

“Ipsam Pacem Fare et Esse Inviolabile Absolvenda et Observari Debere ab Omnibus Per Omnis”: Peace and Readmission in Medieval Communal Umbria

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The themes of conflict and exclusion within the context of the Italian commune have long attracted the attention of historians, whereas the reverse process, peace and readmission, has not received the same level of interest. Issues surrounding political exile and pacification have traditionally been treated as separate topics, rarely investigated in a complementary manner. In practice, this has led to the emergence of two distinct historiographical strands that have had little contact with one another, to the point of losing sight of each other entirely. Research on exclusion has increasingly focused on the political, social, and conflict-driven aspects of the act, while studies on peace have shifted primarily toward mystical and religious dimensions, completely overlooking the political implications of the gesture. In reality, the matter is far more complex. Exclusion and readmission are, in fact, deeply intertwined dynamics that cannot be understood in isolation from one another. For this reason, this study will examine the four modes of readmission identifiable within the political and judicial system of Perugia, ranging from the actions of the *Disciplinati* and the armed conquest of the city by exiles to private and public peace agreements and formal amnesties.

Keywords: peace, exclusion, Perugia, violence, politics

Introduction

The political trajectory of the Italian communes was perennially defined by two interconnected challenges: the management of systemic violence and the phenomenon of *fuoriuscitismo*. The mass exodus of citizens from the *Comune* inevitably generated a state of perpetual conflict, characterized by the relentless and violent attempts of the excluded to force their re-entry into the city. Over time, such conditions typically became unsustainable for the communal government. The constant struggle against exiles, coupled with reckless foreign policy decisions, depleted the communal treasury; furthermore, the effectiveness of the city's militias was often neutralized by strategic alliances between the rebels and external powers aligned against the commune. With the passage of time, as memories of past grievances began to fade, a shift occurred, not necessarily toward forgiveness, but toward a greater tolerance of sustained wrongs. Thus, through a combination of socio-economic, political, and psychological factors, attempts were made to bridge the rupture caused by expulsion in order to restore a nominal sense of unity. Frequently, if not invariably, these settlements proved short-lived. Once readmitted, political factions resumed their struggles with renewed intensity, leading to fresh outbreaks of violence and subsequent waves of exclusion. This perpetuated a vicious cycle of readmission and ostracism that

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continually fueled communal strife. Despite this volatility, the yearning for peace within communal society remained profound. This demand for stability was translated into communal deliberations aimed not only at the cessation of hostilities but, crucially, at the restoration of commercial networks and the alleviation of economic hardship. To borrow the words of Jacques Heers, the objective was to bring an end to “le temps des peurs et de l’angoisse” (Heers, 1995).

In the specific case of the Umbrian communes, communal policy was often driven by popular movements advocating for a return to normality. In Perugia, this is evident in movements arising from both religious contexts, such as the *Disciplinati*, and labor-syndicalist environments, such as the *salariati della lana*. Despite employing different methods and pursuing distinct objectives, both groups championed peace and concord within the city. For a brief period, they succeeded in asserting their ideals and having them institutionalized by the *Comune*. Naturally, the underlying motivations for peace differed between these two groups. For the *Disciplinati*, the core of their action lay in the concepts of sin and guilt and their social implications. This allowed for the affirmation of the practice of penance, pursued not only for the salvation of the soul but through rigorous lifestyles and self-inflicted physical punishments that spread rapidly among the citizenry (Manselli, 1984). Conversely, in 1371, the *salariati* became the protagonists of a revolt against the *Rasanti*, the noble faction then governing the city, following the signing of a peace treaty with the Pope. For these laborers, the end of the war represented the end of famine and an opportunity for the long-awaited reform of the *tassa sul macinato*. When these expectations were betrayed by the government, they protested, demanding a general council on May 16th of that year. Their grievances were further compounded by a demand for the fulfillment of the treaty that permitted the nobility to return to the city. One might have assumed the situation was under control, with a populace protesting for the end of war and the restoration of civic harmony. Nothing, however, could be further from the truth. Once the council was convened and the nobles had returned, violence between the factions erupted with an intensity unprecedented in Perugian history: clashes, homicides, thefts, robberies, and arsons devastated the city for three days until the arrival of the papal legate (Rutenburg, 1958). This escalation stemmed, in part, from the *salariati*’s own conception of peace: primarily the recognition of rights denied to them as daily laborers.

This social claim opened the door to a hostile sentiment toward the upper classes, resulting in a deeply “negative” conception of justice and peace. This class-based dimension particularly interested the Soviet historian Victor Rutenburg, who interpreted the actions of the *salariati* as a precursor to communism, albeit one betrayed by their proximity to the nobility and a still-underdeveloped class consciousness (Rutenburg, 1958). On the other hand, from a liberal-aristocratic perspective, Romolo Broglio d’Aglano defined the *popolari* as “infimi”, arguing that they had merely assisted the nobles in regaining power, ultimately reaching similar structural conclusions to the Soviet historian, though from an opposing ideological standpoint (Broglio d’Ajano, 1910). Setting aside these two case studies for a moment, we return to the fundamental issue: readmission and pacification. The matter is far more complex than it might appear. It is not merely a question of a faction seizing power and the city by force and immediately issuing decrees claiming to defend the entirety of the communal territory and its citizens. Rather, it involves a complex web of agreements, between private individuals, between factions, or mediated by third-party entities. To truly grasp the logic of reconciliation, one must address various facets of communal life. Accordingly, this analysis will first examine the system of *paci*, distinguishing between public and private agreements, with particular focus on the pacifying role played by the *Disciplinati* at the turn of the 13th and 14th centuries. Subsequently, the investigation will identify the specific modalities of readmission for exiles and the temporal contexts in which these events unfolded.

Duality of Violence and Peace in the Communal System

The theme of peace within the communal context, as a field of research, has developed in parallel with that of violence. The distinction, however, lies in the analytical approach adopted by scholars. While the study of violence and conflict has focused on familial and factional factors, which converge within the political dynamics of the commune, it has effectively posited a continuous and structural culture of confrontation (Zorzi, 2009; Heers, 1993; Maire Vigueur, 2003; Lantschner, 2015). In the case of peace, scholarly interest has pivoted only toward specific facets: its use as a counterweight to violence; as a tool for social disciplining; and, finally, as a legal institution, an instrument of procedural law, and an object of homiletic preaching (Zorzi, 2009). Peace can be correctly interpreted and analyzed through all these lenses, as it is inherently a “polysemic concept” (Rossi, 2005). Indeed, defining the meaning of peace is inherently problematic. As Rossi notes, various typologies of pax exist, two of which are fundamental: a vertical peace, involving the relationship between man and God, falling within the categories of inner peace and the religious sphere; and a horizontal peace, which identifies the relationship between men and constitutes an external peace (Rossi, 2005). These two categories essentially provide the framework for addressing the theme of peace in urban Italy. In the communal context, however, studies have almost always presented peace in a negative sense, as the mere cessation of conflict, rather than as “positive peace”. The latter represents the potential for a broader civic pacification that sought, albeit unsuccessfully, to transcend the structural violence of the commune (Galtung, 1996; 2004). Peace has consistently been represented as an opposition to something else, rather than as a co-presence or a viable alternative to conflict. Furthermore, it has often been treated in isolated compartments with little cross-communication; as highlighted by Zorzi, aspects such as the religious-penitential dimension have been kept separate from legal, social, and political facets (Zorzi, 2009). Only by integrating these perspectives can one arrive at a concept of peace that truly reflects the ideal of harmony within the commune. Starting from the early 13th century, the endemic state of conflict within various communal realities generated waves of discontent among citizens, some of whom began to perceive the sins of society as the true cause of their circumstances. In this context, ideas of penance and public atonement began to spread as a means to stem the world’s decline. In Perugia, as early as the first years of the *Duecento*, the presence of various hermits and hermitages had proliferated, particularly at Monte Malbe, partly due to the mountainous terrain (Nicolini, 1974). Subsequently, figures such as Bevignate, venerated as a saint by the commune, though not by the Church, represented the archetype of the hermit whose holy life inspired others to follow his example (Nicolini, 1984). These elements collectively formed a potent political-religious consciousness, sensitive to civic events through the lens of eternal life. This sentiment prompted several Perugians, including members of the elite, to leave the city for a life of meditation and contemplation in the woods surrounding Perugia. One such individual was Raniero Fasani, who would give this religious sensibility a universal trajectory. According to the *Lezenda de Fra Rainero Faxano*, while sleeping one night, he was visited in a dream first by the weeping Virgin Mary, then by Bevignate and Saints Jerome, Florence, Caesarius, and Cyriacus (Nicolini, 1984; Ardu, 1986). Led by Bevignate, they exhorted him to abandon his eremitic life and begin to “percorrere il territorio e incitare alla penitenza” (Nicolini, 1984).

Raniero and the saints then went to the church of San Fiorenzo, where they entered and began to flagellate themselves before the altar upon the sacristan’s arrival; after a dialogue with him, the dream ended. The following night, Raniero, still not entirely convinced of his mission, dreamed of a young man and woman praying before an image of the Crucifix and the Madonna. The girl rose, placed a letter upon the altar, and departed. More

confused than ever, Raniero was visited again by Bevignate, who explained the situation: Due to the most heinous sins committed by sodomites, usurers, and heretics, the Lord intended to destroy the world, but had been persuaded by Jesus and Mary to grant Christians a chance for salvation through the practice of public penance. The letter was to be delivered to the bishop, an act Raniero performed the next morning. The prelate accepted the missive and, following the Mass, proclaimed it from the steps of the communal palace. After the reading, “molti cominciarono nudi a fare la disciplina con frate Raniero, e chi era in odio tornava alla pace e alla Concordia” (Nicolini, 1984).

With the bishop's assistance, Brother Raniero obtained from the Commune, during an assembly on May 4, 1260, a suspension of work for all citizens, allowing them to attend religious services and public self-flagellation practices to atone for their sins (Meersseman, 1986). At the end of the granted fifteen days, a new council decision extended the exemption for another 15 days, enabling Raniero's ideas to reach neighboring cities and expanding the movement. Following his success in Perugia, Raniero decided to continue the task assigned to him by Mary and, accompanied by many followers, set out for Bologna (Meersseman, 1986).

The “disciplined spring” in Perugia had significant consequences. In the *Cronaca Volgare*, the event is described with these words: “In quisto millessimo fecese in Peroscia una grande descipina e ffecessero in Peroscia mollte pace” (Ugolini, 1962). For the first time, a popular movement, encompassing the entire citizenry, succeeded in advancing religious demands with major repercussions on civil society. The issue of peace thus entered forcefully into political dialectics, offering a new possibility for conflict resolution. From the time of the first processions, likely beginning during Holy Week in 1260, and later with the communal approval of the two fortnights of penance in May, violence seemed “compensated” by peace (Vallerani, 2004).

Within the “disciplined” framework, peace could be achieved through three modalities: processions, public penance, and flagellation. While the first and third types are easily understood in their execution, public penance presents certain complexities. The difficulty lies in defining what was considered penance. As Vallerani explains, the act, the intention of peace, was regarded as an act of peace when it sought to remedy a state of order disturbed by evil deeds through “la disciplina del proprio animo”. An example confirming this thesis is found in one of the earliest cases of concord. A city guard had falsely accused a rural inhabitant of breaking curfew. To make the accusation credible, the guard coerced witnesses; however, this very act betrayed him. During the trial, the “grande devotion” was underway, and a witness, Offreduccio di Giacomo, having participated and freed himself from the guilt of his action, decided to tell the truth, retracting his false testimony and declaring that he had to undertake a journey from Perugia to Spoleto as penance (Nicolini, 1984).

Consequently, peace became the keystone of disciplined politics, presented as a “Peace of God” imposed by the Divine as a means of salvation. Vallerani adds that there is a link, dating back to the 10th century, between the Peace of God and the “l'individuazione di un territorio politico, depurato dalla violenza”. However, it can be argued that this ground was not only political but socio-cultural, as the penitential element eventually influenced all aspects of society (Vallerani, 2004).

The idea of peace proposed by the Disciplinati soon entered communal dialectics, particularly adopted by the Popolo, which was then consolidating its power, leveraging the demand for concord to promote the recently approved *Ordinamenta Populi*. Regarding the *Ordinamenta*, the participation of ecclesiastical authorities and Raniero himself is evident. Protection was ensured by Bishop Bernardo Corio, who ignored requests to excommunicate the proponents of the ordinances and was later consulted, along with Raniero Fasani, by the podestà and the councils on political matters (Bartoli Langelì, 1984). Peace and pacification thus became

propaganda tools for the rising power to gain greater legitimacy and present itself as a “kingdom of peace” (Vallerani, 2004).

Combating Violence: Justice and Politics

The *Disciplinati* experience left a profound mark on Perugia, much of which is reflected in the city’s judicial system, essential for studying peace alongside religious and social aspects. An early element directly derived from the *Disciplinati* appeared as early as August 31, 1260, when the *Riformanze* questioned what to do with the “*multe pacis facte*” following the processions and penance. The issue was complex, as there were no formal *instrumenta* to certify the pacification, meaning transgressors could not be condemned in the future. It was decided to consult *sapientes*, who unanimously declared the peaces valid and recommended applying statutory norms to those who violated the treaties or refused to make peace with their enemies¹.

Perugia also allowed for agreements between parties during a trial through the drafting of an *instrumentum* followed by reconciliation. The agreement was signed as a private act outside of court and subsequently submitted to the judge, constituting one of the possible trial outcomes (Vallerani, 2005). Furthermore, at least during the 13th century, the readmission of the *banditi* required an *instrumentum pacis* stipulated with the commune as a condition for reintegrating into the citizenry (Vallerani, 2005). Frequently in Perugian proceedings, these *instrumenta* were produced as loose papers and only later, though not consistently, entered into the registers. This resulted in various methods for stipulating agreements.

The first method involved *carte pacis*, containing the offenses received and a mutual promise not to initiate new trials (Vallerani, 2005). The distinctiveness of these documents lies in the fact that they were not interventions during a trial but were written independently as a commitment to avoid future litigation. In court, once produced, the peace was submitted to the judge, or in other cases to the *Podestà* or the *Capitano del popolo*, who decided on the validity of the act and whether to continue the trial; for certain crimes, peace did not halt the proceedings but served to mitigate the penalty. For instance, in a dispute over the misappropriation of property by a citizen of Spoleto, the parties reached an agreement, produced a *carta pacis*, and the magistrate accepted it, terminating the trial². Similarly, a boundary dispute in the Spoleto countryside between Ser Antelmo and Bartolo was resolved through an agreement accepted by the magistrate³. In another case from Spoleto, there is news of a “*productio pacis*” between Antonio, a citizen of Spoleto, and “Ser Nicola Anglii”, though it is unknown if the act was accepted or the trial continued⁴.

The drafting of the peace involved the parties, a notary, and sometimes legal experts. This was the case for Giovanni di Montemagno of Pistoia, an “eminent doctor of laws” called to intervene in a case between two inhabitants of Todi, Iohanni Bucchino and Benedicto Ceccuci, where Giovanni was accused of assaulting Benedetto. The jurist’s intervention, requested by the victim, allowed for a swift resolution approved by the “*vicecapitanus*”⁵.

Peace played a fundamental role within the statutes. As seen, Raniero Fasani indirectly participated in the legitimization of the *Ordinamenta Populi*, many of whose norms were incorporated into the Statute of 1279.

¹ Archivio di Stato di Perugia (hereafter ASPg), Comune di Perugia, Consigli e riformanze, 4, fo. 90v.

² ASPg, Sezione di Spoleto, Archivio storico del comune di Spoleto, Giudiziario, Malefici, 15, fo. 30r.

³ ASPg, Sezione di Spoleto, Archivio storico del comune di Spoleto, Giudiziario, Malefici, 12, ff. 89r-v.

⁴ ASPg, Sezione di Spoleto, Archivio storico del comune di Spoleto, Giudiziario, Malefici, 5, fo. 21v.

⁵ ASPg, Sezione di Spoleto, Archivio storico del comune di Spoleto, Giudiziario, Malefici, 15, fo. 31r.

These specified that “finem, pacem atque concordiam” must be “inviolabiliter observari” by the podestà and the capitano. To ensure this, they had the power to punish transgressors with perpetual banishment and the destruction of their property. Indeed, if a perjurer wished to make peace after breaking a previous agreement, it was not permitted even within the eight-day grace period, reflecting the gravity of the crime (Caprioli, 1996). Records from the 1260 *Podestà* include a case of breaking the peace: Benvignati Lamberti, after violating a peace agreement, was condemned, expelled from the city and district of Perugia, placed under perpetual banishment, and stripped of all civic privileges and benefits (Vallerani, 2004).

The Statute of 1342 contained more sections on peace, as the situation regarding violence and conflict had worsened since the 13th century. It became necessary to specify how a carta pacis should be made and its requirements. The agreement had to be signed within eight days of the contested facts; after stipulation, magistrates could no longer proceed with the trial except in cases of: homicide, forgery, breach of peace, injury, battery, and treason. If the peace was reached after the deadline, it was considered invalid and the trial continued. The section on breaking the peace remained similar to that of 1279 (Elsheikh, 2000) while a new obligation was added requiring the submission of *instrumenta pacis* to the *Capitano* and the *Podestà* (Elsheikh, 2000).

In Todi, the Statute of 1337 includes a specific provision absent from other redactions, granting the possibility of drafting a carta pacis even in cases of bloodshed. It stipulates that the heirs of a person who killed a fellow citizen in an armed confrontation may request and establish peace with the heirs of the victim (Elsheikh, 2000). In this manner, the commune intended to overcome ancient family feuds and thereby reduce urban conflict. In the commune of Gubbio, by contrast, the time frame for stipulating the document is longer than in Perugia or Todi, 10 days instead of eight. The legal outcome remains the same: It is established that “et inducto vel ostenso instrumentum pacis, malleficium intelligatur esse probatum” (Menichetti, 2002). This is immediately followed by a rubric concerning those who break the peace. The procedure closely mirrors that of other communes: The transgressor is sentenced to perpetual banishment, with the additional requirement of a fine of three hundred *lire raveninati* if the committed offense is grave. For a “non gravi malleficio”, a payment of 50 lire sufficed, while for minor crimes, the amount decreased to 10 (Menichetti, 2002).

In the municipality of Spello, the statutes emphasize the will to overcome civic divisions through the stipulation of peace, stating “ut omnis scandalis divisionis et origo inter homines dictae terrae, et in ipsa materia tollatur”. Unlike other cities, the *Podestà* is granted “liberum arbitrium, et plenam potestatem, auctoritatem, et baliam inter omnes homines de Spello”. To this end, the *Podestà* is specifically tasked with establishing “pacem, treguam seu aliam provisionem pro statu”. Furthermore, to ensure compliance, the presence of a “scindicus Ecclesiae Romanae” is required when determining the penalty for any potential breach (Peppoloni, 2015). Regarding the breach of the pact, the legal cases are extensive and well-defined. For example, if the agreement originated from a homicide and was broken by “verba ingiuriosa”, the offender was condemned to a fine of 50 *libre*. If the breach occurred “cum percussionibus sine sanguinis’ effusione”, the fine was two hundred *libre*, rising to four hundred in cases where blood was drawn. Finally, if the breach of peace resulted in another death, the sum to be paid was one thousand *lire*. For less serious crimes, the infraction of peace incurred a fine of 25 *libre* (Peppoloni, 2015).

All the cases highlighted thus far fall under the category of private peaces. To these, a new category must be added: public peaces. These comprise all agreements stipulated by communal institutions with other cities or lords at the end of a war. These are easier to conceptualize and identify because they align more closely with the

modern understanding of a peace treaty. In the case of Perugia, two specific instances warrant analysis: the Peace of Bologna in 1370 and the peace mediated by Boniface IX in the biennium of 1392-1393.

The 1350s represented a highly critical period for Perugia, marked by the imperial activism of Charles IV and the restoration of ecclesiastical power in Central Italy by Cardinal Egidio Albornoz. Interested in bringing the territories of the Church, which had gained significant autonomy during the Avignon period, back under papal control, Albornoz pursued an aggressive policy against the lords of certain cities, such as Orvieto and the Prefetti di Vico. Once the crusade against the tyrants ended, the Spanish cardinal turned his efforts toward the submission of various communal realities in both Umbria and the Marches. While Perugia had initially assisted Albornoz, the city distanced itself from the cardinal after he removed Gubbio and Spoleto from Perugian control, aligning instead with Bernabò Visconti, who was then at war with Urban V. An undeclared war ensued, fought sporadically until its conclusion with the Peace of Bologna on November 23, 1370. Having reached an unsustainable situation for the communal treasury and lost the support of Visconti, who was too preoccupied with maintaining his own dominion in Lombardy, Perugia was forced to negotiate with the Pope. Furthermore, the internal situation was dire. With the onset of hostilities in 1368, a noble conspiracy was uncovered in Perugia; consequently, a large portion of the *Beccherini*, the noble faction, was expelled, reinforcing the papal troops, while an *anti-Raspanti*, popular faction, sentiment spread throughout the city. Discontent over the war, expressed particularly by the inhabitants of Porta Sant'Angelo, compelled the commune to send ambassadors to Bologna to meet those of Urban V (Rutenburg, 1958).

The ambassadors' work led to a treaty that was quite harsh for Perugia. The city, along with its entire *contado*, had to declare itself a subject and vassal of the Pope and acknowledge its guilt for actions committed against the Church. It could not request the *vicariato* but only accept it should the Pope decide to grant it to the priors. The commune committed to paying an annual sum of three thousand florins to the Pontiff and was obligated to assist the Church against its enemies. The Pope did not fail to include those who had aided him during the war, imposing upon the commune the return of the exiles and the banished, guaranteeing them the possession of confiscated property and legal protection from any retaliation by the popular regime (Mezzanotte, 1977).

By 1392, the situation in Perugia was remarkably similar to that of 20 years prior. In this instance, the nobles held power while the popular classes were excluded, yet the situation among the *Beccherini* was far from stable. The overwhelming power of Pandolfo Baglioni had disgruntled more than a few nobles; indeed, two years after the city's conquest, various members of the nobility, including Pandolfo himself, clashed on Colle Landone, and only the intervention of magistrates halted the unrest. Furthermore, the peace between Boniface IX and Gian Galeazzo Visconti released Biordo Michelotti, a prominent figure of the Raspanti, from his contract, allowing him to return and strengthen the ranks of the exiles (Maiorca, 2024). The nobles thus decided to call upon Boniface IX for aid. He readily accepted the request and immediately traveled to Perugia, receiving the lordship of the city as an act of homage. Soon, however, conflictual dynamics regained the upper hand, and the Pope was forced to take refuge in the Abbey of San Pietro, more defensible than the papal palace where he resided. From there, he began negotiating with both the *Beccherini* and the *Raspanti* to reach an agreement on the return of the exiles. Negotiations began at the Abbey of Val di Ponte in Gubbio, moving progressively toward Perugia, first to Bettona and finally to Deruta, where the peace was accepted on May 19 and signed in Perugia on May 20, 1393 (Maiorca, 2024).

In the treaty, the Pontiff presents himself as:

Sanctissimus in Cristo primus et domino in dominus Bonifatius papae VIII et generalis dominis Civitatis, comitatus, territorii et districtus Perusii et necnon arbiter, gubernator et amirabilis compositor ab intrinsecis et extrinsecis Perusini assumptus super querixis et discordiis eorundem⁶.

Addressing the “internal and external” Perugians, Boniface IX criticized them for devastating the city, arguing that if justice existed in the “speculum mentis”, then he would be the lord of the city and *contado* and all would be more peaceful; however, such was not the case. After concluding his reprimand, the Pope established several norms regarding the return of the exiles, the maintenance of peace, and precepts against those who might attempt to persecute those granted amnesty:

In primis quidem pronunciamus, declaramus, dicimus, statuimus, sententiamus, decidemus, volumus et mandamus. Intere dictas protego et eorum et utrique earum subditos Romani mendados, adherentis, complices seguaces et gentes esse et esse debere pacem veram et bonam et perpetuo duratura. Et offensas sic non detollendas et tolli debere et ipsam pacem fare et esse inviolabile absolvenda et observari debere ab omnibus per omnis. Sub apostolicis modis et conditionibus, ordinationibus, limitationibus, formis et clausulis et reprobationibus nostre servationibus inferius denotatis. Et aliis ad nostrum beneplacitum semel et pluries et quotiens noverimus convenire sub quantique verborum captionem etiam declarandis. Quorum declaratione et pronunciatione nobis in posterum plenarie vigore nostre potestatis ex nunc peritus reservamus. Mandantes ipsam pacem ab ipsis partibus et utraque ipsarum inviolabiliter et ab aliis in ipsa quodlibet inclusis et inesistendi protinus observandam et observari debere. Sub pena in compromissa in nos sive contenta. Et sub diis quibuscumque penis pre nos, quodlibet in eo opprimendis.

Item quorum omnis singule guerre, discordie, controversi, contentiones, inimicitie, rancores, differentie, cedes, offensores, iniurie, robarie, incendia, spoliaciones, omissiones, invasiones, occupationes, redemptiones, dirucciones, carcerum, fractiones, tractatu, conspiraciones, damna dispendia et omnia et singula causantia predicta vel aliquod eorum aut dependentia vel connexa et que possent ea vel aliquod eorum quodlibet causare. Et alia quicquid dicta facta commissas seu quodlibet perpetrata tam inter scriptas partes seu cum se quod inter seu contra alios quoscumque etiam extraneos cum in ipsis Civitate et comitatu Perusini quo a sibi quocumque tempore et quoscumque modo vel formam dum sive vel assensi vel at quocumque et qualicumque usque in presentem diem vigesimo mensis Maii exiens et in quocumque loco per nostras potestates aut earum alteram seu earum aut alteris earum subditos recommendatus adherentes, complices, seguaces, aut gentes vel aliquem seu aliquos eorundem cum aliquem de aliis partibus aut altera ipsarum seu ipse ipsos partiales tam intrinsecis et extrinsecis Perusini vel cum se aut cum quacumque alium etiam extraneum de quibus aut super quibus non esset processum vel cognitum sint et esse intelligantur ipso iure et ipso fidei utricumque remissa et remisse et unicuique tam indivisa intrinsecis quo extrinsecis aut et comitatus Perusini et omnibus supradictis et civilibus eorum et aliis quibuscumque qui in puncti pace includuntur seu includi possent aliquod vere vel modo⁷.

The Pope’s words thus describe a situation undergoing normalization, applying a sort of ante litteram restorative justice, at least as portrayed in the document. Indeed, following the return of the Raspanti on June 7, the situation appeared stable with the appointment of ten priors, five for each faction, and the restoration of seized properties. This was, however, the calm before the storm; less than a month later, a violent tumult erupted in the main square. During the uprising, the Raspanti reclaimed power through force, eliminating the primary leaders of the Beccherini and compelling the Pope to flee to Assisi. This retreat followed the advice of his secretary, Dietrich of Nieheim, who deemed Perugia unsafe following the death of “die Führer der Nobili”, as it was described by Arnold Esch, Pandolfo Baglioni (Maiorca, 2024;

This event mirrored the aftermath of the Peace of Bologna, when the returning nobles, supported by the *salariati*, had devastated the city and the homes of the *Raspanti*. These serve as striking examples of how deeply entrenched factional conflict remained and illustrate the ephemeral validity of peace treaties mediated by the commune.

⁶ ASPg, Comune di Perugia, Miscellanea, 42, fo. 122r.

⁷ ASPg, Comune di Perugia, Miscellanea, 42, ff. 122v-123r.

Readmission and Pacification

Peace was one of the modalities through which *fuoriusciti* could return to the city, but it was not the only one. Re-admission into the urban fabric was a complex process that did not always initiate or conclude as hoped. During the most politically dire moments, when the situation became effectively unsustainable for the commune, magistrates could decide to recall the banished, a choice they did not make lightly. Given its gravity, the decision rested with the *Podestà* and the *Capitano del popolo*, who consulted a commission of “boni homines” to determine the rules and time frame for the return (Pazzaglini, 1979).

The procedures for the cancellation of the *bando*, and thus for reintegration into the citizenry, varied from ordinary methods following statutory norms to special ones, such as amnesty. Typically, the only bans that could be rescinded were temporary ones, which would, in any case, expire once the convict had served the sentence or reconciled with the opposing party (Cavalca, 1978). For instance, the *Statute of 1279* emphasizes that those who commit crimes must be punished, but the penalty must not exceed the act committed; otherwise the conviction is nullified. In certain cases, the possibility of a “*banno trahitur*” is added, provided the reason for the ban and the subsequent removal of the norm for that specific cases are stated (Caprioli, 1996). Similarly, an *exbannitus* for debt could reach an agreement with both the creditor and the commune, receiving two *solidi* for every *libra* given to the creditor, allowing him to be “*rebanniri*”, meaning formally readmitted to the city. However, a warning concludes the rubric:

Item dicimus quod omens illi, qui erunt pro maleficiis exbanniti, possit rebanniri et rebanniantur cum voluntate maioris consilii civitatis, dummodo solvant bannum in quo fuerunt exbanniti cum remedio statuti; quod remedium reservetur. Proditores tamen et illi, qui falsitatem committerent scienter, non debeant rebanniri. (Caprioli, 1996)

In practice, these provided the fundamental rules within which the *Podestà* and the *Capitano del popolo* exercised their discretion, deciding whether a banished individual was eligible for readmission or if no such possibility existed. In cases of homicide, for example, no possibility of readmission was envisioned for the killer who had not paid the five hundred *libre* prescribed as a penalty; meanwhile, it was established that relatives could regain possession of assets only after “*homicida bannum solverit et fuerit rebannitus*”, a scenario that appears more probable in the wording of the statutes than in actual practice (Caprioli, 1996). For a criminal unable to pay, a specific chapter established that if the offender was in the custody of the magistrate, his hand should be amputated. If, however, he fled, he was to be banished and could not return to the city unless he first stipulated a concord with the victim or the victim’s family, in which case all charges and convictions against him would be dropped (Caprioli, 1996).

The circumstances of the criminal act and subsequent events played a crucial role in the potential cancellation of a sentence. If the deed had been proven by “*pubblica fama*” and the contumacy of the author, his position regarding a potential pardon became more precarious. Conversely, if the individual had provided a confession and compensated the victim, or was in a state of manifest poverty, the magistrates might look more favorably upon a peace agreement and reduce the penalty by a quarter (Cavalca, 1978). Furthermore, for an *exbannitus* to be readmitted, it was necessary for the report on his case to be present in the registers of the notary of crimes (*notaro dei malefici*) and those of the communal *tronbadori* (Elsheikh, 2000); otherwise “*nullo exbandemento [...] se non aparrà de la licentia del bando e la relatione scripta per lo notario*”. Without such documentation, the conviction remained in force and could not be lifted; indeed, it was considered “*vaglia e tenga e aggia força fermeccà*” (Elsheikh, 2000).

In Todi, an agreement between debtor and creditor is also permitted; indeed, the statutes establish that “*exbanditus communis Tuderti occasione alicuius interrupte tenute date per curiam contra eum occasione debiti et concordaverit se cum creditore habeatur pro rebandito et absoluto a pena ad petitionem cuiuslibet petentis*” (Catalani, 2012). In other cases, however, through an act of peace proposed by the banished individual before capture and signed by the victim, their son, or a guardian, not only were the charges dropped, but the payment of specific sums to the communal treasury was also waived. For this reason, the practice was sometimes opposed, particularly when the victim had suffered permanent injury or scarring, in which cases a simple concord was deemed insufficient. In other instances, corporal punishment was commuted to a pecuniary fine, or the fine itself was reduced at the magistrate’s discretion (Cavalca, 1978).

Once peace was requested, the banished individual had to petition for the cancellation of the ban. To do so, they had to appear typically represented by a *Procurator* before the *Podestà*, the *Capitano del popolo*, or the judge of crimes, who examined the trial records and received the *exbannitus*’s defense brief. After evaluating the case, the magistrates would decide whether to lift the ban. The pronouncement varied by case: If the ban had been imposed upon an *universitas*, the fine was considered settled upon the first, and often only, payment; if an individual was subject to multiple bans, a single cancellation decree annulled them all, avoiding the need for separate rulings for each ban. Once the sentence was issued, the banished person was no longer an external object to the city but was fully reintegrated as a member of the community (Cavalca, 1978). This statutory re-entry of the banished into the city represents the ultimate expression of the logic of “negotiating citizenship” developed by Vallerani, primarily in the economic and political spheres, demonstrating that the status of citizen was not a monolith but was subject to a fluidity shaped by social, legal, economic, political, and religious factors (Vallerani, 2024).

Having exhausted the ordinary procedure, it is necessary to examine the special procedure: amnesty. This process is less multifaceted than the previous modality, as it primarily concerned perpetual bans imposed for crimes of the highest gravity, particularly those of a political nature: forgery, sodomy, homicide, robbery, rebellion, conspiracy, and treason. The decision, as before, rested with the major magistracies, who assumed the political risk of allowing members of the opposing faction back into the city (Cavalca, 1978). Such decisions had manifest and multiple political repercussions. Primarily, they aimed to end, or at least diminish, violence in the *contado*, thereby ensuring a regular supply of food to the city, the revival of trade, and greater security within the walls. However, despite the magistrates’ intentions, the opposite often occurred, as already seen.

Amnesty, in addition to the return to the city, could require the payment of the original fine and the obligation to sign a peace agreement with the aggrieved party; in other cases, this requirement was waived entirely. Furthermore, amnesty could apply to a single individual or an entire faction. Examples of this practice are found in Perugian events of 1352. At that time, the city was still reeling from the consequences of the Vincioli conspiracy, losing several border castles to Cortona, with which it was at war, while Bettona rose in rebellion, supported by Bartolomeo Casali and the Duke of Milan (Fabretti, 1850). The war effort was massive and focused entirely on the rebel center; consequently, the magistrates decided to:

rebandire tutti li sbanditi della cit àe del contado, et fece alloro pace con li loro nimice, et chi non la faceva pagava mille libbre in denare; et in questo modo tutti se pacificarono; et questo lo fecero per mandarli in campo a Bettona. (Fabretti, 1850)

Documentary evidence of this event survives in the archives of the *Capitano del Popolo* and the *Podestà*. Both registers record the *rebandimento* of a long series of Perugian nobles, including members of the Vincioli

family, specifically Ceccolino Novello, during 1352, specifying that a fine was applied only in the absence of a willingness to stipulate a *carta pacis*⁸. Nonetheless, the amnesty had a limited effect; the same registers contain several new bans, most notably that of Giovanni di Oddo degli Oddi, who upon his return to Perugia caused immediate problems by refusing to sign the peace or pay the fine, an issue resolved only through the intervention of the capitano del popolo, Bartolomeo Mangiadori⁹.

In 1370-1371, as previously noted, the commune was forced by the Peace of Bologna with Urban V to allow the banished to return. To save appearances, however, the chronicles presented this as a deliberate act of the popular government rather than a treaty clause resulting from the pressure of the legate, Cardinal Pileo. The following is a list of some of the readmitted nobles:

Rientrarono adunque i banditi, adì **** di febraio. Rientrò l'Abate di Monte Vibiano, molti di casa Bagliona, Francesco di Ludovico di messer Vencio, i figlioli di Ceccarello Baglioni, et Servadio di Contolo, Vico di Galiffo e molti popolari. E nel mese di maggio prossimo rientrarono Niccolò da Corgna, Magiolo di Andreuccio di Gocciolo, i figlioli di Matteo di ser Giovanni, Ranuccio di Simone, Cinolo da Monte Sperello, e molti popolari. (Fabretti, 1850)

The preceding paragraph analyzed the portion of the treaty mediated by Boniface IX between the *Beccherini* and the *Raspanti* concerning peace agreements. The subsequent clause, however, pertained to the return of the banished: how it was to occur, what actions they were required to take, and how they were to be protected. The Pontiff established that every “processus banna condemnationes [...] vel civiliter vel criminaliter” be annulled and that the *forbanniti*, the excluded forever, through “quoscumque magistratus ecclesiasticus seu seculars”, could have all their convictions quashed. This included those related to “heretice pravitas” a specific reference to the Michelotti family¹⁰. He further stipulated that, regardless of the nature of the accusation or conviction, it was to be abolished and properties were to be “restituentes et reintegrates”. Regarding previously held public or ecclesiastical honors, the issue was moot, as substitutes had already been appointed who could no longer be removed¹¹.

Finally, he decreed that trials must be quashed, even those for which the records had been lost; in such cases, papal power intervened directly, imposing:

Et quod super tali processu non possit ferri sententia et si ferret sit ipso iure nullo aut exeritio fieri et nichil omnino cassari debeat prout de aliis condemnationibus latis et sententia super continere. Aliquo generali vel speciali quid loquirit ingrati non obstari¹².

Thus, through these two modalities, the exile regained their status as a citizen. While in the first case, negotiations were conducted intensely first with an individual and then with the commune, in the second case, external conditions compelled the commune to seek out the exile and facilitate their return. In reality, there exists a third modality of re-entry into the *civitas*. Often interpreted merely as a standard political or conflictual dynamic of the commune, it can and should also be categorized as a method of re-admission: the violent conquest of the right to reside in the city. Members of a defeated faction, gathered in their rural estates, would organize, raise funds and allies, and serve as mercenaries for other lords to plead their cause. Through guerrilla tactics and raids,

⁸ ASPg, Comune di Perugia, *Capitano del popolo*, 112, n°3, ff. 1r-9v; n°4, ff. 7v-8r. *Podestà*, 128, ff. 3r-4v.

⁹ ASPg, Comune di Perugia, *Capitano del popolo*, 112, n°1, ff. 1r-2v; n°2, cc. 9r-12v; n°4, ff. 9r-10v; ff. 71r-74v. *Podestà*, 128, n°1, ff. 22v-25r, 42r-v; n°5, ff. 1r-8v; n°6, ff. 53v-60r.

¹⁰ ASPg, Comune di Perugia, *Miscellanea*, 42, fo. 123v.

¹¹ ASPg, Comune di Perugia, *Miscellanea*, 42, ff. 123v-124r.

¹² ASPg, Comune di Perugia, *Miscellanea*, 42, fo. 124v.

they sought to fatigue the commune by weakening its control over the countryside. Perugian history is replete with such events from the thirteenth century onward. Throughout that century and until the 1340s, with the consolidation of the popular regime, continuous clashes occurred between the *milites* and the *populares*.

However, it was in the 14th century that civic political conflict underwent a qualitative shift. The first signs appeared early in the century, with strained relations between the *popolo grasso* and the *popolo minuto*, and subsequently among the various Guilds, opening the government to the Oddi family under Oddo di Ungaro (Maiorca, 2024). This allowed other noble families to re-enter active governance, yet it also generated internal strife that exploded in the aforementioned 1331 conflict between the Oddi, Baglioni, and Vincioli (Maiorca, 2024). These internal struggles among the *Beccherini* momentarily fortified the *Raspanti* front. After expelling the primary nobles, they established a regime that endured until 1370, when the nobles, by virtue of the treaty, returned to the city and immediately resumed hostilities. Even the interval of the Abbot of Monmaggiore's rule failed to halt the conflict; indeed, the *Raspanti* succeeded once again in ousting the nobles, though this time only for a few years, from 1379 to 1383.

The expulsion of the Michelotti weakened the popular faction, which in 1385 was forced to open the city gates to the Beccherini. Upon their return, the nobles immediately purged the institutions of the Raspanti and seized control of the commune. According to the commutative property, changing the order of the factors did not change the result. Once the nobles were in power, the popular faction began to employ the same tactics: organizing in the contado, gathering funds and allies, devastating the countryside, and plotting the reconquest of Perugia. The most striking attempt was that of Michelozzo Michelotti, who tried to retake the city through a *coup de main* with the aid of numerous Florentine militias, ultimately failing and dying in the attempt (Maiorca, 2024). His cousin Biordo had better fortune; he returned to the city thanks to the agreement with the Pontiff, but combat broke out immediately afterward, and he secured control of Perugia after a day of violence (Maiorca, 2024). A different fate awaited Andrea "Braccio" Fortebracci, who, after a failed reconquest attempt in the early 15th century, succeeded in gaining control of Perugia by defeating the communal army and Carlo Malatesta at the Battle of Sant'Egidio (Pellini, 1664).

A similar situation prevailed in other Umbrian centers, such as Terni. On January 1, 1349, the "ghibellini de Iterampna", having conquered the city, expelled the Guelphs after having been banished themselves for a long period (Angeloni, 1646). The conflict in Terni was of great interest to the Roman Curia and Cardinal Alborno, yet even he achieved little in pacifying the situation; shortly after the city's dedication to the Church, a major tumult instigated by the Ghibellines erupted (Angeloni, 1646). As in Perugia, Terni experienced a violent regime change in 1389. On March 9, the Guelphs entered the city clandestinely, occupied the symbolic sites of the commune, and, after several clashes, succeeded in reconquering Terni (Silvestri, 1977).

Conclusion

One could compile an infinite list of Umbrian and Italian communal realities providing examples of re-admission acquired through force, not least because it was considered a natural consequence of the violent clashes following a return to the city. In truth, this can be regarded as the predominant and preferred method in light of medieval urban conflict, carrying a more profound significance. Conquest through violent action appears both as vengeance, for wrongs suffered, for deceased kinsmen, and for unjust expulsion, and as a tool of legitimacy in the eyes of fellow faction members and citizens alike. The strongest, wealthiest, and most powerful lead a host of exiled, expelled, and banished men to regain control of the very city that had cast them out.

This process occurs without the need for compromise with an enemy deemed inferior, and without passing through the channels of formal justice. Through military action, re-admission is absolute; there is no requirement to have one's status as *cives* recognized through the signing of a *carta pacis* or a *Capitano del popolo's* amnesty. It is the banished individual himself who, by his own strength, reconquers his status: He is the *homo faber civitatis suae*.

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