andato a Ferrara a dolerse dala excellentia del Duca ditto suo fratello, e a farge istantia che el facia iustitia contra Aurelio de misser Lodovico Bellencini che lo ha morto, el quale al presente è prexo in Scandiano dal conto Julio Boiarde per comission del signor Duca, el quale conto Julio lo haveva asigurato, e per ditta causa è andato a Ferrara ditto conto Julio, acciochè el Duca non lo facia mancare dela fede data al ditto Aurelio, quando lo ha esegurato, e perchè ditto M.ro. Pio dubita che per dinari o per forza, per via deli Spagnoli alozati a Scandiano, non sia fatto fuzire." Ibid.

unspecified period of time and fined him. Subsequently, on May 22, 1533, the Bellencini and Tassone signed a truce between them, observable for three years.³³⁶ Indeed, this must have seemed a great insult to the Tassoni.

As this incident and the first two chapters have shown, violence—particularly noble violence—posed a threat to political order and the general stability of the commune. Vendettas, with their mass involvement of the nobility who deployed all of the political, religious, economic and other resources at their command, posed a more particular threat. Ostensibly, vendettas distracted the ruling class from their business of running the government and bled into all aspects of civic life with which the nobility were concerned. They diverted the already harried duke’s attention from attending to the wars and political problems that constantly occupied him. They diverted state resources as the duke worked out how to efficiently punish the perpetrators and discourage further acts of bloodshed. No sovereign wanted the very nobles he relied upon to conduct the daily business of the duchy to wantonly kill one another in the streets. Yet the Modenese would still pursue their vengeance.

This chapter will examine the Bellencini-Fontana vendetta through the lens of their sovereigns, the Dukes of Modena-Ferrara, in an attempt to explain why, after the first act of homicide was committed, ducal measures did not immediately quell violence. Not all noble acts of violence devolved into vendetta and a continuously escalating cycle of revenge. Sovereigns could and did employ various measures to prevent, mitigate, and stop vendettas once they had begun. They enacted statutes prohibiting violence, promulgated addenda and decrees as needed, and tailored their penalties to hit their noble

³³⁶ “El se dise che li Tassone, e misser Lodovico Bellencini hano fatto tregua per dui anni in Ferrara per causa dela morte de misser Alberto Tassone, e da loro in qua è stato morte certi altri, e per questo s’è fatta la crida soprascritta.” *Ibid.*, 4:276.

perpetrators where it was most likely to hurt, targeting their pocketbook and their prerogatives, in order to provide them with the greatest incentive to abide by the laws. We need to ask why these measures were not successful in sixteenth-century Modena, and what those failures tell us about the strength of political factionalism and the need for collaboration.

The Modenese civic statutes prohibited violence, homicide, and retaliatory killings, in particular. When an act of violence was committed, the statutes imposed an increasing scale of penalties that depended on the nature of the crime, the status of the perpetrator, and the ostensible motive. These penalties could range from a fine or confiscation of property to imprisonment, perpetual banishment from the territory, and in more serious cases, capital punishment. In the 1327 statutes of Modena, a public assassination was punishable by death.³³⁷ The 1487 statutes went further and decreed that homicide carried penalties of a 1000 lire fine, confiscation of the offender's property, and beheading.³³⁸ For the crimes of rupturing the peace, arson, false testimony, theft and forgery, the perpetrator was banished from Modena and the city's territories. For the crime of carrying arms without a license, the guilty could be sentenced to a fine of 100 gold scudi. The punishment for physical assaults that resulted in bloodshed was dismemberment.³³⁹ In sum, the statutes are riddled with provisions for the various contingent acts committed under the rubric of violence. Violence and violent crime were ongoing problems demanding evolving responses.

³³⁷ These penalties are derived from the 1327 edition of the statutes of Modena. The relationship between the Modenese statutes, their ratification by the dukes, ducal statutes, and the application of the law in Modena possesses a long and complicated history which has been inadequately treated. This matter will be covered in more detail later in this chapter as it has important implications for this study.

³³⁸ Dean and Chambers, *Clean Hands, Rough Justice*, 13.

³³⁹ Statuta Mutine, fol. 99 (III.57), as quoted in Dean and Chambers, *Clean Hands, Rough Justice*, 13.

But as other historians have observed, “laws tell more about legal restraints on behavior than behavior itself.”³⁴⁰ Not only were the Modenese civic statutes constantly updated and revised in response to changing political and social realities; legislation was also continually modified and supplemented on an ad hoc basis by various decrees and ordinances (called *bandi*, *decreta*, *provvigioni*, *riformaggioni*). These decrees and ordinances, I would argue, are perhaps more useful for understanding the relationship between legal theory and practice than a study of statutes alone, since ad hoc decrees show more precisely the dukes’ evolving responses to vendetta violence within their territory. When statute law proved insufficient or crafty criminals exposed loopholes in the system, the ducal government promulgated decrees on an ad hoc basis detailing penalties and punishments more explicitly. At moments of intense violence or anticipated danger, the dukes attempted to stem the tide of bloodshed through the promulgation of ad hoc decrees called *gride*.³⁴¹ These ad hoc decrees were mainly concerned with three contributing factors that could be regulated: carrying arms, banditry, and instruments of peace (*instrumenta pace*) or truces (*tregua*).

A sixteenth-century collection of decrees in manuscript form found in the Rettori dello Stato collection provides a good example of ducal concerns and how the dukes of Modena-Ferrara attempted to stem the tide of vendetta with legislation.³⁴² These legislative acts often concerned various crimes committed during a vendetta. Of the two hundred decrees found in the manual, roughly one-fourth concern various iterations on

³⁴⁰ David Herlihy, “Women and the Sources of Medieval History: The Towns of Northern Italy,” in *Women, Family, Society in Medieval Europe; Historical Essays 1978-91* (Providence, RI: Berghahn Books, 1995), 13-32.

³⁴¹ ASMo, Cancellaria, Gride. Also see, Dean and Chambers, *Clean Hands, Rough Justice*, 3.

³⁴² ASMo, “Manoscritti di Gride Degli Anni 1520-96, Numerati 1-346 con Indice,” *Rettori dello Stato*, B. 12.

bandits, instruments of peace, and the carrying of arms. On February 11, 1531, for example, Duke Alfonso I promulgated a decree concerning “those who would break peaces or truces.” In 1544, his son, Ercole II, promulgated a decree limiting the “carrying of arms” to only those who possessed a license. This decree was reiterated by the duke in 1547, 1551, 1554, 1557, twice in 1558 and also in 1572 by Ercole II’s son, Alfonso II. The number of *gride* devoted to this subject and other evidence shows that the excessive and unauthorized carrying of arms was an overriding concern of the dukes during this period. Banditry also furnished cause for concern. In 1543, Ercole I published an agreement between himself and the governor of Parma wherein the Parmenese would not harbor malefactors from the ducal territory. A similar agreement was made between the duke and the rector of Bologna in 1544 and between Duke Alfonso II and Milan in 1548, followed by an agreement made with Rome in 1566.

As in many other cases, however, in Modena there was a large gap between legal theory and practice that widened as Modenese elites and the dukes fought for jurisdiction. While the law forbade vendetta practices, such practices retained an important place in the social and political arena. Indeed, in many cases they were practiced by the same people charged with upholding the law. As will be shown, the Bellencini-Fontana vendetta continued after the first act of homicide for several reasons. The first was that, as discussed in previous chapters, Modenese factionalism proved difficult to rein in. Reform proved to be ineffective and, in many cases, only served to exacerbate matters to the point of violence. Indeed, despite the preventive and punitive measures imposed upon these families to curb their revenge practices, these factions repeatedly found ways to circumvent penalties and escape justice. These staunch efforts of Modenese factions to

circumvent ducal reforms should not, however, be perceived simply as the intransigence of a willful nobility. The civic elites of Modena also possessed a stake in the maintenance of good order. Indeed, they perceived local order to be their purview. Their intransigence was only another aspect of their fight to retain their grip on local practices.

In order to outline this fight between the local and the state, the first section of the chapter examines the case of the assassination of Alberto Tassone by Aurelio Bellencini in 1533. This case is particularly reflective of the realities the duke faced in imposing his justice upon a powerful noble class intimately familiar with law and the practice of governance. It is also suggestive of a shifting political situation, which tied the duke's hands in particular ways. The case also illuminates an evolving consciousness on the part of elite families that they possessed a strong say in the legal process, owing to their increasing power and influence both in Modena and with the duke.

The second section of the chapter will revisit the narrative of the Bellencini-Fontana vendetta after the 1547 assassination of Annibale Bellencini—a cousin of Aurelio—in order to juxtapose this event and with the measures Duke Ercole II imposed to quash the vendetta. These measures included regulating the carrying of arms and increasingly overseeing the enforcement of instruments of peace and truces. These initiatives infringed on what were considered private matters: private in the sense that they were considered to be the purview of the “structures of aggregation” that intersected with state institutions.³⁴³ These measures attenuated the privileges of noble status which were jealously guarded by the elites that composed the social fabric of the Este state, such as the right to bear arms and seek justice in the death of a kinsman,.

³⁴³ Chittolini, “ ‘The ‘Private,’ The ‘Public,’ The ‘State,’ ” 40.

These points of tension between dukes and elites become amplified when supplications for extraordinary grace are examined in conjunction with peace accords. In this same section, I will examine another site where the dukes were ostensibly exercising sovereign power while in reality relying on collaboration with their subjects. Often, after the perpetrator committed an act of vendetta violence, the culprit would immediately flee the territory with the intention of escaping consequences, which in most cases were dire. After some time had passed, most often months, and in some cases, years, the accused would petition the Duke of Ferrara-Modena directly for either a partial or full remittance of penalties. The dukes often granted these petitions and this became increasingly problematic. Often the wrongdoer, freshly pardoned, would return to the ducal territory only to commit further crimes. While ostensibly granting grace only the duke could provide, by acceding to these petitions he was still underscoring the need for collaboration. These pardons emphasize the flexible nature of the law in the face of elite demands.

While this legislation seeking to curtail elite privileges could easily be interpreted as ducal efforts to subsume the nobility into an increasingly centralized state, in reality the sovereign still needed cooperation and collaboration. As Trevor Dean and Dean Chambers note:

cities and aristocrats, faced with officials' efforts to expand the scope of ducal action, responded with fierce defense of their privileges...Hence there was frequent, systematic tension between officials and social bodies, ranging from coolness, dilatoriness, and non-cooperation; through hostility, insolence, and defiance; to intimidation, assault, and murder.³⁴⁴

³⁴⁴ Dean and Chambers, *Clean Hands, Rough Justice*, 17. Much of this interpretation is based on Chittolini's model of cooperation between the sovereign and social bodies.

The law, an ostensible outgrowth of both civic practice and the state machinery, is in this case a reflection of social norms and values. On the one hand, it reflects the desire of Modenese factions to retain their rights to come to agreements among themselves. On the other hand, it mirrors the desire of the prince to maintain order and practice good governance. The dialogue between these two interests forms the basis of this chapter.

After examining ducal initiatives and the vendetta in juxtaposition, the ad hoc responses of ducal governance in response to an evolving situation become clearer. When these measures did not appear to work—and the increasing number of decrees suggests that they did not—the Estense government adopted the strategy of targeting the nobility's pocketbook, levying increasingly stiffer fines. The Modenese nobility, however, quickly adapted to this tactic by developing new strategies of its own—many of which involved creative ways of protecting the patrimony. This analysis will set the stage for the subsequent discussion in Chapter four on the economics of the vendetta and the strategies these noble factions used to protect their interests.

“Lodovico Bellencini pursues vendetta on his enemies and yet still prospers....”

Lancellotti, *Cronaca*, 4:321

Returning to the incident that began our chapter, the problems of a legally savvy and politically influential nobility bent on revenge became abundantly clear in subsequent events. As he would continuously in his *Chronicle*, Lancellotti critiqued the

duke and his governor for their lax policies towards the nobles. After an incident between a foreigner and an adherent of the Grillenzoni, Lancellotti ominously predicted:

I have noted that these events show that this city in a few days will fall into disorder because there is not enough watchfulness, and because we have the infirm Signor Enea Pio for governor and it is not possible to rouse him, and we will soon enough see such misdeeds, as much as we would wish, because the Excellent Duke believes that the matters of Modena are going well, and that worse is not possible.³⁴⁵

The ever-astute Lancellotti's speculations about looming political trouble over the assassination of Alberto Tassone proved to be true.

Lancellotti was well-acquainted with Bellencini resistance. The first sign of trouble came when Enea Pio summoned Lodovico Bellencini to the castle to answer for his house. Lodovico did not go immediately. When Lodovico received the summons, he secretly sent a messenger to his relative Giambattista Forni, who was in Bologna serving the emperor, and another messenger to Count Guido Rangone imploring them to aid his son Aurelio. He stalled the governor by responding that he *wished* to go but doubted his enemies and asked to bring some of his cavalymen with him to protect him.³⁴⁶

³⁴⁵ “io ho notato questa cosa qui al presente per mostrare che questa Città in pochi giorni venirà in desordine, per non ge essere troppo guarda, e perchè habiamo el signor Enea Pio per governatore infirmo de gota che non se po muovere, e andare per la Città, che s’el ge andasse, el vederia dele cose malfatte asai, et ge provoderia s’el volesse, perchè la Excellentia del signor Duca crede che le cose de Modena vadano bene, e non poteriano andare peg[g]io.” Lancellotti, *Cronaca*, 4:201.

³⁴⁶ “Mercordì a dì 12 febrario. Es[s]endo ocorso el caxo dela morte de misser Alberto Tassone a dì 10 del presente, e della captura del presente, e della captura de Aurelio de misser Lodovco Bellencini in Scandiano, per cause dela morte del ditto misser Alberto, fu ditto, o mandato a dire a misser Lodovico Bellencini padre del ditto Aurelio a dì 11 ditto dal signor Enea Pio governatore de Modena, o da suo agente, che bono seria per sedare el rumore, che lui andasse sino a Ferrara a iustificare el caxo suo, con lo Illmo signor Duca, e lui estimando tale parole non fuseno ditte senza causa, rispoxe che volendoge andare el dubitava deli soi inimici: el ge fu offerto dal ditto signor Enea tutti li cavalli lezeri che sono in Modena, e deli altri s’el bisognerà per sua sigurezza, e vedando non potere desdire, se deliberò mandarge a stafeta misser Francesco suo fiolo: etiam mandò stafeta a Bologna (se dice ge andò ser Giambattista Forni suo zenre da monsignor Conos consigliere dela maestà delo Imperatore, e da uno altro suo amico: etiam se dice dal signor conto Guido Rangone, qual è in Bologna), per aiutare ditto Aurelio, ma penso che ‘l ge serà da fare per più cauxe, e rispeti etc.. Et questo dì è venuto una comission da Ferrara al signor Enea preditto, che el debia comandare a misser Lodovico preditto sotto pena de ducati e dela desgratia del signor Duca, che per tutto venerdì proximo futuro lui si debia trovare in persona in Ferrara, denanze ala excellentia del

Lodovico's stalling tactics, however, did not fool the duke. In response to Lodovico's diversionary tactics, a commission arrived from the duke notifying him that he had been summoned to Ferrara to answer for his son's crimes. Duke Alfonso threatened the Bellencini with the fine of 2000 ducats and eternal disgrace should Aurelio fail to appear.³⁴⁷ Duke Alfonso could little afford to give the appearance of leeway in this matter. He was under pressure from other sides. Alberto's brother, the physician Pio Tassone, petitioned the duke for justice for his brother. If the duke did not comply, the appearance of favoritism would be blatant enough for all to see.

In response to increasing ducal pressure, Count Julio Boiardo promised that he would bring Aurelio with him to Ferrara.³⁴⁸ Everyone, including the Duke, doubted this would happen. Doubting both the Alfonso and the Bellencini, Pio Tassone was said to be martialing the Tassone and their friends in order to ruin Lodovico. Lancellotti, however, expressed doubt that the duke would allow this to happen: "he has a good opinion of Lodovico so I don't know if this would be possible."³⁴⁹ Despite his best efforts to appear

signor Duca: e questo io l'ò inteso da una persona degna de fede: e ditto misser Francesco el ge stato rispoxe, che questo non basta, e che el bisogna che ge vada lui in persona, de modo che lui è in grandò affano delo andare, che el posa succedere una cossa, e non andare e succederne una altra." Ibid., 4:202.

³⁴⁷ "Misser Lodovico Bellencini, e misser Giambattista da hore 19 se sono partiti da Modena per andare a Ferrara per el comandamento fatto a lori a dì 12 del presente, che se doveseno ritrovare in Ferrara per tutto domane denanze all'excellentia del signor Duca, ala pena de ducati 2000 ciaschuno, e dela disgratia sua, e questo per la morte de misser Alberto Tassone, per la quale è prexo Aurelio suo fiole in Scandiano; el se crede che le cose soe pasarano bene, perchè sono homini de bona estimatione apresso su Excellentia al parere mio." Ibid., 4:204.

³⁴⁸ "Mercordì a dì 12 febraio. M Pio Tassone fixico, et fratello de misser Alberto Tassone, che fu morto in Pillizzaria in Modena a dì 10 del presente è andato a Ferrara a dolerse dala excellentia del Duca del ditto suo fratello, e a farge istantia che el facia mancare dela fede data al ditto Aurelio, quando lo ha esegurato, e perchè ditto M. Pio dubita che per dinari or per forza, per via deli Spagnoli alozati a Scandian, non sia fatto fuzire, che el signor Duca ge factia provixion de haverlo in soe mane, e meterlo in loco sicuro a ciò che la iustitia habia loco, e misser Lodovico Bellencini uxa tutti li megli che el pò per cavarlo de Scandiano a uno modo, o a uno altro, ma ancora lui ha da fare per esserge fatto uno comandamento ala pena de ducati 2000 che per tuto verdi proximo el se debia essere presentato in persona denanze ala excelentia de signor Duca; el se dice che el non sà se lui ge andarà o non per più cauxe e rispeti, io credo che el sia in grande affano, e lo effetto lo dimostrerà per lo avenire, e ditto M. Pio è stato sforzato andarege da tuto el parentà deli Tassone, e altri soi amici per ruinare misser Lodovico Bellencini, s'el Duca vorà..." Ibid., 4:203.

³⁴⁹ "...ma perchè el Duca haveva misser Lodovico in bon concetto, non so como pasarà la cosa," Ibid.

impartial, the Duke of Modena could not avoid this unless Aurelio appeared before him to answer for his crimes.

The origins of the Bellencini's favor with Alfonso likely had something to do with their pro-ducal stance during the period of papal rule over Modena.³⁵⁰ Lancellotti described Lodovico as “a man of worth in Modena, of a lofty house, and rich in wealth and influence.” It is clear he was a great favorite, as Alfonso gifted him with riches and honors when Modena was returned to the Este family. During Alfonso I's triumphal return, Lodovico greeted him with the keys to the city. In 1526, Lodovico obtained unspecified “exemptions” from the duke.³⁵¹ In 1527, Alfonso gifted Lodovico with an estate he had confiscated from another Modenese notable, Ercole Carandini.³⁵² Secure in his star's meteoric rise, Lodovico had made illustrious marriages for his children. For instance, Aurelio had taken a daughter of Sir Antonio Francesco Carandini as his wife with a dowry of 1200 ducats.³⁵³ The Bellencini family, long respectable, was clearly on the ascendance politically, economically, and socially.

³⁵⁰ “...egli che i Tassoni, i Carandini, e i Bellencini, e parte de' Bagnoni nimici del Conte Guido [Rangone], s'erano contra la Chiesa in favor del Duca levati...” Varchi, *Storia Fiorentina*, 115.

³⁵¹ “Nota como M. Lodovico Bellencini tornò da Ferara circha 20 dì fa et obtene dala Excellentia del ducha Alfonso nostro Signore uno belo decreto de exemption, che ha concesso el Ducha et ge ha fato molto bona cera, forse migliore che lui non pensava, la causa perchè lui el sa etc.” Lancellotti, *Cronaca*, 2:286.

³⁵² “El se dice che lo Illmo Signore ducha Alfonso ha donato al Magnifico Lodovico Bellencini le possession che Sua Excellentia ha tolta a M. Eercole Carandini modenese motu proprio e che lui non le vole, ma el vole che el ge la cambia. Nota in questo a dì 8 ditto.” *Ibid.*, 3:454; “Venerdì a dì ditto. Nota como el Magnifico M. Lodovico Bellencini sino a dì 6 del presente fece el mandato a ser Giambattista Villani che andase in suo nome a tore la tenuta dele posesion de Mr. Ercole Carandini decadute ala Camera duchale per ribelo del stato, le quale el Sigr. ducha Alfonso da Este nostro Signore le ha donate al ditto M. Lodovico per suo benemerito motu proprio secondo che se dice, rogato de ditto mandato ser Zan Lorenzo di Vilan in casa del dito M. Lodovico per suo benemerito motu proprio secondo che se dice, rogato de ditto mandato ser Giovan Lorenzo di Vilan in casa del dito M. Lodovico, apreso a una hora de note, presente M.ro Antonio Malagola et M. Antonio Albergeto che sta in la botega del ditto M.ro Antonio, el quale me ha narato questa cossa, et me ha ditto che ditto M. Lodovico dise che el non se vole mai refidare (1) nisuna cossa che dona uno principe, sia che sorte se voglia.” *Ibid.*, 3:454.

³⁵³ “E a dì ditto el M.co M. Lodovico de M. Aurelio Bellencini ha dato per moglie ad Aurelio suo fiole la fiola de ser Antonio Francesco Carandini con dota de ducati 1200 et ducati de don, et s'è fatto ditto maridazo questo dì ala presentia del S.r conto Guido Rangone in casa de Sua Signoria.” *Ibid.*, 2:83.

Indeed, Lodovico was relying upon Duke Alfonso's good graces to buy time for his son. When Aurelio did not appear in Ferrara that Friday, the duke sent cavalrymen to Scandiano to pick him up.³⁵⁴ The Spanish soldiers, however, in league with Aurelio's noble protector, Count Boiardo, refused to hand him over to Alfonso's soldiers..³⁵⁵ Lancellotti wryly commented, "I wait to see what will win this fight-money or reason-but I think that it is lost." Regardless of Lancellotti's predictions, it was reported that the Spanish soldiers had moved Aurelio to Bologna.³⁵⁶ The Tassone faction was growing impatient.

The brewing scandal quickly divided the city of Modena into two factions. On one side were the Bellencini, including Aurelio's father Ludovico, his son Francesco (also an esteemed politician), his brother Giambattista, and Francesco's son Giacomo, as well as the Bellencini affines, the Forni, in addition to the Ronchi clan, and Guido Rangone.³⁵⁷

³⁵⁴ "Zobia a dì 13 febrare. Li balestreri de Modena seu cavalli lezeri, se sono partiti de Modena questa matina, se dice che vano a Scandiano uno con quelli de Carpe, e de Reggio per menare Aurelio Bellencini, destenuto in detto loco, in la rocha de Rubera per più sigurezza che el non sia fatto fuzire da' Spagnoli alozati in ditto loco, sino a tanto se cognosa de raxon, e questo per la morte de misser Alberto Tassone, e questo fù dappoi la partita deli cavalli lezeri, che ge haveva mandati la excellentia del Duca per havere ditto Aurelio in le mane, e se ditti cavalli lezeri non se fusseno partiti ge saria stato fatto a dispiacere, secondo se dice, e quello castellan è andato a Ferrara, non so como lui la conzarà." Ibid., 4:204.

³⁵⁵ "E da hore 23 vene la nova in Modena, como li Spagnoli alozati a Scandiano, non han[n]o voluto che li cavalli lezeri del signor Duca menano Aurelio Bellencini for a de Scandiano, e ditoge a lori se non se partino ge faran poco a piacere, et sono venuti senza el prexon, io starò a vedere che vincerà questa pugna, li scuti, o la raxon, ma io penso che qualche uno perda." Ibid.

³⁵⁶ "Venderdi a dì 14 febrare. Vene nova in Modena como li Spagnoli che havevano tolto Aurelio Bellencini dalla Rocha de Scandiano lo hanno menato questa note pasata a Bologna, ancora non se se l'è in libertà si o non, e le stafete deli Tassone, del conto Claude, conto Ercole Rangone da una parte, vano molto in volta, e la porta deli Bellencini verso el conto Ercole sta serata, e fano la intrada per da San Lorenzo; io per me penso che questa cosa dela morte di misser Alberto Tassone poteria fenire fastidiosa con el tempo, salvo se la excellentia del Duca non la aseta con el mezo dela raxon." Ibid., 4:205.

³⁵⁷ "A dì ditto. Vene nova questa sira in Modena como questa matina a honora se parti Aurelio de misser Lodovico Bellencini del castel de Scandiano con una bona banda de archibuxeri circa 50 a cavallo tutti Spagnoli, che al presente sono alozati a Scandiano, et andò a Bologna per la via de sopra, et lo han[n]o presentato al marchexo del Guasto capitano delo exercito Imperiale, qualo è in Bologna con la maestà delo Imperatore, el se dice essre stato aiutato con el mezzo de monsignor Conos consigliere dela maestà delo Imperatore per meglio del signor Ferrante da Gonzaga, e del signor conto Guido Rangone, con solectudine de Prospero dal Forno, e de Giambattista suo fratello, tutti dui zeneri del ditto misser Lodovico Bellencini, e cognati del ditto Aurelio, el quale Aurelio era destenuto in ditto castello per la morte de M. Alberto Tassone, quale fu morto a di 10 del presente da hore 18 sotto el portico dela canonega verso la Piliziaria, e

Opposing them were all the Tassone and their kin, including Count Galeazzo Tassone, governor of Reggio, as well as other noteworthy personages such as Count Ercole Rangone, Count Claudio Rangone, and the man who was later to become ducal governor of Modena during the moments of the most intense violence: Alfonso Trotti.³⁵⁸ The fact that such notable politicians were lining up to support both sides was a sign of worse things to come, especially if Duke Alfonso could not get a handle on the situation.

Despite the threats hanging over the Bellencini's heads, ducal promises for justice seemed empty, as Lodovico Bellencini possessed too much political influence..

Lancellotti expressed doubt that his sovereign could do much about the situation without placing himself in serious political difficulty:

Lodovico, as many were able to see, was very involved in ducal affairs and this put him [the Duke] in difficulty—it is possible he would not be able to pronounce sentence in this instance as he was concerned with more pressing matters among the citizens and the city, which has not been well-governed...³⁵⁹

dato la colpa al ditto Aurelio, ma invero tutti li sui parenti se ge sono molto bene adoperati in aiutarlo, perchè il signor duca de Ferrara nostro signore lo voleva in le mane, ma suo patre misser Lodovico che è homo de grandissimo inzegno, e pieno de scuti, li ha molto bene saputo adoperarlu a questa volta, e guaio lui se 'l non ne havesse havuto, perchè in questa Mondo chi non ha moneta è tenuto savio, nè saputo; tutti quello che perdonno, sebene fusseno savi, sono reputati non savii, ogni homo ge ha posto delle parole, ma suo Patre ha pagato li dinari e meritamente perchè li Spagnoli sono homini che per dinari fano ogni pericolo; li Tassoni sono restati tutti de mala voglia, perchè pensevano de liverarla e la comenza pur adesso." Ibid., 4:207.

³⁵⁸ "E a dì ditto la sira vene nova como li Spagnoli non havevano menato via a Bologna Aurelio Belencin da Scandian, benchè haveseno levato voci di haverlo menato via, ma lo hano in ditto loco sotto la sua custodia, e fano bona guarda al ditto castello, etiam ge ha misser Lodovico Belencin, e misser Franc. Suo fiolo, et misser Francesco suo fiolo, et misser Giambattista Bellencini fratello de misser Lodovico con Giacomo suo fiolo, e contra de lori fe el conto Galeazzo Tassone governatore de Reggio con li fratelli misser Pio Tassone fratello de misser Alberto Tassone che è stato morto, e tutti li Tasson de Modena con el conto Hercole Rangon, et conto Claudio Rangone con el vescovo Rangone, che al presente è a Bologna, et misser Alfonsin Trotti da Ferrara, e altri da quella parte che domandano iustitita; dall'altra parte el ditto misser Lodovico con misser Giambattista con li Forni, Ronchi, con Uguzon Rangone, e molti altri sui parenti domandano una altra cosa in suo favore al signo Duca, poichè misser Lodovico, per quanto se poteva vedere..." Ibid., 4:205.

³⁵⁹ "Poichè misser Lodovigo, per quanto se poteva vedere, era molta cosa del signor Duca, salvo se 'l non se fuse corozato per essere stato fatto questo, in questo tempo che el Duca ha altre cose de maggiore importantia che questa, niente di manco de questo el non se ne po dare sententia al presente, per essere li fatti del signor Duca in travaglio, ma con el tempo Sua Excellentia asetarà li sui cittadini, e la Città, dapoì che lori con el suo bon tempo non se hano saputo governare..." Ibid.

Lancellotti speculated that the matter would likely have to be resolved by a settlement of financial penalties rather than punishment of Aurelio.³⁶⁰ Indeed, this was a common method of dealing with noble crimes of this sort. As mentioned above, committing homicide carried a penalty of 1000 lire, confiscation of property, and beheading. It was rare, however, for men of Aurelio's status to be formally sentenced, particularly if they were the son of a powerful, influential, and crafty noble who enjoyed the duke's favor.

Lodovico Bellencini's maneuvers to protect his son proved too difficult for the duke to circumvent. Lodovico was one step ahead. In addition to placing his son under the protection of the counts of Scandino, he had reputedly paid off the captain of the Spanish soldiers in the Boiardo lands to keep his son from being turned over to the authorities.³⁶¹ Meanwhile, as he was employing these more under-handed stratagems, Lodovico was directly interceding on his son's behalf with his patron, Alfonso.³⁶² To hedge his bets, he also appealed to the Holy Roman Emperor and the papal legate in Bologna for Aurelio's protection.³⁶³ He placed himself under the protection of Count

³⁶⁰ “ma io credo che a questa hora li scuti de una parte, e l'altra se siano spexi molto bene, io non sò chi ne spenda più di ciascuna dele parte, io so bene che la pace genera ricchezze, e le ricchezze superbia, la superbia guerra, la guerra povertà, la povertà pace; Dio faccia quello che sia per el meglio.” Ibid., 4:205-6.

³⁶¹ “Domenega a di 16 febrare. Vene nova in Modena como li Spagnoli che hano tolto Aurelio Bellencini de Scandiano, non lo hanno menato a Bologna, dubitando che nel pasare per de sopra de Modena ge fusse tolto dali sui inimici con favore del conto Hercole, e conto Claude Rangone, quali se dice havevano apostate zente per torgelo, se lui andava per quella via verso Castelvetro, ma che lo hano menato verso Parma, e non se sa del certo dove ci sia, altri dicono che quello capitano Spagnolo era a Scadiano lo ha in le mane in sua guarda, per comission del marchexo del Guasto capitano dela Cesarea Maestà, al quale ge stato ditto sotto mane dala maestà delo Imperatore, perchè la excellentia del Duca de Ferrara nostro signore ha scritto a Sua Maestà, et haute molto permale che el Marchexo se ne sia impaciato, e ditto Marchexo mandò subito a quello capitano Spagnolo, che non lo lasase, e che lo tenese sotta bona custodia sino ge daga altro avixo, sichè per ancora ditto Aurelio, non è in sua libertà, et se dice esserge stato pagato ducati 300 al ditto capitano a ciochè el salva ditto Aurelio, e che a questa hora misser Lodovico Bellencini suo patre ha spexe in stafete più de scuti 125 e per adesso ha comenzato de spendere.” Ibid., 4:207.

³⁶² “Item el se dice che quando ditto misser Lodovigo s'è presentato al signor Duca, che el ge fece una trista ciera a rispetto lo uxato e questo per essere andato per el meglio del Guasto capitano della Cesarca maestà et per el mezo del conto Guido Rangone per liberare Aurelio suo fiole de Scandiano ” Ibid., 4:210.

³⁶³ “E da hore 20 el preditto conto Galeazo mandò avixare el signor conto Claude Rangone in Modena de quello era fatto, e como lo sepe misser Lodovico Bellencini subito mandò stafeta a Ferrara, e a Bologna per

Guido Rangone and asked him to intercede with the duke on his behalf.³⁶⁴ Lodovico's actions caught the duke in a particularly difficult dilemma. On the one hand, the powerful Tassone clan and their adherents were demanding the justice that was their due. On the other hand, the equally powerful and well-connected Bellencini were using every resource at their disposal to protect Aurelio and their own status. It seemed that Alfonso I could not act without undercutting his own government or placing himself in diplomatic jeopardy.

This inability to act quickly or decisively in cases such as these indicates the paradox of the early modern sovereign. The strategic alliances necessary to maintain political independence in sixteenth-century Italy ensured that Alfonso and his heirs needed to balance multiple considerations. In order to maintain this delicate balance, he frequently employed the Modenese elite. As Daniela Frigo has noted concerning Estense diplomatic practice:

A feature shared by the diplomatic systems of the two dynasties [Modena and Mantua] was their inseparable blending of diplomatic appointments with political ones, of diplomacy with government office. The men who assisted the Dukes in governing the state (councilors, jurists, secretaries), were from time to time assigned the most delicate negotiations or the most secret missions.³⁶⁵

aitare ditto suo fiole per la via del Papa, e delo Imperatore che sono in Bologna, et altri soi amici s'el poterà, e non lasarà cosa a fare aiutarlo ” Ibid., 4:200.

³⁶⁴ “Item el se dice che quando ditto misser Lodovico s’è presentato al signor Duca, che el ge fece una trista ciera a rispetto lo uxato, e questo per essere andato per el megio del Guasto capitano della Cesarea maestà et per el mezo del conto Guido Rangone per liberare Aurelio suo fiole de Scandiano, in el quale gera retenuto per cause della morte de misser Alberto Tassone, che fu morto a dì 10 del presente sotto el portico dela canonica verso la piliziara in Modena apresso la Spitiraia de M. Mathe Cervo, et ancora ebe per male quando el conto Guido vene in Modena, quando el ge vene la maestà delo Imperatore, e che ditto misser Lodovico con li fioli lo andorno a visitare, e presentarlo in caza del conto Claude Rangone, li quali tutti dui non sono troppo amici de sua Excellentia, e per ditte cauxe ditto misser Lodovico forse non poterà cussi facilmente conseguire lo suo intento, e tanto più el se dice, che Aurelio si è in Rocabianca in Piaxentina castel del Conto Lodovico Rangone, e fratello del conto Guido, queste sono tutte circostantie che agravano el caxo suo, niente di mancho al mio credere misser Lodovico asetarà le cose sue con ditto signor Duca per essere homo saputo, e de grande inzegno.” Ibid., 4:210.

³⁶⁵ Frigo, “Small States and Diplomacy,” 152.

Lodovico and his Bellencini kinsmen conform to this model and benefited greatly from these practices. As a result of these diplomatic positions, the Bellencini, like much of the Modenese nobility, maintained political contacts in many of the states on the Italian peninsula including Parma, Florence, Venice, and Rome. Members of these clans often served in the armies of various foreign princes or worked in their bureaucratic structures. They maintained political and economic contacts that could prove invaluable in times of external or internal political crisis.

When Modena briefly became part of the Papal States from 1511-1527, these strategies of diversifying their political connections outside of the Este dominions ensured that the Modenese elite retained much of their political power. The Modenese elite continued to maintain and strengthen these connections after the Este regained Modena. In many ways, these connections proved useful and beneficial for the dukes when calling upon their subjects to provide that extra bit of intercession on their behalf.

At other moments, these connections could prove harmful to Estense aims. During the papal takeover of Modena, several members of the elite, seeing an opportunity for benefit and gain, betrayed their own city to the papal forces. Gerardo and Francesco Maria Rangone, along with some of their adherents, betrayed the city to the papacy for their own benefit when papal troops massed outside the city walls. As the city became divided into papal and ducal factions, Alfonso learned that there were members of his nobility he could not trust. This was a hard lesson to learn and one he likely never forgot when making decisions concerning some of his more powerful nobles.

As a result of the Bellencini's petitioning of Alfonso's overlords and political rivals, the duke's hands appeared to be tied. He could not directly move against the

Bellencini if they were under the Emperor's protection. On March 3, 1534 Lancellotti reported that Duke Alfonso had gone directly to the Emperor Charles V himself to ask him to revoke the imperial privileges of the Modenese nobility that had "imperium" in the case of homicide.³⁶⁶ His particular targets were the Bellencini but he also wanted to send a strong message to Count Boiardo and the Rangone, who had sheltered Aurelio. Lancellotti was not sure, however, if this was wishful thinking on his part. He indicated that his source was unreliable.

The Bellencini certainly needed to be curbed as this was a clear case of Modenese nobles asserting their power to do whatever they wished in regards to local fights. To add insult to injury, speculation began to fly that Lodovico Bellencini and his relatives had played a larger role in Alberto Tassone's death than previously imagined. Rumors abounded that Aurelio had not acted alone or on impulse: "It was being said that Lodovico was at fault in the death of Alberto."³⁶⁷ Alfonso shared these suspicions and began to summon other suspects. On February 19, 1534 Antonio Francesco Carandini, Tommaso Ronchi, and Giambattista Forni—Lodovico Bellencini's in-laws—were

³⁶⁶ "El se dice che la excellentia del signor duca Alfonso da Este Duca de Ferrara, ha ottenuto dalla Maestà delo Imperatore Carolo quinto de rompere tuti li privilegi a tut[t]I li gentilhomini a lui sottoposti, quali havessero havuti dalo imperio, quando sia per omicidio che fusse fatto, e che ditti zentilhomini asigurasseno li malfattori, che in quallo caso lui li possa rompere, e che lori non li possano asegurare, e questo perchè a di 10 del passato fu dato la colpa a Aurelio fiole de misser Lodovico Bellencini el quale fuggi a Scandiano, e volendolo el ditto nele mane, el conto Julio Boiardo non ge lo volse dare, dicendo Aurelio assegurato, e per tal cossa n'è nato grandò desdegno fra el Duca, e ditto conto Julio suo gentilhomino (e forse con tempo se ne poteria pentire) tanto che con aiuto deli Spagnoli alogiati in quello de Scandiano, e forse per trabuto de dinari fu menato via da' Spagnoli, e ditto Duca le ebe molto per male, e questa è stata la causa de concederge ditto privilegio al signor Duca, se l'è vero, come poteria essere, ma perchè a nui pare cosa raxonevole, e santa, e per mantenere la pace in la Cità, io l'ho notata, benchè non l'abbia auta da loco molto autentico." Lancellotti, *Cronaca*, 4:231.

³⁶⁷ "El se dice che venerdì proximo pasato se presentò in Ferrara denanze al Signor Duca misser Lodovico Bellencini, e che el non ge fece bona cera, el se penda che el non nè habia a fare bene a questa volta, per esserge in le mane al Duca, el quale vorà sapere se ditto misser Lodovico ha hauto colpa in la morte de misser Alberto Tassone, per el quale se dà la colpa ad Aurelio suo fiole, io penso che el non ge sia tropo bone novelle, perchè misser Bertolamè suo fiole non se move de caxa, e stà con grane guarda, e fal la intrata per da san Lorenzo, e tene serato la porta verso la caxa del conto Hercole Rangon; de misser Giambattista Bellencini e de Giacomo suo fiole, e de misser Francesco, de misser Lodovico ditto, che sono a Ferrara non se ne parla al presente, frà pochi di se saprà nove che non piaxerano ad alcuni." *Ibid.*, 4:207-8.

summoned to the duke's presence on pain of disgrace and confiscation of their goods.³⁶⁸

The plot thickened when, in April, the duke confiscated the goods of Giambattista Rangone, natural son of Gerardo, and banished him from the territory on pain of death for interfering in the matter.³⁶⁹ Given the growing list of suspects from the rolls of Modenese notables, Alberto's assassination was beginning to seem more than an isolated act committed by a young hothead.³⁷⁰ There were whiffs of wider political implications and suggestions that this act continued previous fights—namely previous enmities between the Bellencini, Forni, Tassoni, and Carandini. The Modenese nobles were asserting their power and Duke Alfonso, in order to retain control, needed to answer swiftly and sharply.

A short while later, however, the matter was mysteriously dropped and the Tassone and Bellencini signed a peace agreement. Given the nature of Aurelio's crime, this truce only served to prove Lancellotti's argument that Duke Alfonso would not move against the Bellencini. The Bellencini were proving too powerful for the duke to strike openly against them. Very little came of the matter except grumbling and bitterness on

³⁶⁸ “El Signor Enea Pio governatore ducale de Modena per comission dell'excellentin del signor duca Alfonso da Este nostro signore ha fatto comandamento in persona a Ser Antonio Francesco Carandini, e misser Thomaso da Roncho, sotto pena dela confiscatione deli soi beni, e dela desgratia de Sua Excellentia, che debiano andare a Ferrara denanze da sua Signoria, el simile è stato comandato in scritto a Giambattista del Forno absente, et ha destenuto in castello Aug. de Toto, e Thomaxo de Zan Ant. Carandin, el simile è stato fatto comandamento ad Alfonso da Roncho ditto Bagaron che vada a Ferrara, et se ne va comandando deli altri, e questo per la causa dela morte de misser Alberto Tassone.” *Ibid.*, 4:211. Aurelio Bellencini was married to a daughter of Antonio Francesco Carandini. Lodovico's daughter, Orsina, was married to Giambattista Forni.

³⁶⁹ “Martedì a dì primo aprilo. La camera delo Illmo signor Duca nostro ha confiscato tutti li beni de misser Zan Battista fiolo naturale fu del signor conto Girardo Rangon a ditta camera, per desobedientia fatta a Sua Excellentia de non havere voluto comparire a defenderse dele apositione poste per la morte de misser Alberto Tasson, per essere dela fatione de misser Lodovico Bellencini al presente, e perchè era bandito nela testa, per certo sforzo fatto a una dona in quello de Castelvetro, sta a Bologna, e voleva salvo condotto, ma per non essere comparso in tempo ditta Camera li ha confiscati ut supra. Questo zovene haveva troppo bon tempo e haveva roba assai et è literato, e dot, ma invece la sua dotrina ge fa poco ajuto, e honore.” *Ibid.*, 4:249.

³⁷⁰ The Tassoni and the Forni had been mortal enemies for some time and engaged in a vendetta of their own which was pacified shortly before the assassination of Alberto in 1528. See *ibid.*, 3:358.

the part of the growing faction of Modenese who disliked the Bellencini and their followers.

Their local power, however, continued to grow. Indeed, in 1534, Lodovico Bellencini, his sister Lucia, and his brother Giambattista made enemies owing to the events in S. Geminiano. Despite Ludovico's success in protecting his son from punishment, Lancellotti speculated, perhaps with a note of hopefulness, that these unsavory matters would eventually lead to the waning of Lodovico's political influence:

You readers know that the Magnificent Lodovico Bellencini is a man of worth in Modena, of a lofty house, and rich in wealth and influence, and did not hold back from using these things to aid his son Aurelio, who was well known to be carrying arms looking for trouble with the knowledge that [his father] Lodovico was great friends of the Duke...but [Lodovico] has used his power for ill...and has made much mischief, but I think [due to this] his good times are over....³⁷¹

He appears, however, to have speculated incorrectly. Despite the fact that the case was still ongoing in May of 1533, Lodovico Bellencini, the man who was circumventing the law to protect his son from punishment, was selected for a committee charged with revising the very same Modenese statutes Aurelio had broken.³⁷² The irony in his

³⁷¹ “Sapiate voi lettori, che el Magnifico misser Lodovico Bellencini è homo d'assai in Modena, e grandò parentà e richo de facultà e dinari, e non lasarà cosa a fare per aiutare el ditto Aurelio suo fiolo, e se lo fà, farà asai per havere beni portetori ale spalle, e a questo sarà uno bel vedere, perchè invero ditto misser Lodovico è amicissimo del signor Duca, e per magiore benevolentia el gè donò la roba che el tolse a misser Ercole Carandini, forse con questo pensare che havessena a essere pacifichi; ma non havenfo servato li soi comandamenti lo poteria havere per male e perdere la roba, e l'amicitia, e pericolo dela vita a uno tratto; advisandove, che mai misser ditto non ebe el migliore tempo quanto haveva al presente, perchè li altri soil fioli sono homini asetati e le soe consorte el simile, e lui andava quasi ogni di a caza, e a piacere e non temeava spexa alcuna de soldati, nè de altre perchè el se sapeva ben defendere, e chi haveva mal suo danno, ma io che suo bon tempo sia finito...” Ibid., 4:200.

³⁷² “A di ditto. La magnifica comunità de Modena ogi fa otto dì deliberò volere che el se finise de revedere per modificarli, e perchè el fu già elletto 8 statuenti, e che al presente ge ne manca 3 che sono morti, videlicet, misser Zironimo Valentin, in suo loco hano eletto misser Giambattista Codebò, et in loco de misser Bernardin Silingardo, et misser Jacopo Sadoletto hano eletto misser don Geminiano, e misser Filippo Vignola, li altri che sono vivi sono questi videlicet, misser Lodovico Bellencini, misser Alfonso Sadoletto, misser Giovan Castelvetro, misser Giovan Filippo Cavalerinni, et ser Antonio Tassone; de novo hano dato principio de adunarse al martedì et la zobia in la camera deli conservatori per finire la opera de ditti statuti e

appointment must have been apparent. Duke Alfonso dared not temper Lodovico's political power; he clearly favored Lodovico, as one of those nobles upon whom he relied.

In October of 1534, Lodovico's patron, Duke Alfonso I, died. Alfonso had been a flawed and harried ruler. Beset by difficulties throughout his reign, including the loss of Modena to the papacy, he had needed the Modenese nobles, regardless of their violent proclivities, on his side when he regained the territory in 1527.³⁷³ The Modenese nobility were clearly cognizant of their power and had proven ever willing to betray him if it suited their purposes. Many men like Lodovico Bellencini existed in his inner circle and held important offices in Modena's government, including men of the powerful Rangone, Carandini, Tassoni, and Grillenzoni clans; men of clans implicated in various crimes such as treason, heresy, and violence. Many hoped a new era of Modenese politics would be ushered in with the accession of Alfonso's heir, Ercole II (r. 1534-1559).

The beginning of Ercole's reign, however, did not bring about change. Lodovico's social standing did not suffer with the new duke, despite his son's violent behavior. Far from being disgraced by his son's actions or by the suggestion that he was behind the assassination, Lodovico was sent to represent the commune as ambassador to Ferrara at Alfonso's funeral ceremonies.³⁷⁴ In September of the following year (1534), Lodovico

principorno a di 12 del presente de seguitare ditta opera, e piacendo a Dio farano opera degno, laudabile, e honorevole e utile a tuta la Cità, che Dio ge dia gratia de seguitare sino alla fine con amore, e carità e satisfacione de tutta la Cità." Ibid., 4:274.

³⁷³ See Sandonni, *Modena sotto il governo di papi* (Modena: Tipografia Sociale, 1879).

³⁷⁴ "Martedì a di 24 novembre. Questo dì da hore 22 è tornato da Ferrara li novi imbasatori che ge mandò la Magnifica Comunità a di 10 del presente alo Illmo Duca Hercole Sig. Nostro novo elletto a farge reverentia e accettarlo per nostro Signore, e a condolerse dela morte del Sig. Duca Alfonso suo patre, et a concedere nove gratie, et a confirmare la concesse, videlicet Magnifico M. Lodovico Bellencini; el Magnifico Alfonso Sadoletto, el Magnifico M. Elia Carandini, et ser Thomaso Cavallerini, li quali dicono eserge stato concesso tal gratie che nui restaremo satisfatti, le quale speramo olderle domane in consiglio che sarà el di de Santa Caterina." Ibid., 4:415.

the list for the Council of Conservators lists Lodovico as one of the heads of the Council.³⁷⁵ More evidence of Lodovico's continuing influence came in the form of favors [or petitions] the duke granted to him and his relatives, much to general dismay.³⁷⁶ Lancellotti summarized it nicely: "Lodovico Bellencini has pursued vendetta with many of his enemies, and yet he still prospers in this world...in honors, goods, and children..."³⁷⁷ It seemed that the Bellencini could, literally, get away with murder.

Indeed, it seemed they had. As the new regime was settling in, a truce between the factions was made.³⁷⁸ Merely two years later, a sentence was handed down. In December of 1536, Lancellotti reported that after banishment from Modena for four years, and paying 1200 ducats to Alberto Tassone's children, Duke Ercole would grant Aurelio Bellencini clemency. Considering the nature of the crime and all the trouble it had caused, the punishment must have seemed a light sentence indeed.³⁷⁹

The case caused a great deal of ill-will towards the Bellencini. Lancellotti, did, however, note with a hint of schadenfreude: "On the morning of February 1537 Lodovico Bellencini was suddenly found dead in bed of mysterious causes...despite the fact.. that

³⁷⁵ "Mercordì a dì 9 settembre. Questi sono li conservatori che hanno fatto lo acordo del preditto Gian Colombo di Colombi videlicet, Misser Lodovico Bellencini..."Lancellotti, *Cronaca*, 4:398.

³⁷⁶ "Venerdì a dì 7 ditto. El magnifico misser Lodovico Bellencini questo dì è tornato a Ferrara, et ha menato con lui misser Bartolameo suo fiolo, e certi altri sui familiari a presentarli ala excel[li]entia del Duca, el quale ge ha fatto gratia a di passati, li quali erano stati banditi per essere stati chiamati, e non comparsi per causa del morte de misser Alberto Tassone, ma Sua Excellentia non ha fatto gratia ad Aurelio suo fiolo, qualo ebe la colpa de ditta morte." Ibid., 4:321.

³⁷⁷ "Lodovico ha veduto le vendet[t]e de molti soi inimici, et è stato posperoxo in questo mondo, così dela vita, delo honore, como dela roba e deli fioli; niente di mancho staga vigilante, che el suo carro non se volta con tute 4 le rote in suxo, como io ho già veduto fare a de quelli de più de lui." Ibid. 4:321.

³⁷⁸ "El se dise che li Tassone, e misser Lodovico Bellencini hano fatto treg[u]a per dui anni in Ferrara per causa dela morte de misser Alberto Tassone, e da lora in qua è stato morte certi altri, e per questo s'è fatta la crida soprascritta." Ibid., 4:276.

³⁷⁹ "Item Sua Excellentia inanze cena in castello haveva fatto fare la pace fra M. Lodovico Bellencini et M. Pio Tassone per la morte del quondam Alberto Tasson, che amazò Aurelio fiolo del ditto M. Lodovico circha 3 anni fa de febrare sotto le canoniche, et ha promeso M. Lodovigo de pagare ali agenti in nome del puto de M. Alberto Tassone. l. 1200 in 4 anni, con patti che ditto Aurelio debia stare 4 anni a venire in Modena, rogato ser..." Ibid., 4:215.

he had made a peace pact with the Tassoni and obtained grace for Aurelio...”³⁸⁰ Despite Lodovico's reputation, his son Francesco and Bartolomeo followed in their father's footsteps after his death. His brothers Agostino and Giambattista continued their illustrious careers in government. Giambattista served numerous terms on the Council of Conservators, served in various communal offices, and was instrumental in the establishment of the convent of S. Lorenzo. Francesco went on to serve the Este and other princes in various capacities. Many of the Bellencini went on to prominent and lengthy careers in the duchy and elsewhere. It seemed that the Bellencini had won.

Ercole II's continued preferment of his father's favorite Lodovico Bellencini and his kindred seems paradoxical and even illogical. The Bellencini, however, were too politically useful, economically powerful, and well connected to disgrace. Thus, the dukes came to an accommodation with the Bellencini over Aurelio's fate. As an added bonus, the Bellencini's assassination of one of the Tassoni, members of the pro-papal faction that betrayed the city to the papal armies in 1511, rid him of at least one potentially troublesome noble.

Ercole had inherited the problems of his father's reign. War continually threatened his borders. He was caught between the politics of the papacy, the Holy Roman Emperor, and his powerful neighbors—Florence, Mantua, and Milan. His marriage to Renée of France only further complicated matters as it allied him with the French monarchy. The most visible threat to his reign, however, included the powerful and autonomous Modenese nobility whose cooperation was needed to retain control of the

³⁸⁰ “Notate lettori che el ditto misser Lodovico Bellencini a di 20 Febraio 1537 la matina se trovò morto in letto de morte subitanea, la causa dela sua morte io la lasarò dir ad altri, vero è che lui haveva fatto pace con li Tassone, et hauto la gratia del preditto Aurelio, e poi comandamento de spinare el suo palazzo in el borgo d'Albareto, causa ancora de sua morte.” Ibid., 4:201.

Modenese part of his state. Este preferment of certain families—the Bellencini, Tassoni, and Rangoni, for example—seemed to follow the old adage of “keep your friends close, and your enemies closer.” As the Este learned from the nobility’s actions during the papal occupation, it was not always clear which was which.

The Multiplication of Scandal

As in the last days of Alfonso I, the beginning of Ercole II’s reign was marked by noble violence. In January 1537, just as Ercole II’s reign was beginning, the young, newly married Modenese noble Francesco Porrin was struck down by Antonio Maria Carandini after fighting over a woman.³⁸¹ In a similar incident, Nicolò Alberto Pazzani, from a consular family, encountered Francesco Tassone in the village of Bazohara. The two exchanged insults that resulted in Nicolò Alberto dismounting his horse and stabbing Francesco many times in the head.³⁸² Due to continuing violence in his state, Ercole

³⁸¹ “A dì ditto. Fu ferito in suxo el volto e in una mano a dì 27 del presente M. Francesco fiolo fu de M. Zohane Porin zovene de anni 20, e che ha per moglie Madonna Impolita fiola fu de Augustino fu de M. Lodovigo Colombo con dota de l. 14000; e fu ferito dala Pompoxa, e se dice da uno fiolo de ser Antonio Maria de ser Andrea Carandin, e se dice da uno fiolo de ser Antonio Maria de ser Andrea Carandin, el quale Carandin haveva donta una colana d’oro a una sua innamorata, e ditto innamorata l’aveva donata al ditto Porin, forse a fin ge ne facese una più grosa, overe ge l’aveva tolta como fano li zoveni ale soe inamorate, et havendo el ditto Carandin cognosuto la sua colanina al ditto Porino, overe che la ditto havese ditto ch’ el ge l’avesse tolta, sia como se voglia, el ditto Carandin ge domandò la sua colana, forse con parole brave, de modo che ditto Porin ge dete uno mostazo, e subito quello Carandin ge dete una cortelata in suso el volto, e volendose reparare ge dete ancora in suxo la mane. El se trova mo sfrisato e forse morirà, e scampando ne vorà forse dele altre, perchè per essere richo se vorà vendicare, perchè la ricchezza genera superbia, la superbia guerra, la guerra povertà.” Ibid., 5:300-1.

³⁸² “A dì ditto. Ser Battista fu de ser Francesco Tassone al presente uno delli nodari al malefitio è stato ferito de molte ferite in la villa de Bazohara, appresso da casa del Baron dalla Croxeta lontan da Modona doe miglia, el quale veniva da Montefiorino, et era in suxo uno cavallo tristo, et essendo asaltato da uno a cavallo, subito ge furno ale man, ser Battista ge caciò un aram de asta Zagalia in el collo, et non la posete più havere, et quello tale se la fece cavare for a al famiglio del detto ser Battista che era uno poltron, e in quello instante desmontò ser Battista da cavallo e fuziva per una cultura, e quello altro desmontò ancora lui da cavallo, e con la spada lo zonse in detta coltura et ge dete molte ferite in suxe le mane, et in suxo la testa et poi se ne andò con Dio, ma el suo cavallo se ne fuzite verso Sasolo; è stato ditto pubblicamente essere stato Nicolò Alberto Pazzani figliolo fu de ser Zohane che ha fatto questo...” Ibid., 6:380.

clearly felt that his nobility needed to be reminded of the letter of the law. In order to address the violent tendencies of the nobility, in the first years of his reign Ercole II focused on the reform of those statutes concerned with carrying arms, observing truces, and harboring bandits.

First, the governor and the newly-minted Duke of Modena attempted to make arms less accessible to the nobility via legislative control. Or at least they restricted arms bearing to the “right” kind of nobility. During an era of war and instability across Italy and all of Europe, the possession of weapons was both necessary and of great concern. Duke Ercole and his father had granted licenses to so many of their nobles that it seemed that everyone in the city had a sword at hand. Besieged by Spaniards, brigands, and their peers, the Modenese nobles frequently petitioned for the right to bear arms by claiming the need for self-defense. Ercole often granted these petitions. There could be pragmatic reasons for his doing so. Due to the unrest both within and outside ducal borders, Ercole wanted inhabitants living outside the city walls to be able to defend themselves. In 1540, the duke decreed that every three families living in the Modenese countryside should have one arquebus and a sword for self-defense.³⁸³ Conversely, while it was increasingly clear that the Dukes of Ferrara-Modena would not be able to target vendetta violence directly, particularly because the practitioners were so central to the conduct of state affairs, the government could legislate the practice of carrying arms in the street, thereby making weapons less readily available when an opportunity to wreak vengeance appeared. In particular, the duke could restrict who held permits to carry weapons.

³⁸³ “E nota che ‘l se farà de simile gentileze per l’avenire per essere stato consigliato lo Illmo Duca a mettere li archibuxi, e piche, e altre arme in le mane ali Villani nostri inimici, come è stato fatto questo anno, che l’è stato ordinato a tutti li contadini del modoneso che habiano uno archibuxo e una pica, e spada, de ogni 3 in famiglia, uno, per potersene valere la Excellentia del Duca ali soi bisogni de questa zentaglia.” Ibid., 6:287.

On the surface, limiting the number of available weapons appeared to be the simplest solution. Vendetta killings were crimes of both opportunity and planning. One often needed to catch one's enemy unaware (as Aurelio Bellencini did Alberto Tassone) since the victim would certainly be anticipating retaliation and might be on guard for such attacks. If the perpetrator were able to catch the victim unaware, one had to plan for what was to come afterward. Restricting the availability of weapons ensured that neither the perpetrator nor the victim had their weapons handy. The ducal governors and the sovereign understood this reality. As violence increased in these years, they attempted to make arms less accessible to the nobility via legislation.

Enacting this control was not as easy as it might seem. As previously discussed, the commune of Modena possessed a complicated political and legal relationship with the Este state. This complicated relationship evolved from the time of Modena's incorporation into the Este signoria in 1288 and was still evolving up until the time of Devolution of Ferrara in 1598 when Modena became the capital city of the duchy. Part of the explanation for this complicated relationship were the policies the Este dukes developed towards a powerful nobility and the politically powerful anziani or men of note:

In Ferrara, the Este marquesses used the venerable practice of conferring fiefs to neutralize resistance from the old Ferrarese nobility and rivalry within their own family, by fashioning a new feudal courtly nobility out of nobles attracted from elsewhere and Ferraresi of obscure origins rewarded by loyal service to the state.³⁸⁴

These policies consisted of rewarding powerful nobles with land and titles while leaving

³⁸⁴ Stanley Chojnacki, "Gender and the Early Renaissance State," in *Gender and Society in Renaissance Italy*, ed. Judith C. Brown and Robert C. Davis (New York: Longman, 1998), 66. Also see Dean, *Land and Power*, 77-91.

them some measure of autonomy. As a result, the Duchy of Ferrara was a hybrid of political systems—part feudal and part communal—and possessed a conflicting system of laws. The right to bear arms as markers of noble status was one of the Modenese elite’s most cherished prerogatives, as it was elsewhere in Europe.

With this latest onslaught on their prerogatives, the Modenese proved unwilling to give up their rights easily and, as with any measure enacted by the dukes, conflict seemed certain. The Este ratification of the 1327 statutes of the Commune of Modena had set the precedents for these legal conflicts, as had the duke’s conflicting policies towards Modenese nobles.³⁸⁵ Modena, ceded to Azzo VIII d’Este by a faction of nobles, who themselves were trying to break the hold of another magnate coalition, was given a great deal of legal and political autonomy by the Este. As part of a magnanimous victory gesture, the Este ratified their statutes, which comprised the *ius commune* under which Modena was governed almost exclusively. These statutes, which were revised several times during the course of the next several centuries, still comprised the bedrock of Modenese law in the sixteenth century and provided the precedent under which the oligarchy, the governor, and the podestà governed, with ducal oversight.

Regarding violence, the statutes dictated banishment for those who spilled blood while carrying arms without a license, along with a range of financial penalties for those who drew them without warrant.³⁸⁶ This law was amended several times after 1327, but

³⁸⁵ The 1327 civic statutes, like most other contemporary statutes in Italy, addressed various matters from taxes to the government of magistracies to the punishment of certain crimes. The 1327 Statutes are divided into seven books. Book One treats the structures of administration and military defense, such as the offices of the podestà. Book Two covers agricultural matters, the mercantile arts and civic industry, and Book Three outlines the judiciary. Book Four covers crimes, Book Five deals with public works, and Book Six dictates matters concerning the care and upkeep of San Geminiano, the city’s cathedral. The final book contains miscellaneous statutes and addenda.

³⁸⁶ “De insultu et misclancia facta in ecclesia sancti Geminiani et alibi et pace rupta. Rubrica XVIII. Qui assaltum fecerit in ecclesia sancti Geminiani vel mesclantium cum aliquibus armis vel sacratum et in plateis

by the reign of Ercole II had not changed materially in aim or practice. Duke Ercole, however, and his predecessors did not think Modenese law went far enough under current conditions and often enacted proclamations that restricted arms bearing. Judging by their legislation, the Este believed that restrictions upon weaponry would calm some of the factors that led to violence. In January of 1543, therefore, ducal governor Francesco Villa promulgated a new emendation to the laws on bearing arms, which decreed that those carrying arms without a license would be banished from the territory on pain of death.³⁸⁷

Comunis sive in palatio Communis miles sive potens in quinquaginta libras mutinenses condempnetur. Et pedes in viginti quinque libras mutinenses. Si vero in aliquo predictorum locorum aliquem cum armis vetitis vulnaverit miles sive potens in centum libras Mutine et pedes in quinquaginta libras Mutine condempnetur et plus arbitrio Potestatis inspecta qualitate delicti, loci, et personarum, non transeundo duplum dicte pene.

Si vero sine armis mesclantiam vel assaltam fecerit vel scarminaverit vel cum manu percusserit in predictis locis miles sive potens in vigintiquinque libras Mutine condempnetur pedes in decem libras condempnetur.

Si vero in aliis locis civitatis Mutine inesciantiam vel assaltum fecerit cum armis vetitis miles sive potens in vigintiquinque libras Mutine, pedes in decem libras Mutine condempnetur; si sine armis miles sive potens in decem libras Mutine pedes in quinque libras Mutine condempnetur, salvis penis majoribus super ferutis et etiam injuriis.

Si quis aliquem assaltaverit in civitate Mutine cum armis studiose cum adunantia hominum facta ad domum suam in qua habitat vel de domo sua in qua habitat vi extraverit (*Vel per vim domum intraverit) si fuerit miles sive potens in quingentis libris Mutine et pedes in tres centum libras Mutine condempnetur et in perpetuali banno ponatur et eorum bona devatentur. Si autem sine armis de domo vi extraverit miles sive potens in trescentum libras Mutine et pedes in centum libras Mutine condempnetur (**Si autem aliquis aliquem assaltaverit cum armis vetitis ad domum assalti sine adunantia miles sive potens in quinquaginta libras Mutine et pedes in vigintiquinque libras Mutine condempnetur./Si autem assaltum ad domum fecerit sine armis miles sive potens in (***)Vigintiquinque) centum libras condempnetur et pedes in quinquaginta (****Decem) libras condempnetur. Si autem in districtu aliquod predictorum malefactorum commiserit contentorum in status contentis in Rubrica de eo qui aliquem percusserit et sanguinem fecerit et in sequentibus usque huc medietatem dictarum penarum paciatur./Et si quis pacem fregerit in perpetuali banno ponatur et ejus bona devententur, medietas dictorum bonorum deveniat in Comuni et alia medietas ad eum vel ad heredem ejus cui pax rupta fuerit. Et insuper Comuni Mutine condempnetur et puniatur arbitrio Potestatis secundum qualitatem delicti facti et personarum” Modena, *Statute Civica Modena*, 45.

³⁸⁷ “M. Francesco havendo fermato le constutione col ReMo ligaro di Parma di darsi muvamente li deliquenti volem et passino a nonna da tutti paro vi madamo la grida che vedersosi qui in verso chusa volemo et facciati publicari tre volte 300 lordinario principiado alla X del presente a publicara fatse exguiso stare sano Ferrara, 24, January 1543 Alexandro a terzo: Governatori mucine per parti dello Illmo. Ex. Nostro domine Hercole da este per la dio gratia duca quarto di ferrara di Modona et di Reggio primo duca di chiatu Marchese da este Conti da Rovigo ea di gli sordi principe de carpi, signor de montargi di comachio di perte della romagna del frignano et della carfignana et per la grida fa publicare et notificare ad ognuno che ora S. ex. eo il Rmo e Illmo de gambara legata di parera e piacenza durante il tempo della sua leganono o fatta convensioni di dari muovemente nelle mani tutti le mal fattori et dellinquenti li gli nello stato et jurisdittioni di l’una et allora parte fino al presente giorno si trovassero nello avenire si trovarano essere, o pre dovereri essere bandit o condemnati nella pena della vita io revocazione d’ogni salvo condotto...” ASMo, *Rettori dello Stato*, January, 1543, B.112.

This was a new evolution in the law. Up to this point, it appears that the typical penalties for bearing arms without a license had been fines, and in extreme cases banishment.

These measures echo the solutions of other early modern rulers to this very problem. As Julius Ruff notes:

Everywhere officials at every level of government recognized the inherent danger of such widespread possession of weaponry, and early on sought to limit arms in private hands through outright bans on them or through systems of licensing.³⁸⁸

Other polities in Italy struggled with this issue. Duke Cosimo I de' Medici of Florence instituted such bans and a licensing system shortly after coming to power in 1537, to little effect.³⁸⁹ Concerned about the profusion of firearms, the Venetian Council of Ten decreed that those who brandished firearms against their enemies should be punished by death and the confiscation of property. When this measure failed to have any weight, the Council wavered between instituting a licensing system and completely prohibiting the possession of arms, including swords and those newly introduced weapons employing gunpowder. As other early modern states were discovering, the prohibition against bearing arms without a license, however, could have little effect if rulers continued to grant permissions and exemptions.³⁹⁰

Indeed, the Este dukes implemented a confusing system of prohibiting the carrying of arms in ad hoc declarations while simultaneously granting exceptions to the very nobles they were targeting in the first place. A ducal policy of arming the populace

³⁸⁸ Julius Ruff, *Violence in Early Modern Europe, 1500-1800* (Cambridge: Cambridge University Press, 2001), 50-1.

³⁸⁹ Donald Weinstein, "Fighting or flyting? Verbal duelling in mid-sixteenth-century Italy," in *Crime, Society, and the Law in Renaissance Italy*, ed. by Trevor Dean and K.J.P. Lowe (Cambridge: Cambridge University Press, 1994), 204-20.

³⁹⁰ For a more detailed discussion on the prohibition of arms-bearing in conjunction with the Bellencini-Fontana vendetta see Chapter 5.

and granting licenses to bear arms indiscriminately to his nobility could only lead to trouble. As governor Trotti noted, 350 Modenese possessed licenses to bear arms and as he dryly remarked: “this number would seem excessive in a city as large as Milan.”³⁹¹ This seemingly schizophrenic policy created confusion, along with a profusion of nobles who believed they should be exempt.

The Bellencini-Fontana vendetta presents a perfect picture of these contradictions. Outraged at the growing disquiet after the death of Annibale Bellencini in 1547 and the reciprocal assassination of Giambattista Codebò months later, Ercole summarily and universally revoked the right to bear arms:

In order to remedy the disorder as we have been told of in this city...we have made this law universally prohibiting arms of any sort in the city of Modena—no person excepted—and we are placing a penalty of 10 gold scudi and one month in prison [on offenders], and a double penalty will be levied upon those who carry arms at night.³⁹²

Fearful at the growing unrest in the city, many nobles protested against this ban on bearing arms and bombarded the duke and his governors with petitions for exemptions. The Boschetti, Cesi, and Montecuccoli clans, among others, claimed an exemption from the law due to their status as feud-holders. The Ronchi, Bellencini, Ferrari, Seghizzi, and many others of the civic nobility claimed exemption due to historical concessions and ancient privileges granted by Ercole’s forebears to their clans.³⁹³

³⁹¹ “questo numero mi sembrerebbe grosso in una città come Milano.” Francesco Trotti to the Duke, as quoted in Sandonnini, *Un famoso bandito Modenese*, 432.

³⁹² “Et cosi volemo che voi facciate formar la Grida, con la quale universalmente facciate prohibitione dell’arme d’ogni sorte nella città di Modena, non excettuando persona alcuna et volemo che li mettate pena scuti dieci d’oro I oro, tutti tre accorda, et stare un mese in prigione, et se portarano arme d’hapta che sintenda la pena dupplicata et medesimente se lo portarano per tempo de notte. La qual Grida farete publicar I nomi et publicata la farete osservare inviolabilmente. Delli archibusi non parliamo perche altre volte li fu fatta provisione con una piu grida la qual medesimamente anco di nuovo farete replicar.” ASMo, *Rettori dello Stato*, Rettori Modenese, B.112.

³⁹³ Sandonnini, “Un famoso Bandito Modenese,” 432.

Those who protested the most loudly included the Bellencini and the Fontana. The powerful Francesco Bellencini complained to Ercole that this gesture was inherently distrustful of the “status and quality” of a man like himself who had faithfully served the duke and had placed the highest trust in the duke’s “justice and integrity.”³⁹⁴ In order to assuage ducal misgivings about allowing a member, any member, of the Bellencini to possess a weapon, Francesco personally offered assurances that no conspiracy was being planned in his house despite the public assassination of his cousin Annibale.³⁹⁵ Acknowledging the murder of Codebò recently committed by Alessandro Bellencini, he sought to reassure the duke that this one act did not signify widespread violent intent on the part of the Bellencini.³⁹⁶ Francesco Bellencini’s kin, adherents, and enemies bombarded Duke Ercole with similar complaints and protests.

Whether or not the nobility intended to use their arms, they perceived them to be necessary regardless of laws trying to curtail them. The ducal governor, despite the problems he was having with the nobility, also saw the new 1547 proclamation as a measure causing more harm than good. Shortly after it was promulgated, he wrote to the duke:

It seems to me that this prohibition might cause more harm than good. You might find it useful in a city closed-off, in which you were able to raise the bridges and no one could flee...but in an open city where those [malefactors] are able to find

³⁹⁴ “et che governatore suo di Modena habbia detto publicamente, che la grida che si è fatta, si è fatto solamente a contemplatio narra et per offendere noi, il che ragionevole non dovrebbe essere cose che l’arme...et che se fussimo declarati ribelli di v. Eccellenza del che non me do pero colpa alcuna a lui la quale per la sua giusticia et integrita non macha di fare le cose che convengono ma li ministri farno qualche volta quel li [...] et l’animo, senza considerare gradi, et qualità, et servitu de sudditti.” ASMo., Bellencini, *Particolari*, B. 113, Francesco Bellencini to Duke Ercole II, August 27, 1547.

³⁹⁵ “ci siano tolte per male et iniqua suggestioni di chi diro quando dio mi dara l’occasione desserti alla prezena.” Ibid.

³⁹⁶ “Et se bene M. Alessandro Bellencini ha comesso homicidio ne la persona del Codebò, che a me rincrise solamente questa non doveva pero essere cagioni che a tutti noi fusse fatta potere la pena de l’altrui peccato. Fu morto parimente il detto M. Annibale, et assassinato come si sa publicamente, ne si fece alcuna tali dimostrazione di lui, ma per sollamento de le ricevuti offese M. Giambattista suo patre fu citato a Ferrara dove ancho si ritrova vecchio et primo di tutti i suoi comodi...” Ibid.

entrances and exits according to their pleasure, I do not know how this provision will work, because those who have bad intent and wish to cause harm are certain to flee.³⁹⁷

The governor was right. As we saw with Alberto Tassone's assassination, the perpetrator Aurelio was able to flee immediately. The same was true for his uncle Alessandro. As soon as he and his kinsmen assassinated the jurist Codebò, they fled to safe haven. As governor Trotti observed, a summary decree prohibiting the right to bear arms was not enough. It was merely a finger in a dike that was quickly springing holes faster than the Este could stop the leaks. A flood of Modenese violence was coming. Still, Ercole would try. Thus he responded to the growing unrest by passing stricter and stricter measures on the carrying of weapons.

This legal solution, however, created systematic difficulties for the duke. To whom should he grant licenses? What were the criteria for inclusion? If someone had been a habitual offender, were their licenses to be revoked? Could they receive another license to carry arms after petitioning? How would stricter rules be enforced if there were already difficulties in enforcing these regulations? It is not entirely clear how the Este solved these dilemmas or if they solved them at all. In 1547, the year Aurelio Bellencini's cousin, Annibale, was assassinated by Giovan Stefano Fontana, the Duke of Ferrara promulgated only four *gride* during the course of that year. The first was a blanket prohibition against anyone carrying arms of any sort; another was a "Provision against those banished from the State of Ferrara." Yet another issued "A Prohibition against Arms

³⁹⁷ "ma ancho m'inmagino che questa prohibitione possa più presto partorire cattivo effetto che buono. La trovo buona in una città ben chiusa, nella quale dati gli avvisi si possono alzare I ponti e nessuno fuggire...e gli honesti mancano del mezzo di difendersi." ASMo, *Rettori dello Stato*, B. 112, Alfonso Trotti to Duke Ercole II, August 18, 1547

of Any Sort in the City of Modena.” This is clear evidence that the duke was responding to an evolving situation of increasing violence and tension in the city.

Besides limiting his nobility’s ability to bear arms and tightening the rules for drawing up of instruments of peace, Duke Ercole also began to tailor the laws regarding bandits. Bandits were not simply roving bands of brigands, although these existed.³⁹⁸ Bandits were also those banished from the ducal territories for crimes and deprived of their legal rights and status. As discussed earlier in the chapter, banishment from Modena and the duchy could come about for a wide range of crimes: spilling blood with forbidden arms, rupturing the peace, arson, pillaging, kidnapping, theft, false testimony, forgery, counterfeiting and things of similar nature.³⁹⁹ If a person was banished from the territory for any of the above crimes, his goods were subject to confiscation.⁴⁰⁰ If he was banished

³⁹⁸ For more on banditry, see Francesco Marconi, ed., *Banditisimi Mediterranei*, Secoli XVI-XVII (Rome: Carocci, 2003).

³⁹⁹ “Si sutem pro maleficio sit bannitus ex quo ex forma statutorum Comunis vel populi vel ex forma juris Comunis deberet pati penam mortis vel membri abscissionem vel deberet fustibus castigari, vel feruta sanguinolenta facta cum armis vetitis, pace rupta, incendio, tradimento, strata robata, depredationibus, rapinis averis vel personarum, furtis, falsis testibus, falso instrumento, falsam monetam fabricantibus, tonsoratoribus monete, qui usus fuerit falsis testibus, falso instramento, et in eo qui traserit cum balista vel arcu contra aliquem vel ad domum alicujus et in assassinis et insultu facto ad domum, tunc impune realiter et personaliter possit offendi et ipso jure ab omni legitimo actu penitus sit exclusus. Et talem bannitum et quecumque alium bannitum pro maleficio Potestas et sui iudices et ceteri officiales persequi facere et capere et captos in fortis Comunis Mutine tenere, vel in personam punire si fuerit puniendus bona fide omnimode teneatur. Et si quidem (*Aliquis) positus fuerit in banno pro precepto non observato vel quia ad rationem non venerit duos solidos Mutine solvat Comuni Mutine pro banno et non plus. Et hoc pro sola scriptura banni primi libri.” Modena, *Statutes Civica Modena*, 383

⁴⁰⁰ “De re quam quis habet cum aliquo bannito. “Si quis habet domum, terras et possessiones cum aliquo bannito vel qui non sit ad mandata Comunis Mutine, indivisas, quod pars illarum domorum, terrarum et possessionum que fuerit devastata remaneat et esse debeat in partem illius qui fuerit bannitus vel qui non fuerit ad mandata Comunis Mutine, pars devastata vel que fuerit hedificata post devastationem per eum qui remansit ad mandata Comunis debeat esse illius qui remansit et stetit ad mandata Comunis, in qua per Comune Mutine et per Potestatem qui pro tempore fuerit perpetuo defendatur (*Nisi predictus talis eujus pars fuerit devastata eo reverso ad mandata Comunis noluerit esse contentus parte devastata tunc et eo casu teneatur rehedificare et hedificari facere ejusdem valoris et exornata ut erat tempore devastationis et quo facto venire possit ad divisionem totius hedificii cum consorte suo.” Ibid.

perpetually for the crime of homicide, his goods were subject to confiscation and his heirs disinherited.⁴⁰¹

These penalties were all well and good unless the perpetrator could find succor elsewhere. Indeed, when offenders had been identified with earlier crimes, banished for their participation, and returned to Modena after a certain period only to commit further crimes, the ineffectiveness of ducal policies on banishment became apparent. Lanfranco, Galeazzo, and Giacomo Fontana, as well as Giambattista Ronchi, had been banished for their role in the duel between Captain Camillo Forno and Lanfranco Fontana. Aurelio Bellencini had been banished decades earlier for his assassination of Alberto Tassoni. After the 1549 altercation, most of the principals involved were banished yet again—Lanfranco Fontana for the second time.

As shown in the case of the Bellencini and Fontana, such offenders could and often did become bandits and flee beyond the duke's jurisdiction. Indeed, banishment was a very common sentence and many of the Modenese nobility during this period spent a certain time in exile. As previously discussed, in 1547, the cousins Giovan Stefano, Lanfranco, and Galeazzo Fontana were all banished for their role in Annibale Bellencini's death. Similarly, the duke banished Alessandro Bellencini for the murder of

⁴⁰¹ De eo qui studiose aliquem interfecerit et quid esse debeat de bonis suis. Rubrica XIII (274). Statutum est quod si quis per se vel alium civem vel comitatum Mutine (**Vel quemcumque alium) studiose (***)Aliquem) interfecerit in banno perpetuali ponatur et de civitate et districtu Mutine perpetuo debeat forestari, et Potestas seu rector Comunis Mutine teneatur ipsum homicidam bannitum et forastatum perpetuo tenere. Ita quod exire non debeat nec canzellari nec recipi modo aliquo vel ingenio per consilium neque per arengum etiam si pacem habuerit ab herede interfecti vel a propinquis. Et omnia sua bona devestentur immobilia, mobilia, et omnia jura et rationes ipsius pro medietate pertineant ad heredem defuncti et immobilia postquam fuerint devastata integre per medium debeant pervenire ad heredem ejus defuncti et per Potestatem et Comune Mutine in possessione et dominio medietatis dictorum bonorum et jurium et actionum et libere et perpetualiter defendantur sive heredes occisi fuerint cives Mutine sive comitatini. Alia vero medietatis omnium rerum mobilium et se moventium, jurium, actionum et rationum ipsius malefactoris deveniat in Comuni. Et alia medietas immobilium rerum perpetuo devastata (*In Comuni) debeat permanere: et insuper in mille libras mutinenses condempnetur et hoc si contumax fuerit **Et habeatur pro confesso, et tamquam confessus et legitime convictus pena homicidii puniatur." Ibid., 274.

Giambattista Codebò. By 1559, not only were quite a few of the Bellencini in exile, many of the Fontana were as well. A 1559 list from Gentile Albino lists Lanfranco, Galeazzo, Jacopo Fontana as banished as well as their friends Francesco Maria and Furio Molza, Giambattista Ronchi, Paulo Porino, and Andrea Tosabecco. Other members of the Bellencini and Fontana could be found in Reggio, Parma, Florence, Bologna, Milan, and other unnamed places.

In theory, banishment was a severe punishment. In practice, it worked very differently. Banishment was often done in *contumacia*—that is, after the offender had already committed the crime and fled. This practice of banishing perpetrators in *contumacia* (absence from territory) attests to the fact that in cases of noble violence, fleeing the territory to friends or patrons in other jurisdictions was a readily available solution. In this particular instance, the Modenese nobility took advantage of the connections they retained with sovereigns and oligarchs in other political jurisdictions. Modenese bandits most often pursued this option. The Modenese records provide many cases of this. Francesco Mazzoni, banished for the death of Giambattista di Maxelli, fled to Tuscany and served in the army of Cosimo I, the Duke of Florence.⁴⁰² After Lodovico Bellencini's son murdered a Tassoni, he easily fled to a powerful family friend outside ducal jurisdiction. Moreover, as it was related in his subsequent peregrinations—he had options. Not only was Scandiano a safe choice, but Aurelio could have fled to Bologna, the Rangone fiefs, or even as far as Venice and be assured of asylum and protection.

⁴⁰² “Sabato a di 25 ditto. È morto Francesco fratello de M. Domenico Mazzoni in quello de Fiorenza de mal de fluxo sino a di...del presente secondo la nova gionta al detto M. Domenico, el quale era bandito de Modena per la morte de Giambattista di Maxelli che ferite Bianco Mazzoni suo fratello per la quale ferita morite. El povereto era andato a soldo con el Duca de Fiorenza imperiale contra a Senexi rebellati al imperio e datosi a francexi. El detto era di età de anni 45 o circa et ge restato la moglie e fioli per numero 4 e grvida.” Lancellotti, *Cronaca*, 13:184.

Banishment could only serve as punishment if the offender permanently lost all rights to citizenship, was exiled for life, and was cut off from society. In practice, however, there were often several factors that mitigated punishment. Sometimes the sentences for banishment applied for only a few years. Giovan Codebò killed the egg seller Ercole Signoreto and was banished from Modena for merely two years and paid 100 scudi for his crime.⁴⁰³ Another notable, Guido Molza, was banished from Modena for three years before he gained full liberty to return.

Even when the banished remained in exile, their lives were not as difficult as the letter of the law suggested. There are reports of banished men continuing to retain their important contacts, engage in business connections, and even get married. Guido Molza, banished for his murder of Bernardo Scocera, married a daughter of Ser Jacomo Tassone while in exile.⁴⁰⁴ As his bride brought with her a dowry of 12,000 lire, it would be difficult to conclude that Guido suffered much privation. Similarly, the ducal factor Lanfranco dal Giessa married his niece to Galeazzo Fontana while he was in exile.⁴⁰⁵ Tommaso Fusare, banished for another crime, managed to increase his riches while

⁴⁰³ “A dî ditto. Uno fiolo de Giovan fu de Bartolomeo Codebò detto pe de boi per nome... a dî passati testificò per la morte de don Biaxio iustiatio a dî passati el quale amazò Ercole fiolo de Fabian Signoreto dalla spetiaria di Grillenzoni nel mercato delle ove, el quale è stato condemnato scuti centi e de stare bandito dui anni for a de Modena el quale faceva fare l’arte della lana al incontro della spetiaria delli predetti Grillenzoni; e questo ho inteso questo dî e più se dice essere condenado d’esserge tagliato una mano.” Ibid., 13:1.

⁴⁰⁴ “A di ditto. El Magnifico M. Girardino Molza ha dato moglie questo dî a M. Guido suo fiolo la fiola de Ser Jacomo ditto Chiapin di Tassone che he se non detta fiola et ge dà l. 12,000 de dota della roba della madre de detta sua fiola, la quale fu fiola de una di Morani che restò herede, la quale hebe per moglie Ser Stevano da Benedè, e detto Ser Jacomo ge darà scuti mille del suo propio el quale M. Guido era bandito et ha havuto la gratia de stare alla Campagnola.” Ibid., 10:41.

⁴⁰⁵ “A dî ditto. El se dice che el M. fattore ducale M. Lanfranco dal Giesso ha maridato una sua neza figliola de M. dal Giesso suo fratello in el figliuolo de Ser Bartolomeo Fontana modenese ditto el Grasso, el quale suo figliuolo è for a bandito per l a morte de Annibale figliolo del M. Giambattista Bellencini.” Ibid., 10:129.

banished from the territory.⁴⁰⁶ The aforementioned Guido Molza not only married a prize match while in exile, he received a dispensation from the duke to return to Modena for carnival.⁴⁰⁷

Moreover, despite the fact that banishments were intended to prevent vendettas, these violent conflicts often continued outside of Modena. Alberto Cantudo, banished from Modena for breaking out of prison, caught up with Cesare Bellencini in Rome and threatened him.⁴⁰⁸ Trying to prevent the continuation of these feuds outside Modena, in 1561 Duke Alfonso II created what was in effect an extradition agreement between himself and the Duke of Parma. If either ruler's officials found bandits, condemned men, or those otherwise sentenced to grave crimes in their territory, each promised to imprison them, secure their property, and transfer the criminals back to the other's jurisdiction.⁴⁰⁹

⁴⁰⁶ "A di ditto. Thomaso fu de Ser Petro Fusare che fu bandito circa dui anni fa per essere stato in compagnia de certi che feceno una camisata in Modena per tempo de notte, è venuto in Modena perchè ha havuto la gratia ma ha strusiato molto ben della sua roba: al quale circa 4 o 5 anni fa quando el comenzò a strusiare io ge detti molti boni ricordi li quali non ha oservati a serà suo danno e la roba che lui ha strusiato non la haveva aquistata nè non è per aquistarne s'el non farà excercitio, deli quali lui non ne ha nisuno se non de andare a solazo. Già suo padre era povero e in poco de tempo doventò richo. El proverbio dice quando uno vene presto richo o che lui è iniquo etc..." Ibid., 10:127.

⁴⁰⁷ "A di ditto. M. Guido fiolo del Magnifico Girardino Molza che è stato bandito circa 3 anni per la morte del Scacera, è venuto in Modena questo carnevale per la gratia havuta dal Illmo Duca benchè lui è stato alla Campagnola molti messi fano, ma non haveva gratia de venire in Modena e al presente ha havuto la gratia libera." Ibid., 10:240.

⁴⁰⁸ A di ditto. Nova come Alberto Cantudo cittadino modenese bandito da Modena per processo enorme fatto contra de lui è fugito de prexone essendo andato a Roma con el conto Baldasera fiolo fu del conto Guido Rangone. Pare che sia stato dello che M. Cesare fiolo de M. Bartolomeo Bellencini cittadino modenese habia detto che detto conto ha fatto male a menare con lui a Roma el detto Alberto traditore et assassino e detto Alberto lo ha saputo et ge ha dato una mentita come se dice apparere per uno cartello." Ibid., 13:199.

⁴⁰⁹ "Conventione Tra L'Illustrissimo Signor Duca di Ferrara, & quello di Parma, & Piacenza, di darsi l'uno all'altro I banditi. Per parte dell'Illustrissimo, & Eccellentissimo Signor nostro, Il Signor Don Alfonso II di Ferrara, di Modona, & di Reggio Duca Quinto &c. Per la presente publica grida si notifica ad ogni persona, sia di che grado, stato, o conditione si voglia essere, o sia, che tra l'Illustrissimo Signor Duca di Ferrara, & quello di Parma e Piacenza, è fatta conventione di darsi mutuamente nelle mani tutti i malfattori, che nello stato, giurisdittione, & dominio tanto immediatamente, quanto mediamente sottoposti all'uno & all'altro Signore si troveranno banditi, condannati, o che per l'avenire fossero per esser condannati, o per bandirsi per la pena della vita, overamente del la Galea, o di qual si voglia altra pena corporale, pecuniaria, o bando, ancor che non fossero sudditi dell'una, & dell'altra parte, I quali saranno condotti per li bargelli, & ministri dell'uno, & dell'altro Signore a salvamento, sino alle confini dell'una, & dell'altra parte, & a maggior estermio delle genti facinorose, & a piu sicurezza de' buoni, sono conventi mutuamente insieme di

These extradition agreements could only work, however, if other governors agreed to enforce these rules. Lanfranco Fontana was in exile when he murdered many of the Bellencini—most of whom were also in exile. Indeed, being a bandit could have certain advantages for vendetta practitioners. Jurisdictional issues could be murky especially in the countryside.

Finally, the laws against bandits do not appear to have been evenly applied, as these concessions did not extend to all of the duke's nobility. When the Dukes of Ferrara-Modena enforced their rulings, they appeared to have done so only very sporadically and only if politically expedient. In 1540, the bandit Galvan Bizo was captured and executed for his assassination of Vincenzo Codebò.⁴¹⁰ Bizo, however, was neither noble nor well connected. Men like Lanfranco Fontana were. When he bombed the Bellencini, he fled immediately to Milan and to his friend the extraordinarily wealthy Marino. While Duke Alfonso requested the extradition of his most infamous subject, the governor of Milan dragged his heels on the matter and ultimately, Lanfranco Fontana never returned.

Requests for extradition raised thorny questions about sovereignty and could strain

castigare ciascuno I sudditi suoi, che cometteranno delitto in qual si voglia luogo della giuriditione dell'altro, col medesimo rigore che fariano, se commettessero il delitto nella propria giuriditione, con revocatione di tutti I salvi condotti, che sin guida esse parti fossero stati fatti, oltre la provisione di non dar loro ricetto a nessun modo, & per levare ogni cavillatione, che potesse essere interposta, vogliono stare ad ogni semplice attestatione del ricercante, con lettere credentiali di essi, & suoi ufficiali, & di qualunque esibitore delle patenti loro, a cui si presterà fede, & si essequirà quanto di sopra senza eccezione, o dilatione alcuna. Et pero ofni uno che sia compreso in questo caso, sappia di non esser salvo nello stato, & dominio dell'uno ne dell'altro Signore. Dechiando che passati giorni quindici dopo la publicatione della presente, le detta conventione si comincerà a mettere in osservanza. 1561. Die ultimo mensis Novemrbis Semel. Die primo Decembris iterum. Die 2 eiusdem mensis in tertiis. Publicatum fuit supradictum Ducale proclama ad arrengheriam palatii iuris communis Mutinae, more solito. Modena, *Grude Ducali provisioni, gratie, et ragioni della citta di Modon Et da osservarsi in essa. Movamente date in luce. Modona*, (1575), 19-20.

⁴¹⁰ “Sabato a di 22 mazo. Fu mozo la testa a Galvan Bixo da Casaja de ferrarexe, in meza la piazza de Modena suxo uno tribunale da hore 10, el quale del 1539 dete una grande ferita a Vincenzo fratello de misser Carolo Codebò in suxo el volto alla terra de Stufion, a posta de uno di Gixilin dalla Mirandola, el quale ge dete deci scuti, la cause perchè non se dice, e ditto Galvan era bandito de Ferrara per havere già morto uno in detta villa da Casaia al palazzo della Diamantina...” Lancellotti, *Cronaca*, 7:339.

already delicate political relationships; the evidence suggests that these agreements were not put into practice very often. The dukes could make laws and attempt to enforce them in response to the vendetta, and their legislation certainly shows an evolving response to these violent events. As the next section will show, however, they also pursued a curious policy of granting further legal exceptions to the very nobles whose violence they were trying to curb.

“We are desirous to return to the Graces of the Duke...”

After the 1547 assassination of Annibale Bellencini, Lanfranco and Galeazzo Fontana immediately fled into exile with their cousin Giovan Stefano. While their fathers and uncles brokered peace with the Bellencini *capo* under the supervision of Duke Ercole, Galeazzo and Lanfranco lived in exile, but hardly in hardship. They hid from justice under the care of friends and family. Lanfranco, in particular, seemed to be leading a rather charmed existence; he lived comfortably in the castle in Rolo and escaped unharmed even when the Bellencini appeared at the gates with 200 men. They had also undertaken further adventures. Wandering in search of fortune when hiding out was no longer tenable, they reportedly served for a time in the army of the Duke of Guise. Lanfranco and Galeazzo had even managed to involve themselves in further fracas. Both men had added at least two more homicides to their record.

The two men, however, were likely to eventually tire of exile. While their exile kept them out of the reach of ducal wrath, they could no longer participate in the civic life

so vital to the honor and prestige of young men. They could not compete for crowns of gold and bragging rights in the frequent palios held on ceremonial occasions. They could not parade under the porticoes of Modena, cutting dashing figures with swords at their side. They could not woo women nor sing ribald songs under their windows. They could not win honor and glory in the service of their duke—either by arms, commerce, or pen. Most importantly, they would never inherit their family’s property, status, or further elevate their clan’s prominence in Modena. They were now outside the very laws their families crafted, supported, and upheld. As such, they had become superfluous members of the lineage.

There was a possible solution for the two, however. The Fontana exiles could petition their sovereign for an exemption from his laws against homicide. More particularly, they could petition to have Ercole’s sentence of banishment remitted. They could ask him to lift the sentence he had issued for their role in Annibale Bellencini’s murder. Thus, Galeazzo and Lanfranco Fontana jointly petitioned Duke Alfonso II for clemency.⁴¹¹ They assured their sovereign that they had had nothing to do with Annibale’s death. They avowed that they had signed peace agreements with the kinsmen of those they had murdered. They affirmed that they had paid the appropriate financial penalties. In particular, they pleaded, praised Duke Ercole, and pleaded some more:

⁴¹¹ “Gli devotissimi servitori di V. Eccellentia Lanfranco e Galeozzo Fontani, ambi dui Modonesi, è suddetti di quella, come già dieci anni sono che per cersi trovati a caso da l’altro canto della strada, dove il Capitano Annibale Belencino fu ammazzato da Gioan. Steffano Fontani, Furno chiamati, et essi ben che non Festoro consapevoli di tale fatto, anzi veramente innocenti, non comparsero per molti degni rispetti, che hora per brevità si tacciono, onde furno per contumaci banditi.” E già quattro anni sono, che Furno iputati d’havere ammazzato Baldissera Santa Gada Modonese, il quale ben che avisato non cessana offendergli in varie maniere, et specialmente eo lo spedire che uno sup caro parente non fosse liberato e riscoso dalli mani di turchi, la dove peterna ogni giorni infinit supplicii con gran pericolo di morte, e per tale causa Furno banditi. Narra anchora il sudetto Lanfranco, so come lui solo fu sforzato dare la morte in nuvolara a Pietro antonio lisnardi da carpo il quale per havere ammazzato Anibale Rangono modonese, e per altri varii et enormi delitti non potea stare su quello di V. Eccelentia. E questo per che egli lo volse più volte assassinare. Hora havuta la pace da gli belencini e da gli heredi di Baldissera sudetto, è dal fratello di Pietro Antonio come apparono pubblici instrumenti.” ASMo, *Particolari*, Fontana, B. 449.

We [your most devoted subjects] have been absent many years as vagabonds in infinite travail, and are desirous to return to the graces of the Duke and our *patria*, under your most felicitous governance. We will be yours to command, if you lift our sentence of banishment, with every humble prostration at your feet, as a fountain of grace, if you attend to our supplication with the clemency, mercy, and grace that is yours alone.⁴¹²

As Peter Burke notes of the rhetoric of petitions, the flattery “seems to be laid on too thick.”⁴¹³ It was laid on thick, however, because Galeazzo and Lanfranco Fontana were petitioning Duke Alfonso for a large favor that only he could grant—remission from their sentences of banishment, perpetual exile, and legal non-personhood in the duchy of Modena. While the Bellencini, Fontana, and their peers often circumvented the laws, there was a limit to how much they could get away with. As we saw above, in the three years following the murder of Annibale Bellencini, killing a member of another influential family could, and often did, disrupt the normal rule of law when it led to a vendetta. Thus the two were making an individual appeal to their sovereign to bypass his own laws—and, as a corollary, Modenese laws—and make an exception solely for them. Indeed, despite the machinations and influence of their clan, it was their only recourse. Their act had disrupted Modena’s fragile peace.

In the Estense state, as in other locales in Europe, only the prince had the ability to individually modify or remit sentences for criminals like Galeazzo and Lanfranco Fontana, particularly in cases that were considered egregious crimes against the state.⁴¹⁴

⁴¹² “...et essendo essi homini molti anni absenti, e vagabondi con infiniti travagli desiderosi oltra modo che ritornare nella bona gratia di V. Eccellentissima Illustrissima e nella patria loro, sotto il suo felicissimo governo dove più pronti a gli servitii comandamenti di quella, con ogni humilità prostrati, a piedi suoi, come a fonte di gratie, quanto più perforo testmante in supplicase, si ogni usare verre loro sua solita infinita clementia, i misercordia, e fargli libera della e bandu della condemnationi havutor qui per espresse...”
Ibid.

⁴¹³ Peter Burke, *The Historical Anthropology of Early Modern Italy: Essays on Perception and Communication* (Cambridge, UK: Cambridge University Press, 1987), 12.

⁴¹⁴ Requests for exemption from the normal rule of law were called *suppliche* and were essentially requests for pardons and full or partial remissions for the crimes committed. Should the duke be inclined to show

In normal cases, after a murder had been committed, the podestà and the ducal governor would imprison the offender, depose the accused and witnesses, send their findings to the duke and the Council of Justice, wait for their deliberation and for the sentence to be handed down. In most cases, this sentence consisted of a variable combination of confiscation of goods, public punishment, and in more extreme cases, execution. Only the dukes of Ferrara-Modena possessed the power to bypass their own official channels. A sovereign had to weigh such a decision carefully. By granting too many exceptions, he could undercut his own laws and authority.

Wisely or unwisely, Duke Alfonso II decided to make an exception for the Fontana cousins. After a suitable period of deliberation, he granted their petition.⁴¹⁵ In light of subsequent events, we may be inclined to judge the Dukes of Ferrara-Modena as having bad political judgment for granting reprieves to criminals with high potential for recidivism. The vendetta always lurked beneath the surface despite the “official” truces imposed by the duke. At worst, we may be tempted to look for cynical motives in their doing so; financial, social, or political expediency could be strong motives, indeed, to grant the petition of a man like Lanfranco Fontana.⁴¹⁶ The case of Galeazzo and Lanfranco was not a normal case. Just as the potential for recidivism was high—by this

mercy to the suppliche of a wayward subject, he would grant a “grazia.”—an extraordinary one-time act remitting the supplicant from the sovereign’s own laws. For more on grazia and suppliche, see Carmelo Tavilla, *La favola dei centauri* (Milan: Giuffrè, 2002), 71.

⁴¹⁵ Unfortunately, much of the documentation for petitions in the sixteenth century has been lost. While the dukes of Ferrara-Modena possessed mechanisms for hearing, recording, and entering decisions on petitions, the records are currently missing. What remains are impartial fragments of petitions from the Particolari archives. While these often contain the petition themselves, there are no extant records which record the ducal decisions. Thus, the only information we have for whether or not the petitions were granted is the ‘public’ presence of the malfactors in the city or information related by observers.

⁴¹⁶ There are indications that Lanfranco’s father, Giovan Francesco, was increasingly gaining political influence in Modena. By the middle decades of the 1550s his name was appearing more frequently on the Council of Conservators and on the board of governance of the College of Bankers just as it seemed Giambattista Bellencini’s influence was beginning to wane. Perhaps, Duke Ercole found it better at that moment to cultivate the political acumen of the Fontana.

time a vendetta was fully underway—the potential was also high for reintegrating them into society, especially once a truce had been drawn up between the two factions. Thus weighing these reasons, the hapless Galeazzo and the cunning Lanfranco were granted particular ducal grace.

Petitions held an important place in the political systems of most, if not all, of the polities of early modern Europe. Petitions were drafted by groups or individuals seeking to directly influence and persuade their rulers to step outside the normal rule of law and judge their case individually. They could be made by the highly placed or those of lowly condition, men or women, monks or married couples, the young or old. They could be authored by those hoping to obtain permission to marry, or those requesting that their marriages be dissolved.⁴¹⁷ Subjects petitioned their sovereigns for debt-relief or an exemption from taxes. Criminals petitioned for a remittance of their punishments. In particular, they were a personal appeal for modification or exemption from the rule of law.

In 1559, for example, several of the Bellencini petitioned Duke Alfonso II for clemency after the incident that had taken place on August 10. The men petitioned the duke for a remission of their sentences: “we humbly supplicate for clemency...and a lifting of the sentences both corporal and punitive as well as banishment.”⁴¹⁸ After this brief prelude, the supplicants got right to the point and told their side of the story.⁴¹⁹ Like

⁴¹⁷ For petitions to the *Collegio* to marry into the Venetian nobility, see Alexander Cowan, *Marriage, Manners, and Nobility in Early Modern Venice* (Burlington, VT: Ashgate, 2007), 1-3; Julia Hardwick, “Seeking Separations: Gender, Marriages, and Household Economies in Early Modern France,” *French Historical Studies* 21, no. 1 (Winter 1998): 157-80.

⁴¹⁸ “E spongono con ogni humilta a Vostra Seremissima Altezza Aurelio Figliuolo del quondam M. Lodovico et Sigismondo del quondam M. Agostino et Cesare, Lod.va Camillo, et Costantio Figliuoli de M. Bartholomeo Tutti de Bellencini da Modona...” ASMo, *Particolari*, Bellencini, B. 112.

⁴¹⁹ “...e vendosi partito di Modona per Andar a trovar parte delli Oratori ch'erano Fuori di essa Citta per veder dove era Un certo Cesare lor seguace, qual era stato Ferito, S'incontrarono in compagna nelli Fontani

the two Fontana cousins, the Bellencini cousins affirmed that they had signed a peace accord with the Fontana. At the end, they petitioned the duke for an exception. Once again, the Duke of Modena granted exceptions to his laws to the violent nobles whose violence he constantly attempted to curb.

These examples show that granting extraordinary grace to Galeazzo and Lanfranco was not exceptional. Many Modenese nobles petitioned Duke Ercole II and Alfonso II for *grazie* to remit their sentences for crimes committed. Lancellotti's chronicle of Modena provides many examples. Alfonso I granted grace to Prospero Forni, a relative of Lodovico Bellencini, after he murdered Francesco Castaldi.⁴²⁰ In 1548, Duke Ercole remitted the three-year banishment of Guido Molza from ducal territory, which had been exacted for the death of one Scocera. After Guido was granted the remission, he returned to Modena for Carnival—even though that wasn't part of the terms—and eventually won full remission of his penalty.⁴²¹ A condition of his exemption was a payment of 900 lire to the son and daughter of Bernardino Scocera—400 lire for the dowry of the daughter and 500 lire to the son. The heirs were also to receive 80 lire per annum until the daughter was married and the son reached the appropriate age to ratify a

dove essendo provocati, so comentie Una Rissa tra essi Oratori, et compagni, et seguaci, et li parti Fontani, et lor Seguaci, nella quale, Venne Morto Un Galeazzo Fontana, Nicolo Grillenzone e Tre Forasteri, per la parte d'essi Fontani, et Feriti molti altri per il qual delitto essi Oratori, et li Seguaci." Ibid.

⁴²⁰ "Mercordì da hore 22 a dì 16 dexembro. Fu publicato ala rengerà del palazo del comun de Modena per Thomasin Belete trombete, rogato ser Andrea Manzolo canzelere dala M.co Comunità de Modena, la grata che ha fatto lo Illmo Sig.r ducha Alfonso nostro Sig.r a Prospero fiolo fu de ser Siximondo dal Forno zenere fu de M. Lodovigo Belencin de ogni omicidio et ogni altra cosa che lui havese fato sino a questo dì, e per magior solenità à sonato a tre trombade e la magior parte dele persone hano biasimato tal cosa zoe dela crida, e che el bastava havere havuto la gratia dele cose fate sin qui etc., e dita gratia se estende per li soi seguaci ancora. Note che Francesco del quondam Cesare Gastalde fu morto a dì...de...como appare in questo, et fu dato la colpa al predito Prospero e per dita morte ha havuto la gratia." Lancellotti, *Cronaca*, 2:

⁴²¹ "A dì ditto. M. Guido fiolo de M.co M. Girardino Molza che è stato bandito circa 3 anni per la morte del Scacera, è venutor in Modena questo carnevale per la gratia havuta dal Illmo Duca benchè lui è stato alla Campagnola molti mesi fano, ma non haveva gratia de venire in Modena e al presente ha havuto la gratia libero." Ibid., 10:240

peace agreement.⁴²² In 1548, Duke Ercole granted a gratia to a son of Alberto Castaldi who had killed one Gian Maria Festà in March of 1541.⁴²³ Likewise, the Fontana and Bellencini seem to have been very fond of the extraordinary supplication. Once the vendetta had begun in earnest in 1547, extraordinary supplications to remit sentences begin to pepper the documentation. The Bellencini and Fontana, like their peers, superiors, inferiors, and clients often petitioned the dukes for exceptions.

While these remissions from crime seem paradoxical, granting these pardons could be in the ducal interest. As Christine Shaw has noted regarding pardons, “There were complex political considerations to be weighed: whether the enmities and resentments on both sides had cooled sufficiently, whether they might flare up again.”⁴²⁴ Not only did the dukes have to weigh the likelihood of further violence, they also had to weigh the power and influence of those involved. The various problems attendant to granting pardons to violent nobles were not exclusive concerns of the Dukes of Ferrara-Modena. Elsewhere across Europe, sovereigns struggled with trying to control their nobles’ violent habits, yet were ready to pardon their crimes under the rubric of political expediency.⁴²⁵ Pardons could consolidate a subject-ruler relationship with the duke.

⁴²² “Lunedì a dì 18 aprilo. El Mco M. Girardino Molza questo dì ha fatto menare la fiola de Ser Jacomo Tasson ditto Chiapino fatta spoxa in M. Guido suo fiolo, alla Campagnola per spoxarla de novo e fare la noze in detto luoco acompagnarse. Et ge sono andati in grosso parte in nave, parte in caretta, e parte a cavallo e la causa che dette noze se fano in detto luoco si è per essere bandito M. Guido predetto de Modena, et ha havuto gratia de stare alla Campagnola; e secondo m’è stato detto questo dì da persona degna de fede el detto M. Girardino ha pagato l.900 a uno fiolo et fiola fu de Bernardino Scocera, che fu amazato del detto M. Guido, per havere la pace, videlicet 400 per dota della puta e l.500 per el puto, et l.80 ogni anno che lui habia el tempro de ratificare la pace, e detto M. Girardino è restato in Modena.” Ibid., 10:57.

⁴²³ “Lo Illmo Duca nostro che è in Modena ha fatto gratia al fiolo fu de Albertin Castalde che amazò Zan Maria Festà sino a dì 6 marzo 1541 in Modena; el quale Castalde era preto beneficiato de uno patronato che lo hebe uno suo fratello.” Ibid., 10:47.

⁴²⁴ Christine Shaw, *The Politics of Exile in Renaissance Italy* (Cambridge, UK: Cambridge University Press, 2000), 215.

⁴²⁵ Krista J. Kesselring, *Mercy and Authority in the Tudor State* (Cambridge, UK: Cambridge University Press, 2003), 56.

They could also backfire and place the rule of law back in the subject's hands. Granting an exception in the form of a pardon could have unforeseen political and social consequences. The duke risked undercutting his own policies and leaving the field open to further threats to ducal authority. If a subject could kill another subject and obtain a pardon for his or her crimes, what was the incentive for restraint? The duke also faced alienating the offended parties by undercutting justice. As a result, the decision to grant a pardon was likely to be controversial. Lancellotti was occasionally vocal about this practice and ranted against one Tommaso Fusare, who had been banned from Modena and then pardoned for his crimes. According to Lancellotti, not only had Fusare received a remittance; he had somehow profited while banished.⁴²⁶ This perception that pardons were unjustly given and easily obtained removed some of the bite to ducal sentences.

In these cases, granting pardons went against ducal interest if he sought to curb the local power of the Modenese nobility. By pardoning the Fontana, Bellencini, and their violent peers, their sovereigns were effectively undercutting their own evolving policy of becoming more involved in regulating feuds through legal processes. As a result, it became increasingly hard for them to enforce peace and the other laws directed at vendetta practice. It became clear to the participants that the dukes would not only take a lax view towards enforcement but also turn a blind eye to their contests for honor and precedence. Most importantly, it sent the message that the Duke of Ferrara-Modena could do little undercut their political power.

⁴²⁶ “A dì ditto. Thomaso fu de Ser Petro Fusare che fu bandito circa dui anni fa per essere stato in compagnia de certi che feceno una camisata in Modena per tempo de notte, è venuto in Modena perchè ha havuto la gratia ma ha strusiato molto ben della sua roba che lui ha strusiato non la haveva aquistata nè non è per aquistarne s’el non farà excercitio, deli quali lui non ne ha nisuno se non de andare a solazo. Già suo padre era povero e in poco de temp doventò richo o che lui è iniquo o herede de uno iniquo etc...” Lancellotti, *Cronaca*, 10:127.

As a result, both *gride* and violence continued to grow. Cognizant of the growing futility of these measures, Duke Ercole turned to a different strategy. Since he could not prevent the carrying of arms and enforce the observance of truces, he began to hit the Bellencini and Fontana where it truly hurt—in their pocketbook. In the next chapter, we will begin to explicate the complex role that property and its passage between members of a family played in ducal attempts to curb vendetta. We will also examine the evolution of vendetta practices in response to these measures as the ruler and the ruled fought over provenance of Modenese matters.

Chapter 4: The Families Discipline Themselves: Testaments, Self-disciplining, and Patrimonial Strategies

Alessandro Fontana dictated his will in June of 1547 in the presence of a notary. He began with the usual formulas, stipulating where he would like to be buried, providing for the annual masses to be celebrated for his soul, and detailing the alms to be donated to charity.⁴²⁷ He left two gold pieces per annum to his daughter Angela, a professed nun in the convent of Sant'Euphemia, for the duration of her life.⁴²⁸ For his daughter Paula, still a minor and under the tutelage of his wife Diamante, he left money for a dowry should she contract a suitable marriage according to her mother's wishes.⁴²⁹ To his wife he restored her dowry and the goods she brought with her at marriage, along with giving her lifetime usufruct of his possessions for her maintenance. To his son Jacopo, he left the rest of his estate.⁴³⁰ Should Jacopo predecease his father, Alessandro's inheritance would pass to the legitimate sons of Jacopo's marriage.⁴³¹ In these stipulations, Alessandro was following the inheritance norms of the time.

After these opening clauses, however, Alessandro's will departed from the norm of leaving his estate in the male line. In particular, he included some unusual fideicommissary clauses stipulating the line of succession. Should any of the potential

⁴²⁷ ASMo, *Archivi Privati*, Petrezzani, LXVIII, no. 37, Testament of Doctor Alessandro Fontana, June 14, 1547.

⁴²⁸ "Item reliquit sororibus Eufemia: Angela acceptata in monasterio Santa Eufemia di Mutina filiabus suis legitimus et naturalibus ultra dotes suas scutos duos auri singulo ano pro quale eam donec vixerit." Ibid.

⁴²⁹ "Item reliquit idem testator: Paula filia sua legitima et naturali scutos quingentos auri per dotibus suis solvendos per heredes suos cum nuptui traddetur, vel per suos fideicommissarios de bonis testatoris hoc modo ut scutos centumquingenta cum nuptum traddetur" Ibid.

⁴³⁰ "In omnibus aut aliis suis bonis mobilibus et immobilibus viribus et actionibus ubilibet ex ntribus ontibus, et futuris Iden testator instituit, reliquit nominavit, et esse voluit dictu Iacobu eius flilius legiitimus et naturalem acoes alios et singulos filios suos nasaturos ex uxore sua modis captis, conditionibus, et pactis inetis si tunc dicus Iacobus erit ea pax da hareditatis tempore mortis dicti testatoris alio quim ubi non esset ea pax dicta hereditatis quia forte esset bannitus. Vel altr non esset in gratia Ill mi Duc." Ibid.

⁴³¹ "tunc privavit eum Iacobu, et loco dicti Iacobi instituit omni melior modo quo potest filios dicti Iacobi legitimos. Et naturales de legitimo matrimonio." Ibid.

heirs commit the crime of lese majesty (a rubric that included vendetta practice) and any of his [the heir's] goods were in danger of confiscation, the estate would revert to his daughters.⁴³² In the event that Jacopo had no legitimate heirs, his estate would pass to his sisters and his mother, to be left to the closest Fontana heirs upon their deaths.⁴³³ Alessandro, however, knew his Fontana relatives well. In the event that Jacopo did have legitimate sons who committed the crime of lese majesty, his estate would revert to the daughters of Alberto Fontana. Alessandro was willing to do as much as necessary to insure that his property remained in the hands of his family.

Alessandro's will reveals the awareness that vendetta practices increasingly posed real and present danger to the patrimonial estate as the Dukes of Modena sought to implement various reforms in hopes of reigning in local interests. In particular, as instituted in the 1327 statutes of Modena, ratified in later emendations, and elaborated upon by the duke in the sixteenth century, vendettas increasingly incurred financial penalties and put property at risk. The ducal governor required the families considered

⁴³² "I deo voluit, et disposuit per dicta bona hereditatis sua non possing quoquomodo alieanari capiendo verbu alienationis lea et largissima in aliquod et de domo dicti testatorius. Et si dicta alienatiobis fieri contingerit ob aliquid delictu ultra libras quinquaginta excepto crimine lesse maestatis in personam Principis tantu nam in caus et maleficiis, et ob maleficuim]atrox, vel atrocissimus ultra de casum smarum per [...] et ex presse vetatvit bona sua alienari ex familia sua sed voluit ep puoniri debere de gradu in gradio af heredes usas pactas dsponse et ubi dictus Iacobis, et filius, et descendentes sui fuissent ca pace, et sic admitterentur ad hareditate sua et postea comitterent aliquod delictum ob quod bona sua, vel pars aliqua eos bonorum veniret confiscanda tunc, et eo casu privarit talem delinquente, sue delinquetes bonis suis oibus et voluit ora sua bona per venire sine aliqua ex nec ad dicta D. Diamanta si tunc vixerit et si tunc non sup vixerit ad filias dicti testatoris tunc supvientes, quas d. Diamantam et euus filias et alios quo scuors ad quos hereditas dicti testatoris quoniret ut supra totiens gravavit ad restiutione facienda dedus bonis dicto Iacobo e deis filias suas quotiens pervenerint in patriam et adepti fuerint gratiam Illmi Domini Nostri volens per dicta prohibito ob delictum intelligantur facta eos tatium pro dicta Iacobus vel ailqui ex descendentibus suis non tantum si comiserint aliquod maleficuis ut supra sed et si cogitaverint committere aliquod de dictis maleficiis et voluit prohibitiones protas fore et e reale et personales et transire ad quoscunque et in omne eventu quo pero rata hereditas devolueretur ad dictos agnnatos tunc et eo casu gravavit ipsos agnates ad solvendum honestis puellis, et mulieribus donna Virginia, Donna Camilla, et Donna Lucretia sororibus et filiabus Mri Alberti de Fontanis libras centum mom. Cur cuibus et per quali eax absque aliqua ex ne iuris." Ibid.

⁴³³ "dicti testatoris dedomo illor d. Fontanis et si plurose essens in eodem gradu proximitatis voluit ipse testator dictam restitutione plena et integram fieri dictis exentibus in eodem gradu." Ibid.

most at risk for vendetta violence after a member committed a violent offense to provide monetary security until an instrument of truce or a pact of non-offense could be notarized. The required sum could be substantial.

Moreover, pacts of non-offense, truces, and instruments of peace obligated the signatories to further amounts. If a member of the faction, including relatives to the fourth degree, cognates, agnates, servants, illegitimate children, and anyone else in the broad and nebulous category of “adherent” broke the instrument of peace, truce, or pact of non-offense, all the members of the lineage would be legally obligated to compensate both the victim and the ducal camera for a certain sum. Moreover, part of the offender’s goods—often one-third—could be subject to confiscation. If Alessandro’s son Jacopo Fontana broke the instrument of peace drawn up between the Bellencini and Fontana in 1556, for example, Alessandro was required not only to pay a portion of the specified sum, but also risked up to one-third of his goods being confiscated, since Jacopo, his universal heir, would eventually inherit them. Thus, the elaborate provisions outlined in Alessandro's will evince an awareness of the dangers that vendetta posed to the patrimonial estate and a desire to protect it. Just as the duke, his governors, civic institutions, and citizens grappled with the increasing threat that vendetta posed to civic order by undertaking reforms, vendetta-practicing families and their adherents faced the threat these reforms posed to group cohesion and familial prosperity.

Just as factions jealously guarded their political power, wealthy families also used various means to protect their economic standing. In Renaissance and early modern Italy, the patrimony increasingly circulated within a relatively small, restricted familial group, and the ability to collectively wield these economic resources proved as influential as

political power. While Modena's governing elites do not appear to have moved completely to a system of primogeniture by this period, they certainly used the fidecommissum—a type of trust or entail keeping property within the family—to conserve the patrimony particularly as they moved away from liquid capital and towards investing their wealth into land.⁴³⁴

Vendetta could prove to be a risky endeavor if it threatened the economic standing of the patriline. Factions often gave substantial sums in security against further offenses and the ducal government levied monetary penalties against families obligated to instruments of peace. When the Carandini and Fogliani broke an instrument of peace in 1525 by assassinating Tassone di Tassone, the principals were obligated to pay, in common, three thousand ducats.⁴³⁵ In May of 1526, officials confiscated “a quantity of cows” from Stephano Fogliani as a consequence.⁴³⁶ Most of these instruments contracted between civic notables during the sixteenth century specified more or less similar sums.

Depending on the economic health of the family, these sums could prove burdensome and lead to internal conflicts should a member break a peace contract. In 1526, Lodovico Molza successfully pressed suit against his cousins when his patrimony became threatened by Girardino Molza's commission of a crime.⁴³⁷ Fifty years later, not

⁴³⁴ For more on the fidecommissum and the increasing use of primogeniture, see Joanne M. Ferraro, *Family and Public Life in Brescia, 1580-1650: The Foundations of Power in the Venetian State* (Cambridge: Cambridge University Press, 1993), 108.

⁴³⁵ “E a di ditto per persone degne de fede dicono essere stato portato uno breve de la santità da papa Clemente, como la parte deli Carandini e Fogliano, e altri sono condanati per sententia de Sua Santità ducati 3000 per la pace rota, per la cruda morte di Tassone di Tassaone qualo fu bruxato del 1525.” Lancellotti, *Cronaca*, 2:336.

⁴³⁶ “1526. Martedì a di 15 mazo. Nota como a di 14 del presente è stato tolto una quantità de vacche ala teza de ser Stefano Fogliano, e menate ala hostaria dell' Angelo, o dela Campana per pagare la parte sua dela condanatione deli ducati tre millia della pace se dice essere rota fra lori e li Tassone, per la morte de Tassone di Tassone.” Ibid., 2:345.

⁴³⁷ “Venerdì a di ditto. El Mg M. fra Lodovico Molza questo di ha havuto da Roma la sententia data in suo favore contra a 7 fioli del quondam M. Filippo dala Molza per causa dela heredità del M. M. Francesco fu del quondam M. Girardino dal Molza suo cusino, che già 10 anni fa sono stati in piato et son condanati

much had changed in this regard. In 1576 the Tassoni, Millani, and Machelli families brought a lawsuit against the Fontana after several of the Fontana ruptured the peace agreement of 1568. While other scholars have argued that vendetta injuries and obligations extended to the entire clan (*consorteria*), the evidence shows some friction between family members over the consequences of vendetta if not the spirit behind it.

Modenese vendetta factions did not respond well, however, to ducal attempts at reining in the nobility. As factionalism worsened and vendetta violence escalated in response to governmental reform, the Este passed increasingly strict measures designed to restrict violence. These laws, at best, proved ineffectual and, at worst, only led the Modenese elite to exploit loopholes in legislation. While vendettas began to require further planning to circumvent the increasingly specific laws against them, they continued to be one of the Modenese nobility's favorite pastimes. By the end of Ercole II's reign in 1549 and the beginning years of Duke Alfonso II's rule in the 1550s ducal responses to vendetta had certainly changed, but the level of violence had not.

There were multiple reasons why the Dukes of Modena-Ferrara could not contain the vendetta practices of their nobles by themselves. The Modenese nobility engaged in various strategies to continue its quarrels and factionalism proved hard to break. It became very difficult to curb these violent practices with summary judgment and justice because of the nobility's political influence, which could not be disturbed without dismantling the state. In response to the continuous threat vendetta presented to order, Modena's rulers continued to explore new strategies. Instead of focusing exclusively on

ducati 3 milia per ciascuno, e a restituire tuta la heredità del ditto M. Francesco e de M. Catelina sua consorte, et sono privi de ogni privilegio e dignità, et de potere fare testamento e molte altre gran cose contra de lori, e questo per essere sempre stato in posesion e havuti li fruti e spianate case de dita heredità e ancora gè stato morte de homini. Dio ge dia gratia che faciano pace insieme." Ibid., 2:449.

draconian measures like banishment, which had little effect on families with powerful and influential friends outside the ducal territory, first Ercole II, and then his son Alfonso, began to craft punishments more certain of gaining the attention of their recalcitrant nobility. One evolving ducal strategy targeted offenders' properties. Consequently, while the political and social stakes for practicing vendetta had not changed in any substantive way, by the 1550s the financial stakes became higher.

Financial penalties proved to be more palatable, easier to implement, and carried more bite. Sentencing an offender to banishment in *contumacia* meant little if men like Lanfranco Fontana, Aurelio Bellencini, his uncle Alessandro, and their violent brethren fled towards safety and lived relatively prosperous and peaceful lives in exile. Putting pressure on their family members to sign truces, pacts of non-offense, or peace agreements appeared to have little effect. The confiscation of property or the levying of stiff financial penalties, however, put an onerous, collective financial burden on the entire faction.

These financial inducements to observe peace created a system of internal disciplining among members of vendetta lineages which mirrored that of *fidecomissum*.⁴³⁸ When a violent offender committed a crime and fled the territory, the duke and his ministers would persuade, cajole, and threaten his relative to commit to a peace contract. Once the parties committed to it, the whole lineage and its adherents would be financially liable for any breach. This penalty could represent a serious burden, especially if the ducal government confiscated a large part of the estate and levied a sizable fine against a person without ready capital. These governmental initiatives gave

⁴³⁸ See, Thomas Kuehn, "A Reconsideration of Self-Disciplining Pacts among the Petruzzi," in *Law, Family, & Women. Toward a Legal Anthropology of Renaissance Italy* (Chicago: The University of Chicago Press, 1991), 143-56.

those remaining behind more inducement to cooperate with peace efforts than ignore them.

These initiatives also gave notice to vendetta-practicing families that if they did not assume the burden amongst themselves for disciplining their unruly members, they would be placing more power in ducal hands. Practicing vendetta without attention to this power dynamic could prove costly to the foundation of noble power. Ducal initiatives to wrest the control over peace-making from families and to legislate the variety of practices that comprised vendetta strategies posed a serious threat to their political autonomy. As a result, vendetta-practicing families renewed their efforts at self-disciplining and developing coherent strategies to retain their power.

In order to retain control over patrimonial estates threatened by vendetta, elite families developed innovative testamentary practices. An examination of some of these practices amongst the Forni, Bellencini, and Fontana provide evidence of growing internal discipline among its members that discouraged heirs from vendetta violence. In particular, several remaining testaments of members of these factions include fidecommissary clauses disinheriting heirs should they engage in vendetta practices, and rewarding descendents for cooperating with the regime in peace-making efforts. Indeed, these testators went so far as to structure their wills outside the norms of inheritance by threatening to leave their property to the female line should the egregious actions continue.

Ducal attempts to control Modena's violent factions also gave rise to more subversive strategies to protect familial property. These well-intentioned prods towards peace could only work if the rest of the faction agreed to play by the rules. Seeking to

dodge new measures targeting their patrimony, some of the Bellencini, Fontana, Forni and other lineages changed their inheritance practices in order to retain control over the patrimony in the face of punitive measures. There were several cases of this. One most notable case took place when Lucretia, wife of Sigismondo Forni, died and attempted to leave her property intact to heirs not obligated to a peace agreement.⁴³⁹ This tangled her and her husband's heirs in legal confusion for roughly a century. As vendetta networks included both agnatic and cognatic lines, leaving property to the female line could paradoxically keep the patrimony intact. Cognates cooperated with agnates in surprising ways to aid them in circumventing financial restrictions on their revenge practices.

This chapter will examine how sixteenth-century inheritance practices of the Modense elite evolved in response to ongoing vendetta, including the points at which vendetta violence and inheritance strategies coincided. In their attempts to curb vendetta practices, the Dukes of Modena and their governors penalized acts of violence by imposing fines and confiscating offenders' property. Given the escalation of the Fontana-Bellencini vendetta and its seemingly endless nature, the effectiveness of these ducal strategies might be questioned. Yet these ducal provisions certainly affected the inheritance practices of the families involved as they sought to retain control over their estates.

In order to establish how the Modenese nobility adapted their inheritance customs in order to protect their local interests and practices, I will first examine Modenese inheritance norms in the larger Italian context. While little scholarly work has been published on the Modenese nobility in the period under consideration, a few preliminary conclusions may be drawn about the wealth of the Bellencini, the Fontana, their peers,

and the ways in which they transmitted their financial legacy across the generations.

With this broader picture in mind, I then turn to the impact of vendetta on testamentary practices. As will be shown, vendetta shaped testamentary practices in surprising ways and led the nobility to favor heirs who could not be directly implicated in violence, namely, women. I will examine these changes in terms of the Modenese nobility's reworking of gender norms in order to cope with the effect of vendetta practices on the wider objectives of familial solidarity and consolidation of power.

In sum, this chapter argues that vendetta practitioners reacted to ducal initiatives to curb factional practices by taking matters into their own hands and finding creative ways to protect their familial interests and the foundations of their political power. Neither the Este regime nor Modenese vendetta factions could reach a consensus on whether matters like inheritance were private or public in purview. As a result of these debates, families strengthened their patrimonial practices in ways that kept their political and financial inheritances intact for subsequent generations. As a consequence, the Dukes of Modena-Ferrara redoubled their efforts towards centralization while finding ways to coopt this nobility into their efforts. The outcome of these debates resulted in both a strengthened elite and a more efficient state machinery as the Modenese and their sovereign moved into the seventeenth century.⁴⁴⁰ These negotiations comprised an important and often neglected component of state formation wherein family and state negotiated for spheres of control.

⁴⁴⁰ Albano Biondi and Grazia Biondi, *Modena "metropoli" dello stato: Storie e microstorie di primo Seicento* (Modena: Archivio Storico, 2003); Michelle M. Fontaine, "Back to the Future: Remaking the Commune in Ducal Modena," in *Beyond Florence: The Contours of Medieval and Early Modern Italy*, ed. by Paula Findlen, et. al (Stanford, CA: Stanford University Press, 2003), 205-18.

In 1539, Giambattista Bellencini made visible improvements to his house in Modena. The notable renovation included an expensive walnut door embellished with Romanesque diamonds. This sometime conservator, communal ambassador, member of the College of Bankers, doubtless felt it necessary to advertise both his own and his family's increase in fortune and power. Giambattista Bellencini, however, incurred some resentment with his remodeling, his taste in decoration, and in his rise towards the top echelon of Modenese society. Lancellotti not only found this conspicuous consumption in bad taste but slightly suspicious:

You know, reader, that at present he [Giambattista] is one of the superintendents of charity, and is managing 30,000 lire...in my judgment when one manages the things of the community, he who manages must not build and give the group something to talk about.⁴⁴¹

Whether or not Lancellotti was accusing Giambattista of misusing communal funds, his tone of disapproval speaks volumes. Our chronicler's characterization also points to that fact that some considered the Bellencini to be "nouveaux riches;" a family full of pretension and ambition.

⁴⁴¹ "A dì ditto. Misser Giambattista Bellencini ha fatto fare una magnifica porta de legname de noxe ala sua casa che se vede de piazza, fatta a punte de dimanate ala romanescha, e dice esserge costata de lignami scuti 15 ultra ali feramenti che ge sono andati, et ha ancora fatto fare una magnifica intrata, in la quale ge starà benissimo la bara quando el serà morto: sapiate lectori che lui al presente si è uno deli soprastanti ala carastia, et fa manegiare circa 30,000 lire che sono a detta imprexa a suo modo a Petro Vidale, e seben ge per compagno misser Augustino Masseti ser Gironimo 4 Fra, et ser Alberto Fontana, poco se ne impaciano, e lui fa a suo modo quando el se principiò la becharia nova, quale lui ne era uno delli soprastanti, e d' allora sino a questa ha sempre fabricato sino al presente o poco assai. Al mio giudicio quando el se manegia cose de Comuniata, chi le manegia non doveria fabbricare per non dare dire ala brigata." Lancellotti, *Cronaca*, 5:264.

The Bellencini were not the only Modenese family to possess ambition.

Lancellotti characterized several of Modena's elite families in this way, including several relatives of the Bellencini. Giambattista's nephew Count Francesco Bellencini married his daughter to a son of Tommaso Borgo.⁴⁴² Francesco Bellencini gave his daughter 500 scudi for her dowry and Tommaso Borgo contributed 1000 scudi more—a sign that the Borgo were marrying into a family of greater prestige.⁴⁴³ Tommaso Borgo made another marriage that same week and gave his daughter Caterina to Ippolito Fogliani, a nephew of Francesco Bellencini's wife, Lodovica Fogliani.⁴⁴⁴ Borgo held ambitions to join the ranks of conservatorial families and sought to make alliances to this end.

Indeed, the elite of sixteenth-century Modena made precise calculations concerning marriage alliances in order to shore up their economic and political power. In an entry of September of 1530, Lancellotti described the meteoric rise of Tommaso Borgo.⁴⁴⁵ Over the past twenty years, Borgo had acquired land, opened a silk workshop, an enterprise for wool manufacturing, in addition to acquiring a good deal of other types of property. He had become a “man of worth.” Lancellotti marveled at Borgo's meteoric

⁴⁴² “Ancora se dice che ‘l detto ser Tommaso da Borgo fa parentà con misser Francesco Bellencini de una fiola del detto misser Francesco in...figliolo del detto ser Tommaso, e che misser Francesco ge dà scuti 500 de dota, e ser Tommaso ge ne darà 1000, el tutto faria per despiscarse da Pazzani, e defenderse che non ge deseno dele bote come hano fatto sin qui.” Ibid., 5:228.

⁴⁴³ These figures are certainly modest by the standards of the sixteenth century elites. Since little is known of the economic picture of Modena, however, it is difficult to say why.

⁴⁴⁴ “A di ditto la sira de hore una misser Alberto Fogliano con li soi parenti, misser Francesco Bellencini, misser Pio Ronchi, ser Giorgio da Ronchi, ser Angelino Zocco, e moltri altri in assai numero sono andati a casa de ser Tommaso Borgo posta in suxo el Canal grandò apresso a S. Vincenzo a spoxare M. Caterina sua figliola maridata in Ippolito figliolo del ditto misser Alberto Fogliani predetto, con alegreza, et trinfo de una bela cena, che lui ge farà questa sira.” Ibid.

⁴⁴⁵ “Ser Antonio fu de ser Francesco Pazzani ha moso lite a ser Tommaso fu di M. Donin da Borgo tutti dui cittadini de Modena. Il qual ser Tommaso da 20 anni in qua ha acquistato valore de miara più de 25 lire: in questo modo, in Albareto ge ha biolche 200 de tera, alcune da l. 100, alcune da l. 80 la biolcha, una bela casa in Modena in suxo el Canale grande, una bela botega sotto el palazzo, uno belo cavedale de seda, uno belo cavedale de l'arte dela lana, et uno belissio mobile de casa, et bestiame et debitori da scodere et dinari, in modo che tutta la Città se ne a fatto grande meraviglia del fare de ditto ser Tommaso, cum sit che da 20 anni in là lui con suo padre cusivano deli zipon, e scofon, e calze...et erano poveri de roba e de dinari, et io Tommaso Lancellotti scrittore presente li ho visto con li mei occhi a quello modo poveri...” Ibid., 3:112.

rise and noted that he remembered Tommaso's father, an artisan poor in goods and money. His son now dressed like a gentleman in the "finest of velvet," had married into a titled family, and looked forward to a substantial inheritance—all this had been done due to his "great industry." The Borgi themselves comprised part of Lancellotti's list of "nuovo homini" along with the Bellencini brothers, Agostino, Lodovico, and Giambattista, the Carandini, the Castelvetro and the Seghizzi. Lancellotti defined these "new men" as those whom had formerly been poor, but were now rich. The Borgi family was the newest member of a group of "new elites" who slowly rose to prominence in the fifteenth century and were now rising in Modena's political, economic, and cultural life.

The Bellencini, like their Fontana enemies, were undergoing this process of ennoblement during the sixteenth century and, as a result, were increasingly concerned with protecting their wealth and status. The children of Aurelio, among them Giambattista and Lodovico, all became dignitaries, bureaucrats, bankers and merchants. Giambattista and Lodovico's sister Lucia became the abbess of an important convent. Alessandro Fontana was a physician, as was his uncle Giovan Tommaso. Lodovico Bellencini invested capital in the silk industry and owned several workshops. During the sixteenth century several members of the Bellencini and Fontana were listed on the rolls of the College of Bankers. Others are mentioned as Doctors of Law.⁴⁴⁶ Filippo Fontana was listed as a professor of jurisprudence at the nascent university and Agostino Bellencini is listed as lecturer—the same post that Ludovico Castelvetro was to hold in 1534.⁴⁴⁷ In every professional respect, they appear to have been equal.

They curried favor with the Este family, who frequently rewarded their favored

⁴⁴⁶ Girolamo Tiraboschi, *Biblioteca Modenese* (Modena, n.p. 1781), 3: 200.

⁴⁴⁷ Sandonini, *Modena sotto il governo dei papi*, 106.

courtiers and functionaries with palaces, privileges, titles and grants of land.⁴⁴⁸ Ercole I rewarded Count Giulio Tassone with a palace built for one of his family members upon the occasion of Giulio's marriage to Ippolita Contrari; similarly, Ercole granted Ludovico Bellencini the Modenese palace of the disgraced Helia Carandini. The upward mobility of both the Fontana and Bellencini continued unabated. In 1611, Augusto and Alessandro Bellencini petitioned for the title of Count, along with the land accompanying the title and its rights to devolve property exclusively to heirs in the male line.⁴⁴⁹ The same title also began to appear as appellations among the Fontana at roughly the same time around 1600.

Although the origins, composition, and wealth of the Modenese patriciate remain shadowy and in need of further study, it appears that Bellencini, Fontana, Forni, and Tassoni followed similar inheritance strategies as their counterparts in other areas of Italy.⁴⁵⁰ These strategies included an increasing preference for primogeniture in pursuit of consolidating wealth. As the Bellencini and Fontana acquired titles, they moved towards the practice of primogeniture, which suggests that in the sixteenth century they were accruing both land and honors. Very few inventories exist, however, for the Bellencini and Fontana families during this period, so it is difficult to identify their full extent of their property holdings.

What is clear, however, is that these families sought to preserve their wealth. The marriage patterns of Modenese elites became increasingly endogamous as they

⁴⁴⁸ Charles M. Rosenberg, *The Northern Court Cities of Italy: Milan, Parma, Piacenza, Mantua, Ferrara* (Cambridge: Cambridge University Press, 2010).

⁴⁴⁹ ASMo, *Particolari*, Bellencini, B. 112, Supplication of Alessandro and Augusto Bellencini, May 23, 1611.

⁴⁵⁰ Rambaldi, *Speranze e crisi*, 26-8. See Marco Catini, et al, *Al governo del comune: Tremilacinquento modenesi per la Comunità locale dal XV secolo ad oggi* (Modena: Quaderni dell' Archivio Storico, 2004).

consolidated their political and economic positions. Both the Fontana and the Bellencini increasingly married into the same discrete group of families as the sixteenth century progressed, with a preference towards consular families of equal status who also held membership in the College of Bankers and similar professional organizations. Lodovico Bellencini married two of his daughters to two sons of Sigismondo Forni. His daughter Camilla married Giambattista and his daughter Orsina married Prospero Forni.⁴⁵¹ His son Francesco married Lodovica Fogliani. Just as his daughters married sons of councilors who would go on to become members of the Council of Conservator's themselves, his sons married daughters and sisters of men of the conservatorial class. Lodovico's brother, Giambattista Bellencini, married his son Aurelio, to Lodovica, a daughter of Giovan Francesco Carandini.⁴⁵² The Fontana pursued similar marriage strategies and indeed, married into some of the same families. The Fontana married into the frequently into the Tassone and Codebò families and Giovan Francesco Forni married his daughter Costanza to Tommaso Fontana.⁴⁵³ Thus, the same men who deliberated over bread prices and repairing canals in bi-weekly council meetings were often in-laws, cousins, nephews, and uncles.

Analogous to the rise of “nobles of the robe” these Modenese families began as a bureaucratic class of professionals—doctors, lawyers, merchants, shop owners, notaries,

⁴⁵¹ “...M. Mesino fiola fu de ser Sigimondo dal Forno, et se dice che el ditto suo fratello ha tolto per moglie Madonna Camila fiola de M. Lodovico Bellencini vedua bela e richa dui beli fioli...” Lancellotti, *Cronaca*, 2:467; Lancellotti does not record the marriage between Orsina Bellencini and Prospero Forni but refers to Prospero as in-law of Lodovico Bellencini. Ibid., 5: xvi, There is also a court case which delineates the relationship between the Forni and Bellencini naming Orsina as wife of Prospero. See, ASMo, *Archivi Privati*, Archivi Petrezzani LXIII.

⁴⁵² “...M. Lodovica sa consorte figliola fu de misser Aurelio Bellencini la quale ministrava tutta la sua roba...” Lancellotti, *Cronaca*, 8:88.

⁴⁵³ “Mercordi a dì 13 luglio. Morì M. Barbara fiola de Ser Geminiano da Fontana consorte de M. Giambattista Codebò zovene, de infirmità...” Ibid., 10:118; Also see, ASMo, *Particolari*, Fontana, Testamento di Costanza Fontana, B. 449.

and other officials—who gained salaried and administrative posts in the Estense administration. The men of the Bellencini, Fontana, Carandini, Tassoni, Forni, and other conservatorial families are identified as jurists, physicians, notaries, merchants, and bankers. The Chronicles of Lancellotti frequently record this data and list members of the conservatorial families in these institutions.

By the second half of the sixteenth century, however, the data on these families begins to change as they increasingly intermarried with the old feudal nobility and the Este rewarded them with titles and privileges. With the sociopolitical shift to princely courts and accretion of large amounts of wealth, urban patricians were becoming co-equal with the “old nobility” and were increasingly being recognized as such. The patrician class was increasingly imitating noble prerogatives by placing much of their wealth into land, distancing themselves from trade, and acquiring noble titles. The two classes became virtually indistinguishable from one another in the seventeenth century. For families on the rise like the Bellencini, Fontana, Tassoni, and Forni, mercantile endeavors no longer possessed the promise for the accrual of wealth that they had in the previous two centuries. In congruence with their peers across Italy, the Modenese elite increasingly invested in land. This process known sometimes as refeudalization, took place as Modenese elites sought to stabilize their patrimonial investments in the face of the seventeenth-century economic crisis.⁴⁵⁴

A move towards land-holding and agricultural estates marked the culmination of several centuries of careful strategization on the part of the Modenese elites to aggregate economic and political power in their hands. These strategies included increased tending

⁴⁵⁴ For more on refeudalization see, Domenico Sella, *Italy in the Seventeenth Century* (New York, Addison Wesley Longman, 1997), 63-8.

of the patrimony in favor of male heirs and the practice of endogamy. Endogamy had the effect of creating a closed oligarchy governing the city. While Modenese councilors did not enjoy full heritability of office as in other early modern regimes, the ranks of office-holders grew increasingly narrow as time went on. The nature of election to the Council strengthened this trend. The Council of Conservators voted periodically on members who would be eligible to hold the quarterly office for the next few years. Duke Alfonso's restriction of Council membership to those men of whom he approved in the 1550s only strengthened this trend. The dukes and their elites collaborated in creating an increasingly closed governmental system.

Wealth was as necessary as political acumen and influential relations to stay competitive in the civic arena for families seeking to hold onto their power and stay within this restricted group. Consequently, from the thirteenth century onwards, Modenese nobles like their peninsular counterparts developed complex strategies to accrue and protect the wealth in which much of their identity was rooted. Italian elites reshaped laws, married off their children, made particular provisions in their wills, and went to court in defense of the family and its patrimony.⁴⁵⁵ These provisions included restricting female inheritance.

⁴⁵⁵ Richard Goldthwaite, *Private Wealth in Renaissance Florence* (Princeton: Princeton University Press, 1968); Renata Ago, "Giochi di squadra: uomini e donne nelle famiglie nobili del XVII secolo," in *Signori, Patrizi, Cavalieri nell'Italia Moderna*, ed. Maria Antonietta Visceglia (Rome: Laterza, 1992), 256-65; Giovanna Benadusi, *A Provincial Elite in Early Modern Tuscany: Family and Power in the Creation of the State* (Baltimore: Johns Hopkins University Press, 1996); Francis William Kent, *Household and Lineage in Renaissance Florence: The Family Life of the Capponi, Ginori, and Rucellai* (Princeton: Princeton University Press, 1977); Christiane Klapisch-Zuber, *Women, Family, and Ritual in Renaissance Italy* (Chicago: Chicago University Press, 1985); R Burr Litchfield, *Emergence of a Bureaucracy: The Florentine Patricians, 1530-1790* (Princeton: Princeton University Press, 1986); Anthony Molho, *Marriage Alliance in Late Medieval Florence* (Cambridge, MA: Harvard University Press, 1994); Andrea Romano, *Famiglia, successioni, e patrimonio familiare nell'Italia medievale e moderna* (Torino, n.p., 1994).

The restriction of female inheritance ensured that property would remain in the hands of the patriline. Beginning in the medieval period, Italian women were increasingly excluded from inheriting the paternal estate in favor of lines of male succession.⁴⁵⁶

Whatever a woman's destiny—marriage, religious life, or in rare cases, singlehood within certain prescribed means—any portion of the estate given to her would be permanently subtracted from the patrimonial estate. Julius Kirshner notes that:

fathers generally named sons, without their sisters, as coequal heirs. Statutes excluding dowered daughters from inheritance were characteristic of this period and defended by the jurists on the grounds that the 'immortality' of the family, both symbolically (name, coat of arms, reputation) and materially (direct male descendents, patrimony), did not depend on daughters, who by reason of marriage became members of another family, but primarily on sons and secondarily on distant agnatic kin.⁴⁵⁷

The reasons behind these strategies were as follows: should a daughter marry, her share of the property would devolve to her husband's lineage. Should she join a convent, her portion would be subsumed into the holdings of the religious house. Any property going to a female heir would be permanently alienated from the patrilineage.

Women, however, still possessed some property rights that varied greatly by locale. These rights became increasingly institutionalized in the form of the dowry, a sum of cash or movable goods intended to replace her equal share of the inheritance.⁴⁵⁸ The

⁴⁵⁶ For an overview of female inheritance see Thomas Kuehn, "Some Ambiguities of Female Inheritance Ideology in the Renaissance," in *Law, Family, & Women: Toward a Legal Anthropology of Renaissance Italy* (Chicago: The University of Chicago Press, 1991).

⁴⁵⁷ Julius Kirshner, "Family and Marriage: A Socio-legal Perspective," in *Italy in the Age of the Renaissance*, ed. John M. Najemy (Oxford: Oxford University Press, 2005), 99-100.

⁴⁵⁸ A great deal has been written on the dowry and its function in Italian society. See Stanley Chojnacki, "Dowries and Kinsmen in Early Renaissance Venice," *Journal of Interdisciplinary History* 4 (1975):403-38; Diane Owen Hughes, "From Brideprice to Dowry in Mediterranean Europe," *Journal of Family History* 3 (1978): 262-96 and her "Struttura familiar e sistemi di successione ereditaria nei testament dell'Europa medievale," *Quaderni storici* 33 (1976): 929-52; Julius Kirchner and Anthony Molho, "The Dowry Fund and the Marriage Market in Early Quattrocento Florence," *Journal of Modern History* 50 (1978): 403-88; Christiane Klapisch-Zuber, "The Griselda Complex: Dowry and Marriage Gifts in the Quattrocento," in *Women, Family, and Ritual in Renaissance Italy* (Chicago: The University of Chicago Press, 1985), 213-47; Donald E Queller and Thomas F. Madden, "Father of the Bride: Fathers, Daughters,

purpose of the dowry was to support her in marriage and, in the likely event that she would be widowed, would support her upon her husband's death. Since women possessed the status of minors under Italian law, husbands retained the right to use the dowry during their marriage. In the event of her widowhood, her husband's estate returned the dowry to her or her natal family. Like most of their counterparts on the Italian peninsula, the Modenese increasingly observed this *exclusio propter dotem*. A woman's right to be given a dowry was first instituted in the 1327 statutes of Modena.⁴⁵⁹

These 1327 statutes enforced the same stipulations for inheritance that other Italian locales observed.⁴⁶⁰ Even in the event of no surviving sons to serve as heirs, the

and Dowries in Late Medieval and Early Renaissance Venice," *Renaissance Quarterly* 46, no. 4 (Winter 1993): 685-711; Maristella Botticini and Aloysius Siow, "Why Dowries?" *The American Economic Review* 93, no. 4 (Sep. 2003): 1385-98.

⁴⁵⁹ "Ut mulieres bona mariti teneant pro dote. Mulieres que occaxione dotis vel simplicis donationis vel propter nuptias et obligationes eisdem pecunie tenent bona mariti que sunt vel fuerunt vel que possessa fuerunt a marito seu socero, complentur, postulante creditore vel herede mariti, totum quod est ultra dotem vel donationem simplicem creditori vel creditoribus mariti aut soceri restituere, facta existimatione per iudicem de bonis mariti secundum quantitatem dotis et donationis, in qua extimatione fructus percepti ab uxore non computentur. Et si creditores, vel (*Heredes mariti vel soceri a quibus ipsa mulier habuit ipsa bona) alius qui dotem recepit, voluerint sibi mulieri satisfacere de dote et donatione simplici (**Et expensis per eam legitime factis) totum illud quod habuit de bonis predictis exceptis fructibus perceptis teneantur creditori vel heredi mariti vel soceri (***)Vel alterius qui dotem recepit (queste parole dovevano sostituirsi alle virgolate, che nel testo vennero cancellate) <<aut illi qui ab ea convictus est vel qui convenitur>> restituere. Extimatio vero rerum insolutum datarum mulieri fiat per aliquos bonos ciros et idoneos qui teneantur bona fide et sine fraude extimare sacramento et secundum extimationem eorum fiat satisfactio dotis et donationis simplicis (****Et expensarum) et residuum teneantur restituere ut supra legitur quod locum habeat in heredibus uxoris vel qui habent causam ab ea." A.G. Spinelli ed., *Statuti di Modena reformati l'anno 1327* (Modena: Società Tipografica, 1894), 229.

⁴⁶⁰ "De feudis, precariis, et libello. Rubrica LX (245) Statutum est quod cives mutinenses terras quas habent in feudum vel precariam aut per libellum dare possint ad fictum, nec propter hoc res admictantur nullo pretio vel alio loco pretii accepto per se vel per alium nisi solitum fictum. Et si vasallus qui est civis Mutine decesserit relictis tamen filiabus, filie in feudum succedant et infra terminos a Serra de Legorzano inferius locum habeat quod capitulum ita determinatur, scilicet, si vasallus aliquis civis Mutine decesserit sine liberis masculis filia vel filiae aut neptis vel neptes in gradu proximiores, salva gradus prerogativa, succedant. Soreres autem non succedant donec superest frater vel fratris filius aut filii fratrum masculorum. Si vasallus civis Mutine decesserit sine filio masculo vel nepote vel pronepote vel deinceps ex linea masculina descendentibus, relictis tantum filia vel filiabus vel nepotibus ex filia vel filiabus premortua vel premortuis, tunc nepotes vel neptes succedant in feudum in loco matris sue.

Si vero vasallus civis Mutine decesserit sine predictis masculis descendentibus relictis tamen nepotibus ex filio tunc nepotes succedant in stirpem. Et si vasallus civis Mutine decesserit sine predictis masculis descendentibus relictis tantum nepotibus vel neptibus ex filio tunc nepotes et neptes succedant in stirpem. Idem intelligatur si vasallus fuit alterius episcopatus et habuerit bona in civitate vel in episcopatu et districtu Mutine et decesserit sine liberis relicta filia nupta in civitate vel in episcopatu Mutine et

dowry remained the woman's only legal claim to the marital estate. In most of the statutes of the Italian city-states, in the case of intestate succession a woman "always stood well after certain categories of agnatic relationship to the deceased—sons, grandsons, great grandsons, father, paternal grandfather, paternal uncle, brother."⁴⁶¹ If a family produced only daughters, or a daughter or female relative remained the only surviving heir, the estate would most likely pass to the closest male descendants. According to the Modenese statutes of 1327, "if a true citizen of Modena" died, his estate would be inherited by his sons. In the absence of sons, his closest nephews would inherit the estate. In the last resort, should there be no male descendants of any kind, the closest relatives in the female line would inherit. It was stipulated, however, that the goods of the heiress would be passed to her first male descendant. The sisters of the deceased were entirely excluded

decesserit sine liberis relicta filia nupta in civitate vel in episcopatu Mutine alicui civi vel comitatino. Precarie alicui concessa possint concedi cuicumque non obstante pacto precarie preterquam servis, non obstante pacto sucessionis, eo salvo ut pensio et jus renovandi perveniat ad eum ad quem res per pactum precarii debebat. Ordinaverunt in feudis, precariis, et libellis ut qui habent vel habebunt domos vel casamenta in civitate vel extra infra hos confines, videlicet a Formigine ad vitatem, a Minudaria ad civitatem possint ea vel eas alienare salva domini pensione cuicumque voluerint. Quicumque habent domos et casamenta in civitate aut burgis vel habuerint infra predictos confines per feudum succedent filie femine si masculi desierint in predicto loco et feudo. Et possint quocumque modo voluerint alienare dummodo non per proprium (246): et si ille qui decesserit domum vel casamentum quod habeat per feudum sine aliis decesserit dominus non possit auferre feudum predictum se recipiat quod vasallus solitus erat facere. Et finita precaria dominus cogatur eam renovare per c. solidos unumquodque jugerum videlicet terrarum positarum in disctrictu Mutine, extra predictos confines (*Infra predictos confines) teneatur dominus renovare bibulcas pro duobus solidis. Et teneatur precarii renovare libellariis secundum quod ipsi renovabunt a dominis. Et libellarii similiter teneantur: nec dominus possit terram auferre libellario ea occaxione quod libellarius vel precarius sine liberis decesserit. Sed teneatur dominus secundum predictum modum renovare. Et in omnibus predictis capitulis quis non amictat jus suum eo quod aliquo tempore steterit per triennium postquam scriverit se solvere debere pensionem. Et que supra dicta sunt de precariis et libellis seventur solo modo in illis personis que perpetuo sunt vel erunt cives Mutine et habitatores et suburgi sine fraude et qui per statuta cives habentur. Et tam in presentibus quam in futuris negotiis hoc servetur in perpetuum. Et si precarius vel libellarius decesserit sine illis heredibus qui debent succedere per pactum precarie, femine ex eo descendentes succedant sicut masculi, scilicet filie primi precarii ultimo descendenti, vel ipsi patri suo succedere per pactum precarie tunc femine ex eo descendentes succedant sicut masculi, scilicet filie primi precarii ultimo descendenti, vel ipsi patri suo succedere debeant si extiterint, tunc filia primi precarii succedat si extiterit salvis in preteritis sucessionibus. Et si precarius decedat sine illis heredibus qui debent succedere per pactum precarie tunc femine ex eo descendentes primo precario scilicet patre vel avo succedant sicut masculi succedere deberent, predicto modo eis de renovando servato." Modena, *Statuti Civica*, 245.

⁴⁶¹ Kuehn, "Some Ambiguities of Female Inheritance Ideology," 239.

from the inheritance. Indeed, testamentary evidence from sixteenth-century Modena bears out the fact that similar norms guided the transmission of property among local elites.

Examining a sample of sixteenth-century Modenese testaments shows that, in many cases, fathers left their daughters a dowry in the form of cash or liquid capital but practiced partible inheritance among their sons, bequeathing equal portions of the patrimonial estate to them. As a rule, their wives were excluded from inheriting family dwellings and other real estate (*beni immobili*), which were reserved for a husband's male agnatic kin. Daughters and female kin became heirs of last resort as Modenese families sought to consolidate their wealth and social standing and carefully cultivate their economic and political gains. As a result, by the beginning of the sixteenth century the Modenese consular families looked nearly homogenous.

These inheritance practices designed to create a more homogenous nobility were not without conflicts and tension. Tommaso Borgo's meteoric rise earned him the enmity of Antonio Pazzani—a former business partner—who sued Borgo over a large sum of money he accused him of stealing. The Pazzani also singled-out Borgo outside of the courtroom. Two years after Pazzani initiated the suit, a nephew of Antonio Pazzani killed Antonio Borgo, Tommaso's son, in the streets.⁴⁶² Borgo's success certainly played a role in the Pazzani clan's enmity.

Negotiations of status were a defining element of the violent tensions between the Modenese elite in the fifteenth and sixteenth centuries as they fought over offices, benefices, access to revenue, and even seating in the duomo. Rights of precedence were

⁴⁶² “Nota che adì 19 settembre 1539 uno figliolo de Alberto Pazzani fratello de ser Antonio ha morto con tre compagni Antonio figliolo de ser Tommaso Borgo andando alla fera de S. Matè a Vignola e furno Bartolomeo de Giovan di Bastardi.” Lancellotti, *Cronaca*, 2:114.

defining elements of these competitions: the elite negotiated over who would be sent as ducal ambassadors to the commune, which families marched first in ceremonial processions, and who received credit for political decisions, good governance, and economic well-being. Once families acquired status, they jealously guarded their prerogatives and broadcast them—sometimes unwisely—to their less fortunate peers. The ire against the Bellencini provides a good example of these social tensions, as do the tensions between other families like those of the Borgi and the Pazzani. In the face of tension and possible hostility, Modenese families sought to protect their status and economic resources. The creation of alliances with other powerful and wealthy families was one means to do this. So was careful tending of the patrimony.

The Bellencini certainly sought to conserve and increase their growing standing and wealth as a way of exerting their influence and retaining their political clout in the face of encroaching ducal interests. Not only is this evident in their creation of alliances, but also in their inheritance practices. Last wills and testaments provide a lens into these decisions. Testaments of this era, in Modena or elsewhere, stipulated the identity of heirs, recipients of charitable bequests, and any particular instructions, such as where the testator would like to be buried.⁴⁶³ As Thomas Kuehn noted, the purpose of the testament was to control the details: “[testators] could name their heirs (indeed, had to for a will to be valid); they could establish substitutions to their heirs; they could set up conditions or restrictions on the use or disposition of property.”⁴⁶⁴ Thus testaments provide a useful lens for understanding inheritance practices and the economic norms that go along with them.

⁴⁶³ For studies on testaments, see Steven Epstein, *Wills and Wealth in Medieval Genoa, 1150-1250* (Cambridge: Harvard University Press, 1984); Samuel Kline Cohn, Jr., *Death and Property in Siena, 1205-1800: Strategies for the Afterlife* (Baltimore: Johns Hopkins University Press, 1989).

⁴⁶⁴ Thomas Kuehn, *Heirs, Kin, and Creditors in Renaissance Florence* (Cambridge, UK: Cambridge University Press, 2008), 91.

Upon examining the wills of the Bellencini from the sixteenth century, it is clear they sought to preserve their growing property acquisitions. For example, in 1533, Lodovico Bellencini, crafted his last will and testament according to custom.⁴⁶⁵ He left his property, both movable and immovable goods (*bonis mobilis et bonis immobilis*), to his sons Aurelio, Francesco, Bartolomeo, Giambattista and their legitimate male descendents.⁴⁶⁶ In the event that they did not have any heirs, the estate would go to his nephews—the sons of his brother Sigismondo Bellencini. Similarly, when his nephew, Cornelio Bellencini, wrote his will in 1562 as he lay dying from the wounds dealt to him by Lanfranco Fontana, he left his estate to his nephews Aurelio and Nicolo, sons of his brother, Alberto Bellencini. As enshrined in local Modenese statutes and reinforced by practice, these wills composed by two generations of the Bellencini family show an evident preoccupation with keeping certain forms of property within the male line. Should the testator die, the estate would go to the nearest male heirs. These lines of succession followed the line of intestacy (death without a will) as dictated by statutes.⁴⁶⁷ Although the testamentary evidence remains sparse, the Bellencini family certainly followed inheritance practices congruent with protecting the patrimony.

Ostensibly vendetta practices threatened this increasingly closed system in several ways. In particular, vendetta practices could risk the patrimony. Vendetta violence not

⁴⁶⁵ ASMO, *Particolari*, Bellencini, B.113, Testament of Lodovico Bellencini, 1551.

⁴⁶⁶ “In omnibus [...] alios bonis mobilibus et immobilibus, iuribus et actionibus presentibus et [...] ubi cumque sint et essa reperiuntur heredes suis universalos instituit reliquit, et esse voluit Magnificus Equites, [...] S.V. Consultem Franciscum Bellencinus eiusdem Testatoris filios legitimos et naturales pro duabus partibus actionibus, et Cesares Equitum, et Lodovocum frater et filios supradictos D. Bartolomei filius legitimos, et naturalis predicta don Testatirs pro alia certa parta, nec monet ora nec alios filios masculos legitimos naturales predictis Dominum Bartholomei nascituros hastamen lege et condicione ad dicta...” Ibid.

⁴⁶⁷ Laura Turchi, “L’eredità della madre: Un conflitto giuridico nello stato estense alla fine del cinquecento,” in *Le ricchezze delle donne: Diritti patrimoniali e poteri familiari in Italia (XIII-XIX)*, ed. Giulia Calvi and Isabelle Chabot (Torino: Rosenberg & Sellier, 1998), 162-85.

only called the political and social status of the house into question; it also often carried harsh financial penalties, including the confiscation of goods and steep fines. Cornelio's heirs, Aurelio, Sigismondo, Cesare, and Costantio Bellencini were sentenced in contumacia to banishment, confiscation of one-third of their goods, and a fine of 1000 lire, for their role in the 1559 altercation which resulted in the deaths of Galeazzo Fontana and Nicolo Grillenzoni.⁴⁶⁸ This effectively negated their uncle Cornelio's intentions to transmit wealth to build upon in glorification of the Bellencini name.

The penalties accrued by Cornelio Bellencini's heirs did not derive from customary practice but new ducal initiatives to regularize peace accords. A 1556 Instrument of Peace composed between the Bellencini and Fontana after the death of Annibale Bellencini stipulated that if the peace were ruptured, goods and property would be subject to confiscation, although the accord did not specify a particular amount. The 1556 peace accord, however, contained provisions that penalized not only those who committed acts of violence, but all the Bellencini, Fontana, and their kindred. This accord named the principal heads of the house as guarantors of their heirs' good behavior, on penalty of the confiscation of goods. These issues and the changes in the way instruments of peace, truces, and pacts of non-offense were drawn up will be discussed more extensively in the following chapter. Suffice it to say at present, however, that changes in

⁴⁶⁸ "Spongono con ogni humilta a Una Serenissima Altezza Aurelio Figliuolo del quondam M. Lodovico et Sigismondo del quondam M. Agostino et Cesare, Lodovico Camillo, et Costantio, Figliuoli de M. Bartolomeo. Tutti de Bellencini da Modona. Come dell'Anno 1559 del mese d'Agosto e vendosi partito di Modona per Andar a trovai parte delli Oratori ch'erano Fuori di essa Citta per veder dove era Un certo Ceme lor seguace, qual era stato Ferito. S'incontarono in campagna nelli Fontani, dove essendo provocati, si comencio Una Rissa tra essi Oratore, et compagna et seguaci, et le Petri Fontani nella quale, Venne Morto Un Galeazzo Fontana, et Feriti molti alter Per il qual delitto essi Oratori, et Li Seguaci. Furono inquieriti dal quondam Sig. Bartholomeo Mirolio, allhora Guidice delegato in questo, dalla Felice Mon. pregnitor dall. Ecc. Sig. Duca di Ferra, et successive Furono conattioni Contumatia dal Petro Sir. Mirolio in pena Capitale et la confiscatione de Terza parte de lor beni, Et in lir Mille, Secondo la Forma dell Statuti di Essa Citta." ASMO, *Particolari*, Bellencini, B. 115.

these legal instruments extended liabilities for vendetta among the kindred in a broader attempt by the ducal government to curb these practices.

In response to these changes, sometime during the first wave of violence in the 1540s, testators from feuding families began to include clauses excluding heirs from inheritance should they commit acts of violence. These clauses disinherited prospective heirs should they commit the crime of 'lese majesty'—a rubric that covered acts of vendetta violence if a peace accord had been drawn up or a ducal ordinance directly violated. Since members of the Fontana, Forni, and Bellencini families in their thirst for vengeance often violated these prohibitions, wills drawn up by other family members after 1547 also incorporated clauses stipulating the devolution of property to alternate heirs if the principal heirs committed the crime of lese majesty.

This clauses responded to the increasing financial penalties levied on suspects and their families. The 1565 Instrument of Peace was even more specific in levying fines. It stipulated that a penalty of two thousand gold pieces would be imposed for breaking the pact; the two thousand gold pieces were payable in part to the ducal Camera and in part to the offended party.⁴⁶⁹ This was certainly a large sum for any of the parties involved and could comprise a large percentage of the patrimony. To put these exactions into perspective, 1000 scudi was considered “an honorable dowry” in Modena among the peers of the Fontana and Bellencini.⁴⁷⁰ For instance, Camilla, daughter of Geminiano

⁴⁶⁹ “Sub pena scutorum bis mille auri m'auro soli stipulatione sine Inde Interveniente promissa et mihi not. Ito uti publicam personae...” ASMo, *Particolari*, Bellencini, B. 117.

⁴⁷⁰ “A di ditto. Ser Giovan Colombo di Colombi fa festa e pasto a questa sira, receve el Sig.r Governatore con la sua consorte M.a Lodovica Colomba Malchiavella sua cusina, eltre bele done assai sue parente, etiam homini, e queste noze per havere maridato una sua fiola in uno figliuolo de ser Zan Nicolo. Fiordebello, con dota de scuti mille; già L. 1000 era una honorevole dota in Modena, più che non è mille scuti al presente.” Lancellotti, *Cronaca*, 6:81.

Fontana, was given a dowry of 600 scudi at her marriage to Jacomo Castelvetro.⁴⁷¹ In 1526, an unnamed daughter of Antonio Francesco Carandini was given in marriage to Aurelio Bellencini, with a dowry of 1200 ducats and 200 scudi worth of goods.⁴⁷² In 1535, Giambattista Codebò married another daughter of Geminiano Fontana, who brought a dowry of 700 scudi.⁴⁷³ An unnamed daughter of Tommaso Fontanella brought 700 gold scudi upon her marriage to Gian Lodovico Fontana.⁴⁷⁴ Thus, the fines levied in vendetta violence could be equivalent to an elite dowry. The dowry itself was often a substantial share of the liquid capital available from the patrimonial estate.

Should the families be penalized for vendetta practices, it meant taking a step backwards in their race for honor, money, and status. They could lose a substantial proportion of the property they fought so hard to conserve. Should they displease the duke, they could risk their access to standing and offices. If they alienated their fellow elites, they lost access to profitable business partnerships, desirable marriages, and lucrative chances at political cooperation. In sum, the consequences could be greater than the benefits.

The inducement of honor, however, could prove just as important in cost-benefit calculations since honor held tangible benefits of its own. The formulations of structural

⁴⁷¹ “Zobia a dì 15 ditto. Morì M.a Camilla figliola de ser Geminiano Fontana, e consorte de ser Francesco de ser Jacomo Castelvetro de parto, e de male sopra parto, et ha hauto uno puto, el quale se credeva che 'l dovesse morire inanze de lei et è vivo, e galiardo ben che se dice non essere nato a termine, el quale resta herede de scuti 600 della dota, et bellissimoi doni. La ditta era de età de anni 22 o circa, el simile el ditto Francesco.” *Ibid.*, 6:369

⁴⁷² “E a dì 3 ditto el M.co M. Lodovico de M. Aurelio Bellencini ha dato per moglie ad Aurelio suo fiole la fiola de ser Antonio Francesco Carandini con dota de ducati 1200 et ducati de don, et s'è fatto ditto maridazo questo dì ala presentia S.r. Conto Guido Rangone in casa Sua Sig.a.” *Ibid.*, 10:80.

⁴⁷³ “Avendo misser Giambattista Codebò dottore Modenexo tolto moglie pochi di fano, e menata a caxa, se dice con dota de scuti 700, fiola de ser Geminiano Fontana, eri matina nesi de caxa, e andó a mesa, e zonto a caxa ge prexe uno grande male, de modo che lui è quaxi andato dreto a misser Giovan Filippo Cavalarino, del quale e romaxo su erede, el quale mori senza parlare.” *Ibid.*, 4:324.

⁴⁷⁴ “Martedì a dì 19 luio. Ser Giovan Lodovigo figliolo dell'excelente fisico M.co Tommaso Fontana ha tolto per sua moglie a dì 18 del presente M. a figliola fu de ser Tommaso de ser Julio Fontanella con dota de scuti 700 de oro, cussi se dice; el non se parla più a lire, ma a scuti.” *Ibid.*, 8:98

anthropologists have been used to great effect in uncovering the role of honor in Renaissance Italy. Julian Pitt-Rivers states:

Honor is the value of a person in his own eyes, but also in the eyes of his society. It is his estimation of his own worth, his claim to pride, but it is also the acknowledgement of that claim, his excellence recognized by society, his *right to pride*⁴⁷⁵

It is and was a man's reputation in the face of his peers. In turn, this reputation confers his place in the social structure. The attitudes, behaviors, words, and deeds articulated by a man in the presence of witnesses, the representatives of public opinion, establish his place in the larger social structure.

The loss of honor involved in turning one's cheek from the aggressive posturing of rivals could have as adverse social consequences as vendetta practices. If Geminiano Fontana ignored Annibale Bellencini's insult, he risked shame and censure among his peers and possible loss of standing. Moreover, his actions reflected upon his house. These paradoxes led the Modenese to develop internal disciplining mechanisms amongst their members when vendetta placed too much at risk.

After the death of Annibale Bellencini in 1547, the duke and his governors took great pains to broker peace between the Bellencini and the Fontana. A peace agreement brokered in 1548 failed. With increasing pressure being put on him by other nobles, the Council of Conservators, and the citizens of Modena, Duke Ercole tried again in 1549. Giambattista Bellencini, however, proved to be particularly against peace with the

⁴⁷⁵ John George Peristiany, *Honour and Shame: The Values of a Mediterranean Society* (Chicago: University of Chicago Press, 1974), 9.

Fontana and as pressure mounted, his nephews and brother seemed increasingly inclined to accede to an accord. His brother Bartolomeo, his nephew Francesco, and Francesco's son Giacomo were inclined to make an accord, particularly since family status and property were increasingly at stake.⁴⁷⁶ Giacomo had already been forced to sell off some of his wife's property with her consent. Francesco himself is reported to have said: "I am willing to spend my money to save the honor of our house despite not being in enmity with any of our citizens."⁴⁷⁷ All of the Bellencini felt the pinch of ducal inducement. Giambattista, however, seemed impervious. Indeed, the Bellencini house was beginning to be divided internally as Giambattista continued to dig in his heels.

Members of the Bellencini were not the only ones who sought an end to the violence. The Fontana family made a rash of wills in 1547 after the slaughter of Annibale Bellencini at the hands of their kin. Bartolomeo Fontana, father of the notorious Lanfranco, composed his will in June of that year, as did Costanza Fontana, daughter of Giovan Francesco Forni and wife of Giovan Tommaso Fontana. Other family members made wills in 1547. Their numbers included Alessandro Fontana and his wife Diamante. Each of these four wills includes an unusual fidecomissary clause disinheriting their heirs should they participate in crimes. As a result, their criminal sons no longer possessed the

⁴⁷⁶ "A dì ditto. M. Bertolamè del quondam M.co M. Lodovico Bellencini è tornato de Ferrara. Quello che habiano fatto della pace fra lori e Fontana non se ne parla et el M.co M. Francesco suo fratello è restato a Ferrara per vedere de humiliare M. Giambattista suo barba che facia la pace, el quale è tanto ustinato e indurito che aposta de homo del mondo non la vole fare se ben dovesse andare in ruina, e de simile opnion è Jacomo suo fiolo el quale è tanto infirmo ch' el non po andare se non a cavallo e per stare meglio su la guerra ha venduto una possessione de sua consorte in Albareto a Machario osto de biolche circa 70 scuti 17 la biolcha e lei ge ha aconsentito, forse con tempo se ne potria pentire. El bisogna che Dio ge cava la ustinazione." Lancellotti, *Cronaca*, 11:241.

⁴⁷⁷ "Se dice ch'el M.co M. Francesco Bellencini suo nepote del preditto M. Giambattista e cusino del preditto Jacomo ge ha ditto sappiate che io voglio spendere la roba alla a vita mia per salvare l'honore della casa nostra, ma non in guerreggiare con li nostri cittadini, e molte altre bone parole ha ditto secondo m'è stato ditto questo di 22 detto, e per questa causa M. Bertolomè suo fratello è venuto a Modena e Sua. Mag.cia è restato in Ferrara per vedere ch'el relasato dalla prexone de Castelvechio M. Aurelio suo fratello." *Ibid.*, 10:242.

collective legal rights and privileges his family had accrued, sometimes over the course of generations. Those exiled for crimes could not alienate property, make financial transactions on their own behalf, engage in business transactions, or participate in the various collective strategies employed by Italian families that were so essential to political dominance. Eager to retain their local power and economic standing, the families began to disinherit those members who threatened their prominence.

The 1547 will of Bartolomeo, father of Lanfranco, contains a fideicommissary clause disinheriting his son if he should commit a vendetta crime. His will begins in the usual manner. As required, he first declared his legal competence to make a testament:

This man, son of Bartolomeo the son of Lanfranco de Fontana, citizen of Modena,...by the grace of our lord Jesus Christ being in sane mind and body willingly elects to dispose of his estate and goods in the way [stated] in this testament.⁴⁷⁸

Following this preamble, Bartolomeo made the customary provisions for his soul. He stipulated burial in the Fontana chapel in the church of San Francesco and left alms to pay for his funeral in said church.⁴⁷⁹ He left small charitable bequests “for the love of God” to the nuns of Corpus Christi and the Monte di Pietà of Modena. To his legitimate daughters Giulia and Lucretia, he bequeathed 900 scudi as their quarter of the estate and a dowry of 1200 scudi each when they contracted a marriage. To his daughter, Eugenia, wife of Ser Francesco Millanis, he left a mere 200 lire as required by law.

To Lanfranco Fontana, his only legitimate son, Bartolomeo left the bulk of his

⁴⁷⁸ “1547 Anno Domine quinta die 15 Junius. Talis Vir. D. Bartolomeus fg. D. Lanfranci de Fontana Civis Mutine memor illius tremend Inter dicti dispone domuitus quia moviesis, et non vives sanus per gratia Domine nostri Iesu Christi mente sentu intellectu ac corpore nolens intexatus decedere, iuris sarum rerum et bonorum per presens nincupatuscum Testamentum...in hunc modum facere procuravit et fecit.” ASMo, *Archivi Privati*, Petrezzani, LXVIII.

⁴⁷⁹ “In primis quidem anima sua...di Deo commendavit corpus vero corpus vero sepiliri voluit in Rubiera Sancti Francisci in cappono ipsorum de Fontana.” Ibid.

estate with one important provision.⁴⁸⁰ In the event that Lanfranco “were to knowingly commit any crime or dreadful offenses following the crime of lese majesty against the state or the duke,” the testator left all his goods in their entirety without diminishment to Lanfranco’s sons.⁴⁸¹ In the event that Lanfranco left no legitimate sons, his estate would go to his legitimate daughters. Should Lanfranco leave no heirs whatsoever, Bartolomeo substituted his own daughter Eugenia. The next scenario provides the most telling instance of how feuding families attempted to persuade certain members to forswear violence. Should Lanfranco commit a crime that endangered the estate and risked the alienation of any parts, the estate would not devolve along the usual line, but instead would pass to Lanfranco’s children, then to Lanfranco’s sister Eugenia, next to Eugenia’s heirs, and finally to Giovan Francesco’s other daughters. Should his children have no heirs, his estate would revert to his wife—an example of an unusual fideicommissary substitution.

What is striking in the mid sixteenth-century testaments of the Bellencini and Fontana is the inclusion of clauses specifically directed at the practice of vendetta. In 1547 Costanza Fontana, for example, named her husband, Giovan Tommaso, as her universal heir.⁴⁸² Should Giovan Tommaso die before her, their legitimate sons, Giovan Lodovico, Costanzio, Ippolito, Giambattista, and Roberto inherited the estate in equal

⁴⁸⁰ “Item reliquit Lanfranco eius filio legitimo et naturali...” Ibid.

⁴⁸¹ “Lanfrancus cogitaverit committere aliquod malefice vel commiserit aliquod delictu atrox vel enorme excepto crimine lese maiestatis in persona vel stata Illustrissime D. Hercole quia intentionis ipsius D. Testatoris fuit et est quod bona sua omnia et singula sine aliqua diminutione voidant ad filios dicti Lancfrus, et illis descentibus ad feminas illis exclusis quilibet cum et et fisco. In omnibus sitem alius suis bonis mobilis et immobilis [...] iuribus et actionibus presentibus usufructis ubicumque sint ea esse diventur suum heredum univerasalem [...] feci nominavit, reliquit et esse voluit Magnificum et Excellentum Phusican Dominum Ioavanum Tomam de Fontanis predictae domine testauis filium legitimus ut naturalem donec uxorit.” Ibid.

⁴⁸² ASMo, *Particolari*, Fontana, F. 448.

portions.⁴⁸³ Costanza included one particular clause, however, in which she decreed that her sons would only get their portion “provided that they abstain from crime, live well, and in a way that upholds justice and refrain from misdeeds, either enormous or small, according to ordinary or extraordinary ecclesiastical or civil statutes or common law.”⁴⁸⁴ Should any of her sons violate this provision, her estate would devolve to her sons’ descendants.⁴⁸⁵ To her daughters, Sister Cecilia and Sister Aurelia, nuns of San Geminiano, she left the modest sums of 8 lire annually for their maintenance; to her granddaughters, Sister Lodovica and Sister Constantia, also nuns of the same convent, she left 4 lire per annum for a total of 12 lire. These payments would cease on their deaths.⁴⁸⁶ In her will she named no other female heirs. The clause exhorting her heirs to refrain from crime and obey the statutes was written directly after her husband's kinsmen murdered a young man of the Bellencini in cold blood in the streets not far from his palazzo. This act was doubtless on her mind as she composed her will a scant two weeks after the assassination.

A simple exhortation or request, however, was very unlikely to weigh heavily against the larger inducements of honor and kin solidarity when a feud had begun. Costanza knew that her sons would be called upon to support their kinsmen in their

⁴⁸³ “Post nove mortem predictae Domini Ioannis Tomas eadem Domino Ioanni Thomas instituit et substituit suos heredes universales, aliqui detractioe alicuius quare seu filius vel legitime.” Ibid.

⁴⁸⁴ “predicti sui heredes (Giovanni Lodovico, Costanzio, Ippolito, Giovan Battista, e Roberto Fontana) se abstineant a maleficiis et quod bene vivant et in viam iustitiae progrediantur ideo eos deprecatur ne committere vellint nec debeant crimen vel delictum enorme atrox vel minimum committens iure in faciundo iure in omittendo, et iure tale crimen vel maleficium sic publicum sive privatum ordinari vel extraordinarium Ecclesiasticum vel seculare statutarium vel de iure communis.” ASMo, *Particolari*, Fontana, B.448, Testamento di Costanza Fontana, 4 Giugno, 1547.

⁴⁸⁵ “qua in casu predata fisco vel alteri applicanda venisse et eo casu substituit filios et descendentes dicto vel delictorum.” Ibid.

⁴⁸⁶ “Item iure legati reliquit soror Cecilia et soror Aurelie filabas predictae testatoris, a soror Lodovica et soror Constantia neptibus suis monialibus sancti Geminianus de Mutina libras duodecim annuatim dispenso inter se hoc modo [...] libras octo soror Cecilia et soror Auerelio, et libras quattuor soror Lodovice, et soror Constantia donec vigerint alias casum duedema alius vivierent in dicto legato omni meliore modo.” Ibid.

travails. Having realized that her sons were subject to such competing claims, she threatened them with the loss of something tangible. Disinheritance, even disinheritance by their mother, whose property holdings might be less rich than their father's, could greatly reduce their circumstances and their ability to make their way in the world. By potentially disinheriting her sons, however, Costanza evinced a larger concern about the future of the patrimony. By leaving her estate to her grandsons should her own sons commit any misdeeds, she both recognized the risk her heirs' behavior and practice of vendetta posed to the patrimony and tried to shield it from harm.

The Bellencini also sought to discipline their members in the practice of violence in their testamentary practices. When Francesco Bellencini composed his will in 1561, he included a clause that left part of the usufruct on his estate to his nephew Camillo's wife, Flaminia Castaldi, until such time as his nephew should be restored to the duke's grace.⁴⁸⁷ He showed a distinct preference for the male line and left his brother Bartolomeo as his universal heir.⁴⁸⁸ Should his brother predecease him, his estate would revert to Bartolomeo's sons Cesare, Ludovico, Camillo, and Constantio in equal parts. If the brothers were not restored to their sovereign's grace, the estate would revert to *their* sons

⁴⁸⁷ “Magnificam Donam Flaminiam M. Eg. Camilli filiam de Castaldis et uxorem [...] Dn. Camilli filius M. D. Bartolomeus eius testatoris fratris cum hoc in [...] quam primum D. Camillus eius maritus nunt bannitos una cameraliis suis fratribus fuerint restituti ad gratiam Illmi D. N. Ducis et ad patriam tunc, et eo carumda Donna Flaminia teneantur in continenti dictas pecunias ex quibus percipisset Usufructum cum uan cum libus fructibus et interestibus, et redditibus ex ipsis pecuniis pereptis integraliter et liberi dare ei relaxari ipsi D. Camillo et alius eius D. Camilli fratribus et filius predicti D. Bartolomeus Bannitis sed resituit ad gratiam ut S.a in quibus omnibus pecuniis et introitibus finitis d. Usufructibus dicar...” ASMO, *Particolari*, Bellencini, B. 115.

⁴⁸⁸ “In omnibus autem alius suis bonis mobilibus et imobilibus Iuribus et actionibus presentibus et fuerint ubi cumque sint et esse [...] predicti D. Testatoris instituit, nominavit, et esse voluit suum heredem universalem Superam Magnificum Donum Bartolomeus ipsius Dni Testatoris fratrem, et si Donus Bartolomeus precederet [...] testaroti tunc et eo casu eudem instituit et substituit heres suos universales Supros DD. Cesarem, Ludovicam, Camillum, et Constatium filios legitimos et naturales prep Domini Bartolmei fuerint rebanic et ac gratiam mei Domini Ducis et ac patriam restituit et omnis filios masculos legitimos legitimos et naturales predicti Domni Bartolomei et mascuturos Equis portionibus vulgariter pupillarit et per fisc commissum.” Ibid.

in equal portions, again provided that they obtained the necessary pardon.⁴⁸⁹ His brother Aurelio Bellencini, also banished at the time Francesco made his will, would receive his part of the father Lodovico's patrimony—one third of his estate—should he be restored in the duke's grace.⁴⁹⁰

This small sample of evidence from the partial records of the Fontana and Bellencini families treating the impact of the feud on testamentary provisions demonstrates a concern with patrimonial inheritance among vendetta practitioners. Clauses like those in the wills of Giovan Francesco Fontana and Camillo Bellencini expressed concern that should their sons, nephews, and cousins continue their grievances against members of enemy clans their patrimony would be dissolved, thereby rendering all of the complex strategies utilized to keep it intact in vain. From this evidence, we can infer that at least some members of disputing families subordinated considerations of honor to the more pressing concerns of preserving the patrimony, making vendetta practices an important site of family contestation.

Indeed, Modenese families struggled amongst themselves internally in determining whether vendetta practices benefited their lineage or placed them in a precarious position in relation to the state. Taking the long view, these families developed strategies not only to protect their kinsmen from legal and social penalties, as discussed in previous chapters, but also to protect their patrimonies from dissolution and confiscation. Indeed, some family members were willing to discipline their own members

⁴⁸⁹ “Et casu que non essent rebanit et ad gratiam predictam restituit tunc et eo casu substituit omnes filios masculos legitimos tam natos quam natitos Cesarem, Camillum, Lodovicam et Constantium fratrem and filiorum per Domini Bartolomeo equis portionibus in stupro.” Ibid.

⁴⁹⁰ “Hereditas paterne restituere Magnifico Domini Aurelio eius fratri ei et filio predeicti olim Domini Lodovici tunc temporis Bannito et quanto fuisse ipse Unus Aurelius [...] ad patriam et gratiam Ducis et quando ipse Dominus Aurelius et non alius pro eo dictam tertiam partem hereditatis petite ab eo Domine Testatire qua hue usque ievnerecive per que ipse Domini Aurelius...” ASMo, *Archivi Privati*, Petrezzani, LXVIII.

when property was at stake. As with peace agreements, however, there was little consensus about whether cooperating with the duke in these matters hampered or advanced familial aims. The next section examines evidence which suggests that some vendetta practitioners felt that cooperating with ducal efforts towards greater centralization would benefit their faction in the long term.

By all accounts, the physician Alessandro Fontana lived a life of peace and plentitude and service to the commune. In 1541, he was elected treasurer by the Council of Conservators for the Union of Hospitals and pious works.⁴⁹¹ He served several terms on the Council of Conservators. He died in 1554 at the age of 65, still a proponent of peace. Lancellotti declared that the trauma of being present at the assassination of Baldissera Santagada was the death of him.⁴⁹² As his legacy, Alessandro Fontana and his wife Diamante sought to induce their son Jacopo to refrain from vendetta by threatening him with disinheritance if he did not.

In particular, Alessandro included some unusual fidecommissary clauses stipulating the line of succession. Should any of the potential heirs commit the crime of lese majesty and any of his [the heir's] goods were in danger of confiscation, the estate

⁴⁹¹ “A di ditto. Li Signori Conservatori doppo dixinare, senza sonare campana se sono adunati et hano extratto dalla casetta una lista delli offitali sopra all’unione delli hospedali, e opere pie, et ge notato ser Gironimo 4 Fra per massare, et misser Lodovico Forno, misser Tommaso Cavellerino, misser Cesare Valentino, et ser Alessandro Fontana per consiglieri del detto massare,…” Lancellotti, *Cronaca*, 8:98

⁴⁹² “A di ditto. È morto lo eccellente fisico M. Alessandro Fontana di età de anni 65 o circa. La causa è stata della paura che lui hebe del anno passato a di 27 de zugno che alla sua presentia fu amazato Baldissera Santagada: come appare in questo.” Ibid., 10:102.

would revert to his daughters.⁴⁹³ In the event that Jacopo had no legitimate heirs, his estate would pass to his sisters and his mother, to be left to the closest Fontana heirs upon their deaths.⁴⁹⁴ Alessandro, however, knew his Fontana relatives well. In the event that Jacopo did have legitimate sons who committed the crime of lese majesty, his estate would revert to the daughters of Alberto Fontana. Alessandro was willing to do as much as possible to insure that his property remained in family hands.

Similarly, in 1547, Diamante Fontana, wife of Alessandro, included a clause in regards to their son Jacopo.⁴⁹⁵ At the time she wrote her will, Jacopo was in exile. Diamante proclaimed that as a result of his banishment “Jacopo was not the true heir,” and that the estate should go to his legitimate sons. Diamante wrote a codicil to this effect

⁴⁹³ “I deo voluit, et disposuit per dicta bona hereditatis sua non possing quoquomodo alieanari capiendo verbu alienationis lea et largissima in aliquod et de domo dicti testatorius. Et si dicta alienatiobis fieri contingerit ob aliquid delictu ultra libras quinquaginta excepto crimine lesse maestatis in personam Principis tantu nam in caus et maleficiis, et ob maleficiu]atrox, vel atrocissimus ultra de casum smarum per [...] et ex presse vetatvit bona sua alienari ex familia sua sed voluit ep puoniri debere de gradu in gradio af heredes usas pactas dsponse et ubi dictus Iacobis, et filius, et descendentes sui fuissent ca pace, et sic admitterentur ad hareditate sua et postea comitterent aliquod delictum ob quod bona sua, vel pars aliqua eos bonorum veniret confiscanda tunc, et eo casu privarit talem delinquente, sue delinquetes bonis suis oibus et voluit ora sua bona per venire sine aliqua ex nec ad dicta D. Diamanta si tunc vixerit et si tunc non sup vixerit ad filias dicti testatoris tunc supvientes, quas d. Diamantam et euus filias et alios quo scuors ad quos hereditas dicti testatoris quoniret ut supra totiens gravavit ad restitutione facienda dedus bonis dicto Iacobo e deis filias suas quotiens pervenerint in patriam et adepti fuerint gratiam Illmi Domini Nostri volens per dicta prohibito ob delictum intelligantur facta eos tatium pro dicta Iacobus vel ailqui ex descendentibus suis non tantum si comiserint aliquod maleficiis ut supra sed et si cogitaverint commitere aliquod de dictis maleficiis et voluit prohibitiones protas fore et e realse et personales et transire ad quoscunque et in omne eventu quo pero rata hereditas devolueretur ad dictos agnnatos tunc et eo casu gravavit ipsos agnates ad solvendum honestis puellis, et mulieribus donna Virginia, Donna Camilla, et Donna Lucretia sororibus et filiabus Mri Alberti de Fontanis libras centum mom. Cur cuibus et per quali eax absque aliqua ex ne iuris.” ASM^o, *Archvi Privati*, Petrezzani, LXVII.

⁴⁹⁴ “dicti testatoris dedomo illor d. Fontanis et si plurose essens in eodem gradu proximitatis voluit ipse testator dictam restitutione plena et integram fieri dictis exentibus in eodem gradu.” Ibid.

⁴⁹⁵ “Suis bonis mobilibus, et immobilibus omnibus aut alius, et singulis partibus et futuris iuribus et actionibus ubi libet exentibus partibus, et futuris ipsa D. Diamanta textatrix reliquit instituit, nominavit, et eo voluot Iacobum eius filium legitimatum et naturalem, ac es alios filios nascituros ex ipsa D. Testatrix modis et conditionibus in actis si tamen ipse Iacobus erit capax dicta sua hereditatis premortis ipse D. Testatrix alio quem ubi non esset capax dicta hareditatis quia forte esset bannitos vel aliter non esset in gratiam Ill tunc privavit ipsu Iacobus et loco sui instituit omni melior modo que potest filios dicti Iacobi legitimos.” Ibid.

in 1554, essentially disinheriting Jacopo in favor of his son Giovanni.⁴⁹⁶

Jacopo Fontana, however, did not follow his parent's exhortations. After the assassination of Annibale Bellencini in 1547, Jacopo fled Modena alongside his cousins. Banished from the city for the death of Annibale Bellencini, he was also implicated in the death of Alessandro Lissinarde of Carpi.⁴⁹⁷ His whereabouts were fuzzy after this, but he is rumored to have fought in Hungary against the Turkish army with his cousin Galeazzo.⁴⁹⁸ For a time, it was believed he was dead and his cousin in prison.⁴⁹⁹ It later became known that at the time of his father's death, he was in the hands of the Turkish army.⁵⁰⁰ In 1559, he appeared again in Modena and was involved in the feast of San Lorenzo altercation between the Bellencini and Fontana.⁵⁰¹ After Lanfranco Fontana sent his exploding boxes, Jacopo's whereabouts were unknown. He must have appeared at some time in Modena, however, because in 1566 Jacopo composed a will in the presence of a Modenese notary.

Jacopo Fontana's 1566 will appears fairly straightforward for its time except for a

⁴⁹⁶ Giovanni presumably did not survive, since Alessandra, Jacopo Fontana's daughter, later became his universal heir.

⁴⁹⁷ "Venderdi a di 19 ottobre. El se dice in Modena che el fiolo del excelente fisico M. Alexandro Fontana che è bandito da Modena ha amazato Petro Antonio di Lexenarde da Carpe, el se crede fusse bandito da Carpe; dicono essere stato in Nualara dove stava li quatro che son banditi de Modena per la morte del capitano Annibale fiolo fu de Giambattista Bellencini, quali sono questi Stefano de M. Geminiano Fontana, Gian Galeazzo fiolo de M. Giovan Francesco, Lanfranco, figlio de M. Bartolomeo Fontana et Jacomo fiolo de M. Alessandro predetto." Lancellotti, *Cronaca*, 10:430

⁴⁹⁸ "A di ditto. È morto Galeazzo fiolo fu de Giovan Francesco Fontana, et è morto Jacomo fiolo del eccellente fisico M. Alessandro Fontana, li quali tutti dui erano banditi da Modena per la morte del capitano Annibale Bellencini li quali erano andati a soldo con el...di...inverso la Ongaria." Ibid., 11:290.

⁴⁹⁹ "E a di 21 settembre vene nova come Jacomo era morto da turchi e Galeazzo prexon con taglia e questo è stato alla Transilvagna dove ge morto più de mille bolognesi e 4 de soi capi prexon in man de turchi." Ibid.

⁵⁰⁰ "A di ditto. Uno zoveno de Faenza che era in le mane de turchi con Jacomo de M. Alessandro Fontana fisico ha detto questa matina passando per strata che quando lui era insciemo con detto Jacomo li turchi ge metevano doe para de ferro alli pedi e doe para de manete la sira et ge davano pan e aqua e dormivano in tera piana e de di li facevano portare el zerlino a lavorare et ge davano de bone bastonate. A che modo lui se sia liberato non l'ò inteso, ma el detto Jacomo ge restato in le mane de detti turchi." Ibid.

⁵⁰¹ "et fuggi ferito in una casa il signore Jacopo Fontana dentro da Modena, et fuggi il signore Lanfranco Fontana col resto della compagnia che gli era restata." Pioppi, *Diario*, 34.

few notable exceptions. He restored to his wife, Isabella Ronchi, a dowry which consisted of 1200 gold pieces, her clothes, and jewelry. He also granted her a lifetime usufruct for her maintenance from "goods" in an unnamed inventory not included with the will.⁵⁰² He left his daughter Alessandra 1000 scudi for her dowry should she contract a suitable marriage according to her rank and station.⁵⁰³ Donna Isabella, in tandem with Doctor Saul Ronchi, Doctor Paul Calorriss, and Hieronimo Fontana were to settle his debts and administer his daughter's inheritance. The only notable exception to these customary provisions was that Alessandra was designated as her father's universal heir, with the stipulation that his goods should go to her legitimate descendants.⁵⁰⁴ In the absence of a legitimate son, Jacopo had chosen to leave his estate to his daughter in lieu of surviving kinsmen.

Prior to the composition of this will, Jacopo had murdered Giacomo Forni, son of Captain Giovan Francesco Forni, also one of the principal signatories of the 1565 instrument of peace. Under the terms of the Peace Agreement of 1565, one third of his estate was subject to confiscation and he was obligated to pay a monetary fine. The 1565

⁵⁰² "Item Iure Restitutionis reliquit Mag.co Isabaele M. Domini Alphonsi de Ronchis Uxori sua dilectissime dotes suas habitas ex Instrumentis rogatis per olim Bernardum Guidonum olim notarium de Anno et tempore in co content seu aliori Notarium Mutinses: quas dixit esse de scutis Mille et ducentum auri in auro aut in alio meliori mode Reliquit ipsi D. Issabella omnia sua Bona vestes et ornamenta tam de auro quam Ap cato de quacunq alia Matteredia pro ornamenta et Comodo persona D. Issabelle facta parata et destinata ac factas paratas et destinates ac. Item eadem D. Isabellem Uxorem suam donec vixerit et Vitam vidualem et Honestam pro co servaverit Reliquit unam patronam Usufrutariam et laudtricem omnium et quorum Bonorum predicti Dominum Jacobi testatoris Ita quo non solum habeat alimenta, sed totam plenum et integrum omnia suorum Bonorum hebeat et consequator usufructum et vai dicto usufructu eam Heredem instituit, Non obstante consuetudine Bulgari nec quibusunq aliis in Contrarium facientibus, liberaris eam a confectione Inventariis seu descriptione" ASMo, *Archivi Privati*, Petrezzani, LXVIII

⁵⁰³ "Item Iure instituciones suis Reliquit Donne Alexandre filia sue legitime Naturali ex pta Donna Issabella scuti mille auri m auro quande Nupterit...ipsi Donna Alexandre sta euis Marito persolui modo et forma ac in illius terminis et conditionibus pro ut dicta una Isabelle videbitur et placuerit." Ibid.

⁵⁰⁴ "Suis Bonis mobilibus et Immobilibus Iuribus et omnibus aut alius actionibus partibus et futuris ubi cunq sint et esso et esse Voluit: Predictam D. Aleazemdrem filiam suam legitimam et naturalem: Cui Donna Alexandre quandum cum que filiam suam legitimam subsituit omnium quo potuit melliori modo." Ibid.

instrument of peace drawn up between the Fontana, Bellencini, Forni, and their adherents (including the Machelli, Masetti, and Tassoni) stipulated that, should the contract be ruptured, the principal signatories and their heirs would be obligated to pay 1200 soldi, partly to the Ducal Camera and partly to the offended parties. Jacopo Fontana had been one of the principal signatories.

Jacopo's declaration of his daughter as universal heir, however, presented some thorny legal issues. These quandries included determining who should pay the fines for Jacopo's rupture of the 1566 instrument of peace. At the heart of these issues was the extent to which the entire family, including women and children, were responsible for the actions of their male kin in the face of vendetta violence. In 1571, Alessandra's tutor, Andrea Mirandola, petitioned the Consiglio di Segnatura on behalf of his ward.⁵⁰⁵ He argued that she should be absolved of "obligations as heir of her father, referred to in the Peace celebrated between the Fontani, Bellencini, Forni, and their consorts."⁵⁰⁶ The "obligations" to which Andrea Mirandola referred were financial.

Mirandola further argued that Alessandra should be absolved of any fines dictated by the 1566 peace accord by virtue of her sex. "It seems to me," claimed Mirandola, "that women are not fit to observe Instruments of Peace as they are not fit for taking vengeance."⁵⁰⁷ He went on to argue that, whether or not women were heirs, they were not obligated under Lombard law to observe the Instruments of Peace and uphold its

⁵⁰⁵ ASMo, *Particolari*, Fontana, F. 448.

⁵⁰⁶ "Per l'officio che tiene Andrea Mirandola tutore di Madonna Alessandra figlia et herede del già Capitano Jacopo Fontani le pace d'essre sfortato à procedere dell' indemnita sua ch'essendo ella obligata come herede del suo padre, et avo referitamente in chi ho la pace celebrati tra Fontani, Bellencini, Forni et consorti..." Ibid.

⁵⁰⁷ "Et ut mihi quidem videtur sentio quod ex audiri possit per nanquam non pertinet ad feminam facere pacem cum non sit habilis ad vindictam." Ibid.

obligations.⁵⁰⁸ Even if by some reason women were to be included in the instruments, these provisions did not have the force of law, since contracts undertaken on behalf of heirs did not include women.⁵⁰⁹ Furthermore, Mirandola maintained that women could not be counted in Instruments of Peace, even among the heirs, because instruments of peace could only be undertaken by men.⁵¹⁰ He pointedly argued that “women are not capable of falling into the enmity that plagues males.”⁵¹¹

The 1566 Instrument of Peace, however, included an important clause under which Alessandra and her guardian were trying to subsume their claims that Alessandra should not be held responsible for the actions of her father. The clause decreed: “in the event that the peace was ruptured by one without a father, or sons, or other heirs...the obligations would pass to the nearest agnates.”⁵¹² These agnates included Jacopo’s

⁵⁰⁸ “Saltem procedit di Iure longobardo pro ut ipsa loquitur et eam tali casu Bal. Admittit ibi sicut et in l. pro herede ss. Fil ff. d. acui here in quo vertamus ob Civitatem Mutine site in Lombardia sicut igitur nunc d. novo pax fieri non posset cum dicta pupilla, nec cum genitore sup facta cum ea durare debet quia pervenit ad eum casum a quo incipit non posset l. pluribus ss. Et si placeat ff. f. verb. Deli ubi proprie dicitur obligatione extingue.” Ibid.

⁵⁰⁹ “Cap. Quo cautor ut pax habeatur pro renovata et d. novo facta quotiens fuerit ei contraventum quo stante sicus vere cum dicta pupilla fieri non potuisset, nec d. novo facta fingipos cum fictio per homines induci non possit quo ad effectus Iuris sed per legem in ut not. In l. si is qui pro emptore ff. d. usucasu per Bar. Et ceteros ut di Jac testator n. 174. Confirmatur ho c conclusio nam contractus et eos verba recipiunt interpretatione a consuetudine loci l. fi. l. de fideiuss. Loc. Con. 19 col 2 Vol. I dicens quod ex quo sum consuetudines feudor feminane non succedunt in feudo c.i. Quem feud cum vulgar merito feudam concessu alicuis prose et heredibus suis non comprehendit feminas quia recepit ille contractus interpretationem secundum consuetudinem feudor sequit Paris con. Eos. n. 37 Vol. I’ ASMo, *Particolari*, Fontana F. 448

⁵¹⁰ “Ut in instrumentis pacis non consueverunt femine nominari sed fm mares ut eo notissimus merito pax et premissio facta per nominatos per se et heredes eos non intelligitur facta et pro feminis ut in specie dicit Ang. in. d. ss. Cato. Quod si statutum diceret quod occidens decapitaretur nisi habeat pacem ab heredibus offensi in maiori parte heredum que requirit mulier computari non debet et sic illud verbu heredibus ad masculos restringitur.” Ibid.

⁵¹¹ “sed manifesta sub est inter mares et feminas differentia quia femina non pot levare faidem id est inimicitia ut est masculos et sic non est habilis ad vindictam sicuti dunt mare ut inquit glo. Prealagata in. d. cap. p. quo feud dare poss. Et optime probatur in l. quisquis iun glo. c. ad leg. Iul. Maieste ubi fit diserimen inter filios masculos comittentis illud crime lese maieste et feminas quia dicit Imp casa minus ausuras confidimus e ubi subdit.” Ibid.

⁵¹² “Item in dem casu et cuentor quod beus avertat quo Instrumentum pax romperetur per aliquos de comprehensus talis a quo rumperetur habuerit patrem, sine filius, sine pes aut quo alios que habitent in una et eadem domo et familia tempore delicti ipsi oes teneantur comservare in demnes a pacta poena alios eorum consortes et si reoerisentur minus Idonei ad da conservacione in totum vel per parte tum teneant et obligati sint proximos agnati d. contrafacient et ille familli et bonus a qua descendet ad da conservacionea

Fontana kin, his brothers, nephews, uncles, and cousins. Legally, this also meant that despite Jacopo's crime, his daughter would not be liable to pay the fine or surrender any parts of the estate.

The ducal Camera was not entirely convinced by Andrea Mirandola's arguments. Neither were the agnates who were obligated to pay the penalties for Alessandra's crimes should her argument be found valid. An undated decision on an arbitration drawn up by the Ferrarese jurists after the 1565 Instrument of Peace decreed that all heirs of the principal signers were obligated to pay their equal share of the penalties. There was clearly some question of whether Alessandra was to be included in this accord since, unusually, she had been named her father's heir.

Alessandra certainly sought to make this case. In an addendum to her tutor's case, Alessandra Fontana petitioned the Duke of Ferrara separately in 1572 to be liberated from the 1565 Peace Accord.⁵¹³ Alessandra maintained that she should be absolved of any financial penalties "as she had been in Florence and other places" when the latest act of violence had been committed by her kinsman.⁵¹⁴ Similarly, the sisters of Lanfranco Fontana, Eugenia, the wife of Francesco Millani, and a wife of Guido Machelli and Carolo Tassone, who became Bartolomeo's heirs after Lanfranco's exile and death, pled before the court that they should not be obliged to pay penalties in this latest violation of

quos omnes et singulos procedi possit alios eorum consortes et seu eorum fid eo modo, et forma, quo ipsi gravati pactam duc." Ibid.

⁵¹³ "L Altissima...a mesi passati per suo benignifeso riferetto si contento di Iberari dalli de Fontani Bellencini et Forni l'Alessandra Fontana humilissima avra di quella ci suoi beni, et perche fin qui non ha potuto havela sua supplicatione far caldissima istanza chi la Maddonna fatta fare cesi in Fiorenza anzi in moltri altri luoghi, ma si sa imaginare laca Pero sea sa asulati venire a supplicarsi L'Altissima V. a voler degnarsi li ametore che gli sia data sua supplicatione accio che al di favor piu [...] la essa, non gli manchi il partito di maritarsi che ella et questi di grazia singulare." ASMo, *Particolari*, Fontana, F. 448.

⁵¹⁴ "La pace nova tra M. Giacomo Fontana ac l'attinenti Capitano Galeazzo morto e necessaria con olim figliuoli Capitain Gio. Francesco ac co Giacomo di Forni ac quelli complici adherenti, che si nominando nelli quali se [...] contrare M. Gemignano o altri le Fontani parenti non casi prosimmi si fara con tutti con [...] pattrespreso ad una parte et l'altra sia disobbbligato de capitano inmito della pace fatta con li Bellencini la gli non s'habbi da attendere..." ASMo, *Archivi Privati*, Petrezzani, LXVIII.

the instrument of peace.⁵¹⁵ They argued that the transmission of property to women should be conceived of as a private matter to be left unregulated by the state.

The Dukes of Ferrara-Modena did not, however, agree with the assessment that the transmission of property to women under these unorthodox circumstances was a private matter. This was particularly so in instances where vendetta-practicing families argued that they should be excused from collective obligation by virtue of an unusual line of inheritance. The dukes of Ferrara-Modena found these unusual testamentary practices suspect since, if the cases of female heirs were successful, vendetta practicing families avoided financial penalties altogether. Given the fact that the Modenese nobility followed the preference of their Italian peers for transmitting their estates via the male line in order to protect the patrimony, it is telling that in the midst of a vendetta both the Bellencini and Fontana started to favor the female line instead.

The duke and his governors found their behavior and those of their peers suspicious enough to create emendations to current laws in 1575 and 1580 respectively. The first *provvisione*, authored by Alfonso II, titled “On the Fidecomessary,” addressed the commission of fraud in the testaments of malefactors. Indeed, the crafting of this 1575 law addresses problems noticed by officials. In particular, government officials noticed that these same malefactors committed another sort of crime in their testaments, “intending to transfer their goods to another [committing] private delinquency, and with some other clauses, and similar words to a similar effect and sense.”⁵¹⁶ These clauses

⁵¹⁵ Bartolomeo aveva nome il padre di Lanfranco et era detto per soprano il grasso dall'effetto della grassezza; morendo, esseredò il figliuolo et lasciò la robba alle figlie, che erano maritate l'una a Guido Machelli, l'altra a Francesco Millani et la terza a Carlo Tassone, co' quali ebbe molto da contrastare Lanfranco, mentre visse, dopo il padre facendole risparmio grande ne' suoi bisogni di quello che tutto di ragione era suo.” Vedriani, *Vite Modenesi Illustri*, 87.

⁵¹⁶ “...che ormai si ritrova indistintamente in ciascaduno testamento, & ultima volontà, dove si dispone, che eo ipso, che quel tale, a chi è lasciata la roba ha pensato, & pensa di commettere alcuna sorte di delitto,

transferred goods in such a way “so that they [malefactors] would not suffer any privation, or confiscation [of goods].”⁵¹⁷ Moreover, the duke leveled a far more serious accusation against these testators. In particular, he maintained they were following these practices with the long view towards committing further crimes: “thinking in this way to commit to commit other misdeeds, and other sorts of crimes, they take pains to secure their goods....”⁵¹⁸ This should not be read as simply ducal paranoia.

When in 1571, Alessandra Fontana’s case came before the ducal Camera, her case suggested that Duke Alfonso was right to target these testaments. Her case raised the issue of whether or not the female heirs of vendetta practitioners were committed to observe instruments of peace. Alessandra Fontana was still a young girl when her father, Jacopo, wrote his last will and testament. Exiled from his native land for his role in the 1562 bombings, he doubtless wanted to insure that his worldly affairs were in order in the event he was captured by the duke's forces—or, even worse—found by one of the Bellencini.

Alessandra's case raises an important question: did Jacopo leave his daughter as universal heir in order to protect the patrimony in case of vendetta? The foregoing discussion of the clauses included in wills disinheriting heirs if they participated in vendetta shows that protecting the patrimony was of great concern. Did the Modenese elite develop the strategy of favoring female heirs as part of their vendetta practices, making them the conduit for protecting the patrimonial inheritance? Alessandra’s case, its

subito la roba s'intenda esser transferita in un'altro, & il delinquente privato, & con alcune altre clausule, & parole di simile, & maggior effetto, & senso...” Modena, *Gride Dvcali* (1575), 14.

⁵¹⁷ “Dal che nasce, che si trova esser aperta la strada ad ogni persona di commettere ogni sorte di eccesso, poiche si trovano sicuri di non haver a perdere la facultà, & beni loro, trasferendosi in qualche attinente, o ad altra persona confidente loro, che lascia godere essi beni al delinquente, come se non gli fosse privatione alcuna, o confiscatione.” Ibid.

⁵¹⁸ Ibid.

outcome, and the prior discussion of fideicommissary clauses suggest that this may well have been the case. The sample of testaments examined is too small to be conclusive, but we can discern suggestive shifts in strategy toward using female relatives as a way to protect the patrimony by the mid-sixteenth century.

When making his will in 1547, Bartolomeo Fontana had pursued a similar strategy of designating female heirs who might protect the patrimony. As discussed above, if Lanfranco Fontana left no legitimate sons, his estate would go to his legitimate daughters. Should Lanfranco leave no heirs, Bartolomeo substituted his daughter Eugenia. But Bartolomeo also clearly stipulated that Lanfranco would be barred from his inheritance should he commit a crime that endangered the estate and risked the alienation of any parts. In that event the estate would revert instead to Lanfranco's children, next to his daughter Eugenia and Eugenia's heirs, and finally to his other daughters. Should no suitable heirs come from his direct line, his estate would revert to his wife.

Bartolomeo did not adhere to a typical inheritance strategy. As Samuel Cohn has pointed out, “[t]he role of Cinquecento testaments were first and foremost to channel landed property through generations of male heirs and to dictate in detail the future behavior of these heirs to ensure against the alienation of the ancestral landed properties beyond the lineage.”⁵¹⁹ According to Thomas Kuehn, even in cases of intestate succession “women stood well after certain categories of agnatic relationship to the deceased—sons, grandsons, great-grandsons, father, paternal grandfather, paternal, uncle, brother.”⁵²⁰ Despite the fact that Jacopo Fontana possessed no male heir or brothers—he was Alessandro’s only surviving son—the Fontana kinsmen were numerous. Jacopo

⁵¹⁹ Cohn, *Women in the Streets*, 70.

⁵²⁰ Kuehn, *Law, Family, and Women*, 239.

could have chosen to leave his estate to a male cousin as his counterparts often did. Kuehn continues: “Indeed if there were no close agnates to exclude them from an inheritance, women were only limited to only a portion, generally described as 'one quarter' of the estate (the Facildian quarter of Roman law), with the rest going to any distant agnates within eight degrees of relationship.”⁵²¹ Thus, these lines of inheritance proved to be unusual and suspect.

Why did Jacopo still choose to leave his entire estate to his daughter? He did not articulate any reason for making this particular choice; nor did he name an alternate beneficiary such as a religious institution or distant relative other than his wife Isabella, should his daughter predecease him. Given Jacopo's precarious legal position, however, and the even more precarious positions of some of his male relatives, he may well have worried that leaving his estate to a more distant kinsman would possibly result in the complete loss of whatever property he had inherited or acquired during his lifetime. Despite the particular wrath of the duke that had fallen on their house, it was by no means certain that the Fontana were finished with violence—as subsequent events were to attest. The material basis that guaranteed the future of the Fontana house was at stake when crimes of violence were committed and official peace was broken. They sought to protect their assets and, as a result, drew ducal suspicion.

Ducal suspicion was raised to the point that the Duke of Ferrara-Modena took further measures. In a 1580 proclamation (*grida*), Duke Alfonso II further revised the comprehensive body of laws he and his father had been drafting since 1534. This proclamation unambiguously targeted “those men who easily commit homicide” as well as the “indirect means” they devised to shield their goods from ducal punishment. In this

⁵²¹ Ibid.

emendation, Alfonso made his objectives particularly clear:

Knowing by long experience the proclivity and inclination towards committing crimes and misdeeds in the city of Modena, the most reverend Prince, in the name of quiet and peace, for the benefit of his subjects is reducing the occasions that make it readily possible to commit misdeeds and excesses...[his excellency] will address the abuses and malice of those men who easily commit homicide in the street and by indirect means protect their goods and as a result are more willing to commit every misdeed and engage in fraud against our Ducal Camera, against all honor and their conscience and, as has been our experience, render all the confiscations and condemnations in vain...⁵²²

Judging by the 1575 provision targeting wills and this newest emendation, Duke Alfonso was growing increasingly incensed with his murderous nobility. Eighteen years had passed between the exploding bombs of the Fontana and the passage of the first ducal proclamation. While a peace accord had been drafted and ratified in 1565, neither the Fontana and Bellencini nor their peers were willing to relinquish their violent practices.⁵²³ A member of the Forni was killed by another member of the Fontana in 1572 and doubtless other killings could be traced to the ongoing conflict.

The warring families and their adherents were certainly aware of the social, legal, and financial consequences of engaging in vendetta, yet chose to pursue it anyway. As

⁵²² “Avendo il Serenissimo Principe & Signor Nostro il Signor Don Alfonso Secondo d'Este per la Dio gratia Duca di Ferrara di Modona, & di Reggio, &c. conosciuto per la lunga esperienza la cagione, per la quale sono tanto proclivi, & inclinari I sudditi suoi à commette re delitti, & maleficii, & massime in questa sua Città di Modona, & essendo offitio di buonissimo Principe invigilare continuamente al beneficio de' sudditi suoi, levando loro tutte le occasioni, per la quali si ossano facilmente indurre à commettere misfatti, & eccessi, & siano piu intenti alla quiete, & alla pace, per la quale principalissimamente si conservano, & crescono le Città & commodità à I Cittadini, ha deliberato S. Altezza ovviare all'abuso & malitia de gli huomini, & di coloro che hanno facilitata la strada di commettere homicidii, & altri delitti con salvare la robba per vie indirette, con scritte private simolate, & false, & per ciò hanno ardire di comettere ogni misfatto, & conseguentemente ancora far fraude alla Ducale Camera sua, contra l'honore, & coscienza loro, allegando poi quei tali essere anteriori creditori alla detta Ducal Camera, & rendersi quali sempre le condannationi, & confiscationi vane, & elusorie com'ha dimostrata l'esperienza infino ad hora.” *Grida circa gli scritti et instramenti che non vagliono contra la camera a favore delli delinquenti* (1580), 1.

⁵²³ Based on a sample of the letters written from the Ducal governors and the podestà to the dukes, noble violence continued to be a problem. An in depth examination of acts of violence committed after 1562, however, is beyond the scope of this present study.

discussed in previous chapters, their commitment to pursuing these grievances required forethought and planning in all spheres of action, including the financial. As many studies have shown, Renaissance and early modern Italians certainly possessed a view of the long-term in making their social, political, and financial strategies. This perspective carried over into the practice of vendetta.

The duke and his officials certainly suspected Jacopo and others of using these tactics in order to protect their property. In 1603, Alessandra Fontana was brought before the ducal factor, likely under a 1580 law requiring that the heirs of those who committed homicide register an inventory of their goods.⁵²⁴ After the death of her step-father, her mother, Isabella Ronchi, had given her various goods typical for women of her station, such as “clothes, necklaces, rings, pearls,” and other precious articles of jewelry and adornment.⁵²⁵ At issue was whether or not these goods comprised part of her daughter’s dowry. As a result of her mother’s largess, Alessandra had acquired jewelry of some value. Indeed, it possessed enough value for her first husband to pawn some of it in order to buy property from Alessandra’s step-father—also a Fontana and cousin of Alessandra’s father. Nevertheless, in the context of the recent vendetta, the transaction raised certain

⁵²⁴ “Testimonii esaminati parte dell’Alessandra, figlia, di Giacopo Fontana, vedova del Capitano Alfonso Castaldi, e di presente Moglie del Cavaliere Bartolomeo Guidoni per la cause com in questo...” ASMo, *Archivi Privati*, Petrezani, LXVIII.

⁵²⁵ “Che la verità ...et e ch’essa singular testimonia, come figliuola della gia Monna Violante de Tacier, quale praticava di continuo per la maggior parte del tempo nella casa dell’articolato gia Signore Capitano Scipione Castella secundo marito dell’articolata Signora Isabella Ronchi madre della Capitolata Signora Alessandra et specialmente nel tempo della malattia del Capitano Scipione et lui morse, si raccorda dies d’havere piu volte inteso dire alla detta sua madre, de dopo la morte del Capitano Scipione per li buoni portamenti dell’articolata Isabella con gli’heredi di Capitano che il capitolato Bartalomeo, et il canonico fratelli di Capitano Scipione ne havevano donato, et donarono all’articolata Isabella Ronchi le robbe, catene, anelli, perle, manilli manco da ventaglio, testa di libellino, Turchina, anello con Rubrini con Camarini una gioia, et paio di pendesa de tevitti, et annotate nella lista prodotta nell’atti, et chiamata nelli capitol a lei letta....haveva in piu volte accommodate all’articolata Donna Alessandra che poi ancora gli e l haveva donare liberamente, come a sua unica figliuola, et per l’amore che le portava, doppo la quale donatione essa Donna Alessandra ancor lei ha goduto dette robbe quelle portando...” ASMo, *Archivi Privati*, Petrezani, LXVIII.

suspicious.

Indeed, the 1580 emendation to the laws and the subsequent inventory of Alessandra's goods suggest that the duke was aware of fraudulent testamentary practices among the local nobility. After the peace accords of the 1560s, which failed to effect any real change in behavior, dowry contracts, wills, and other fiduciary transactions had come under increasing scrutiny by ducal officials. According to the *grida* of 1580, many of the ducal concerns that vendetta practitioners were committing fraud emanated from suspicious property transactions dating prior to or after the crimes committed. In some cases, the notarial acts were fraudulently pre-dated or back-dated.⁵²⁶ Acting on his suspicions, Duke Alfonso enacted measures that required notaries to make instruments for every credit, debit, alienation, and financial obligation of those persons subject to confiscation, according to the statutes of the city.⁵²⁷ In addition, the duke targeted

⁵²⁶ “Perciò S.A. Per questa sua ordinatione la quale vuole, & commanda che habbia forza di legge statuto, & decreto inviolabile, & perpetuo, ordina, commanda statuisce, & determina, che se alcuna persona di che stato grado & conditione si sia, ardirà per l'avenire commettere homicidio ò delitto di qual altre sorte si voglia, per il quale i suoi beni in tutto ò in parte per la condannatione ò confiscatione che si facesse contro di quel tale, fossero applicati alla sua Camera Ducale, ò alla parte offesa, per paci rotte, ò per altra causa, non possa alcuno creditore di quel tale delinquete con tra la condannatione ò confiscatione, che sarà emanata dire d'antiorità ò potiorità contra la Camera Ducale per virtu d'alcuna scitura privata, nella quale apparesse quel tale in qual si voglia modo, & per qual si sia causa creditore del delinquete & condanato, ò havere in altro modo I suoi beni obligati, & hipotecati, o in lui per qual si voglia titolo transferiti, ma solamente possa mostrare del suo credito ò ragione per instrumento publico rogato per Notario legale, & di fede degno, alieno da sospitione di simolatione, & fraude, & non altrimenti, ne per altro modo. Dechciarando S. Altezza, che quanto à questo effecto di provare contra il Fisco d'antiorità, & priorità contra le dette condannationi, ò confiscationi come di sopra ogn'altra forte di prova, eccetto che per vero instrumento publico come é detto di sopra, s'intenda in tutto esclusa, & referta.” *Grida circa gli scritti et instrumenti che non vagliono contra la camera a favore delli delinquenti* (1580), 2.

⁵²⁷ “Et per non lasciare strada alcuna aperta à color che havessero animo di commettere maleficii, & accioche non usino fraude, & cautella per salvare la robba, facendosi per questa causa piu arditi, & audaci alli misfatti: Ordina S. Altezza che li Notari li quali faranno rogati d'instrumenti di qual si voglia forte d'obligatione credito, debito, cautione, hipoteca, assolutione, alienatione di qual si voglia qualità & generalmente d'ogn'altro obligo in termine d'otto giorni dal giorno che ne faranno rogati, ancorche fossero tali, che non se ne pagasse gabella alcuna debbano haverli denontati al Registro degli instrumenti d'essa Camera, & farli ivi registrate di parola in parola secondo la forma de' Statuti di essa Città, accioche se alcuno volesse anche per adempire qualche suo cattivo desiderio contrahere debiti simolati per instrumento publico, & poi farsene fare secreta assolutione, possa sempre apparere della verità, & sia per tal modo levato l'animo, & l'ardire à ciascuno di mal vivere, & inquietare il pacifico stato di questa sua Città, & detti contratti, & instrumenti non denontati siano nulli invalidi, & di nissuno momento, quanto sia contro le dette

dowries, spousal donations, and bridal gifts as being a particular area of concern.⁵²⁸ It was around the time these laws were enacted that property transactions of the Bellencini and Fontana families and their associates began to appear in instruments recorded in the ducal Camera.

These ducal measures were enacted to target the fraudulent activity committed by the Bellencini and Fontana clans among others. It must be remembered that vendettas created debts. Not only did they create the debt of revenge obligations for the families involved. When peace agreements were ruptured by the signatories, their heirs, and their kinsmen, the violations created financial debts to both the ducal Camera and the victim's family. Stipulating heirs outside the norm in fidecomissary clauses to avoid these debts, or intentionally leaving the property to a woman who was able to plead immunity from them by virtue of her sex, was to commit fraud. Fraudulent practices designed to protect the estate from creditors were not without precedent. As Kuehn has shown in his examination of repudiations in Renaissance Florence, testators and kinsmen sometimes acted in concert to protect an estate. Like the Dukes of Modena-Ferrara, the Florentine state also enacted laws targeting "secretive" or suspicious property transactions outside the normal parameters of inheritance.⁵²⁹

These fraudulent strategies were at the very heart of claims made by elite families. Duke Ercole II and his son Alfonso II enacted and emended laws between 1550 and 1575, systematically targeting the practices which led to vendetta. They attempted to block

condannationi, & condiscationi, come di sopra, & non ad altro effetto." Modena, *Gride Ducali*, 1575.

⁵²⁸ "Ma per estirpe finalmente tutte le cautelle che possono escogitarsi essere contrarie alla presente ordinatione. Intendendo S. Altezza che in tutti gli instrumenti fatti & che giornalmente si fanno di dote, si fa anche indifferentemente per gli sposi donatione ante nuptias, & contradote d'altro tanto quanto sono le doti, la qual cosa non ha però fermezza alcuna contro I creditori del marito anco posteriori, ma solo è fatta.

⁵²⁹ Kuehn, *Heirs, Kin, and Creditors*, 71-81.

those avenues upon which contests of honor and precedence could take place. And when a blockade could not be drawn around the nobles who engaged in violent play, the dukes attempted to restrict their behaviors. Duke Ercole enacted the 1534 law reshaping Instruments of Peace which brought these private acts further under ducal control. They modified the laws on carrying arms. They tried to close the loopholes which allowed violent transgressors to flee to jurisdictions beyond their princely reach. They passed laws against the disorderly conduct commonly believed to foster violence: libelous words, conversations with nuns, masked balls, and games. These preventative measures and attempts to modify the violent behavior of their nobility, however, seem to have had little effect. The violence among the Fontana and Bellencini, their adherents, and their kin continued even after the 1565 Instrument of Peace between the Bellencini and Fontana had been drawn up and signed.

Having attempted to mitigate the social and legal factors that enabled vendetta to continue unabated, the dukes switched tactics and began to address the economic strategies these families utilized to pursue vendetta practices. Duke Alfonso II and his father had established serious penalties for committing such crimes: banishment, the confiscation of property, and hefty fines. As a matter of course, the ever savvy Bellencini and Fontana had found various ways around these penalties. In fact, in the years following the dark events of 1547 they took various steps to protect their property—some legal, some extra-legal—and according to the duke, some even echoed of fraud. As a result, Duke Alfonso II further emended his laws to encompass the other avenues which Modenese elites used to protect their property.

Only a fraction of these instruments have been brought to light, but the ones that

have been located indicate that suspicions of fraud proved to be well-founded.⁵³⁰ At first glance, wills of the Fontana and Bellencini families do not seem particularly out of the ordinary. When examined in the light of their vendetta practices, however, these instruments take on a deeper meaning. The Bellencini and Fontana families, it seems, were determined to practice vendetta and to do anything within their power to protect the patrimony.

Leaving property to women, which flew in the face of the very inheritance norms designed to protect the patrimony, was one such strategy. Alessandra Fontana, the daughter of a criminal who inherited her father's estate, was one such example. Alessandra petitioned for, and was granted remission of, the fines she was legally obligated to pay when the Instrument of Peace was ruptured. Though this remission did not serve to protect her estate from scrutiny in the long run, her case shows one example of the legal maneuverings a family would undertake in order to protect their property in the midst of an ongoing vendetta. Unfortunately, women's voices remain silent in this regard except in respect to their testaments. Costanza Fontana and several of her kinswomen did include fidecommissary clauses in their testaments exhorting their heirs to refrain from violence. It must be noted, however, that so did their kinsmen.

Once again, ducal ambitions and factional interests collided as governing elites and their sovereign worked towards collaboration. These paradoxical negotiations possessed a centralizing function. By the end of the sixteenth century, the Modenese elites solidified their inheritance practices, moved closer towards re-feudalization, and had reached greater equilibrium. Their vendetta practices and the negotiations these

⁵³⁰ A few of these various acts relating to this law can be found in either private archives or in the Particolari collection in the Archivio di Stato di Modena. More in-depth work needs to be done in the voluminous notarial archives.

practices required with the sovereign solidified their power, as they and the dukes worked towards civic order. The next chapter, which deals with the peace-making process and its effect on the violence of the Modenese nobility, will explore these ideas in greater depth.

Chapter 5: “God knows how things will end between the Bellencini and Fontana,”:
Instruments of Peace and Elite Resistance

On June 4th, 1547, Costanza Forni, daughter of the Modenese notable Giovan Francesco Forni, and wife of Giovan Tommaso Fontana, “sane in mind and body” but conscious of “the fear of death which afflicts all men” and cognizant of “the uncertainty of its hour,” composed her last will and testament in front of a notary and in the presence of several witnesses.⁵³¹ According to custom, she first stipulated her final resting place, decreeing that she wished to be buried in the church of the sisters of S. Geminiano. Next, as was common for wills of the time, she provided for her daughters. In particular, she dictated that Sister Cecilia and Sister Aurelia, nuns of San Geminiano, would receive 8 lire annually for their maintenance in the religious life; to her granddaughters, Sister Lodovica and Sister Constantia, also nuns of the same convent, she left 4 lire per annum.⁵³² Finally, as the universal heir to the remainder of her worldly possessions, she named her son, Giovan Tommaso.⁵³³

Her will did not end there, however. Costanza also included a clause stipulating the line of succession should her husband predecease her. Fidecommissary clauses, substituting heirs of her choice should her husband predecease her, were not unusual for

⁵³¹ “In Christi nomine Amen. Anno Nativitatis eiusdem Millesimo Quingentesimo Quadragetima Septimo Inductione quarta Die Secundo mensis Iunio. Magnifica Domina Constantia filia quondam spectabilis viri Domini Ioannis Francisci a Furno de Mutina habitatrix de presenti Villa Rivare districtus Sancti Felicis, sana dei gratia mente sentu et intellectu ac corpore ut videtur, Timores periculum mortis de qua nil estentius homini, nil incertius hora eius...” ASMo, *Particolari*, Fontana, B. 448, Testament of Costanza Fontana.

⁵³² “Item iure legati reliquit soror Cecilia et soror Aurelie filabas predictae testatoris, a soror Lodovica et soror Constantia neptibus suis monialibus sancti Geminianus de Mutina libras duodecim annuatim dispenso inter se hoc modo [...] libras octo soror Cecilia et soror Auerelio, et libras quattor soror Lodovice, et soror Constantia donec vigerint alias casum duedema alius vivierent in dicto legato omni meliore modo.” *ibid* ⁵³³ “In omnibus sutem alius suis bonis mobilis et immobilis [...] iuribus et actionibus prasantibus usufructus ubicumque sint ea esse diventur suum heredum univerasalem [...] feci nominavit, reliquit et esse voluit Magnificum et Excellentum Phusican Dominum Ioavanum Tomam de Fontanis predictae domine testaus filium legitimus ut naturalem donec uxorit.” *Ibid*.

testators concerned with the future of an inheritance painstakingly built, in some cases, over many generations. Although the nature of the property Costanza intended to bequeath—property, capital, or both—is uncertain, since the will included no inventory, it was an inheritance which represented many years of strategizing and saving on the part of her natal family and that of her husband’s.⁵³⁴ By including a fidecomissary clause, Costanza was thinking ahead about the future of her legacy. In this case, her motivation appears to have been using her legacy to augment the patrimony. The primary beneficiary of this inheritance would be her husband and following him as heir were the sons of their union. In this fidecommissary clause, Costanza decreed that if her universal heir, Giovan Tomaso, should die first, the legitimate sons of their union would inherit her estate in equal portions.⁵³⁵

Costanza, however, included an unusual clause in her will, in which she decreed:

Giovanni Lodovico, Costanzio, Ippolito, Giovanni Battista, and Roberto, legitimate and natural sons of the aforementioned Tommaso, [shall inherit] equally, and in equal portions, provided that they abstain from crime, live well, and in a way that upholds justice and refrain from misdeeds—either enormous or small—according to ordinary or extraordinary ecclesiastical or civil statutes or common law.⁵³⁶

The key part of the clause was this: should her sons do anything included in the nebulous categories of crime, misdeeds, or commit offenses considered to be illegal under ecclesiastical or civic statutes, they were to be disinherited in favor of their sons and

⁵³⁴ It was likely to have included her dowry, any property that she had acquired either by inheritance or during the course of her union, investments, and could have been a substantial sum.

⁵³⁵ “Post nove mortem predictae Domini Ioannis Tomas eadem Domino Ioanni Thomas instituit et substituit suos heredes universales, aliqui detractone alicuius quare seu filius vel legitime.” Ibid.

⁵³⁶ “predicti sui heredes (Giovanni Lodovico, Costanzio, Ippolito, Giovan Battista, e Roberto Fontana) se abstineant a maleficiis et quod bene vivant et in viam iustitie progrediantur ideo eos deprecatur ne committere vellint nec debeant crimen vel delictum enorme atrox vel minimum committens iure in faciendo iure in omittendo, et iure tale crimen vel maleficum sic publicum sive privatum ordinarim vel extraordinarium Ecclesiasticum vel seculare statuarium vel de iure communis.” Ibid.

subsequent heirs. Her sons were “to live well and proceed always in a just manner.” Should any of her sons violate this rather vague clause, her estate would devolve to her grandsons and so on down the male line.⁵³⁷

Costanza Fontana’s fidecommissary clause, which substituted non-violent heirs for violent ones, echoed those clauses contained in some of the wills of her marital family examined in the previous chapter. As we have seen, unusual fidecommissary clauses of substitution were included in the testaments of several of her near relatives and other Modenese vendetta practitioners during the height of Modenese factionalism. Her decision, and concomitantly their decisions, to include these clauses prompts the question: was Costanza trying to forcefully bring about peace by inducing her heirs financially to abstain from violent practices? Can her decision to include this clause be construed as evidence of a desire for her heirs to refrain from vendetta? Was Costanza strongly advocating peace between the Bellencini and Fontana factions?

As a daughter of Giovan Francesco Forni, whose family had been directly involved in several of the most divisive vendettas of the sixteenth century, and cousin of several of the Forni implicated in the Bellencini and Fontana vendetta, Costanza certainly possessed motives to prevent further factional violence. As discussed in previous chapters, Modenese vendetta networks were often convoluted and overlapping and Costanza held loyalties to both her natal and marital kin. Agnatic and cognatic lines could be drawn as well as broken in vendetta practice. As previously mentioned, the Forni became involved in the Bellencini and Fontana vendetta through the maternal line as two daughters of Lodovico Bellencini married two sons of Sigismondo Forni. Indeed,

⁵³⁷ “qua in casu predata fisco vel alteri applicanda venisse et eo casu substituit filios et descendentes dicto vel delictorum.” Ibid.

Costanza's paternal cousins were obligated to observe both the 1556 accord between the Fontana and Bellencini as well as the 1565 agreement. Costanza may very well have wanted her sons to refrain from killing their maternal relatives. Costanza may also simply have wished for peace—as did many others.

The continued perception of Modenese vendetta factions that meting out justice remained a familial matter, provides another, more cogent explanation for Costanza's exhortations. Given the reluctance of the Bellencini, Fontana, Forni and others to back down despite ducal pressure places her strictures in a context of familial solidarity. Like her fellow Modenese, Costanza possessed ample evidence of Ercole II's ineffectiveness in pacifying vendettas. Since the beginning of his reign in 1534, there was little he had been able to do to persuade, cajole, or force the patriciate to refrain from vendetta.

There were certainly those who desired an end to the vendetta. From the vendetta's inception to the moment Lanfranco Fontana sent his exploding boxes, various parties attempted to persuade, cajole, threaten, coerce, and force the Bellencini and Fontana to make peace accords. The Dukes of Modena-Ferrara, Alfonso I (r.1505-34), and his successors, Ercole II (r.1534-1559), and Alfonso II (r.1559-97), all attempted to implement increasingly stringent measures, including punishment, fines, banishment, and legal penalties to force the parties to an accord. The Bishop of Modena, first Giovanni Morone (1530-50), then his successor, Egidio Foscarari (1550-64), tried to intervene.⁵³⁸ The ducal governors of Modena had a particular stake in convincing the parties to observe a truce, since a large part of their job responsibility included keeping the peace in the city and countryside. Pressure from these 'outsiders' had little effect.

⁵³⁸ For more on the bishop's role on mediating communal disputes see, Michelle M. Fontaine, *Urban Religious Culture and the Good Bishop in Sixteenth-century Italy*, Ph.D. Dissertation, University of California, Berkeley, 1992.

As this chapter will show, familial inducement and internal pressure from within the patriciate had a greater effect on pacification. Among the patriciate, there were certainly those, like Costanza, who desired an end to the vendetta. From the vendetta's inception to the moment Lanfranco Fontana sent his exploding boxes, various parties attempted to persuade, cajole, threaten, coerce, and force the Bellencini and Fontana to make peace with one another. Various members of the Modenese nobility, including the powerful comital Rangoni, attempted to broker a peace agreement. Many sitting on the Council of Conservators, whose membership included these very same families and their adherents, and in many cases some of those directly involved in violence, naturally also wanted peace among their counselors. In short, many in Modena wanted to see an end to factional violence. Most importantly, they wanted to regulate it themselves.

Acutely sensitive of their right to justice, there were many who desired a continuance to the vendetta. For both the Bellencini and Fontana, the thirst for vengeance was not easily sated.⁵³⁹ Despite thirty-plus years of escalating violence between Bellencini and Fontana, neither party appeared willing to give up the fight; this was so even after the smoke of Lanfranco Fontana's bombs had cleared. In line 128 of the revenge poem contained in Suor Lucia Pioppi's *Diario*, written sometime after the bombs of 1562, the shade of Giambattista Bellencini, says to the fellow ghost of his uncle: "Do not afflict yourself, uncle, that friends and family already rush to punish this senseless

⁵³⁹ For more on the affective aspects of vengeance, see Susanna A. Throop and Paul R. Hyams, ed., *Vengeance in the Middle Ages: Emotion, Religion, and Feud* (Burlington, VT: Ashgate, 2010); Burkhard Sievers and Rose Redding Mersky, "The Economy of Vengeance: Some Considerations of the Aetiology and Meaning of the Business of Revenge," *Human Relations* 59, no. 2 (Feb 2006):241-59; Daniel Smail, "Common Violence: Vengeance and Inquisition in Fourteenth-century Marseille," *Past and Present* 151, no. 1 (1996): 28-59.

malice...and their descendents will always be afflicted and melancholy.”⁵⁴⁰ A few lines later, his cousin, Ippolito Negrino, chimes in with ominous words echoing Giambattista's: “there will be every possibility to gain vengeance...”⁵⁴¹ Whether or not the poem reflected the sentiments of the dead men, it clearly reflected the sentiments of the living. As the vengeful words of the poem suggest, the parties themselves often desired a continuance of the feud. As the evidence will show, these factions proved very reluctant to make peace with one another when they sought justice for their dead.

The reasons for these desires to continue their feud were complex, as each possessed differing motivations for pursuing vendetta. These motivations could be encompassed by the simple (or not so simple) rationale of pure revenge for injuries inflicted. In addition, as the foregoing chapters have shown, the Bellencini and Fontana possessed a political, economic, and social stake in its continuance. This was particularly the case in a context in which a vendetta possessed varying functions for those involved and furthered social, political, and economic interests.

When participants perceived peace to be in the interest of justice, parties hoping to avoid retaliation and the escalation of violence often brokered peace agreements, truces, and pacts of non-offense. In the city-states and sovereign territories of Italy from the eleventh century onwards, ample means existed for those who wanted to avoid further conflict. The same could be said for other polities in Western Europe that also possessed increasingly complex frameworks for dispute resolution intended to help bypass further interpersonal conflict. These frameworks included the dispute-resolving mechanisms of

⁵⁴⁰ “Non v’affligete, zio, che tanto stuolo/ d’amici e di parenti ancor vi resta/ che puniran quest’insensato dolo/e ne farn vendetta sì funesta/che ne sarà stupito infin l’abbisso/ e la loro stirpe sempre afflitta e mesta.” Pioppi, *Diario*, 42.

⁵⁴¹ “Quanto son lieto, ch’ei farà ogni possa/per non lasciar quest’opra invendicata.” Ibid.

the church, the courts, and recourse to a sovereign entity. Indeed, given these tools at the disputant's command, it could be argued that amicable and peaceful resolutions to conflicts were more common than resorting to violence should it serve the interests of justice.

Despite ducal efforts and increasing pressure from all sides in Modena, however, a lasting peace between the Bellencini and Fontana clans proved elusive simply because they sought to retain justice in their own hands. It took approximately eighteen years and countless deaths for a comprehensive peace agreement to be brokered. Along the way towards this agreement, there were many fits and starts. Promises were made, penalties levied, and agreements broken. At the end of nearly two decades of wrangling, nothing definitive was ever settled between the two clans and the sources suggest that there were periodic outbreaks of violence well into the seventeenth century.

This chapter will examine these attempts at reaching an accord and the ensuing difficulties, to illustrate how vendettas in sixteenth-century Modena were about the negotiation of power between sovereign and subject over the right of redress. By examining pacification in the Bellencini-Fontana vendetta, one is able to see the power dynamics underlying reparation in Modenese institutions and factional networks. In particular, the process of peace brokering was an evolving dialectic about the meaning of justice as the dukes of Ferrara-Modena and vendetta-practicing families negotiated for spheres of control and influence by renegotiating a long tradition of justice remaining in private hands. In the case of peace agreements, the spheres of influence were by no means clear.

The duke, his administration, and vendetta practitioners negotiated whether or not pacification was familial purview or a matter of state. As will be shown in the subsequent discussion, which of the above categories these peace agreements fell under was fluid and subject to contestation. In regards to the state, while increasing efforts to institutionalize peace agreements from the end of Alfonso I's reign can be perceived as part of larger ducal efforts towards centralization of ducal justice from the 1520's onwards.

As my examination will show, while neither faction was of one mind in the continuance of the vendetta both factions resisted ducal efforts to take justice from their hands. As a result, a sharp dichotomy should not be drawn between those who wanted to see peace and those who did not. Motivations and desires differed at various points in the peace process and according to cost-benefit calculations by the parties involved and the possibilities for obtaining redress. In efforts to determine compensation and fairness, peace agreements could take years to broker and involved many parties beyond the offender and offended. While the dukes in their efforts to increasingly monopolize justice often suggested the terms, those being forced to assent to an accord were not without agency in determining the details where their own interests were concerned. Peace agreements are another arena in which the aims of the sovereign to centralize the state and the traditional purviews of the nobility collided.

When it seemed certain that the Bellencini and Fontana would not cease their violence against each other of their own volition, various parties stepped in to persuade, cajole, and in some cases threaten them to a peaceful resolution. These inducements sometimes worked and sometimes didn't. As one scholar has noted: "Peace had the greatest chance of being maintained, and a vendetta the greatest chance of being

continued, when all members of both parties involved were of one mind.”⁵⁴² When all parties perceived, justice had been served it was likeliest that the vendetta would end.

The inability of the Dukes of Ferrara-Modena to easily penetrate Modena’s power blocks in the increasingly “civic matter” of the Bellencini-Fontana vendetta led the dukes to seek assistance from other prominent Modenese. It was not until the duke recruited other members of the Modenese nobility, the clergy, and the civic government that the Bellencini came close to relenting. Despite the wide variety of legislative measures passed against vendetta targeting the family strategies that underpinned it, in the matters of justice the Dukes of Ferrara-Modena still needed the cooperation of the very nobles who practiced violence. Indeed, examining the process of vendetta and its resolution exposes the conflicts between the centralizing impulses of a duchy in transition and a nobility increasingly being pressured to subsume itself into ducal politics.

This chapter will examine the ritual of pacification in the context of the larger vendetta process and desire for justice. First, I will examine the practices of pacification in Modena throughout the sixteenth century. In particular, I will examine several peace agreements made between the Bellencini and Fontana factions in order to trace an evolution in the peace-making process. By tracing this evolution in the process it will be shown that the dukes increasingly perceived the peace-making process as a tool of state-centralization and a means to increasingly monopolize the right of redress for themselves.

Finally, we will examine the 1565 peace agreement and its comprehensiveness as signaling a shift in ducal policy towards the elites and their vendetta practices. In particular, the increasing comprehensiveness of peace agreements and growing governmental oversight over their brokerage should not be read as evidence of movement

⁵⁴² Spierenburg, *A History of Murder*, 27.

towards an increasing state monopolization of either justice or violence. While ducal policies towards vendetta violence and the practices that undergirded them certainly changed, this comprehensiveness is further evidence of state recognition of the increasing need for collaboration with the nobility in the business of state governance.

As shown in Chapter three, the Dukes of Ferrara-Modena responded to increasing vendetta violence by restructuring their laws. In turn, elite families responded to changes in legislation by reshaping their practices that allowed them to continue vendettas, as was shown in Chapter four. The dialectic between the government and these families fundamentally changed their relationship and the practice of governance in Modena. The peace process itself exposed the need for accommodation between ducal and familial interests. Paradoxically, the state itself became more centralized in this move towards accommodation and cooperation among competing interests. The process of peace in the feud most exemplified these trends.

“If our Illustrious Duke will not take measures...at present this Magnificent city will become a factional city and they will kill one another like dogs to vindicate themselves in fullness of their hate and malevolence....”⁵⁴³

Lancellotti, *Cronaca*, 10:128

⁵⁴³ “Se lo Illmo Duca nostro non ge provederà, come ge scrisse io Thomasino Lanceloto presente scrittore sino alli 12 de zugno proximo passato della quale ne ho la copia apresso de mi, al presente questa Magnifica città doventerà una città partiale et se amazaranno come cani per vendicarse per essere tuta piena d’odio e malevolentia” Lancellotti, *Cronaca*, 10:128.

At one-thirty in the morning, merely hours after the 1547 attack on Annibale Bellencini, the governor's secretary, Gentile Albino, hastily scribbled Duke Ercole a missive.⁵⁴⁴ With governor Francesco Villa presently in Ferrara, Albino had been left to his own devices at the most inconvenient of times and had to act in superior's stead. As Albino related it, after hearing of the fracas, he immediately went to the piazza to see what news he could gather. He then made his way down the Via Emilia to the house of the Bellencini where he found "a great gathering of men," who "demanded of him what was being done to apprehend the malefactors."⁵⁴⁵ Upon seeing the uproar the Bellencini house was in, he turned south to the Bargello and gave the orders to close the gates. After completing his search for information, he sat down to compose a letter to the duke, in which he confided his fear of war between the two houses. He may have wondered whether he would wake up to a city in flames.

Dottore Albino, along with the rest of the city, settled into uneasy watchfulness as they wondered whether the Bellencini would take justice into their own hands. Two days later, on the 20th of April, Annibale expired from his wounds. Mourners arrayed the young captain's body in velvet and eight soldiers accompanied him to his tomb. He was laid to rest in the church of the monastery of Santa Maria del Carmine with the funeral pomp and solemnity indicative of his birth and station.⁵⁴⁶ Reflecting upon events, Lancellotti echoed Albino's doubt and prophesized: "the death of this youth will be the

⁵⁴⁴ ASMo, Rettori dello Stato, B.12 Gentile Albino to Duke Ercole II, May 18, 1547.

⁵⁴⁵ Ibid.

⁵⁴⁶ "El detto è stato seppellito da hore 21 de questo di al monastere de Santa Maria del Carmene et g'è stato li frati del Carmene e tutto el capitolo delli preti con li canonici e a tutti g'è stato dato cira bianca in bele torze e alla bara 24 torze bianche acese, e lui suso la bara vestito con el saiono de veluto, con la spada a lato dorata, suso la coperta de veluto del collegio delli bancheri, portato da 8 o più honorevoli soldati, el nomo delli quali serano scitti, se lo potrò sapere, in questo annale." Lancellotti, *Cronaca*, 10:77.

beginning of great ill to come such as God would not wish.”⁵⁴⁷ Many seemed certain that Annibale’s death would disrupt Modena’s peace and that the parties would be unable to reach an accord

In cases similar to the 1547 assault on Annibale Bellencini, matters might end with the initial act of violence if justice for the victim could be easily obtained. A subsequent arrangement for a settlement would be made between the various parties for ceasing hostilities. It is difficult to gauge how common this was in sixteenth-century Modena without further study, but we do have evidence of peace agreements drawn up between the offenders and the offended after an assault had been committed.⁵⁴⁸ On 15 May 1539, for example, the Bolognese Antonio Guadagnino killed a citizen of Modena, Francesco Porin.⁵⁴⁹ By the 29th of May, the fathers of the two men came to a peace agreement in which Antonio’s father Guadagnino agreed to pay Francesco’s father Zohane 575 lire in installments: 75 lire to be paid immediately and 100 lire paid annually for the next five years.⁵⁵⁰ In the carnival madness of 1547, Zirolimo Calori had killed Giambattista Marschalcho. The crime had been committed on the 6th of March. By the 22nd of that month, a peace had already been drawn up between the parties in the

⁵⁴⁷ “La morte de questo zovenò parturirà qualche grando male per l’avenire, che Dio non lo voglia.” Ibid.

⁵⁴⁸ This was a very common practice in other locales in Italy and the continent.

⁵⁴⁹ “Mercordì a dì 5 zugno. Es[s]endo stato ferito sino a dì 15 maggio proximo passato Antonio figliuolo di Guadagnino Bolognexo habitante in Modena, che a questo dì sono 19 dì, et fu el dì della Sension de Cristo, et fu dato la colpa a Francesco du de misser Zohane Porin cittadino modenese, el quale stà in caso de morte et già ha hauto l’olio santo; e perchè el ditto Guadagnino che’l ge volese fare la pace insieme con el ditto Antonio suo figliuolo,…” Lancellotti, *Cronaca*, 10:153.

⁵⁵⁰ “e cussì alli 29 mazo passato ge feceno la pace obligandose a pagare 1.575 contanti in questo modo 1.75 al presente, et 1.100 ogni anno, el quale è scampato sino a questo dì…” Ibid., 6:153.

presence of a notary.⁵⁵¹ Other evidence from the sources suggests that this was a common method of dispute resolution when justice could be quickly obtained.

Indeed, submission to a peace accord was a common method of dispute resolution among feuding families. As scholars have shown, these agreements were drawn up in the presence of notaries between representatives of the hostile parties, or the parties themselves, and were common to those wanting to avoid further violence. Records of these agreements appear in Florence, Bologna, Siena, Marseilles, the Holy Roman Empire, and Flanders. They were made by those from the common laborer to the court noble. They were intended to prevent retaliatory actions by the victim and his adherents, facilitate reconciliation by providing compensation, and promote civic order. These instruments were mostly “private” in the sense that the government could not require they be drawn up. Authorities could, however, formally recognize them and enforce their observance as an addendum to the official lines of justice.

While the duke could be called upon to reinforce peace in these cases, the Modenese did not have a sense that justice was ultimately the duke’s to give when private quarrels were concerned. That the sovereign was responsible for ensuring peace was by no means a universally shared assumption. As Daniel Smail has pointed out in his study of justice in late-medieval Marseilles,

late medieval states did not have the monopoly on violence that is sometimes imagined in the literature. The persistence of vengeance killings in many core regions of Europe throughout the fourteenth and fifteenth centuries shows that medieval states, with the possible exception of England, had at best a tenuous control of coercive force.⁵⁵²

⁵⁵¹ “El detto Zirolimo ha fatto la pace questo dì 6 marzo della detta ferita a Giambattista du de M.ro Bernardino Marscalcho rogato Ser Jacopino fiolo de mi Thomasino Lanciloto, et sta male da morire.”Ibid., 10:23.

⁵⁵² Daniel Lord Smail, *The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264-1423* (Ithaca, NY: Cornell University Press, 2003), 9.

The same could be said not only of medieval Marseilles, but also of early modern Scotland, Germany, France, and other Italian states. In the Venetian Terraferma, for example, while the Council of Ten and Venetian officials passed measures enforcing civil order and attempting to quell vendetta, Venetian rector ultimately recognized “that peace could not be concluded among rival factions unless it was concluded between the factions’ leaders themselves.”⁵⁵³ While the powerful and violent signori of the Romagna could make decrees and use force, they could do little to make peace between powerful magnates intent on killing one another.⁵⁵⁴ As in many other things, the Modenese nobles still retained control over these seemingly “private” matters of honor and violence.

The Bellencini had been involved in a private dispute resolution prior to Annibale’s death in 1547. While it took two years for the Bellencini and Tassoni to come to an accord after Aurelio Bellencini murdered Alberto Tassone in 1534, the two families did eventually come to an agreement. In December 1536, after much negotiation, the two families signed an agreement in the castello in the presence of the duke.⁵⁵⁵ Ludovico Bellencini agreed to pay the son of the victim 1200 lire in installments over four years. The Bellencini also agreed that the culprit, Aurelio, would not return to Modena during this period. Since there is no explicit record of further hostilities between the Bellencini and Tassone, it may be presumed that, in this case, the instrument of peace prevented further bloodshed in serving up suitable redress. While Duke Alfonso I oversaw this

⁵⁵³ Ferraro, *Family and Public Life in Brescia*, 145.

⁵⁵⁴ John Lerner, “Order and Disorder in Romagna, 1450-1500,” in *Violence and Civil Disorder in Italian Cities, 1200-1500* (Berkeley: University of California Press, 1972), 38-71.

⁵⁵⁵ “Item Sua Excellentia inanze cena in castello haveva fatto fare la pace fra M. Lodovico Bellencini et M. PioTassone per la morte del quondam Alberto Tassone, che amazò Aurelio fiolo del ditto M. Lodovico circha 3 anni fa de febrare sotto le canoniche, et ha promesso M. Lodovico de pagare ali agenti in nome del puto de M. Alberto Tassone l. 1200 in 4 anni a venire in Modena, rogato ser....” Lancellotti, *Cronaca*, 5:215.

peace agreement and put pressures on both parties to submit to an accord, he did not legally “force” them to sign an accord nor did he take justice into ducal hands. Rather, the Bellencini submitted of their own free will. While Lancellotti and several of the ducal governors perceived the Bellencini to be intransigent, they had signed peace accords when it had served their interests.

The Bellencini, however, possessed a very distinct sense of honor and status and only made peace agreements when they perceived their honor was not at risk. For example, they made a peace agreement with the Tassoni in 1534 when in fact they had initiated the fight. The Bellencini signed a peace agreement with the Seghizzi in 1522 after a “rumor” between the two clans.⁵⁵⁶ Count Annibale Rangone helped pacify the families.⁵⁵⁷ In cases like these, each party could sign a peace agreement without either party’s honor being jeopardized because justice had been easily served.

Ironically, this peaceful conclusion to the Bellencini-Tassoni incident may have increased violence in the long-term by working directly against the vendetta prevention measures the dukes had enacted since the second decade of the century. It reinforced the notion that peace agreements were also private matters of redress between two clans. As further evidence of these attitudes, the Bellencini faction had emerged relatively unscathed from Annibale’s uncle Aurelio’s murder of Alberto Tassone in broad daylight. After only two years of exile and a fine, Aurelio had been pardoned and fully reintegrated into Modenese society. Aurelio’s reintegration was a clear signal that the matter was

⁵⁵⁶ “Et a dì 25 ditto li Bellencini, e li Seghizzi feceno grande armata et se atacorno insemo et se ne ferite; ma el conto Annibale Rangone aquetò el rumore et ne ha mandato dui per parte in castello, e subito fornì le porte e la piazza de fanti.” Ibid., 2:223.

⁵⁵⁷ “E a dì 26 ditto li Bellencini, e li Seghizzi feceno tregua insieme.” Ibid., 2:223; “E a dì 25 ditto li Seghizzi, e li Bellencini hano fatto l pace alla presentia del conto Guido Rangone, rogato ser Giambattista da Festà.” Ibid., 2:224.

closed and justice had been served. This could only have underscored the Bellencini clan's sense that they could continue to pursue private justice with little cost to themselves or their standing in Modenese society.

There was more at stake, however, in the case of Annibale's death. The honor of the Bellencini house was at stake, as was the honor of the Fontana house. Most of the accounts make this clear. Both Forciroli's account and the account of the ducal secretary Gentile Albino emphasize Annibale Bellencini's clear "giving the lie" to or insult of Giovan Stefano Fontana. Giovan Stefano Fontana responded by defending his own honor and struck Annibale down. What happened next would affect the standing of both houses.

As a result, with a beloved son of the powerful capo Giambattista Bellencini now dead, many were certain the Bellencini were going to retaliate by defending the honor of their house. In fact, by amassing arms, they had demonstrated just the opposite of declaring their willingness to make peace. Indeed, the Bellencini did retaliate and defend their honor. Bellencini vengeance came only a few months later when they shot to death Giambattista Codebò, brother-in-law of Annibale's murderer, in the church of San Pietro during vespers.⁵⁵⁸

With the assassination of Codebò, however, it became increasingly clear that the families were highly unlikely to come to an accord anytime soon. Both the symbolic and actual commission of this assassination indicate that the Bellencini perceived justice in the death of their favored son to be theirs and theirs alone. As further proof of this sense, after this heinous and public assassination, the Bellencini appeared unrepentant: "Many Bellencini are going throughout the city this morning with heads raised high and in a company of 5 or more, and all with arms, whether to commit homicide or for other things

⁵⁵⁸ Ibid., 10:124.

is not important; but this is well know to everyone.”⁵⁵⁹ If justice was a private matter in the minds of the Bellencini, then so was a truce.

With the assassination of Codebò, however, the matter had shifted from a private family altercation into the public domain, at least in the minds of other Modenese nobles. The Bellencini’s lack of repentance and their willingness to take matters into their own hands were becoming alarming, even threatening. On his own initiative, the governor summoned a number of Bellencini—the cathedral canon, Cornelio, along with Gerolamo, son of Alessandro, the purported assassin of Giambattista Codebò—in order to put pressure on the Bellencini.⁵⁶⁰ The Council of Conservators sent an ambassador to beg the duke to intervene in this matter, while the governor sent repeated letters urging Ercole to stabilize the city.⁵⁶¹ The citizens of Modena were increasingly placing pressure on Duke Ercole to use his power and influence to change his position towards the peace-making process. The honor of the Bellencini and Fontana clans was no longer the only thing at issue. It had become a matter of “civic” honor.

On the face of it, this seems to be an appeal for greater ducal authority in these matters. Prior to the sixteenth century, retaliatory homicides and their prevention were considered a matter to be settled between two families, even though homicide remained a serious crime punished by the state. Remarking on a similar situation elsewhere, one scholar has observed that:

⁵⁵⁹ “Lunedì a dì primo agosto. Molti Bellencini vanno per la città questa matina a testa levata et in compagnia de numero 5 per compagnia e tutti con le spade ch’ el pare che l’omicidio fatto eri sia una cosa che non importa; ma per l’avenire se saprà el tutto.” Ibid.

⁵⁶⁰ “A dì ditto. Eri sira fu chiamato in castello M. Cornelio beneficiatio et M. Jacomo laico fioli del Magnifico M. Giambattista Bellencini et M. Girolimo fu de M. Augustino Bellencini fratello de Alessandro che è stato uno delli 4 che hano amazato M. Giambattista Codebò che ge furno el Signore Governatore li fece mettere in presone destretta. El portria essere che non ge voriano essere andati perchè a tempi passati ge n’è andato delli altri et ge hano lasata la testa.” Ibid., 10:124.

⁵⁶¹ Ibid., 10:125.

Peace, however, was not something to be preserved but a social arrangement, a precarious equilibrium between disputing families who must balance their need for security against their fear of losing honor and respect...the government of the grand duke regarded these as legitimate concerns and recognized the crucial public role of notable families.⁵⁶²

This call for ducal intervention raised new issues. What parties were responsible for ensuring that both clans did not come to further blows? What steps could be taken to prevent violence from escalating? How coercive could the duke and his officials be in forcing the Bellencini and Fontana to submit to an accord?

These questions expose the disconnect between private self-help and ducal justice in the sixteenth century. It is telling that none of the observers articulated what we might expect: that the duke and his officials would step in, call everyone to order and impose a peace. Indeed, not only Lancellotti—the ostensibly impartial observer—but also the duke’s own official, Gentile Albino, predicted retaliation and disaster. This points to the fact that, at this point in time, the feud was still considered to be a ‘private’ matter to be settled between the two parties and no one at the time of Annibale’s death expected the matter to end amicably.

Duke Ercole II, however, was not completely without recourse. If we look at his actions after Annibale’s death as a failed opportunity to exercise sovereignty, they seem ineffectual indeed. If we view his choices through the Weberian lens of a state monopolization of violence, he appears to have failed. If we view his activities as cognizant of the cooperation needed to reduce violence and as an exercise of sovereignty in this way, then his choices take on a different meaning. Indeed, as subsequent events showed, he did his best to broker peace between the Bellencini and Fontana. He could

⁵⁶² Donald Weinstein, *The Captain’s Concubine: Love, Honour, and Violence in Renaissance Tuscany* (Baltimore, MD: The Johns Hopkins University Press, 2000), 50.

not force his subjects to refrain from violence. Their local power proved too difficult to circumvent. He could, however, flatter them, threaten, and cajole. The steps he took fell within his “public” provenance—measures undertaken within his sphere of influence that would reduce the opportunities for further violence.

These measures included overseeing a pact of non-offense. After the death of Codebò, with Giambattista already present in Ferrara, Ercole summoned members of the Fontana consorteria. On August 4, 1547, Giovan Francesco Fontana was summoned to Ferrara to sign an accord.⁵⁶³ The next day Bartolomeo Fontana and Alberto, nephew of Geminiano, left to join their kinsman.⁵⁶⁴ Since Gerolamo, Cornelio, and Giambattista Bellencini were already being held in prison in Modena, along with several of the Fontana, the duke and his counselors could put more pressure on the families.

Ducal pressure, however, could only do so much if peace agreements were still considered a ‘private’ matter. Neither family was without political recourse, and those responsible for the crimes were well out of reach. The next day, Cornelio, the son of the Bellencini capo, was released from prison due to his status as a priest.⁵⁶⁵ Alessandro was unashamedly spotted near Modena in the company of four horsemen unconcerned by the

⁵⁶³ “Zobia a dì 4 agosto. M. Giovan Francesco Fontana questo dì è stato chiamato in castello dal Signore Governatore M. Francesco Villa et g’è andato acompagnato da 4 armati etiam lui, et Sua S. ge ha fatto comandamento che el vada a Ferrara e lui ha detto che el ge andarà. Venerdì a dì 5 ditto. M. Giovan Francesco Fontana s’è partito questa notte passata de Modena per andare a Ferrara acompagnato da molti cavalli de soi parenti e amici: forse che la Excellentia vorà che M. Giambattista Bellencini e lui faciano la pace.” Lancellotti, *Cronaca*, 10:128.

⁵⁶⁴ “Item se dice esserge ancora andato a Ferrara con M. Giovan Francesco, M. Bartolamèo Fontana ditto el Grasso, et M. Alberto Fontana nepote de M. Geminiano padre de quello che amazò el capitano Annibale Bellencini el quale è infirmo e tutti se partirno la notte pasata.” Ibid.

⁵⁶⁵ “Martedì a dì 9 agosto. M. Cornelio figliuolo del Magnifico M. Giambattista Bellencini che golde molti beneficii senza essere in sacris nè in habito da sacerdote era destenuto in castello con M. Jacomo suo fratello et M. Jeronimo figliuolo fu del Magnifico Dottore M. Augustino Bellencini, è uscito questa matina de castello per vigore de essere connumerato in li preti beneficiati; se dice per littere apostoliche: e li altri dui ge sono restati. Ancora non se conclude pace nè trega sin qui che el presente io sappia.” Ibid., 10:130.

threat of capture.⁵⁶⁶ Lancellotti's disapproval was ever growing. He noted darkly of these events:

these things are happening in the city due to disobedience and faulty vigilance but I am certain that God will open the eyes of those that are closed. This city at present is grossly disorderly, because those who are supposed to provide, do not provide...⁵⁶⁷

Still, the duke took important measures. Giambattista Bellencini was ordered not to leave Ferrara on pain of 2900 scuti.⁵⁶⁸ It was hoped that keeping Giambattista in Ferrara would tie his hands.

These coercive measures, however, were bound to fail unless Ercole could fully assume the role of peacemaker between the clans. Considering the size of their families, their friends, and associates, both inside and outside the duchy, this was not a practicable solution. Nonetheless, Ercole could levy fines and banish offenders until they came to an agreement with their victim's family. He could take more global measures such as prohibiting weapons.⁵⁶⁹ On the 8th of August, 1547, the communal ambassador Guido de Guidone returned with a letter from the duke to governor Francesco Villa. Ostensibly, this

⁵⁶⁶ "Ancora se dice che detto Alessandro con molti cavalli 4 dì fa sono venuti apresso Modena per fare qualche novità et se ne tornorno via senza havere fatto cosa alcuna." Ibid., 10:131

⁵⁶⁷ "A dì ditto. Havendo la Magnifica Comunità de Modena fatto fare in le beccaria nova uno loco da serarge li porci che vano vagabondi per la città, acasxò essere preso uno porco del Signore Governatore M. Francesco Villa, e posto in detto luoco: e subito ge andò uno suo servitore e roppe la chiavadura et lo lasò andare per la città: e per questo malo exemplo el ne va per la città granda quantità perchè se lui havesse obedito, tutti li altri haveriano obedito: ma questa è una fabula apresso alli altri desordeni che sono acascati et acascano in la città oer causa della sua mala obedientia e mala vigilantia, ma sono certo che Dio ge aprirà li ochii, overo gli serarà. Questa città è al presente molto desordenata, perchè chi ge doveria provvedere non ge provvede." Ibid.

⁵⁶⁸ "El magnifico M. Giambattista Bellencini che è in Ferrara molti dì fano, secondo se dice, ha comandamento dalla Excellentia de Duca de non se partire da Ferrara ala pena de scuti 2900, e questo per la morte acascata del Magnifico Dottore eccellente M. Joan Batista Codebò che fu morto in Sancto Petro in la giesia nel hora del vespro con archebuxi da preda e arme molto vituperosamente da Alessandro del quondam Magnifico M. Augustino Bellencini e compagni, secondo se dice." Ibid.

⁵⁶⁹ For more on the 'public' and 'private' demarcation of justice, see Sarah Rubin Blanshei, "Crime and Law Enforcement in Medieval Bologna," *Journal of Social History* 16, no. 1 (Autumn 1982), 121-38. For a dissenting view, see Dean, *Crime and Justice in Late Medieval Italy*, 120-1.

letter contained a ducal prohibition against arms.⁵⁷⁰ On August 11, Duke Ercole II took more concrete action.⁵⁷¹ He prohibited the bearing of arms by “every person of every grade, state, and condition unless given special license by his Excellency.”⁵⁷² Ercole also made no bones about his reason for making the decree: “this is because the Fontana committed homicide after having obtained a billet to carry arms.”⁵⁷³ Then the duke issued a prohibition against carrying arms as a direct consequence of this event, since “we marvel that no one has ever come forward with an account of this [homicide] and we desire to know what happened.”⁵⁷⁴ If the Modenese would not cooperate and sign a peace accord on their own, then he would take away their arms as punishment.

As further evidence of this perceived separation between ‘private’ peace making between families and ducal intervention, Lancellotti had already speculated before this

⁵⁷⁰ “Lunedì a dì ditto. El Reverendo Guido di Guidoni canonico modenese, el quale a dì primo del presente du eletto dalli Signori Conservatori ad andare ambasciatore al Illmo Duca per lo eccesso acascato domenica, che fu al ultimo del passato, del Magnifico M. Giambattista Codebò che fu morto in la giesia de Sancto Petro molto ignominiosamente, el quale M. Guido se parti ali di dui del presente in martedì, è tornato ali 6 del presente in sabato, ha fatto questo dì la sua relatione alli Signori Conservatori, la quale non so al presente: ma se dice che lui ha portato una litra al Signore Governatore de Modena M. Francesco Villa con una crida notata che ogni uno debia mettere zose le arme, la quale se doveva fare eri matina, ma lui non ha voluto publicarla sino non habia risposta dalla Excellentia del Duca. La causa perchè non se dice al presente.” Lancellotti, *Cronaca*, 10:130.

⁵⁷¹ “Crida fatta questo dì da hore 21 ½ da parte del Illmo Duca nostro che ogni persona, sia de condicione se voglia non ardisca portare arme de dì nè de notte in la città de Modena, nè soi borgi; non derogando a niuna altra crida fatta sopra a ciò a la pena etc...” Ibid., 10:132

⁵⁷² “Illmo et Ecc Principe Don Hercole secondo per dio gratia di ferrara di modnena di Reggio duca quarto di cirasus per marchessa di rovigio...carpi delli provincie di romagna grafagnana frignano e di moness arguto e di comacchio signore. “Conoscendo quanti disordini e inconvenienti nascono per lo portare delle armi alli quali sua eccellenza come principe et continuamente studia alla quiete e bene di suoi sudditi desidera rimediare et obviare pero per la presense sua publica grida ordina vuole comanda e proibisce et miuna persona di qualunque forma et privilegi e scrissi particolari patenti possa ardisco ne presamo portare in questa citta de armi di sorte alcuna di offesa ne da difesa sotto pena de scudi dieci d’oro de tratti tre di corda di stare un mese in prigione la qual pena s’intenda supplimenti portando armi di hasta e mediamamente si portaranno le armi per tempo di notte restando la grida et proibisce de portare li archibusi da pietra nelli termini valor suo della qual pena pecuniari la meta sera applicata alla ducal camera et l’altra meta alli goventore 10 executore.” ASMo, *Rettori dello Stato*, B. 11.

⁵⁷³ “Et perche questi Fontani ci hanno fatto intendere che du detenuto un bileeto I putato d’haver porto mane all’arme qualcuno occorse questo homicidio ci meravigliamo che non ce sia mai stato dato conto alcuno di lui, Pero desideramo saper quello che ne sara successo et quello che se le trovi contra come piu largamente haverti potuto intendere per Ire di Herolimo Gualengo Fattore stao sano.” Ibid.

⁵⁷⁴ Ibid.

ducal decree that the duke's first act after Annibale's death would be to control the circulation of weapons in the city: "It is said the tomorrow that there will be a ducal decree that no one will be able to carry arms."⁵⁷⁵ The carrying of arms was both a public and private issue. It was private in the sense that the possession of weapons—particularly swords—was still considered a privilege of the nobility and a marker of station. However, the social lines demarcated by carrying knightly accoutrements had become blurry. At the same time, the possession of weapons had become a matter of state that rulers increasingly tried to control. The Dukes of Ferrara-Modena, like their counterparts, increasingly tried to control the possession of arms by making the possession of weapons an exclusive privilege only they could grant.

Indeed, after Giambattista's murder in the church, Lancellotti took steps to address the duke himself concerning the excessive number of weapons in circulation: "Noted reader, that since this [murder] has happened, I wrote a letter to the duke, that if no one makes provisions for this city, every day there will be killings, and no one has made allowances for this."⁵⁷⁶ As always, Lancellotti had his finger on the pulse of the city. Ercole II did indeed promulgate a decree prohibiting the bearing of arms, although Lancellotti's information proved unreliable as to the date. The decree itself was not issued until a few months later in August 1547, shortly after the murder of Codebò in the cathedral.⁵⁷⁷ The ducal decree provided an immediate fix. The notables of the city laid

⁵⁷⁵ "El se dice che domane se farà la crida ducale della arme che nisuno le possa portare..." Lancellotti, *Cronaca*, 10:79.

⁵⁷⁶ "Notate lettori che sino ali 12 del passato io scrisse una litra alla Excellentia del Duca, s'el non provedeva a questa città ogni dì faria della amazamenti, e sin qui non ge ha fatto provvisione alcuna." *Ibid.*, 10:124.

⁵⁷⁷ "Dominica a dì ultimo ditto. El Magnifico dottore valento homo in la sua professione de litere M. Giambattista fiolo du de Ser Zorzo Codebò cittadino modenese di età de anni 50 o circa è stato morto questo dì in la giesa de Sancto Petro de Modena nel fino del vespro alquanto apresso la capella del batesimo de detta giesa essendo zenochione mentre che li monici cantavano la Salve Regina overo

down their arms, except for the few men who possessed special licenses, such as several members of the Rangoni and other ducal officials.⁵⁷⁸ According to Lancellotti, this was the way to peace: “Now this will become a peaceful city that was once a battlefield of disorder.”⁵⁷⁹

Lancellotti’s hopes that these ducal measures would lead to peace between the Bellencini and Fontana, however, proved to be short-lived. No sooner than this ducal decree was promulgated on August 11, 1547, than the next day a servant of the Fontana was wounded.⁵⁸⁰ Moreover, despite Duke Ercole’s reported efforts to encourage peace between the Bellencini and Fontana, he was distracted by the renewed threat of war over the territory of Parma—a territory that the Farnese wanted to transform into a duchy to offset the power of Charles V in Lombardy.⁵⁸¹

The duke, as ever, was caught up in the hostilities due to the precariousness of his political position. On the one hand, he held Ferrara in fief to the papacy—in this case,

dicevano el Pater noster. El ge fu tirato de uno schiopo da preda in uno zenchio e di poi uno altro nella vita e cascò in terra et ge fu dato molte ferite in la vita cioè in terra ge fu dato molte ferite in la vita cioè nel corpo e braze per numero 27, e in pocho de hora morì, circa da hore 20. E li malfattori erano 4 li quali se ne andorno con Dio per li buxi che sono in le mure, e montorno a cavallo come forno passati for a della città e con altri quatro a pedi se ne andorno verso Spilamberto: e subito ge andò tutta la città a detta giesia sentando essere accaduto questo grandio malefition et in una simile persona; El detto è stato seppelito in uno lixello in detta giesia perchè se l’avesseno portato a Sancto Domenico e posto in la sua sepultura la seria stata fetente perchè alli 12 del presente ge fu seppelita M. Barbara fiola de Ser Geminiano Fontana sua consorte essendo lui a Ferrara (1) per el fatto de detti Fontana a M. Giambattista Bellencini al quale a di passati ge fu morto Annibale suo fiolo da uno fiolo del detto M. Geminiano Fontana, e la causa della morte del detto M. Giambattista nasce da detta dessensione. Se dice essere stato delli Bellencini et altri, perchè tutti li Bellencini sono forti in casa de zente armate a questa hora una de notte che io scrivo in questo annalle. Ma quello di ch’el se dà una zochada la non se sente se non in tempo de 4 di che la fa putrefactione; cossi farà la morte del detto M. Giambattista.” Ibid., 10:124.

⁵⁷⁸ “E a di 12 ditto. Tutti li gentil homeni e grandi cittadini hano messo zose le arme, excetto li offitiali deputati alla guarda della città et li executori. Ben se dice ch’el Signore Governatore ha dato licentia ali Ranfgoni con 4 servitori et al Conto Mario con 3 servitori e al Conto Nicolò e Conto Parto da Cesi con...servitori e a M. Girardino Molza massare con...servitori. Tutti li cavallieri e altri privilegiati non ne portano nisuna: el simile li altri cittadini, e pare da eri in qua la sia doventata questa città una città pacifica che pareva uno campo de fantaria desordenato.” Ibid., 10:132.

⁵⁷⁹ Ibid.

⁵⁸⁰ “A di ditto. Ferite date a una massara di Fontana questo di da mexo di: se dice che la stava con M. Camillo dal Bamabaxo che feritte Gaspar de M. Rigo Cemicelli del meso passato, el quale guaritte. La causa perchè non se dice, ma se dice che lei sta con M. Giovan Francesco Fontana.” Ibid, 10:133.

⁵⁸¹ Helge Gamrath, *Farnese: Pomp, Power, and Politics in Renaissance Italy* (Rome: L’Erma, 2007).

Paul III Farnese, who was trying to consolidate his family's hold on the duchy. On the other hand, Ercole had to contend with Charles V, who strongly opposed the creation of the duchy and the threat to his hegemony in Northern Italy. Moreover, Ercole held Modena and Reggio in fief to Charles. It was anybody's guess as to whose side Ercole's father-in-law, the king of France, would join. For the next few months, Lancellotti and the rest of Modena would be preoccupied with the unrest and the constant movement of troops outside the city gates. The ducal measures, however, appeared to have worked temporarily. Willfully ignoring several acts of violence, Lancellotti happily reported that "in the 45 days since the prohibition against bearing arms no one has died...and it is said that only 10 have been wounded."⁵⁸² Despite ducal problems on other fronts, according to Lancellotti, prohibiting weapons had worked in preventing further violence between the two clans, their friends, and their associates. All that remained to be done was for the parties to submit to accord of their own volition.

By September of 1547, the two clans had reached an agreement. The heads of the five branches of the Fontana clan—Giovan Tomaso, Geminiano, Gian Francesco, Bartolomeo, and Alberto—signed a truce with Giambattista Bellencini in the castello with Governor Villa overseeing the event.⁵⁸³ The truce was to be in effect for two years and the security to be paid on both parts was 2500 scudi. This was to be one of Governor Villa's last acts as an Estense agent. He resigned his post a few days later and was

⁵⁸² "Oggi sono 45 dì ch'el fu fatta la crida che nisuno portasse le arme e mai in detto tempo è stato morto nissuno se non questo Giambattista Masello scritto di sopra. El se dice che el detto ha delle ferite circa 10 (1)." Lancellotti, *Cronaca*, 10:166.

⁵⁸³ "A dì ditto. Lo eccellente fisico M. Giovan Thomaso Fontana con Ser Geminiano, Ser Giovan Francesco, Ser Bartolomeo e Ser Alberto tutti di Fontana e de 5 casate, sono andati in castello da hore 17 dal Signore Governatore, se dice per dare le segurtà per scuti 2500 al Magnifico Giambattista Bellencini inante che passa questo meso, perchè quando a dì passati feceno la trega per dui anni in Ferrara per comandamento del duca ge fu dato termino uno meso a dare le segurtà con pena a chi non le daria, e per obedire se crede che ge siano andati per questo et el Magnifico M. Giambattista predetto sia venuto a Modena per detta causa." *Ibid.*, 10:167.

replaced by Galeazzo Gonzaga.⁵⁸⁴ The deciding factor in convincing the two parties to agree is unclear.

Lancellotti was convinced that the law and better government could provide the avenue to peace in Modena. Not only was violence between the two warring clans an ever-present threat: in addition, the murder rate in Modena was rising.⁵⁸⁵ Lancellotti carefully calculated that in the six years since the duke appointed Francesco Villa as governor in May of 1541, he had recorded forty-three homicides and the numbers grew by the year. In his chronicle, he included a table:

From September 11, 1541 until the 21 of December.....	3 killed
From June 5, 1542 to July 4.....	4 killed
From February 15, 1543 to October 26.....	5 killed
From May of 1544 to October 29.....	3 killed
From February 12 1545 to November 5.....	9 killed
From January 22 1546 to June 15.....	12 deaths
From February 17, 1547 to August 26.....	7 deaths

The deaths continued. On January 27, 1548, Camillo Castaldi fatally wounded Ser Zirolimo Pazan. Convinced that the increasing profusion of arms was the cause, Lancellotti placed the blame squarely on the governor's shoulders.⁵⁸⁶ Lancellotti was partially right. The duke had done his duty in every respect, had passed laws to address the symptoms, and had persuaded the Bellencini and Fontana to sign a truce. The nature of the problems preventing lasting peace between the factions was more systemic. More

⁵⁸⁴ “Mercordii a dì 12 ottobre. El Signore Governatore de Modena M. Francesco Villa ha detto questo dì che lui non serà oiù governatore di Modena e che in suo luoco ge venirà el Conto Galeazo da Gonzaga gentil homo del duca nostro.” Ibid., 10:177.

⁵⁸⁵ Ibid. 128.

⁵⁸⁶ “Domenica a dì 27 ditto. M. Camillo fiolo fu de M. Andrea Castaldi che a dì passati fu bandito dalla città dal Signore Governatore per havere dato uno schiafo a Ser Girolimo Pazzani in castello alla presentia del detto Signor Governatore e dipoi successo essere morto...ditto Rizino suo fratello, è venuto in Modena, et io l'ò veduto questo dì con la spada a lato e m'è stato detto essere stato fato cavallero per potere potere le arme in la città perchè el duca non vole che cittadino nisuno le porta se non con qualche privilegio, overo che sia offitiale de Sua Excellentia o della Magnifica Comunità con la licentia del Signore Governatore. El sè attrovato questo modo per farge li soi decreti de scuti deci almancho.” Ibid., 10:12.

was needed than ducal decrees inhibiting violence and a truce between the two families. In particular, Modenese society had to possess a stake in peace between the two parties for it to be effective. This private matter had to become a ‘civic’ issue. As we will see, the dukes could not broker peace agreements without cooperation.

As the ‘private’ transaction of a peace agreement was only binding for the parties who agreed to observe it, violence could break out again at any moment. A scant year after the 1548 truce was made, hostilities resumed when Giambattista, son of Martinelli of Solara, murdered one of the Lovi at 3 o’clock in the afternoon in Modena’s main piazza. Santo Lovo was a tenant of Agostino Bellencini’s son Gerolamo, while the Martinelli were Fontana partisans.⁵⁸⁷ As a result, at the beginning of 1549, despite the brokering of a truce, nothing had been settled definitively between the Bellencini and Fontana. Once again, the duke, hoping to persuade the families to again follow custom, called the Bellencini and the Fontana to Ferrara to sign a peace accord.⁵⁸⁸

Considering the environment of war both within the city walls and outside them, peace was the term on everyone's lips at the beginning of 1549. Despite the efforts of the last two years, no agreement had been reached. Indeed, the Bellencini and the Fontana families were not the only members of the Modenese nobility intent on killing one

⁵⁸⁷ “A dì ditto. Giambattista fiolo...di Martinelli da Solara per havere già amazato uno di Lovi g’è stato mozo la testa questa matina da hore 15 in suxo la piazza de Modena, e dui dì fa uno di Martinelli ha amazato Santo Love, perchè el non ha voluto farge la pace, che l’averia havuto la gratia; el quale era mezadre de M. Zirolimo de M. Augustino Bellencini e tutte doe dette famiglie andaranno in ruina: cussi fa le inimicie.” Ibid., 10:420.

⁵⁸⁸ Ibid., 10:456.

another. In 1549, Lancellotti named no less than six families said to be in “enmity” with one another—the Bellencini, Fontana, Balugola, Corte, Camicelli, and Tassoni—and neglected to include by name the Grillenzoni, Petrezzani, Forni, Codebò and many more.⁵⁸⁹ It had been nearly two years since the death of Annibale Bellencini, a truce had once again failed, and the citizens, wearied by warfare both within and without the city walls, were beginning to clamor for quiet and accord.

There are suggestions that the discord between the two important families and their inability to conclude an agreement was beginning to affect the daily business of government. The Council of Conservators began to get involved in order to broker peace. In a very real way, the enmities, particularly between the Bellencini and Fontana, had affected the business of government. Giambattista Bellencini, elected capo of the Council for two consecutive terms in the second trimesters of 1547, was not able to attend several of the sessions because the duke kept him in Ferrara until he consented to a peace. The same could be said of the Fontana, Codebò, and their close associates who were most assuredly distracted.

Responding to the distraction of their members, in March of 1549, the Council passed a formal resolution to become involved in the peace process and “exhort the citizens to make peace.”⁵⁹⁰ They elected Antonio Valentini and Elia Carandini to visit Giambattista Bellencini in person to exhort him to reflect on the further consequences of pursuing this vendetta. They told him pointedly that it had been a long time since

⁵⁸⁹ “Lunedì a dì ditto. Li cittadini de Modena che sono in nimicia cioè Bellencini, Fontana, Balugola, Corte, Camicelli, Tassone e altri da 8 dì in qua hano dato le sue segurtà de non se offendere uno l’altro con bono ordeno alla presentia del Illmo Signore Galeazzo Gonzaga Governatore de Modena. Credo che ne sia stato rogato M. Gentile Albino cancellero de Sua Signoria in castello.” Ibid., 11:32.

⁵⁹⁰ “A dì ditto. El consiglio con li adionti è sonato doppo disinare et era stato invidato molti cittadini. Se dice che volevano parlare che li cittadini facessino pace; ma in termino de una hora non g’era nisuno; forse perchè non g’era el numero per seesre festa erano andati in villa, e forse non ge hano voluto andare.” Ibid., 11:34.

Annibale's death and that there were others to think of.⁵⁹¹ Taking this one step further, the Council of Conservators decided to elect men not implicated in enmities during the second term that year.⁵⁹² In subsequent trimesters, the names of the Conservators changed dramatically. No longer were there Tassone, Fontana, Codebò, Bellencini, and others who refused to make peace. They were replaced by the Rangone, the Carandini, the Molza, and the Valentini. Finally, in addition to enacting its own measures, the Council of Conservators petitioned Duke Ercole to ensure peace.⁵⁹³

Duke Ercole responded to this increasing pressure from the Council by once again attempting to oversee a peace agreement. Shortly thereafter, the duke sent again for Giambattista Bellencini, who, according to Lancellotti, was using "every means to avoid going."⁵⁹⁴ Giambattista was proving as recalcitrant as he had two years before.

Lancellotti was certain, however, that he would suffer penalties this time, "he and others who do not want to make peace will be absent for a long time outside Modena before

⁵⁹¹ "A di ditto. Li eletti a trattare la pace hano principiato questo di a fare parlamento insciemo in la stantia delli Conservatori et hano ordenato fra l'horì a chi hano a parlare e chi ge ha ad andare, et M. Antonio Valentini e M. Elia Carandino andaranno a parlare a M. Giambattista Bellencini che è el più duro per la morte de Anniballe suo fiolo e li altri andaranno ali altri." Ibid., 11:37

⁵⁹² "A di ditto. Li Sig.ri Conservatori feceno eri sonare el consiglio con li adionti et invidare molti honorevoli cittadini che dicesseno el suo parere per fare elettione de persone che exortasseno li cittadini che sono in nimicia a fare pace e non ge n'è andò nisumo e mancho delli Conservatori et adionti; et questo di hano fatto consiglio et fatto elettione delli infrascritti, videlicet: lo Illmo Signore Governatore nostro per capo, li Illmi Signori Conti Ercole Rangone, Conto Ugucione Rangon et Conto Giovan Francesco Bosschetti; et delli Signori Conservatori Marco Antonio Valentini priore, M. Giovan Scapinello capo confermato, e M. Gaspare Manzoli sotto priore et M. Nicolò Calori etiam uno del numero delli Signori Conservatori, et M. Francesco Reno e M. Domenico Mazono capi delli adionti, et li M. M. Zohano Castelvetro e M. Andrea Carandini Dottori et M. Camillo Molza cavallero in luoco de cittadini. Quella opera ceh farano io la notarò piacendo a Dio." Ibid., 11:35.

⁵⁹³ "Mercordì a di 10 ditto. Li Sig.ri Conservatori andorno lunedì proximo passato dopo disinare a parlare a Sua Ex.tia el quale ge dette gratissima audientia, e in fra li altri parlamenti ge diseno che pregavano Sua Illma et Ex.ma Sig.ra che dovesse fare fare la pace a tutte quelli della città di Modena e Sua Ex.tia hebe molto a caro detto ricordo ultra che lui lo haveva in memoria e la sua venuta del presente a Modena la principal è stata per intendere tutti quelli che erano in nimicia cussi delli offessi come de quelli che havevano offeso, e disse che detti Conservatori ge ne dovesseno dare una lista." Ibid. 11:46.

⁵⁹⁴ "A di ditto. Lo Illmo Duca ha scritto al Signore Governatore che dica a M. Giambattista Bellencini che vada a Ferrara perchè el vole che faciano pace, e lui fa ogni opera per non ge andare; ma se Sua Excellentia se corozza, lui con altri che non voleno fare pace li mandarà cussi lontano da Modena ch'el ge rencreserà." Ibid., 11:36.

they will be reintegrated.”⁵⁹⁵ Lancellotti, however, was not referring to ducal penalties if the parties would not submit to an accord, but to increasing pressure from other interested parties.

The Council of Conservators was not the only party putting pressure on the Bellencini and Fontana to sign an accord. Various preachers exhorted the citizens to make peace from the pulpit. In March of 1549, the Augustinian friar Boniforto de Pavia delivered a sermon in front of 2000 people, including the governor, podestà, and other notables. Members of the Bellencini and Fontana factions were undoubtedly present in the audience. In the sermon, Boniforto pointedly pleaded with Modena's citizens to live peaceably.⁵⁹⁶

Having obtained the necessary collaboration for his efforts to bring the parties to peace, in April 1549 the duke issued a blanket decree “obligating every man who wanted favor in the eyes of the duke to make peace without discord, fight, or complaint.”⁵⁹⁷ The duke needed to quickly regain control over the situation. Indeed, Holy Week of that year became a focus for Ercole’s peace-making efforts.⁵⁹⁸ He commissioned sermons exhorting peace to be preached in the Duomo, in the presence of the governor and many officials.⁵⁹⁹ He ordered all who were in enmity to appear before the governor, Galeazzo

⁵⁹⁵ Ibid.

⁵⁹⁶ “Domenica a di 10 ditto. El Reverendo Padre Boniforto da Pavia del ordine de Santo Augustino ha predicato questo e tutti li tre di passato della presente quaresima et ha havuto gratissima audientia de più de persone 2000 et g' è stato el Signore Governatore, podestà e massare et altre persone onorevole: in fra le altre belle et honorevole monitione ha exortato li cittadini a fare pace insciemo.” Ibid., 11:29.

⁵⁹⁷ “Perchè quella si degni per universale quiete della sua città constringere ogni homo per quello mezzo parerà migliore a Sua Ex.tia fare pace dove sia alcuna discordia, guerra od oltraggio.” Ibid., 10:47.

⁵⁹⁸ For the role of religious in peace-making efforts see, Cynthia Polecristi, *Preaching Peace in Renaissance Italy: San Bernardino of Siena and his Audience* (Berkeley: University of California, Berkeley Press, 1988).

⁵⁹⁹ “A di ditto. Lo Illmo Duca nostro è andato alla predica questo di della Oliva in Domo doppo disinare, el quale è cussi pieno de persone che el non se può stare e la sua sedia era dal altare della nostra Dona et g'era el Sig.r Governatore con molti cortesani et el predicatore lo ha exortato a fare far la pace della città...” Lancellotti, *Cronaca*, 52.

Gonzaga, on Holy Tuesday to make peace with one another. While attempting to persuade the main players to come to an agreement and abide by it, the duke again passed various legislative measures. In February of 1550, Governor Gonzaga decreed that anyone who wounded or killed another would suffer the following penalties: confiscation of part of the delinquent's goods, according to their station, and a fine of 50 scudi paid by the head of household to the ducal camera.⁶⁰⁰ The duke further ordered those citizens in enmity with one another to provide security for a pact of non-offense.⁶⁰¹ In doing so, Ercole doubtless hoped that the tenor of this traditional week of forgiveness and reconciliation would add extra incentive.⁶⁰² On the duke's cognizance, the governor appointed Count Ercole Rangone as a special advisor on making peace between citizens.⁶⁰³

Yet, even during Holy Week, and despite ducal pressure, the Bellencini and the Fontana did not come forward to make peace, despite the gathering forces pressuring them to conclude the matter amicably. In a measure directed at these families and their

⁶⁰⁰ “Però lo Illmo et Ex.mo Sig.r Galeazzo Gonzaga già Marchese etc. Governatore ducale de questa città de Modena havendo maturamente sopra ciò considerato, per la presente sua publica Grida costituisce e comanda che qualonche volte per lo avvenire accadrà che alcuni faciano questione insieme con arme o vero uno assalti un altro seguendone o non seguendone ferite o occisioni in qualsivoglia luogo e contrada di Modena, le persone di quella vicinanca et altre ancora che vi si trovano presenti siano obligate tutte, senza che alcuna se ne possi escusare, uscire dalle case o vero botteghe loro, et levando rumore perseguitare tanto quelli che facesseno questione o che assaltassero, che gli prendano et diano in le forze de Sua Signoria, dalla quale saranno premiate in li beni de' delinquenti secondo la qualità de casi. E chi mancherà di farlo incorra in pena di tratti tre di corda et qualli che seranno patri de famiglia incorrano di più in pena de scuti 50 applicati alla ducal Camera. Sotto le quali pense siano anche obligati di venire parimente a dare notizia a Sua Signoria di ogni question o altro rumore che con arme si facesse, quando pur non potessero venire presi quei che l'avessero fatto, acciò che ella sapendolo presto possi anche presto fargli delle altre provigioni che le pareranno più espediti.” Ibid., 10:27.

⁶⁰¹ Ibid. 10:33.

⁶⁰² “A dì ditto. Tutti li cittadini de Modena che hanno inimicicia insciemo e che erano a Ferrara lo Illmo Duca li ha fatto venire in Modena perchè el vole che faciano pace insciemo et questo di g'è stato comandato a tutti che dopo disinare se dovesseno trovare dinante al Illmo Governatore di Modena el Sig.r Galeazo Gonzaga per componere la pace perchè domane che serà el martedì santo se farà lo instrumento denante a Sua Ex.tia al presente in Modena e cussì ge sono andati.” Ibid. 10:53.

⁶⁰³ “A dì ditto. Li deputati a trattare la pace in Modena fra li cittadini, excetto al Sig.r. Conto Hercule Rangon absente, se sono adunati inseimo e fatto parlamento et poi sono andati dal Sig.r. Governatore a conferirge el suo parlamento el quale avisarà Sua Ex.tia.” Ibid., 10:39.

violent peers, the duke subsequently added more punitive muscle by barring anyone in enmity from passing the doors of a church or celebrating mass until these conflicts were settled.⁶⁰⁴ Still, the Bellencini—particularly Giambattista—were unwilling to reconcile with their enemies and sign a peace accord. Lancellotti noted: “Giambattista did not want to make peace for anything and, perhaps, would rather be sent into exile. The duke was inclined to oblige him.”⁶⁰⁵ In response, the duke finally commanded that another peace be brokered between the Bellencini and Fontana within three days under an unspecified penalty.⁶⁰⁶

This attempt at commanding the Bellencini and Fontana to make a peace agreement was unprecedented in terms of the duke involving himself in a matter that was considered a matter of private regulation. Supported by other Modenese notables and parties, he now felt he had the backing to do so. There were doubts, however, that the duke could pull this off. Lancellotti doubted that the duke could get the Bellencini to agree to peace: “they will not align themselves to the wishes of the duke...”⁶⁰⁷ Public pressure and ducal penalties, however, were not enough to convince the Bellencini. Duke Ercole subsequently summoned the Bellencini and Fontana to Ferrara to force the parties

⁶⁰⁴ “A dì ditto. El Sig.r Galeazzo Gonzaga Governatore de Modena questa matina ha fatto reiterare le crida de dì 22 del presente fatta in piazza che nisuno debia passezare per le giesie de Modena mentre ch' el se celebra li divini offitii ala pena de scuto uno per persona acusata, la mità al acusatore e l'altra mità ale convertite; e chi non haverà modo a pagare el scuto ge serà dato uno tratto de corda in publica piazza.” Ibid., 10:59.

⁶⁰⁵ “Mercordì santo a di 17 aprilo. Questo dì non è ancora fatto la pace fra li Belencini per la morte de Hanibal fiolo de M. Giambattista Bellencini el quale per niente vole fare pace piuttosto vole essere mandato in esilio, e forse lo Illmo Duca lo servirà come se dice ch' el farà.” Ibid., 10:56.

⁶⁰⁶ “E a dì ditto dopo la partita de Sua Ex.tia è stato dato uno comandamento da parte de Sua Ex.tia è stato dato uno comandamento da parte de Sua Ex.tia a tutti quelli cittadini che erano a Ferrara che in termino de 3 dì se debiano ritrovare in Ferrara per far la pace ala pena de...” Ibid., 10:58.

⁶⁰⁷ “Sabato a dì 6 agosto. La litra ducale è gionta al Signore Governatore de tore la segurtà qui in Modena per li Belencini e Fontana dal altra parte, perchè el vole che faciano la pace inanze se partano da Ferrara una parte e l'altra: ma non se accordano a darla secondo la volontà del duca, che se contene in detta littera; e li tri Bellencini sono ancora in castello destenuti.” Ibid., 10:129.

to submit to arbitration.⁶⁰⁸ Upon this summons, Giambattista appeared to relent and it was said throughout Modena that he had decided to make peace with the Fontana in order to avoid exile.⁶⁰⁹ Roughly one month later, however, Giambattista was still in Ferrara and had not committed to an accord; moreover, he had even taken the step of leasing a house in Ferrara in anticipation of a long negotiation.⁶¹⁰ His son Giacomo joined him and was soon followed by his wife.⁶¹¹ His other sons, Cornelio, the priest, and Zirolomo, his natural son, were also summoned.⁶¹² As the months wore on and penalties increased, the parties still could not come to an accord.⁶¹³ The year went by and no accord had been reached by Easter of the following year. Thus, 1549 ended without the matter being resolved.

⁶⁰⁸ “Zobia a dì 25 aprilo. M. Carolo et Gaspar di Tassone se sono partiti questo dì de Modena per andare a Ferrara per comandamento del duca che el vole che faciano la pace. Le altre parte sono li Bellencini e li Fontana et Cimicelli, videlicet parte Fontana ha amazato a Bellencini, e parte Cimicelli ha amazato ali Tassone che ancora lori sono andati a Ferrara seperati uno dal altro.” Ibid., 10:59.

⁶⁰⁹ “A dì ditto. Per nova da Ferrara el consiglio ducale ha fatto chiamare M. Giambattista Bellencini che è in Ferrara denante de lori e dittoge da parte del Illmo Duca ch' el voglia essere contento fare pace a soi inimici che sono li Fontana, tutti cittadini modenesi, per la morte del capitano Annibale suo fiolo. Se dice che lui ge ha detto che a quelli de Modena è contento farge pace e che mani non hebe animo a farge a dispiacere ma a quelli che sono for a banditi lui non ge la vole fare, e facia Sua Ex.tia quello che el vole de fatti soi che lui starà paciente.” Ibid., 10:66.

⁶¹⁰ “A dì ditto. El M.co M. Giambattista Bellencini che è in Ferrara per non volere fare pace con quello che amazò el capitano Hannibal suo fiolo se dice che lui ha tolto una casa in Ferrara perchè el vole ch' el ge vada a stare la sua garzona per stare più comodamente. *Durum est stimulum calcitrare.*” Ibid., 10:75.

⁶¹¹ “Ancora se dice che M. Jacomo fiolo del predetto M. Giambattista ha tolto ancora lui una casa in Ferrara e ch' el vole che sua moglie ge vada a stare.” Ibid., 10:75.

⁶¹² “Item M. Cornelio preto et M. Girolimo mondano fioli del predetto M. Giambattista sono andati a Ferrara per comandamento del duca, li quali stavano in Roma et ge hano fatto molte pontade inante che siano andati, pur ge sono andati perchè el duca li vole bandire e condannare scuti 100 cussi se dice.” Ibid., 10:76.

⁶¹³ “El se dice che Sua Ex.tia ha fatto fare comandamento a M. Giambattista Bellencini, a M. Rigo Cimicelli, a M. Giovan Francesco Fontana, a M. Bartolamèo Fontana, a M. Carolo Tassone et altri che al presente sono in Ferrara cittadini de Modena che sono in nimicia uno contra l'altro e che tanti mesi sono che sono in Ferrara perchè Sua Ex.tia vorria che facesseno pace insciemo e non la voleno fare, che alla pena de scuti 2000 per ciascuno che non se debiano partire de Ferrara e questo perchè se dice che M. Cornelio fiolo de M. Giambattista Bellencini che golde benefitii e va e fa da mandano è venuto a Nonatola et che M. Jacomo suo fratello che è in Modena gotoso e infirmo de altra infirmità è andato a Nonatola a parlare con detto M. Cornelio forse per fare qualche armata come feceno a dì passati che andorno in quello de Rolo per atrovare Lanfranco Fontana e non feceno nulla, e acciochè più non faciano simile armate la Ex.tia del Duca ge ha fatto fare detto comandamento penale e io credo ch' el Sig.r. Governatore habia fatto el simile a questi de Modena e che se debiano presentare ogni dì a Sua Ex.tia.” Ibid., 10:112.

Anticipating further retaliation, the duke intervened in more direct ways. He renewed pressure on Giambattista Bellencini to reconcile with the Fontana. On July 11, 1550, the governor wrote to the duke: “I have been talking with all the men of note in this territory, each of whom would like to see a resolution to this quarrel...and an accord between the Bellencini and Fontana.”⁶¹⁴ Two days later, on July 13, 1550, the governor wrote with increasingly forceful rhetoric and a doubtful tone about the possibility of brokering a peace:

I do not want to keep quiet about what has reached my ears by many avenues in this land—the ever increasing division between the Bellenzini and the Fontana. So much so that it is becoming a civil matter as well as one of law, since they are men of arms and there are many partisans of the two families. Some of [them] are calling for protection against their adversaries in such a manner that it is even more necessary for universal quiet for you to find a way to end this matter with your prudence and grace...⁶¹⁵

Clearly, suspicious reports of more planned violence between the two families were beginning to reach his ears.

A peace agreement between the Bellencini and Fontana was certainly in the harried duke's interest. Duke Ercole had lately been preoccupied by other important matters: the Italian wars and their complicated political and economic ramifications; the ever-present rumors of heresy that had recently shaken his court and brought about the

⁶¹⁴ “Parlando con tutte le qualita di huomini di questa terra, ogn’un si vuole vederla In volta in questa Brighe et quelli non ci sono pare et subito et ogni pericola occasione non con li faccia intrare quando quella Briga et la principale si potesse accordare cioe tra Bellenzini et Fontana sarebbe bene perche ne seguita rebbono tutte l’altre ma quando no si potesse o andasse al longo non’ sarrebbero a lasciare l’altre intentase M. Rigo Cimisello mostra haver gran desiderio di vivere quieto...”ASMo, *Rettori dello starto*, B. 11, Alfonso Trotti to Duke Ercole II, July 11, 1550.

⁶¹⁵ “Non voglio tacergli che per molte vie mi viene alle orecchie che questa terra si va sempre piu dividendo li animosità inclinoverdosi si allor parte di bellencini et si a quella di fontani talmente che non solo gli huomini da arme si adheriscono ad una di queste parte ma ando se che le cause civile alcuno la lite che alcuno adherente di queste due famiglie l’altro chiama per protettrice la contraria in modo che tanto più mi pare che sia necessario per la quiete universale che lei con la prudenza et bonta sua cerchi di condurre a fine queste paci et non modo cercando che le presente origli allor gli bacchio le mani humilmente raccomandomi una buona gratia.” ASMo, *Rettori dello stato*, B. 11, Ferrante de Tassoni to Duke Ercole II, July 13, 1550.

downfall of his duchess, Renée of France; the everyday threats of plague, famine, and economic crisis. In the mid-1540s, war once again loomed on his borders. This time the battle pitted the papacy and the Holy Roman Emperor, on one side, and the King of France, on the other, over the territories of Mirandola and Parma. This struggle put the duke in a diplomatic bind, since he held Ferrara in fief to the papacy, Modena in fief to the emperor and was brother-in-law to the King of France.⁶¹⁶ In anticipation of conflict, Duke Ercole was preoccupied with fortifying his territories and safeguarding his subjects.

The fact that some of the Bellencini were no longer interested in engaging in vendetta proved decisive in tipping matters toward peace. Without the cooperation of all members of the house, a vendetta could be difficult to pursue. Combined with additional pressure from the rest of Modena, Giambattista Bellencini was finally forced to accede. An instrument of peace was optimistically drawn up between the two parties. The 1550 instrument, written in Italian, begins:

As desired by the citizens of Modena, devoted subjects of Your Highness, appointed by proper name in this instrument of peace made between the Forni, the Bellencini, and the Fontana in the year 1550 on the 13 of June to perpetuate true quiet and peace between these families...⁶¹⁷

Following this preamble, the truce mentioned the penalties for those who would “break the peace” and warned that their assets (*beni*) and those of their guarantors (*fidecommissorri*) and heirs were liable to confiscation. The brief instrument also

⁶¹⁶ “Per cagione della Mirandola e di Parma seguitò la guerra, negli anni 1550-52, fra i pontificii e gl'imperiali da una parte ed il re di Francia dall'altra; in conseguenza continuarano I danni a Reggio ed a Modena specialmente nella parte bassa di questa provincia. Il Duca benché sollecitato non volle entrare in quella guerra; cionnostante, come dice il cronista, non si trovò mai in tanta angustia come in quei tempi, perchè per essere feudatario della M.co dell'Imperatore per causa di Modena e di Reggio, e poi della Chiesa per Ferrara, e per essere parente del re di Francia...”Lancellotti, *Cronaca*, 11:iii.

⁶¹⁷ “Desiderando gli infrascritti Cittadini di Modena devotissimi suditi di V.A. nominati di proprio nome null'instrumento di pace fatta tri li Forni, et Bellencini, et Fontani, et altri nominati in detto instrmento fatto dell'anno M.D.L.X.V. sotto li xiiidi Guigno la vera quiete et pace perpetua, tra essu famiglie...” ASM*o Particolari*, Bellencini, B. 115.

mentioned not only “those who are named in the aforesaid peace” (the Forni, the Bellenzini, and the Fontani) but also “those who come under the rubric of agnate” as well as “those who have not ratified the peace.”⁶¹⁸

Despite these new developments, negotiations over simply signing the document continued to drag on for months. Finally, by the end of 1550, word came that Giambattista might relent, but would only consent to a truce with the Fontana for five years.⁶¹⁹ The Fontana, however, were unwilling to agree to these terms, so negotiations continued.⁶²⁰ Finally, after six months of arduous negotiations, the parties agreed to a truce for two years.⁶²¹ On 18 January 1551, the governor reported to the duke that he had received assurance “from all the principal heads [of the houses] assenting to the peace...which, with much difficulty having been happily concluded, has been solemnly ratified in front of me with the appropriate penalty of 500 scudi...”⁶²² The agreement was finally ratified on behalf of the Bellencini by Gian Battista and Aurelio.⁶²³ Alessandro, Geminiano, Gian Francesco, and Bartolomeo Fontana ratified the document on the behalf of that family.⁶²⁴ The parties were also obliged to provide security on behalf of their kin

⁶¹⁸ Ibid.

⁶¹⁹ “Zobia a dì 27 novembro. A M. Geminiano Fontana et Nicolò suo nepote et M.ro Alessandro Fontana fisico ge stato fatto comandamento da parte del Duca che subito se debiano ritrovare in Ferrara perchè li Bellencini voriano fare una tregua per cinque anni condicionata e li Fontana voriano la pace perpetua...” Lancellotti, *Cronaca*, 10:315.

⁶²⁰ “Zobia a di 12 febrare. Li Fontana e Bellencini inimici isciemo che tanti mesi fano sono in Ferrara non hano mai fatto pace nè tregua et li Belencini volevano a di passati fare tregua: ma li soi inimici banditi che sono in Venetia non voleno tregua, ma pace, se la voleno fare; altramente stare come stano al presente, tanto che Dio ge provederà o la gente del mondo.” Ibid., 11:351.

⁶²¹ Ibid., 11:364.

⁶²² ASMo, *Rettori dello stato*, B. 11, Ferrante de Tassone to Duke Ercole II, January 18, 1551.

⁶²³ “Item M. Giambattista et M. Aurelio di Bellencini sono restati in Ferrara sino a tanto haverano dato la segurtà del modo detto di sopra, cossi per li banditi come ut supra.” Lancellotti, *Cronaca*, 11:364.

⁶²⁴ “Item M. ro Alessandro, M. Geminiano, M. Giovan Francesco et M. Bartolamèo di Fontana sono restati in Ferrara sino haverano dato la segurtà qui in Modena in le mane del Sig.r governatore in solemne forma.” Ibid., 11:364.

to the fourth degree, including those who had been banished as well as those still resident in Modena.⁶²⁵

While a sovereign might persuade parties to make peace with one another when his interests were involved, he could not force the parties to continue observing it. Indeed, the chronicler Lancellotti implied more sinister reasons about why the Bellencini preferred a truce to perpetual peace; he claimed that one of the Bellencini had told him that they favored the financial penalties of a truce so that “when they murdered their enemies under the truce they would simply pay the fine.”⁶²⁶ The Bellencini clearly pursued this strategy of paying the price for murder in the following years, as did the Fontana. In the thirteen years following this 1551 truce, many of their kindred continued to engage in violence.

Indeed, the only permanent effect the peace agreement seems to have had is that the Bellencini and Fontana devised more creative means of killing each other. For instance, in 1552, Marco Armato di Montaguana confessed that the Bellencini had given him money to assassinate members of the Fontana resident in the nearby duchy of Mantua.⁶²⁷ The Bellencini subsequently assaulted the castello in Rolo with 200 men at arms to force Lanfranco Fontana from his hideout, since he was increasingly suspected of being the mastermind behind Annibale Bellencini's death. Unable to get at Lanfranco,

⁶²⁵ “Io Illmo Duca ha promesso per tutti sino a tanto haverano dato tutti la segurtà per tutti ciascaduna casata sino in quarto grado e cossì per quelli che sono for a banditi come quelli che sono in Modena.” Ibid., 11:364.

⁶²⁶ “El se dice che lo instrumento della trega fra li Bellencini e Fontana che sono a Ferrara tanti mesis fano è notato ma non stipolato. Dio sa quando e se stipolarà. Uno parento de Bellencini ha detto a mi Thomasino Lanciloto che quando li montanari erano in guerra l'uno con l'altro e che facevano trega atrovavano poi li denari della pena et poi amazavano li soi inimici sotto la trega e pagavano la pena; cossi se dubita che l'acascarà fra dette doe parte che Dio non voglia.” Ibid., 10:361.

⁶²⁷ “nel 1552 un Marco Aromato di Montaguana prigionero, confessò che un Pendaglia da Sermide gli disse avere avuti danari dai Bellencini, perchè uccidesse in Mantova I Fontana, della qual cosa il Governatore avvisava il Duca il 15 giugno, affinchè egli alla sua volta ne desse avviso al Cardinale di Mantova, ed al Conte Lodovico Gonzaga...” Sandonnini, *Un famoso Bandito Modenese*, 439.

who was given safe-conduct to aid the duke in the new wars amassing on his borders, Camillo Forni, a Bellencini cognate, challenged him to a famous duel. Despite continuous efforts to secure the peace, violence continued to escalate between the two families until Lanfranco Fontana sent his exploding boxes in the summer of 1562. In the intervening years, events continued to play out much as they had before. A peace-agreement or a truce would be drawn up; pressure would be put on the Bellencini and Fontana to sign the accord, then one or both parties would accede to the terms while planning their next move.

The difficult process of drafting a truce after Annibale Bellencini's murder in 1547 provides a window into the costs and benefits of brokering a peace. Annibale's father Giambattista could make arguments for or against signing an accord with the Fontana, but it should be emphasized that, from his standpoint, there were both pros and cons in doing so. Becoming capo of the Bellencini house after the death of his father Lodovico, Giambattista assumed an equally elevated position in Modenese society as his father. He is listed on the rolls of the *Conservatori* at least ten times between 1529 and 1557.⁶²⁸ He was also disliked as much as his father for his proud and bellicose ways. These arrogant attitudes and habits also seem to have colored the behavior of his daughter, Sister Lucia Bellencini, of S. Geminiano fame.

Giambattista's prominent position and political influence also underscores how the sharp demarcation between private and public in considering peace agreements can be overplayed. Scholars have examined the *Instrumenta pacis* and the evolution of the peace-making process as evidence of increasingly centralized control from the government over magnate violence. In Modena, for example, the *Instrumenta pacis*

⁶²⁸ In particular, he is listed for the years 1529, 1537, 1538, 1543, 1544, 1547, 1548, 1549, 1556, and 1557.

evolved from notarial acts signed between disputants into more elaborate documents promulgated and registered with the ducal Camera. This development signals an intermediate stage in the progression from private mediation to public control. These negotiations between the Bellencini and Fontana comprised part of the intermediate stage as the dukes negotiated for control over violence.

This level of intervention, however, also signals a change in the way the ducal government responded to vendetta. The Dukes of Modena-Ferrara or their ministers, however, did not typically oversee truces or peace agreements personally until the period under examination, except in the most extreme cases. Until the mid-sixteenth century, instruments of peace were typically private agreements made between the two parties in front of a notary.⁶²⁹ The peace-accords of 1547-1551, however, mark a watershed moment in a process of change within the governmental response to vendetta. The Bellencini-Fontana vendetta was one of the events that changed the relationship of the government to peace agreements as the Dukes of Ferrara-Modena recognized that collaboration with the Modenese elites proved necessary.

If one views the Bellencini-Fontana vendetta as part of a competition for political and economic resources and influence with the prince which, in turn, led to access to further resources, both the feud itself and ducal responses become more intelligible. The Bellencini and Fontana were fighting for political control over the resources of Modena, for greater influence over running the Council of Conservators, and for economic rewards attached to ducal favor. This struggle created what one scholar has called “a dialectic

⁶²⁹ For a recent comprehensive discussion of *Instrumentum Pacis* in Medieval Italy, see Glen Kumhera, *Making Peace in Medieval Siena: Instruments of Peace, 1280-1400*, PhD Dissertation, University of Chicago, 2005; Trevor Dean, “Violence, Vendetta, and Peacemaking in Late Medieval Bologna,” in *Crime, Gender, and Sexuality in Criminal Prosecutions*, ed. Louis A. Knafla (Westport, CN: 2002), 1-18.

relationship between state formation and social stratification,” wherein certain members of the Modenese nobility “enhanced their control over commoners and marginalized other noblemen...”⁶³⁰ Oddly, by practicing vendetta they were negotiating with the duke for power and status.

The rationale for this reform was explicitly given in the ducal measures concerning peaces, truces, and pacts of non-offense promulgated in 1531. This document observes that due to the irregular nature of privately contracted Instruments of Peace:

we have observed the contention, difficulty, and disputations that have arisen and are arising around the instruments of peace, and truces celebrated among our subjects. Following their execution and exaction, arguments among the principals over the penalties stipulated, or a lack of notarization, or either the inexperience of the notaries themselves, which problems are causing great disorder...and leading to vendetta.⁶³¹

The duke went on to make clear that the imprecision and irregularity of these instruments led “in our minds to the multiplication of scandal...” In order to correct these problems, he stipulated that precise clauses had to be included when drawing up these documents. For example, these documents were to include precise penalties agreed upon by both parties; the signatories were to include not only the principals, but offenders sentenced in contumacia; and they were to be ratified in front of an official of the ducal Camera.

The inclusion of these measures represented both a notable change from the customary nature of these documents and an attempt to regularize their nature.⁶³² By

⁶³⁰ Hillyay Zmora, *State and Nobility in Early Modern Germany*, 117.

⁶³¹ ASMo, *Rettori dello Stato*, February 11, 1531, B.12.

⁶³² See, Carmelo Elio Tavilla, “Paci, Feudalità e Pubblici Poteri,” in *Ricerche di storia giuridica estense* (Modena: Mucchi Editore, 2002), 279-321.

enacting such measures, the Este dukes attempted to cast a wider net around the principals bound to observe these pacts and ostensibly impose stiffer penalties for breaking them. In the reformed Statutes of 1547, Duke Ercole included several rubrics which dealt with breaking peace agreements. This rubric stipulated that breaking instruments of peace carried the penalty of banishment on pain of death; if the offender was already in exile, then he would suffer perpetual banishment.”⁶³³ These penalties could only be remitted by a supplication to the ducal government for extraordinary grace.

After 1547, penalties for breaking a peace agreement by pursuing the vendetta were considerably greater, since they would be enforced by the state and not regulated amongst the families themselves. Although this was an important innovation, however, it

⁶³³ “Libri quinque statutorum inclytæ civitatis Mutine, cit, lib. III, rubric LXVIII “De poena frangentis pacem.” Cc. LXXXIV-LXXXIIr, “Quia scriptum est “Beati pedes portantes pacem,” propterea statuimus quod, si quis de compraehensis in aliqua pace occiderit quempiam compraehensum in dicta pace, etiam si dictus occisus esset bannitus, huiusmodi interficiens capitali poena puniatur; absens vero puniatur in banno pepetuo, a quo eximi non valet praetextu seu vigore alicuius statuti, gratiæ vel absolutionis, quas in hoc casu valere nolumus. In utroque vero casu, ultra poenas de quibus in aliis statutis nostris et penam conventionalem quæ apponi consequit in instrumentis pacis, puniatur in libris quingentis, quarum medietatem habeat Ducalis Camera, aliam medietatem haeredes occisi. Quod si non occiderit compraehensum in pace, sed eum tantum vulneravit cum sanguinis effusione et mors aliter non sequatur, ultra statutarias et conventionales poenas condemnetur in libris ducentis, solvendis pro dimidio aerario ducali e pro alio dimidio parti offensæ. Et si solum inter offendentem et offensum esset tregua seu fidantia sive sint de principalibus sive de sequacibus, si contemptor treguæ occiderit alium cum quo treguam habeat, puniatur in libris ducentis, applicandis ut supra, ultra alias poenas statuarias et conventionales. Quod si solum volneraverit aliquem de compraehensis in dicta tregua cum sanguinis effusione et mors vulnerati aliter non sequatur, ultra poenas prædictas condemnetur in libris centum, applicandis ut supra. Adiciunt quod, si unus de compraehensis in pace vel tregua ruperit aliquo modo pacem vel treguam, poena de qua in instrumento pacis vel treguæ in totum committatur et exigi valeat, firma etiam manenete pace seu tregua, et toties poena committatur quoties pax seu tregua rupta fuerit, etiam si hoc non esset cautum in instrumento. Declarantes quod, pro dicta poena conventionali exigenda, primo excutiatur rumpens pacem vel treguam et eius bona, et eo reperto non solvendo in totum vel pro parte, pro ipso toto seu parte alii de parte rumpentis pacem vel treguam teneantur insolidum, salvis tamen iuribus dictis solventibus contra violatorem pacis seu fidantiae. Declarantes etiam quod, ubi facta esset pax seu fidantia on mortem alicuius, haeredes occisi ante capiant et capere possint libras quingentas sibi applicatas, pro ut in statuto sub rub. “De poena homicidiæ,” et similiter poenam de qua in hoc præsentis statuto. Volentes etiam quod, ubi in instrumento pacis seu treguæ non esset expressum quibus pacis seu treguæ ruptæ poena deberet applicari, dimidium applicetur fisco ducali et alium dimidium parti laesæ. Et ubi etiam non fieret mentio qualiter poena seu pars poenæ applicata parti offensæ deberet dividi, tunc dividiatur per capita nominatorum in pace vel tregua, et unum caput non possit plus habere quam essent eius facultates. Et in predictis procedi possit summarie et de plano, et tam nomine fisci quam nomine partis, prout etiam cautum esse volumus in caeteris aliis poenis applicatis parti vel loco pio. Nam ipsa pars, cui poena applicatur, habeat actionem directe absque eo quod actio sibi cedatur a Camera Ducali vel ab agentibus pro ea.” As quoted in Tavilla, “Paci, Feudalità, e Pubblici, Poteri,” 300-1.

was not enough. It still required the families to observe the pacts and furthermore required enforcement by governmental officials. As we will see shortly, despite the ducal government's repeated attempts to broker and enforce these pacts, these families continued to pursue vengeance. In some ways, tightening the grip of ducal justice only served to further hone their strategies of getting around it.

The truce of 1551 and subsequent attempts had all proved unsuccessful because as soon as the parties agreed violence would again break out. Thus, by 1565 we find a more comprehensive instrument that included almost identical clauses as the 1550 instrument but which also added some notable changes. Besides naming the aforesaid men, the 1565 agreement extended to a much wider group, including “not only those named by name but also their children, nephews, affines, cognates, and agnates to the fourth degree as comprehended by canon law.” This vast web of kin also included “bastards—acknowledged and unacknowledged” as well as “those who live within the residence and those who serve within the residence, “along with “their heirs and future successors.”⁶³⁴

The most unusual and significant addition to the 1565 pact, however, is the following clause:

Let the present peace be neither broken nor an act of revenge be committed through the quarrel of boys under fourteen years old, women and infants, [who are...] factional adherents or their supporters. Let close affines and cognates bear to a greater degree among themselves the expense of the quarrelers.⁶³⁵

⁶³⁴ “Et Agentes prestati mag. de Bellencinis. Et de Furno et quilibet eorum respdetives ut supra eorum nominibus propriis, et nominibus, ac vice quibus supra, et omnium ac singulorum et querume...suorum filiorum, nepotum, affinus, cognatorum, et Agnatorum usque in quartum gradum inclusive suo Ius Canonicum, comprahendendo etiam Naturales, et Spurios, et etiam si ex devanato, et reprobato certu nati essent, et nacerentur, et tam habitantes in dominio...et eorum heredes et secesseres...” *ASMo Particolari, Bellencini, B. 110.*

⁶³⁵ “Item quam non Intelligentur neq sit praesens pax rupta nec poena ita sit commissa per risas puerorum ab annis quattordecim infra, et mulier et fanciullos, ceniplicu, adherentium, coadherentium, et sequacius affinius, et cognator suptarium partiusinter se rixantium.” *Ibid.*

These two clauses, in addition to the greater comprehensiveness of the 1565 instrument of peace, raise interesting questions: What had changed in the fifteen years between 1550 and 1565 to require a lengthier document more comprehensive in scope? Why did ducal authorities feel the need to include minor children, women, and infants or those not typically perceived to be directly involved in the vendetta process? Many family members lay outside the adult male networks normally used to leverage peace agreements: in this case, the wives, sisters, daughters, and minor children of the principal male protagonists.

By 1565, authorities were beginning to recognize the role these extended networks played in perpetuating the violence and disciplining it internally. This recognition provides part of the explanation for the inclusion of infants, minor children, and women in the peace-making process. It was becoming increasingly clear that the duke could do a limited amount to prevent the clans from killing one another; nor could he force each member of the large clan to sign a pact and make it truly binding unless he obtained their cooperation by other means.

Obtaining elite cooperation in Modena entailed the recognition that the conservatorial class functioned as politically powerful class with strong familial interests. By making the peace instruments as comprehensive as possible and reinforcing the internal disciplining impulses of the collective, Modena's sovereigns increasingly recognized the roles that these dense networks played in collective violence. In turn, his recognition of the role of the Modenese elites played in ducal politics reinforced their identity as a class. By recognizing their civic identity, the Duke of Ferrara-Modena was increasingly able to cooperate with them in the solidification of state power.

These familial factions, the Bellencini, the Fontana, and their peers continued to practice violence even as they became increasingly more central to the practice of governance. The Fontana and Bellencini continued to serve on the Council of Conservators, increasingly served the dukes at court, and were appointed to administrative offices well into the eighteenth century as they continued to acquire wealth, land, titles, and status. The records, chronicles, and various other narratives record these facts but no longer frame them in terms of vendetta or as jurisdictional conflicts between conservatorial families and the Dukes of Ferrara-Modena. The reasons for these changes remain open for future study. The Bellencini and Fontana vendetta died out of its own accord no longer fueled by conflicts over familial versus ducal interests. For generations, however, the Modenese remembered the enmity of the Bellencini and Fontana.

Conclusion

In 1550, a cynical Lancellotti named several Modenese citizens said to be “at war” with one another.⁶³⁶

The [Modenese] citizens who are in Ferrara at present and are involved in “guerra” with one another are the following: Giambattista Bellencini, M. Rigo Camicelli, Giovan Francesco Fontana, Carolo Tassone, Gaspare Tassone, Girolimo Bellencini and others.⁶³⁷

Lancellotti, with uncharacteristic brevity, neglected to mention the other Modenese citizens “in enmity” (*inimicitia*) including the Forni, Carandini, Rangone, Corte, Codebò and others. Indeed, in the previous twenty years, the same families whose members sat on the Council of Conservators were also “in enmity” with one another—the Carandini, Molza, Tassone, Bellencini, Fontana, Corte, Codebò, Camicelli. At any given time in the decades between 1530 and 1550, during one of the quarterly sessions of the Council, multiple members were “at war” or were soon to be so.⁶³⁸ Each of these families, at the

⁶³⁶ Enmity was a legal or extrajudicial state of of hostility or hatred. As Trevor Dean has pointed out the use of the term “enmity” or *inimicitia* in Italian could signal a feud as could *odio* (hatred) or *guerra* (war). Dean has purposely avoided the use of the term *vendetta* maintaining in several of his works that “vendetta is an event or a response to an event, not a state of continuous animosity. Though many historians use feud and vendetta synonymously, this is not reflected in historical usage and tends to restrict the activities in which vengeance occurred.” See, Trevor Dean, “Marriage and Mutilation: Vendetta in Late Medieval Italy,” *Past & Present*, no. 157 (November 1997): 3-36; Robert Bartlett, “Mortal Enmities’: The Legal Aspect of Hostility in the Middle Ages,” in *Feud, Violence, and Practice: Essays in Medieval Studies in Honor of Stephen White*, ed. Belle S. Tuten and Tracey L. Billado (Burlington, VT: Ashgate University Press, 2010), 197-212.

⁶³⁷ “Li cittadini che sono in Ferrara al presente involupati in guerra uno contra l’altro sono videlicet: M. Giambattista Bellencini, M. Rigo Camicelli, M. Giovan Francesco Fontana, M. Carolo Tassone, M. Gaspare Tassone, M. Zirolimo Bellencini et altri.” Lancellotti, *Cronaca*, 11:67.

⁶³⁸ The distinction between “at war” (*in guerra*) and “in enmity” (*inimicitia*) could be subtle but Lancellotti’s usage of terminology signifies that when he used these terms he spoke of violence. Enmity did not necessarily equate to violence. Enmity, or hostility, could be a social category as well as a legal one. Robert Bartlett goes so far as to categorize enmity as an institution and “a generally recognized relationship hedged by ritual expectation and sanction.” See, Bartlett, “Mortal Enmities,” 198. Enmity could be created not only by violence but also by insults, lawsuits, and other types of disputes that did not necessarily lead to violence. In Lancellotti’s phrasing, however, it seems far more likely that by using “in guerra” he meant enmity with “mortal hatred.” The rough equivalent would be *inimicitia*—roughly translated as violence

time of Lancellotti's entry, were engaging in reciprocal violence with another family—sometimes more than one. Moreover, this phrase “at war” possessed a more collective connotation. If the concepts of being “at war” or “in enmity” were expanded to account for a broad range of participants—and the evidence presented in this study suggests that factional categories encompassed not only the principles, but their affinal and consanguinal kin, as well as “friends” (*amici*), associates, adherents, and associates--then at any given time at least one-fourth of the council could be said to be in a state of enmity with each other.⁶³⁹

As I have noted throughout this study, the Bellencini-Fontana vendetta became an exemplar of this elite excess, strangeness, and assertion of local power. The overlap in categories of governing elite and vendetta in Modena shows that during the course of the sixteenth century, vendetta played a particularly important role in Modenese politics and society.⁶⁴⁰ While other vendettas took place in Modena during the sixteenth century, the Bellencini and Fontana vendetta proved to be a lightning rod for these debates and negotiations about the role of local power in state centralization.

In Chapter one, I reconstructed the narrative of the Bellencini and Fontana vendetta to outline the relationship between the local governing elites and the centralized state. The height of the violence spanned two decades in one of the most

against an enemy. As Paul Hyams points out in a recent article, the term enmity can be lexically confusing and deserves more intensive study. See, “Was there Really such a Thing as Feud in the High Middle Ages?” in *Vengeance in the Middle Ages: Emotion, Religion, Feud*, ed. by Susanna A. Throop and Paul R. Hyams (Burlington, VT: Ashgate, 2010), 165.

⁶³⁹ This is a very rough estimate based on my subsequent examination of the evidence and a comparison between narrative sources and peace agreements. Calculating precise percentages could prove to be a very worthwhile and illuminating endeavor even if outside the purview of the present study.

⁶⁴⁰ In this case, I have used the term vendetta as the appropriate Italian term conveying a particular range of meanings imposed by sixteenth-century Italians and their predecessors as most fitting for what the Modenese believed was going on. In my determination, the closest synonym for vendetta would be feud. As other scholars have acknowledged, however, these categories are messy. I will discuss in-depth the body of scholarship on vendetta and feud and the various meanings ascribed to the term below.

critical periods in European history and profoundly shaped the trajectory of the city. It spanned the reign of two of Modena's princes, Ercole II d'Este (r. 1534-59) and his son, Alfonso II (r. 1559-1597). In particular, I traced the Bellencini-Fontana vendetta from the first recorded act of violence in 1547 to the explosive events of 1562 as symptomatic of negotiations between the duke and his governing elites.

These strategies of negotiating with local governing elites for power proved to be particularly important from the 1530s onwards—a fact that the Este were slow to recognize in their haste to shore up their power. The Este need for a strengthened state proved great. Alfonso I's successor, Ercole II, inherited as tenuous a political situation as his father. Cognizant of his father's disgrace and loss of his duchy, Ercole II was forced to play a number of difficult games. Not only did the dukes face external threats; internal threats within their territory were legion. As was the case elsewhere across the Italian peninsula, religious reform and the looming specter of heresy were ever present.⁶⁴¹ The duke also operated within the larger political arena of Italian city states and European monarchies bent on dynastic aggrandizement. Much of the Italian War of 1551-1559 took place to the south of Modena as the Emperor and Henry II of France fought over Italy. Charles V solidified his control over Milan in 1545 and the Duchy of Parma and Piacenza was created for Pope Paul III's illegitimate son, Pier Luigi Farnese. In 1555, the Republic of Siena fell and became part of Duke Cosimo de' Medicis growing Tuscan empire. By the Treaty of Cateau-Cambrèsis in 1559, the Emperor, France, and the Papacy had divided up most of Italy.

⁶⁴¹ Charmarie Jenkins Blaisdell, "Politics and Heresy in Ferrara, 1534-1559," *Sixteenth Century Journal* 6, no.1 (April 1975): 67-93.

As a ruler of a small state, in an ambiguous political relationship to the empire and the papacy, the Duke of Modena had to be especially vigilant of his traditional feudal rights and protect himself from foreign threats as well. As head of a minor state inextricably bound to peninsular—including papal—politics, the duke could never pursue the kind of independent course followed by the king of France and some German princes in issues of religion and politics. During the course of the sixteenth century, the Duke of Modena thus found himself the inevitable victim of the diplomatic manipulations of the more powerful princes of Italy and Europe.

The Este dukes responded to increasing instability by attempting to shore up their government and resorting to increasingly draconian but unevenly applied policies. In their bid for centralization, they increasingly infringed upon the familial terrain of the factions which composed the bedrock of their government. Enacting various reforms in the sixteenth and seventeenth centuries, Modena's sovereigns increasingly sought to regulate traditional family purviews like the dowry, sexuality, and interfamilial relations. In turn, these ducal strategies challenged the foundations of elite power and autonomy. The elites strenuously resisted these reforms.

In Chapter two, I examined the collision between reform and familial interests in one of the city's most important female religious institutions—the convent of S. Geminiano. While the interference of family and faction in conventual life is well-documented, this analysis of the events at S. Geminiano puts these issues in conversation with wider reforms concurrently taking place in Modena. The attempted reforms of Bishop Giovanni Morone (1530-1550) only exacerbated resistance amongst Modena's elite. As my examination of the *Diario* of Suor Lucia has shown, the Bellencini and their

adherents fought to retain their power over convents of their daughters. Suor Lucia's narrative shows how far they succeeded. More than a narrative construction, her vendetta narrative framed Bellencini ideas of the relation of local power to the state.

This relation of local power to the state was sorely tested when Duke Ercole II undertook legal reforms. In chapter three, I examined the legal dialectic of vendetta as the Este increasingly honed in on the use of the law to effect desired reforms and curb vendetta practices. These legal measures included limiting the carrying of arms and new initiatives to regularize the enforcement of peaces and truces. Despite the preventive and punitive measures imposed upon these families to curb their revenge practices, these factions repeatedly found ways to circumvent penalties and escape justice. Reform proved to be ineffective if undertaken without accounting for regional interests and, in many cases, only served to exacerbate matters to the point of violence.

Modenese factionalism proved difficult to rein in if the dukes approached it unilaterally. Chapter four examined how sixteenth-century inheritance practices evolved in response to ongoing vendetta, including the points at which vendetta violence and inheritance strategies coincided. In their attempts to curb vendetta practices, the Dukes of Ferrara-Modena and their governors penalized acts of violence by imposing fines and confiscating offenders' property. Given the escalation of the Fontana-Bellencini vendetta and its seemingly endless nature, the effectiveness of these ducal strategies might be questioned. Yet these ducal initiatives created self-disciplining among the families involved, as they sought to retain their control over their traditional prerogatives.

In Chapter five, I explicated the peace-making process as another site of Este reform and elite resistance. While other vendettas took place between various factions of

the Modenese nobility during the sixteenth century, the duration and magnitude of the Bellencini-Fontana vendetta proved a growing threat to ducal sovereignty and demanded response. As a result of these and other feuds, the *Instrumenta paces* evolved from notarial acts signed between disputants into more elaborate documents promulgated and registered with the Ducal Camera whereas customarily, instruments of peace and truces were made by the parties themselves in front of a private notary. This level of intervention signaled a change in the way the ducal government responded to vendetta.

As it was shown, however, the duke could not force these families to unilaterally abide by these instruments. Retaining internal control over the peace process allowed these families to stake their claims to their continued oversight of familial and civic prerogatives as the Dukes of Ferrara-Modena sought to strengthen their state power. As a result of these findings, this study departs from previous examinations of the feud by framing Modenese factionalism and vendettas in the sixteenth-century as sites of contestation between the Este dukes of Ferrara-Modena's most important civic families for spheres of power and influence.

By examining vendetta as part of state formation, this study departs from prior scholarship, which frames vendetta as an unrestrained and, sometimes, dysfunctional habitus of aristocratic society prior to the development of centralizing and disciplining institutions. Scholars of Florence, for example, have framed vendetta either as a purview of the pre-communal magnates, whose factionalism nearly destroyed cities, or as symptomatic of larger political struggles for republican dominance in the thirteenth and fourteenth centuries.⁶⁴² Scholars of Venice have not found vendetta practices to be a

⁶⁴² J.K. Hyde, "Contemporary Views on Faction and Civil Strife in Thirteenth and Fourteenth-Century Italy," In *Violence and Civil Disorder in Italian Cities, 1200-1500*, ed. Lauro Martines (Berkeley:

normal mode of conflict resolution after the solidification of the oligarchy in the twelfth century.⁶⁴³

This is not to say that these scholars deny revenge as a primary motivator for violence and aggressive action in Renaissance Italy. Revenge could be a primary motivator for court proceedings, political denunciations, exiling one's enemies, house-scornings and a whole host of other ways medieval and renaissance Italians expressed "enmity." Some scholars posit that with the development of institutions and the law, angry Italians (and Europeans) channeled their aggression towards their antagonists into court cases, political attacks, and increasingly stylized ritual play. Other scholars maintain that formerly violent offenders disciplined themselves and one another as they increasingly recognized the norms of "civility" and "courtesy."

Some scholars have contextualized vendettas in terms of competition for scarce resources.⁶⁴⁴ Other explanations would frame the prevalence of vendetta in Modena in terms of wider political conflicts. That contemporaries couched things in these terms, however, should not lead to definite conclusions, as political allegiances were one of many ways in which they made sense of factional violence. Framing violence in these terms could obscure the underpinnings of factional conflicts.

Violence, like the other relationships among the Modnese elite—political, social, affinal, and economic—served to strengthen their ties with one another. As a result of the

University of California Press, 1972), 273-307; Marvin B. Becker, "Changing Patterns of Violence and Justice in Fourteenth- and Fifteenth-Century Florence," *Comparative Studies in Society and History* 18 (1976), 281-96; Christiane Klapisch-Zuber, "Kinship and Politics in Fourteenth-Century Florence," in *The Family in Italy from Antiquity to the Present*, ed. David I. Kertzer and Richard P. Saller, (New Haven, CT: Yale University Press, 1991), 208-28.

⁶⁴³ Guido Ruggiero, *Violence in Early Renaissance Venice* (New Brunswick: Rutgers University Press, 1980), 150.

⁶⁴⁴ See Edward Muir, *Mad Blood Stirring: Vendetta & Factions in Friuli during the Renaissance* (Baltimore: The John Hopkins University Press, 1995).

coherence violence provided, it also served and did not detract from the state-building project. Instead of being divisive for the governing elites or threatening to sovereigns and institutions, vendetta provided the medium through which governing elites and sovereigns could negotiate their spheres of influence and increasingly collaborate on the business of civic government. Hilla Zmora, in his examination of the knightly feud in Franconia, formulated this relationship most succinctly:

feuds readily lent themselves to an application by princes to territorial consolidation. Princely state-making had—in Charles Tilly’s formulation—the character of organized crime. This paradoxical nature of the gestation of the state, the violent establishment of of a violence-controlling agency, explains the preponderance of eminent noblemen, especially high office-holders, among feuders.⁶⁴⁵

These findings challenge us to re-examine the features we have identified as part of the state building process during this period; particularly the monopolization of force by the state and the extent of the coercion of ruling elites.

Many of the Modenese vendetta factions that form part of this study were members of the governing elite well into the eighteenth century. Members of these factions belonged to an intraregional class of professionals, diplomatic functionaries, roving bureaucrats, and men (and women) of letters, who held prominent places in both the state bureaucracy and the local government. The Bellencini and Fontana families provide a perfect example of this embeddedness. In addition to being mortal enemies, the two clans were members of the local governing elite, having held prominent places in both the state bureaucracy and the local government for over a century before their vendetta exploded. Not only did the Bellencini and Fontana daily encounter one another in the city streets, they served the Dukes of Modena in various capacities at court.

⁶⁴⁵ Zmora, *State and Nobility*, 117.

This contextualization has shown their instrumentality to the process of state formation. The state-building process begins when the small staff of a ruler's household is no longer capable of carrying out all the tasks of governing.⁶⁴⁶ Establishing such an organizational structure, however, required the cooperation of those groups like the Bellencini and Fontana who possessed the social capital requisite for infrastructural expansion; administrative, financial, and military expertise, ready cash, and the personal authority associated with high social standing.⁶⁴⁷ In turn, Modena's elites sought to negotiate or extract terms of service protecting and/or extending their privileges, status, and income in the face of the potentially unlimited authority of the monarch or prince.⁶⁴⁸

In the sixteenth century, the dukes and their elites negotiated for the control of institutions, the extent of the reach of ducal law, the scope of familial autonomy over the control of property and for the right to negotiate accords amongst themselves. These conflicts comprised part of the growing pains of state formation as sovereigns sought to centralize their administration and gain control of the state. They also sought to gain control over elite violence.

During the period when the dukes and the local elites negotiated these issues, Modena witnessed radical transformations. It was an age of endemic warfare, shifting political alliances, great religious change, artistic achievement, and technological leaps. Of the former polities on the Italina peninsula, few remained fully independent. In order to keep some measure of autonomy, many rulers made arrangements with other more

⁶⁴⁶ Thomas Ertmann, *The Birth of the Leviathan: Building States and Regimes in Medieval and Early Modern Europe* (Cambridge: Cambridge University Press, 1997), 6-15.

⁶⁴⁷ See Pere Molas Ribalta, "The Impact of Central Institutions," in *Power Elites and State Building*, ed. Wolfgang Reinhard (Oxford: Clarendon Press, 1996), 19-36.

⁶⁴⁸ Wolfgang Reinhard, "Introduction: Power Elites, State Servants, Ruling Classes, and the Growth of State Power," in *Power Elites and State Building*, ed. Wolfgang Reinhard (Oxford: Clarendon Press, 1996), 1-18.

politically powerful sovereigns like the Emperor in exchange for maintaining the political status quo. They also came to various arrangements with their governing elite. In 1578, while there were still echoes of violence the Bellencini-Fontana no longer functioned as a lightning rod for these debates and negotiations. Instead, other issues came back into the forefront—the continuing threat of heresy in the ducal territories, the reform of the cities institutions, a growing economic crisis, and the continued need for Duke Alfonso to shore up his state in a changing political landscape.

On June 1, 1598 the Fontana adherent Giambattista Ronchi died and was laid to rest in the church of San Agostino.⁶⁴⁹ The chronicler Spaccini felt it necessary to note not only his titles gained, including Cavalier of San Lazarus, but his involvement in the Bellencini-Fontana feud. The Modenese had not forgotten the events of 1547, of 1562, nor the years in between. The principals in the vendetta had long since died and their ostensibly more peaceful namesakes continued holding positions in the ducal government, governed Modena from the Council of Conservators, retained, and even augmented, their political influence.⁶⁵⁰ Yet, thirty years after the conclusion of the peace between the Bellencini and Fontana family, the implications of these events and what they represented still reverberated in Modenese society.

Modena's sovereign Duke Alfonso II died in 1597 without legitimate heirs. After a series of complex negotiations, his cousin Cesare Este inherited Modena and Reggio,

⁶⁴⁹ “Al primo giugno è morto il capitano Giambattista Ronchi, con bellissimo onore lo hanno portato a sepolire in Santo Agostino con titolo di Cavaliere di Santo Lazero et *Dux exercituum.*, quando amazò fra Enea Spaccini crucifero, priore di Santo Leonardo, eccellente in tutte le professione, ad instancia della Daria Carandina, madre del cavaliere, per togli lo priorato predetto. La cosa di Bomporto, come si vede in questo et altre cose assai ch'io non dico per più suo onore, essendo uomo che gli piaceva speso di visitare la antichità di Roma massimo il Coliseo etc.” Spaccini, *Cronaca di Modena*, 123-4.

⁶⁵⁰ The chronicle of Giambattista Spaccini picks up in the early seventeenth century where the others left off.

but Ferrara reverted back to the papacy.⁶⁵¹ Cesare and his descendents made Modena their capital in 1598. While Cesare and his descendents still faced a powerful and politically ambitious elite, over the course of the seventeenth century they made compromises and accommodations towards a coherent practice of governance.⁶⁵²

Reaffirming the debt of this study to Chittolini, it is worth repeating that traditional institutional histories and ideas of the ‘state’ often prove inadequate for political histories:

private’ structures of aggregation, both horizontal and vertical, such as clans, kin groups, courtly circles, factions, and parties... vital and robust nuclei of the political organization of society... go unrecognized or are denied by the official system... because they do not coincide or coincide only partially with those structures that are, as it were, draped in institutional dignity.⁶⁵³

It is only by further examinations of these underlying structures that we can come to a true picture of what ‘state’ means at this time and how that condition was brought about.

⁶⁵¹ Albano Biondi and Grazia Biondi, *Modena “metropoli” dello stato: Storie e microstorie di primo seicento* (Modena: Archivio Storico, 2003); Luigi Amorth, *Modena capitale: Storia di Modena e dei suoi duchi dal 1598 al 1860* (Ferrara: A. Martello, 1967).

⁶⁵² See Carmilo Elia Tavilla, *La favola dei centauri: grazia e giustizia nel contributo dei giuristi Estensi di primo Seicento* (Milan: A. Giuffrè, 2002).

⁶⁵³ Chittolini, “The ‘Private,’ ‘The Public,’ the ‘State,’” 43.

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Appendix A: Key dates

1511		Papal forces gain control of Modena
1518	May 14	Peace concluded between Rangone, Tassone, Fogliani, Carandini, Ronchi, Pazzani, and their adherents
1522	May 26	The Bellencini sign a truce with the Seghizzi family
1526	April 14	Matteo Forni wounded by members of the Tassone faction. He later dies.
1526	June 17	Peace concluded between Forni, affines of Bellencini, and Tassone, affines of Fontana, after the death of Matteo Forni
1527	May 6	Sack of Rome
1531	February 11	Duke Alfonso I promulgates a law regularizing peaces, truces, and pacts of non-offense
	October 12	Duke Alfonso I officially regains Modena.
1533	February 10	Aurelio Bellencini murders Alberto Tassone.
	May 22	The Bellencini and Tassone sign a truce observable for three years.
1534	January 9	The nuns of S. Geminiano revolt against Bishop Morone
	January 11	Suor Lucia Bellencini, her two nieces, and nuns of the Valentini and Cavellerini families are removed from the convent of S. Geminiano and temporarily placed in Giambattista Bellencini's palazzo until a new home can be found.
	October 21	Suor Bellencini and her fellow nuns move into their new home.
	October 31	Alfonso I dies. His son Ercole II succeeds him.
1536		

January 9	A formal peace concluded between the Bellencini and Tassone after Aurelio Bellencini's assassination of Alberto Tassone.
1547	
May 19	Giovan Stefano Fontana assassinates Annibale Bellencini outside the Fogliani palazzo.
June 4	Costanza Forni Fontana ratifies her will disinheriting heirs who practice vendetta
July 31	Alessandro Bellencini and several kin assassinate Giambattista Codebò, Giovan Stefano Fontana's brother-in-law, in the church of San Petro.
August 4	The Bellencini and Fontana are summoned to Ferrara to sign an accord.
August 19	Duke Ercole II passes a decree limiting the bearing of arms
February 22	The convent of San Lorenzo formally founded
1549	
September 11	Lucia Forni removed from the convent of San Paolo and placed in San Geminiano.
1550	
June 13	A formal peace drawn up between Bellencini and Fontana
1551	
January 8	Peace ratified between Bellencini and Fontana
1552	
June 15	Marco Aromato confesses to being hired by the Bellencini to assassinate Fontana exiles in Mantua
1557	
August 9	Lanfranco Fontana petitions for clemency
1558	
November 22	Lanfranco Fontana and Camillo Forni fight a duel
1559	
August 10	Fighting breaks out between Bellencini and Fontana
October 3	Ercole II dies. His son Alfonso II ascends the throne.
1562	

	June 9	Lanfranco Fontana sends the exploding boxes.
1566	August 11	Instrument of Peace ratified between the Fontana, Bellencini, and Forni.