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CHAPTER 5. EVERYDAY VIOLENCE IN THE URBAN SPACE

On Tuesday 17 March 1705 a notary from Bologna's *Tribunale del Torrone* visited Maddalena Faesini at her sickbed in the *Ospedale di Santa Maria della Vita* to interrogate her about the life-threatening wounds to her face that brought her there.¹ She stated that she had received many blows to the head and jaw with an unidentified blunt object inflicted by a woman called Domenica Gombi. They knew each other and lived in the same street, and Maddalena assumed she was beaten up so badly because Domenica believed she had badmouthed her to the merchant they both worked for, presumably as spinners or weavers. The investigation of this beating, which had not only slashed the skin on Maddalena's face but also caused her teeth to fall out, was halted when the two made peace roughly two weeks later.

The notebooks of the criminal court's notaries in Bologna are filled with violent altercations similar to that of Maddalena and Domenica. Though discordant with normative expectations of women, such behaviours were an integral part of the day-to-day lives of the male and female artisans, peddlers and labourers in Bologna's dense urban fabric. Importantly, they were also considered an unwelcome interaction worth denouncing to the court. This chapter explores the gendered dynamics of these quotidian violent behaviours recounted in the *Tribunale del Torrone's* denunciations and *processi* for five sample periods between the middle of the seventeenth and eighteenth centuries. Through the examination of these criminal court records, this chapter will draw attention to the distinguishing features of early modern Italy's culture of violence and, importantly, establish women's place in it. It will ultimately argue that women's violent behaviour, although normatively discouraged and in part reflecting the socio-economic restrictions that they faced, was far too common to be viewed as an anomaly.

To do this, this chapter will first discuss the particular place of Italy (as a representative of the 'southern pattern') in European comparisons of long-term patterns of violence, how violence was regarded in the eyes of the law and how it was dealt with in practice, as the culture of violence went hand in hand with that of reconciliation throughout the early modern period. The next sections scrutinise women's participation in homicide as well as verbal aggression and, importantly, a wide range of non-fatal physical acts of violence. Although violence used to be predominantly studied from the perspective of homicide, this chapter builds on recent scholarship that includes the pettier forms of violence

¹ ASBo, Torrone, 7602-2, fasc. 19.

in its analysis. These violent altercations were far more common than their lethal counterparts and therefore more telling of men's and women's everyday encounters with violence and the law. The subsequent sections will inquire about the gendered nature of this everyday violence through several important aspects: the use of weapons, the social profiles of and relations between offenders and victims, the spatial contexts in which violence took place as well as some recurring differences in which the violence of men and women was framed in the judicial sources.

The culture of violence between prosecution and reconciliation

At least until the seventeenth century, violence was considered a regular feature of everyday life among many Western societies.² Robert Muchembled went so far as to state that "like death, like the cemetery which is at the heart of the village, violence is at the heart of life in the fifteenth, sixteenth, and seventeenth centuries."³ A special place in this narrative is held by the south of Europe, as the 'Mediterranean' culture and everyday practices are considered to have been especially violent. This assertion is continuing to receive criticism from various angles. Not only have scholars called the cultural homogeneity of this region into question, but there are also few comparable quantitative analyses for most parts of this area to substantiate any such claim.⁴ Many of the ideas about the south rely on the evidence from Italian towns and villages, also in relationship to violence.

Antico regime Italy has been described as particularly violent compared to other early modern European societies.⁵ Peter Blastenbrei, based on his examination of sixteenth-century Rome, explicitly spoke of distinct Northern and Southern European models of delinquency, in which the south distinguished itself by exhibiting a much higher share of violence.⁶ The special position of Italy in the long-term development of violence is furthermore highlighted in Manuel Eisner's integrative survey on European homicide rates.⁷ While in England and Holland a sustained decline of lethal violence set in during the sixteenth century, followed soon after by Scandinavia, Germany and Switzerland during the first decades after 1600, the

² Davies, 'Introduction', 1.

³ R. Muchembled, 'Anthropologie de la violence dans la France moderne (XVe-XVIIIe siècle)', *Revue de synthèse* 108 (1987) 40, as translated by Davies, 'Introduction', 1.

⁴ Mantecón, 'The patterns of violence', 243; Eisner, 'From swords to words', 84-85.

⁵ Carroll, 'Revenge and reconciliation', 101-142 106-107; Calzolari, 'Delitti e castighi', 55; Niccoli, 'Rinuncia, pace, perdono', 188.

⁶ Blastenbrei, *Kriminalität in Rom*, 284.

⁷ Eisner, 'Long-term historical trends', 83-142; M. Eisner, 'Modernization, self-control and lethal violence. The long-term dynamics of European homicide rates in theoretical perspective', *British journal of criminology* 41 (2001) 618-638.

homicide rates in Italian cities remained high until well in the nineteenth century, only after this time declining steeply. As we will see in the next section, new evidence from seventeenth- and eighteenth-century Bologna nuances this image, but does not contradict the broad outlines of the theory.

Why Italy appears to have remained so violent throughout the early modern period has been subject to much contemplation, but answers remain tentative. Scholars have often drawn on Norbert Elias' theory of the civilising process to explain the relatively quick decline in violence, including lethal violence, witnessed in the north of Europe.⁸ The rise of greater self-control as individuals internalised social constraints was promoted by the expansion of the state, with its monopoly on violence, and the extension of the market economy. In a recent article Stuart Carroll aptly summarises why the case of Italy complicates this image.⁹ Already during the Italian Renaissance social and economic interdependencies had reached levels far in advance of any in the north of Europe. Sophisticated bureaucratic and legal mechanisms had also been developed early on. In spite of these early administrative and judicial developments, the new regimes that emerged in Italy during the first half of the sixteenth century lacked the political legitimacy to effectively suppress the widespread factional violence at least until the middle of the seventeenth century.¹⁰

Scholars have also drawn on other cultural-institutional factors to explain the prevalence of violence in early modern Italy. Some have pointed to the persistence of an honour culture as a distinguishing feature of the Mediterranean region until well into the twentieth century.¹¹ In an honour-based culture one's honour was measured and conferred by one's peers. Having a clear social function, violence was considered both legitimate and sometimes obligatory to assert, defend and win masculine honour and escape shame.¹² According to Carroll, a distinctive feature of the Italian case was the widespread secular literature on the gentlemanly laws of honour and its relation to peace-making. While the practice of peace-making between individuals as a legitimate and honourable response to violence came under attack in Northern Europe, it continued to be held in high esteem in

⁸ Its most notable supporter is Pieter Spierenburg. See, for example, Spierenburg, *Violence and punishment*.

⁹ Carroll, 'Revenge and reconciliation', 105.

¹⁰ *Ibidem*, 106.

¹¹ Eisner, 'Modernization, self-control and lethal violence', 632; Carroll, 'Introduction', 35; Davies, 'Introduction', 1; Calzolari, 'Delitti e castighi', 55.

¹² Carroll, 'Introduction', 23, 27; Wood, 'Conceptualizing cultures of violence', 87.

Italy throughout the early modern period.¹³ The long continuity of peace-making procedures in early modern Italy – notably also in a formal, judicial sense – and its role in preserving a social system based on violent confrontation has been treated more extensively earlier in this book.

Though some scholars have argued that it was comparably ineffective, pre-modern Italian states had since long attempted to contain violent behaviours.¹⁴ Indeed, medieval and early modern towns are considered the birthplace of measures of violence prevention and containment.¹⁵ On a regular basis, statutes, civil oaths and bans defined violent acts as deviant behaviour, a view that was supported by a range of arms bans and night curfews renewed throughout the early modern period. In early modern Bologna important sources that shed light on the authorities' stance are the *Bando Generale* of 1610 by cardinal legate Benedetto Giustiniani and 1756 by Fabrizio Serbelloni; summations of the criminal by-laws issued on the occasion of the new cardinal legate taking office. Although as we will see the prescribed sentences were not rigidly enforced, they nevertheless reveal broader trends in the changing attitude towards deviant behaviours.¹⁶

Table 10 shows a simplified representation of the prescribed punishments for various violent crimes. While also delineating aggravating and extenuating factors, the seventeenth- and eighteenth-century criminal by-laws shared a pronounced disapproval of a wide range of violent behaviours and prescribed harsh sentences – even for instances where no blood was drawn. According to Serbelloni's 1756 *Bando Generale*, homicide was considered one of the gravest crimes humans could commit.¹⁷ It was viewed as both contempt against the Papal Prince and as an offence against God. Therefore, as a baseline all killers were prescribed (a variant of) a capital punishment in both of the by-laws. In Giustiniani's 1610 by-laws additional post-mortem corporal torture and disfigurements (*supplizio*) were stipulated for aggravating factors such as patricide.

¹³ Carroll, 'Revenge and reconciliation', 132.

¹⁴ F. Ricciardelli, 'Violence and repression in late medieval Italy' in S.K. Cohn jr. and F. Ricciardelli (eds.), *The culture of violence in Renaissance Italy* (Florence: Le Lettere, 2012) 68; M.B. Becker, 'Changing patterns of violence and justice in fourteenth and fifteenth-century Florence', *Comparative studies in society and history* 18:3 (1976) 282.

¹⁵ G. Schwerhoff, 'Social control of violence, violence as social control: The case of early modern Germany' in H. Roodenburg and P. Spierenburg (eds.), *Social control in Europe. Volume I, 1500-1800* (Columbus: The Ohio State University Press, 2004) 235; Dean, *Crime and justice in late medieval Italy*, 169.

¹⁶ Angelozzi and Casanova, *La giustizia criminale a Bologna nel XVIII secolo*, 219-240.

¹⁷ "Fra li delitti, che nell'uman genere soglion commettersi, uno de' più gravi certamente è quello dell'omicidio volontario, che contiene in se una particolare offesa della Maesta divina, ed umana, un'atto di soprasina superbia contro Dio, ed il Principe, ed un'infinità d'altri mali." See *Bando generale Serbelloni 1756*, chapter VI, no. 1, page 11.

TABLE 10. SENTENCES FOR VIOLENT ACTS PRESCRIBED BY THE CRIMINAL BY-LAWS OF 1610 AND 1756			
Category	Condition	Punishments 1610	Punishments 1756
Homicide		Death penalty	Death penalty
Wounding (<i>ferite</i>), blows (<i>percosse</i>) or threat	Scarring to face/injury of genitalia	Fine of 200 <i>scudi</i> + 5 years galleys	Life-long galleys
	Injury to other parts of the body	Fine of 200 <i>scudi</i> + strappado	-
	Serious danger to life	-	Life-long galleys
	Some danger to life	-	7 years galleys
	No danger to life	-	5 years galleys
	With arms, no bodily harm	Fine of 100 <i>scudi</i> + strappado	Min. 5 years galleys
	With sticks, stones, fists, pushes or kicks	Fine of 100 <i>scudi</i>	-
Libels	-	Death penalty + confiscation of goods	Death penalty + punishment of 'degradation'
Insult/banter	-	Fine of 50 <i>scudi</i> + strappado	Strappado
Spitting in face	-	Fine of 50 <i>scudi</i> + strappado/1 month imprisonment	Strappado, in case of noble/respectable victim galleys
House-scorning	Against citizens, nobles or those of 'honest condition'	Galleys for 5 years	Life-long galleys
	Against <i>Persone vili o meretrici</i>	Fine of 200 <i>scudi</i> + 'strappado'	" but subject to reduction
Violent kissing/touching of virgins or other honest women	-	Fine of 300 <i>scudi</i> + galleys for 5 years	-
Serenading widows, single women or other honest women	-	Fine of 100 <i>scudi</i> + imprisonment for 1 month	Strappado

Sources: *Bando generale dell'illustrissimo, e reverendissimo sig. Benedetto card. Giustiniano legato di Bologna, pubblicato alli 23. di Giugno, & reiterato alli 24. di Luglio 1610* (Bologna 1610) 15-24; *Bando generale della legazione di Bologna e suo contado, fatto pubblicare li 12. ottobre 1756 dall'eminentiss., e reverendiss. sig. cardinale Fabrizio Serbelloni, legato a latere di detta città* (Bologna 1756) 11-38, 108-110.

- Indicates that the category or criterion was not specifically addressed.

One particularly gruesome capital punishment was imposed on Andrea Malagù on 15 July 1675.¹⁸ He had committed a murder the year before and upon imprisonment had helped some other prisoners escape with a false key, but he had been caught and sent for trial. The printed announcement of his execution, which was intended as an invitation to the public, set out the grim procedure that awaited Andrea: he would be beaten to death, then

¹⁸ ASBo, Torrione, 7030, fasc. 9.

would have his throat slit and then would be quartered as a punishment for his crimes. Judging from the court records, elaborate spectacles like these were not that common and became increasingly rare as time went on. Indeed, in the 1756 by-laws explicit mention of these additional defaming measures are absent. This is in line with the notion that punitive regimes during the early modern period moved away from the publicly visible infliction of pain and suffering as a symbol of the repressive potential of the state.¹⁹ Instead, extenuating circumstances such as killing without malice and premeditation (resulting in five years in the galleys or forced labour) are treated more exhaustively. Similarly, accidental death and death resulting from a necessary defence would result in 'ecclesiastical immunity'. Although there is substantial evidence that the imposition of public executions also declined markedly over the seventeenth century, the more elaborate treatment of these topics must be viewed foremost as the intent to clear up past ambiguities and systematise the application of criminal justice and to diminish the discretion of the judges.²⁰

There was a significant discrepancy between written laws and judicial practice. Firstly, the penalty decreed by these by-laws would not necessarily be assumed in sentencing. As Gregory Hanlon has observed for the Renaissance period, statutory penalties were often deemed too harsh to apply.²¹ There were many aspects to the crime – such as the age, gender and social status of the offender and victim – that allowed the judge to arbitrarily adjust the sentence. For this they not only relied on the criminal by-laws, but also consulted the opinions of magistrates such as Gian Domenico Rainaldi, who had written a renowned syntax based on his work as a judge in Bologna between 1671 and 1676.²² Secondly, many sentences in early modern Bologna were overturned and converted into pardons. This was especially true for acts of violence, where peace-making between the offender and the victim or his/her family could result in a significant reduction of the sentence or a general pardon as it restored the social equilibrium. In the case of homicides committed in seventeenth-century Bologna, nearly 40 per cent of the killers received a pardon.²³ The granting of pardons and exemptions in response to a petition was not just an Italian phenomenon, but was

¹⁹ Eisner, 'From swords to words', 103.

²⁰ Ibidem, 104-105; Terpstra, 'Theory into practice', 123; Rose, Homicide in North Italy, 105; Angelozzi and Casanova, *La giustizia criminale a Bologna nel XVIII secolo*, 223.

²¹ Hanlon, 'Violence and its control' 147.

²² See for an examination of his work Angelozzi and Casanova, *La giustizia in una città di antico regime*, 375-448; Casanova, *Crimini nascosti*.

²³ Rose, Homicide in North Italy, 132.

widespread and is viewed as “fundamental to the manner of governing in early modern Europe.”²⁴

A third way in which penal practice diverged from the norms specifically relates to the treatment of various types of violence. Compared to the daily practice represented by the *Torrone’s* denunciations and indictments, the heavy penalties prescribed for even the pettier forms of violence are striking. For the wounding of another person without (in the eyes of the surgeon) any danger to life, the 1756 by-laws prescribe a sentence of five years rowing in the papal fleet. Insults and insulting banter could yield three pulls of the *strappado*. In practice, however, only the more serious forms of violence were prosecuted by the *Torrone*. As we can see in table 11, the notaries’ record books brimmed with the fights and brawls that did not result in life-threatening wounds. The indictments on the other hand are disproportionately concerned with homicide and serious wounding.

TABLE 11. VIOLENT CRIMES AMONG DENUNCIATIONS AND <i>PROCESSI</i> , CA. 1655-1755						
	Homicide	Wounding with danger to life	Wounding without danger to life	Verbal aggression	Undefined violence ^a	Total
Denunciations (N=799)	1%	8%	49%	23%	19%	100%
<i>Processi</i> (N=588)	21%	43%	21%	15%	0%	100%

Source: Extracted from sample 1 and sample 2 (see appendix), counted by defendant.
^a As measured by the issuing or breach of a *precetto de non offendendo*

Not only did a large proportion of the violent acts not result in an indictment, the decreed punishments also greatly differed from the ones prescribed by the criminal by-laws. As has already been observed by others, ‘real sentences’ such as the death penalty, a sentence to the galleys or exile were quite rare before Bologna’s early modern criminal court.²⁵ With regard to the treatment of different categories of violent crimes, table 12 distinguishes two distinct patterns. The first pattern relates to the treatment of homicide, which compared to the other types of violence garnered a relatively large number of sentences to death, banishment and a number of years in the galleys. Furthermore, although a substantial proportion of killers were eventually pardoned, they were less likely to be absolved from the get-go than among other violent behaviours. Indeed, the other types of violence were by and large absolved, either due to insufficient evidence or, commonly, because the plaintiff

²⁴ Hanlon, ‘Violence and its control’, 147.

²⁵ Angelozzi and Casanova, *Donne criminali*, 228.

withdrew the complaint due to an unmentioned settlement. Most of the non-lethal violence was concluded through peace-making, despite the harsh sentences prescribed by the law.

There are indications that the judicial treatment of women's violence differed from men's in some ways. From a theoretical viewpoint it is often believed that female offenders were treated with a particular leniency by legal professionals due to the assumption of their weakness and need for protection (also called 'the chivalry theory').²⁶ For homicide in urban early modern Bologna the sample size of female killers is too small to draw any such conclusions.²⁷ In their quantitatively more extensive study on early modern Bologna, Angelozzi and Casanova observed that the few female offenders indicted for homicide received clemency more often, particularly when they had male co-offenders. In this case they were punished less severely or not at all.²⁸ Rose similarly contended that the few women that came before the *Torrone* for homicide during the seventeenth century were treated as accomplices rather than as killers with agency.²⁹

The much more common acts of non-lethal violence allow for a quantitatively more sound examination of gendered sentencing patterns. On the one hand, what stands out for women is the importance of the *precetto criminale*, a conditional fine demanding the discontinuance of offending and molestations (see table 13). On average, female offenders were proportionally at least twice as likely to receive such peace injunctions as male offenders, for all types of recorded violent transgressions. As has been argued before, it does not seem unlikely that the notion of women's weakness played into the scale to which these measures were imposed on them. Not only did they serve to protect the often female victims from further aggression, but it also likely served to protect female offenders against themselves. Whether this must be viewed from the idea that women's violence was largely irrelevant in the eyes of the court, or actually from a harsher treatment stemming from the intolerance of women's public violence, is still to be unravelled.

The treatment of women's violence did resemble that of men's in a very decisive way. After all, the majority of cases against female fighters were also cancelled and absolved following the withdrawal of the complaint, just like men's. Importantly, this reveals that cultural and judicial norms neither prevented women from employing violence nor excluded

²⁶ Ibidem, 18-19; Graziosi, 'Women and criminal law', 173.

²⁷ The sample only includes four female offenders indicted for lethal violence. Two of them were sentenced: one was incarcerated and the other female offender received a *precetto criminale*.

²⁸ Angelozzi and Casanova, *Donne criminali*, 239, 242, 259.

²⁹ Rose, Homicide in North Italy, 280.

TABLE 12. SENTENCES FOR VIOLENT CRIMES IN DENUNCIATIONS AND *PROCESSI*, CA. 1655-1755

	Capital punishment	Banishment	Galleys	Incarceration	<i>Prepetto</i> ^a	Surety	Cancelled ^b	Pardon	Total known
Homicide (N=109)	6%	6%	21%	2%	1%	2%	24%	39%	100%
Wounding with danger to life (N=213)	-	2%	3%	-	9%	1%	75%	9%	100%
Wounding without danger to life (N=285)	-	-	-	-	12%	4%	76%	8%	100%
Verbal aggression (N=139)	-	2%	1%	-	16%	5%	68%	9%	100%
Undefined violence (N=150)	-	-	-	-	100%	-	-	-	100%

Source: Extracted from sample 1 and sample 2 (see appendix).

^a *Prepetto de non offendendo*

^b Includes both cases that were absolved due to presumed innocence or lack of evidence as well as cancellations due to the complaint being withdrawn.

TABLE 13. SENTENCES FOR VIOLENT CRIMES COMMITTED BY WOMEN, CA. 1655-1755

	Capital punishment	Exile	Galleys	Incarceration	<i>Prepetto</i> ^a	Surety	Cancelled ^b	Pardon	Total known
Homicide (N=2)	-	-	-	50%	50%	-	-	-	100%
Wounding with danger to life (N=10)	-	-	-	-	30%	-	70%	-	100%
Wounding without danger to life (N=54)	-	-	-	-	24%	4%	67%	5%	100%
Verbal aggression (N=28)	-	-	-	-	29%	7%	64%	-	100%
Undefined violence (N=62)	-	-	-	-	100%	-	-	-	100%

Source: Extracted from denunciations and *processi* from sample 1 and sample 2 (see appendix).

^a *Prepetto de non offendendo*

^b Includes both cases that were absolved due to presumed innocence or lack of evidence as well as cancellations due to the complaint being withdrawn.

them from the peace-making practices that are believed to have been so intrinsic to the Italian culture of violence.

Although violence was viewed as undesirable, it also enjoyed a certain degree of tolerance. This was not only the case in Bologna and other Italian towns, but has also been observed for other regions during the early modern period. In Germany for example only notorious violent offenders' faces severe sanctions like imprisonment or banishment, while violent acts not resulting in death were regularly punished with fines.³⁰ As has been mentioned in previous chapters, in medieval and much of early modern Europe non-lethal violence was treated more as a civil than a criminal matter. Rather than punishment, the goal was to reconcile the two parties, to reintegrate the culprit into society and to re-establish social peace. While the Bolognese criminal by-laws officially prescribed harsh sentences, its court officials themselves are believed to have played active roles in pressuring the victims and their kin to accept their enemies' peace-making.³¹

That expectations of peace-making extended to all reaches of society is illustrated by the case of Giacoma Ferranina against Pellegrina Gentili in 1655.³² As Giacoma, a prostitute was walking home with her mother and sister after mass, Pellegrina for unknown reasons beat her with a stick and scarred her face. This was a serious offence, punishable by a hefty fine and a five-year sentence to the galleys. Offender Pellegrina understandably tried multiple times to have Giacoma renounce her complaint, which she refused. Pellegrina then turned to the court with a petition, explaining that she had been previously insulted and provoked by the plaintiff, which had led to the attack, that she had only wounded her slightly and that she had many times but unsuccessfully asked for a renunciation and therefore pled for the case to be annulled even without the renunciation.³³ The petition was granted against the plaintiff's wishes and the case was annulled. Clearly, reconciliation and not punishment was the objective of the criminal court in cases like these.

While the practice of peace-making as a socially acceptable answer to acts of violence was shared within much of Europe, scholars have argued that it nevertheless may have been at the root of Italy's especially violent society. Looking back on the *antico regime*, Daniele

³⁰ Schwerhoff, 'Social control of violence', 223, 235.

³¹ Rose, Homicide in North Italy, 85-86.

³² ASBo, Torrone, 6670, fasc. 9.

³³ Ibidem, n.p, fol. 7: "Pellegrina Gentili humilmente espone all'curia esser stata querelata nel Torrone da donna Margherita Ferranina, et sua figliola meretrice perche essendo stata ingiuriata, et provocata dalle sud: le dasse con un bastone alcune percosse dalle quali restò pochissimo offesa, et havendogli l'querelatrice più volte fatto addimandargli la renoncia sempre ha ricusato di fargliela, che perciò supp.ca l'curia a farle grazie d'ordinare che le sia cassata detta querella senza detta renoncia."

Boschi pointed to the decisive relationship between the persistent high rates of violence and the late modernisation of the criminal justice system in Italy.³⁴ In particular, he points to the long-standing tradition of judicial indulgence towards interpersonal violence. Throughout the early modern period, he asserts, people accused of non-lethal violent crimes easily managed to avoid at least the most severe forms of punishments thanks to the complex system of judicial pardons and private reconciliations. And although criminal courts all over Italy received several thousand reports each year concerning a wide range of crimes, they effectively only dealt with a very small proportion of these offences. Therefore, until well into the nineteenth century the judicial system only exerted a very moderate deterrent power over violent aggressors. The question of whether the practice of peace-making and pardoning was more commonplace in Italy than elsewhere or whether it is more visible in the extant sources merits further investigation. However, what is certain is that in early modern Italy peace-making was of continued importance to the way interpersonal violence was dealt with all throughout the early modern period.

Lethal violence in Bologna during the seventeenth and eighteenth centuries

In the scholarly debates on the decline of violence, homicide rates have formed the most important evidence to argue for the existence of regional differences in the chronology. Manuel Eisner has been the main driver of the conceptualisation of these large-scale and long-term geographical variations.³⁵ He argued for a largely synchronised decline in violent crime across the Western world, where lethal encounters dropped from anywhere between 20 to 50 per 100,000 inhabitants in late medieval cities to rates below one by the mid-twentieth century.³⁶ England and the Netherlands led the way in this development during the sixteenth century, followed soon after by Scandinavia, Germany, Belgium, Switzerland and France. Italy (representing the 'southern' pattern) on the other hand pursued a different trajectory, with consistently higher rates than those in northern Europe followed by a gradual decline from the early nineteenth century onward.³⁷ A simplified version of Eisner's data – which illustrates Italy's divergent trajectory – is presented in table 14.

³⁴ Boschi, 'Knife fighting in Rome', 150-153, especially 152.

³⁵ For his most recent account, see Eisner, 'From swords to words', 65-134.

³⁶ *Ibidem*, 67.

³⁷ *Ibidem*, 68, 80-81, 84.

While there was thus a clear overall trend of higher mean homicide rates in Italy, a closer look at the data reveals significant variations between cities and time periods.³⁸ For the pre-modern, pre-statistical era Eisner had to rely on discontinuous local estimates from various towns such as Rome, Florence, Venice, Siena, Mantua and Bologna. At least until the middle of the seventeenth century, high and low rates alternated without a distinguishable pattern. In fourteenth-century Florence, for example, the rate of 25.6 homicides per 100,000 inhabitants in 1344-1345 surged to a massive 152 five years later (1350-1352) to drop to 16.4 again a quarter of a decade later (1374-1375).³⁹ Similarly, local estimates for sixteenth-century Rome diverged from 73 in 1560-1562 to 40 in 1571-1573.⁴⁰ Between cities, too, significant variations arise. In the city of Mantua between 1601 and 1605, the mean homicide rate was 31. In Lecco during roughly the same time period (1601 to 1610), the rate was a lower 19.3.⁴¹ However, despite these variations it is important to note that even many of these lower estimates for Italian towns were higher than the mean rates for other parts of Europe throughout the early modern period.

The capriciousness of early modern homicide rates can also be observed in Bologna. Figure 6 displays these rates for the period between 1600 and 1755 collected from the criminal court's indictments. With an average of 27 homicides per 100,000 throughout the century, it shows that – as a whole – the Bolognese saw many killings.⁴² Compared to the average rates of the Netherlands and England, Bologna's homicide rate of 25 at the beginning of the century was already quite high, but this was nothing compared to what was yet to come. In the decades after the outbreak of the bubonic plague in 1630, accompanied by a general dissolution of social order, the rates would surge to 50 in 1652 and to a staggering 106 homicides per 100,000 inhabitants in urban Bologna in 1660.⁴³ A decade later, however, the rates reached near parity again with those from the beginning of the century. With the

³⁸ I would like to express my gratitude to Manuel Eisner for kindly sending me his database (sent on 9 January 2014), in which he has collected and calculated the homicide rates for individual towns.

³⁹ Based on Eisner's database, who gathered this data from A. Zorzi, 'La pena di morte in Italia nel Tardo Medioevo', *Clio & Crimen* 4 (2007) 47-62; A. Zorzi, 'Aspetti e problemi dell'amministrazione della giustizia penale nella repubblica fiorentina I. La transizione dal XIV al XV secolo', *Archivio storico italiano* 145 (1987) 391-453.

⁴⁰ Based on Eisner's database, who gathered this data from Blastenbrei, *Kriminalität in Rom*.

⁴¹ Based on Eisner's database, who gathered this data from M.A. Romani, 'Criminalità e giustizia nel Ducato di Mantova alla fine del cinquecento', *Rivista storica Italiana* 92 (1980) 679-706; N. Perego, *Homini de mala vita. Criminalità e giustizia a Lecco e in terra di Brianza tra cinque e seicento* (Lecco: Oggiono, 2001) 196.

⁴² For fourteenth- and fifteenth-century Bologna, homicide rates ranged from 30 to 80 per 100,000 inhabitants. See T. Dean, 'Eight varieties of homicide. Bologna in the 1340s and 1440s', in T. Dean and K. Lowe (eds.), *Murder in Renaissance Italy* (Cambridge University Press, 2017) 85; S. Rubin Blanshei, 'Homicide in a culture of hatred: Bologna 1352-1420' in T. Dean and K. Lowe (eds.), *Murder in Renaissance Italy* (Cambridge University Press, 2017) 113.

⁴³ Rose, *Homicide in North Italy*, 51, 121, 131.

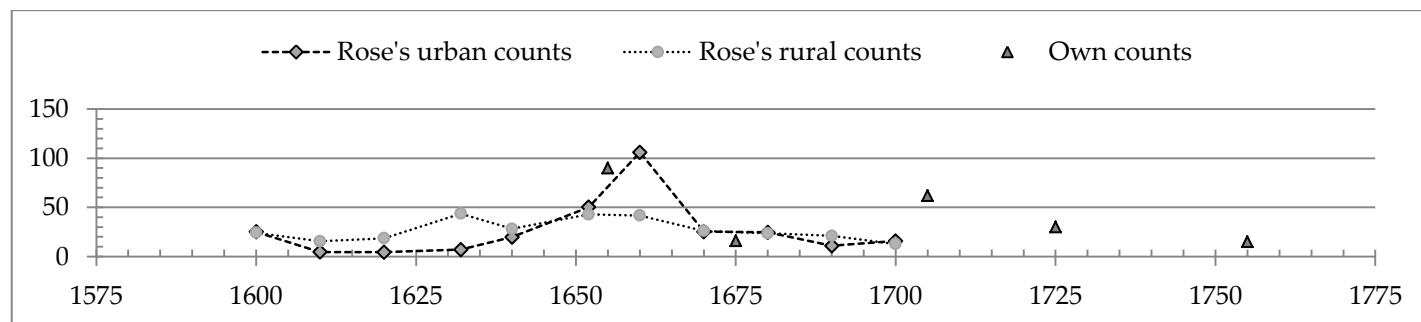
high 1705 data point as an outlier, the post-1770 rates apparently continued the early modern routine, without a sensational deviation from the high rates associated to the ‘southern pattern’.

TABLE 14. MEAN HOMICIDE RATES IN EUROPEAN REGIONS, 1350-1925

	1350-1399	1400-1449	1450-1499	1500-1549	1550-1599	1600-1649	1650-1699	1700-1749	1750-1799	1800-1849	1850-1874	1875-1899	1900-1925
England and Wales	13.0	...	...	...	5.2	5.8	3.5	2.0	1.4	1.6	1.6	1.3	0.8
Netherlands	20.7	59.1	...	35.9	8.9	7.6	3.1	3.4	1.9	...	0.8	0.9	0.6
Germany	30.1	6.6	18.6	...	9.0	10.1	3.1	5.0	4.6	2.4	1.5	1.6	2.1
Italy	71.7	62.0	...	...	38.7	39.1	10.2	16.9	7.1	8.0	7.0	5.7	3.9

Source: table 4 (‘Mean homicide rates in 11 European regions, 1250-2012, by 50-year intervals until 1849, 25-year intervals for 1850-2012’) from M. Eisner, ‘From swords to words. Does macro-level change in self-control predict long-term variation in levels of homicide?’, *Crime and justice* 43 (2014) 80-81.

FIGURE 6. BOLOGNA’S URBAN HOMICIDE RATES BASED ON THE *PROCESSI*, 1600-1755



Sources: Sample 1 (see appendix); C.S. Rose, *Homicide in North Italy: Bologna, 1600-1700* (Unpublished PhD thesis, University of Toronto, 2016) 117-193. Counted as homicides per 100,000 inhabitants.

Aside from the crisis years of the 1630s to the 1660s, lethal violence in Bologna shared many of the same characteristics throughout the seventeenth and eighteenth centuries. The core of these characteristics corresponds with what is known about lethal violence in other early modern towns. The social realm of violent offenders will be treated more extensively in a later paragraph, but it is interesting to briefly point out its most important features. According to Rose, who provides an in-depth study of lethal violence in seventeenth-century Bologna, the Bolognese rarely killed strangers during times of peace.⁴⁴ Instead, homicides took place within the orbit of family and sociability. Artisans, labourers and merchants killed each other, their families, their lovers, friends and neighbours. Their motivations were generally rather ‘prosaic’ or ‘trivial’, revolving around revenge for an insult, romance and escalated robbery as much in the 1600s as it did one and a half centuries later. In about a quarter of the cases killers fought alongside their family members, their co-workers or

⁴⁴ Rose, *Homicide in North Italy*, 119, 141.

faction members, but much of the violence was a solitary affair. The violent encounters that led to the deaths recorded by the *Torrone* generally occurred in the course of daily conflict, a reality that early modern Italians were accustomed to and, indeed, embraced to a certain extent.⁴⁵

Lastly, as is known for lethal violence all over early modern Europe, the demographics of fatal violence in seventeenth- and eighteenth-century Bologna hardly included any women. Indeed, it is generally accepted that men overwhelmingly accounted for the killers and their victims, leading to the characterisation of homicide as “masculine bravado” revolving around “maintaining face, demonstrating character, not wanting to be pushed around, in short the requirement to defend one’s (masculine) honour and reputation.”⁴⁶ Congruent with this dominant image of public male-on-male violence, women were much less frequently prosecuted for homicide and were also relatively uncommon among the reported victims of fatal interpersonal violence. Shares of female offenders in this category of violence range from 30 per cent in Surrey between 1660 and 1800 to about 8 per cent in Amsterdam during the same time period.⁴⁷ A similar, though amplified, image emerges for early modern Bologna. For seventeenth-century Bologna Rose calculated that women made up about 9 per cent of the victims of homicide and a mere 2.5 per cent of killers.⁴⁸ For the period from 1583 to 1779, Angelozzi and Casanova similarly allege that women made up less than five per cent of the indicted killers.⁴⁹ My samples of urban Bologna between the mid-seventeenth and mid-eighteenth centuries concur with these assertions, suggesting that only three per cent of killers identified by the criminal court consisted of women.⁵⁰

That women were only held accountable for a rather small proportion of homicides should not lead us to conclude that women were rarely violent at all. Recent studies have demonstrated that the examination of women’s violence requires a different approach and a

⁴⁵ Ibidem, 132.

⁴⁶ Carroll, ‘Introduction’, 20.

⁴⁷ As offenders in lethal violence, women made up almost 30% in Surrey (1660-1800) when including infanticide, and 13% of offenders of homicide and manslaughter alone. Women furthermore consisted of about 25% in Denbighshire (1660-1730), about one-fifth in seventeenth-century Cheshire, 21% in eighteenth-century Scotland and 8% in Amsterdam between 1650 and 1810. See J.M. Beattie, *Crime and the courts in England, 1660-1800* (Princeton University Press, 1986) 83, 115; Beattie, ‘The criminality of women’, 85; S. Howard, *Crime, communities and authority in early modern Wales: Denbighshire, 1660-1730* (Unpublished PhD thesis University of Wales, 2003) 83; Walker, *Crime, gender and social order*, 109; Kilday, *Women and violent crime*, 43; P. Spierenburg, ‘How violent were women? Court cases in Amsterdam, 1650-1810’, *Crime, history & societies* 1 (1997) 17.

⁴⁸ Rose, *Homicide in North Italy*, 227.

⁴⁹ Angelozzi and Casanova, *Donne criminali*, 84.

⁵⁰ My sample of the urban *processi* from 1655, 1675, 1705, 1725 and 1755 includes a total of 74 homicides resulting in 126 accused offenders. Four of these perpetrators were women.

different set of sources. Rather than being dealt with by the higher courts, women's crimes were more likely to be handled by less formal methods of conflict resolution as well as in lower criminal courts.⁵¹ In recent decades, scholars have contended that focusing on petty violence – like petty criminality in general – helps significantly in arriving at a clearer image of daily tensions in early modern communities as well as early modern men's and women's perceptions and experiences of violence.⁵² It has also been rightfully pointed out that when we look beyond lethal violence and at the lower levels of the criminal justice system, the gendered differences in terms of involvement, severity and setting seem to become much smaller. Anglophone scholarship in particular has made significant headway in showing that the share of women among violent offenders was much higher than what was previously assumed based on lethal violence alone. For example, in the early modern British town of Portsmouth, women account for no less than 31 per cent of registered violent assaults.⁵³ The shares of early modern Rotterdam, Holland, appear to have been similar, as women consisted of twenty-four per cent of the offenders before the correctional court, four times as many as before the higher criminal court.⁵⁴

Further research on women's violence in the early and modern times has moreover brought to the fore other conclusions regarding the supposed intrinsic differences between the violent offences committed by men and women. An important contribution was made by Walker in 2003 who, in her work on local courts in seventeenth-century Cheshire, was one of the first to draw attention to the similarities between men and women's violence.⁵⁵ Contrary to regular assertions that women were much more likely to use verbal abuse to settle disputes, she and others have shown that women by no means limited themselves to such verbal affronts. Taking into account the much more common so-called 'petty violence', it is argued that women in fact fought in ways that in terms of aggression were much more similar to men's than different, that they engaged in violence for a wider variety of motives outside of their sexual honour, and furthermore often did so in the same public areas.⁵⁶ The use of sources gathered beyond the higher criminal courts has been crucial in developing these insights. After all it was these lower, local courts through which many more people

⁵¹ Schwerhoff, *Köln im Kreuzverhör*; Shoemaker, *Prosecution and punishment*, 292; King, *Crime and law*, 202-210; Gray, *Crime, prosecutions and social relations*, 9, 170-171; Dinges, 'The uses of justice', 159-175.

⁵² Hurl-Eamon, *Gender and petty violence*, 11; Jones, *Gender and petty crime*, 8.

⁵³ J. Warner, J. Riviere and K. Graham, 'Women behaving badly. Gender and aggression in a military town, 1653-1781', *Sex roles* 52 (2005) 290.

⁵⁴ Van der Heijden, 'Women, violence and urban Justice', 84.

⁵⁵ Walker, *Crime, gender and social Order*, 270.

⁵⁶ Kilday, *Women and violent Crime*; Hurl-Eamon, *Gender and Petty Violence*; Ruitenbeek, 'Niet zonder kleerscheuren', 62-85; Van der Heijden, 'Women, violence and urban Justice', 90.

experienced the law, since petty crime was far more typical and common than felonies among both men and women.⁵⁷ The same holds true for early modern Bologna's female offenders. Although lethal violence was largely an all-male affair before Bologna's early modern criminal court, the examination of other forms of violence bring a much more significant group of deviant female protagonists into view.

Insults and the politics of daily life

In the historiography on women's criminality, much attention has been paid to women's involvement in verbal abuse. Although recent works have largely examined scolding and defamation from the perspective of women's agency and the responses to them, the topic has also been associated with normative connotations regarding women's presumed weakness and passivity.⁵⁸ One of the assumed outcomes of the strict, early modern gender norms and the ethics of honour was that women did not commonly partake in the physical violence omnipresent in early modern Italy, but instead relied to a much greater extent on insults and defamatory slurs as the primary means of conducting the small politics of daily life.⁵⁹

Although such notions were shared across early modern Europe, the perception of the enduring importance of an honour culture in Italian communities has led scholars to believe that the gender norms were especially restrictive there. This meant that while for men retributive violence was a culturally accepted and sometimes even demanded means to maintain one's honour, this was not the case for women. John Brackett, in his work on criminal justice in Renaissance Florence, has argued that for women it was neither 'expected nor desirable' to engage in aggressive acts for any reason.⁶⁰ The ethics of honour prescribed passivity for women, submitting them to the control of men and relying on men to defend women's honour. According to Brackett and others, women furthermore had fewer economic and political opportunities outside of the house and thus were less likely to violate the law.⁶¹ The combination of this normative notion and ideas regarding women's physical weakness resulted in an understanding of women's violence as being largely restricted to verbal violence. Indeed, as Elisabeth Crouzet-Pavan summarises, a specific function was

⁵⁷ Jones, *Gender and petty crime*, 8

⁵⁸ L. Gowing, 'Gender and the language of insult in early modern London', *History workshop journal* 35 (1993) 1-21.

⁵⁹ S.T. Strocchia, 'Gender and the rites of honour in Italian Renaissance cities', in: J.C. Brown and R.C. Davis (eds.), *Gender and society in Renaissance Italy* (London: Longman, 1998) 52-54.

⁶⁰ Brackett, *Criminal justice and crime*, 133-134.

⁶¹ *Ibidem*; L. Martines, 'A way of looking at women in Renaissance Florence', *Journal of medieval and renaissance studies* 1 (1974) 15-28.

reserved to women: to assist at violent scenes with their voices and gestures.⁶² Indeed, based on his research on medieval Todi, Daniel Lesnick has argued that the ritualised vocabulary of vilification – aimed at influencing friends, neighbours or relatives in the community – was a distinctly female form of crime.⁶³ In a highly patriarchal culture, insults and gossip gave women of all social classes an informal but major means of influencing and shaping public opinion.

When examining women's deviant speech, much attention has been paid to its gendered vocabulary. When placing insults in their social and cultural context, Peter Burke described insults both as a breach of the rules, but also as a category that followed the rules or conventions "as closely as a sonnet."⁶⁴ Indeed, in early modern Italy the lexicon of insults drew from a "stereotyped, gender-loaded stockpile of invective which both women and men adapted creatively, according to the needs of the situation."⁶⁵ Defamatory speech therefore also followed gendered conventions and value systems. Studies on medieval Todi and late medieval Bologna by Lesnick and Dean largely confirm the gendering of deviant speech. Insults to women particularly emphasise sexual components of their reputation, impugning her as some variant of a whore, adulteress or procuress.⁶⁶ Men were also called 'bastard' or 'cuckold', but it is clear that these sexual insults were female-centred.⁶⁷ They either berate women for not adhering to sexual mores or accuse men of being the product or victim of women's illicit sexual relations. Invectives for men on the other hand are more economic in nature and largely refer to their honesty or ability to carry out a profession.⁶⁸ The men in medieval Todi were often called liars and thieves, accusations that undermined their economic credibility and called into question their success and stature as merchants, tradesmen, artisans or labourers. These conclusions mirror those drawn for other medieval and early modern societies.⁶⁹

⁶² Crouzet-Pavan, 'Crimine e giustizia', 57.

⁶³ Strocchia, 'Gender and the rites of honour', 54; D.R. Lesnick, 'Insults and threats in medieval Todi', *Journal of medieval history* 17 (1991) 76.

⁶⁴ P. Burke, *The historical anthropology of early modern Italy* (Cambridge University Press, 1987) 96.

⁶⁵ Strocchia, 'Gender and the rites of honour', 54.

⁶⁶ Dean, 'Gender and insult', 231; D.R. Lesnick, 'Insults and threats in medieval Todi', *Journal of medieval history* 17 (1991) 71.

⁶⁷ Strocchia, 'Gender and the rites of honour', 54

⁶⁸ Dean, 'Gender and insult', 219; Lesnick, 'Insults and threats', 71.

⁶⁹ It must be noted that the historiography since the late 1990s has emphasised that while the repertoire of insults centred on women's sexuality, women's honour and reputation were more complex and less restricted. See F. Dabhoiwala, 'The construction of honour, reputation and status in late seventeenth- and early eighteenth century England', *Transactions of the Royal Historical Society* 6 (1996) 202; G. Walker, 'Expanding the boundaries of female honour in early modern England', *Transactions of the Royal Historical Society* 6 (1996) 235; S.K. Taylor, 'Women, honor, and violence in a Castilian town, 1600-1650', *The sixteenth century journal* 35:4 (2004) 1083-1084.

The early modern Bolognese court records also support this notion of a highly gendered vocabulary of verbal aggression. Like elsewhere, slurs on women nearly always referred to their sexual honour and, as Angelozzi and Casanova noted, often concerned a substantial subordination to the dominant masculine cultural model: *puttana* (whore), *buzzerona* (a woman dedicated to sodomite practices), *sfondata* (worn out), *porca* (sow), *vacca* (cow) and *ruffiana* (pimp) were the most common abuses used for women.⁷⁰ Some common insults for men indeed also centre on their affiliation with women who failed to adhere to the sexual mores. *Becco* and *becco fottuto* (cuckold, fucking cuckold) are among the most prominent and frequently recorded verbal affronts. Additionally though, men were also insulted with other, more 'economic' aspects of their their good or bad reputation: *ladro* (thief), *barone* (scoundrel), *birichino* (rascal), *poltrone* (good-for-nothing), *guidone* (scumbag) and *furbo* (crook). While there are some examples of women being called a *poltrona* or a *barona*, this was rare. In general, in line with what Dean found for the late medieval period, Angelozzi and Casanova have remarked that the vocabulary of affront was less varied and more repetitive when directed at women than the insults directed at men.⁷¹

It has been suggested that part of the reason for the 'semantic poverty' of insults towards women may be found in the notaries' and authorities' prosecutorial indifference.⁷² Whether or to what extent this disregard was gender specific is difficult to say, but the criminal court records support the idea that these insults were generally not a large priority for the authorities. Firstly, many of the court records merely mention the exchange of 'injurious words' (*parole ingiuriose*), 'dishonest words', 'impolitenesses' (*villanie*) or 'insolent remarks' (*insolenze*), without specifying what the words used were exactly. When specific slurs were jotted down by the notaries, it was rather imprecise and summary, with some examples of slurs followed by 'and other similar ones' (*ed altre simile*).

Indeed, that much of the verbal aggression that appeared before the criminal court was not scrutinised in depth was part of a broader disinterest in prosecuting the petty violent acts of the lower classes. While the defamation of a superior was taken very seriously by the authorities, verbal aggression among the commoners who made up the bulk of the plaintiffs before the court was not.⁷³ The *Torrone's* statutes, which specifically instructed the judges not to pursue so-called 'minor crimes' such as insults, threats and non-life-threatening

⁷⁰ Angelozzi and Casanova, *Donne criminali*, 74.

⁷¹ Dean, 'Gender and insult', 226; Angelozzi and Casanova, *Donne criminali*, 75.

⁷² Angelozzi and Casanova, *Donne criminali*, 75.

⁷³ Burke, *The historical anthropology of early modern Italy*, 99.

fights among the lower classes, are insightful in this regard.⁷⁴ That the majority of these affronts would not be prosecuted in an inquisitorial trial may have influenced the way in which notaries documented the denunciations. Although the evidence to prove this is lacking, it does not seem unlikely that these mechanisms were exacerbated for women, whose violent acts in general are believed to have been taken less seriously than men's due to their assumed weaker nature.

Recent scholarship has begun demonstrating that while women's relationship with violence was thus normatively problematic, their violence cannot be reduced to verbal aggression alone. Firstly, studies on early modern England, Scotland, France, Holland and, recently, Italy have shown that petty physical acts of violence may have been much more commonplace than has been believed.⁷⁵ These works, often based on examinations of lower criminal courts, reveal that women by no means limited themselves to the exchange of words in their everyday conflicts, but also commonly resorted to physical violence. In fact, the Bolognese court records proportionally brim with women's physical altercations, the share of insults was more modest. This argument will be treated more elaborately later on in this chapter. Of course, criminal records of verbal assaults that were litigated in court only represent a small fraction of the conflicts that occurred at the most basic levels of everyday life. Many physical assaults also mention the exchange of injurious words, even though these cases do not revolve around them. However, what is important now is noting that insults did not form the most important crime category for women in early modern Bologna: only one-fifth of the female offenders were accused of insults or other forms of verbal aggression.⁷⁶

Secondly, while some scholars have characterised verbal aggression as the 'female crime' *par excellence*, insults were by no means a women's preserve. For pre-modern Italy, it was Daniel Lesnick's examination of thirteenth-century Todi that framed deviant speech as a 'particularly female form of crime'.⁷⁷ He made this argument based on women's relative 'overrepresentation' among those convicted of verbal insults or threats compared to other prominent crimes: between 1275 and 1280 women constituted 27.5 per cent of those

⁷⁴ Angelozzi and Casanova, *La giustizia criminale a Bologna nel XVIII secolo*, 391.

⁷⁵ Hurl-Eamon, *Gender and petty violence*; Kilday, *Women and violent crime*; Van der Heijden, *Women and crime*; D. Roussel, 'La description des violences féminines dans les archives criminelles au XVI^e siècle', *Tracés. Revue de Sciences humaines* 19 (2010) 71.

⁷⁶ Counted in the denunciations, where the judicial filter was arguably the smallest. Among the 241 female offenders in the denunciations collected, 46 were accused of insults, threats or other forms of verbal aggression. For men the percentage was 15%.

⁷⁷ Lesnick, 'Insults and threats', 76.

convicted of verbal aggression compared to seven per cent for theft and five-and-a-half per cent for physical assault.⁷⁸ However, as these figures make clear, men also resorted to deviant speech in large numbers. Calling insults a distinctly ‘female crime’ thus obscures the degree to which experiences and deviant acts were shared among men and women. In early modern Bologna, women formed 20.4% of those accused of insults and threats between 1650 and 1750.⁷⁹ This was roughly comparable to the average, overall share of women’s involvement in recorded crime of about 21%. This does not deny that defamatory speech was a powerful tool for women to negotiate power in their everyday lives, but instead that these mechanisms were not exclusive to them.

There are reasons to believe that verbal aggression by men and women differed less in its function than in the way it was received. While the court records certainly attest to women’s ability and audacity in violently confronting their male and female adversaries for a wide range of socio-economic motives, women, unlike men, had little honour to gain from it. Although behaving in an aggressive manner was by no means an uncommon mode of behaviour for women, the court testimonies reveal that it was nonetheless considered ‘unladylike’ comportment that was explicitly frowned upon by contemporaries.⁸⁰ By acting aggressively, women disrupted the social order both in a practical sense, as well as normatively by defying their prescribed gender roles.

From the perspective of popular culture, another way in which women subverted the social order in relation to deviant speech (as well as other forms of aggression) was – ironically – through their use of the criminal courts. As mentioned before, the authorities did not consider insults or acts of petty violence among the lower classes a high prosecutorial priority. As elsewhere in early modern Europe, these petty offences were treated very much as a civil rather than a criminal matter, focusing on arbitration and compensation rather than punishment and reform.⁸¹ Rather than being subject to an inquisitorial trial, by far the majority of these cases are known to us now because the victims of aggression used the court as a forum for conflict resolution.

Consequently, many of the criminal court records surrounding insults – like those for physical violence – should be understood from this perspective of conflict resolution, in

⁷⁸ Ibidem, 76.

⁷⁹ In the sample, 53 out of 260 defendants accused of insults, defamation or threats were women.

⁸⁰ Cohen, ‘Honor and gender in the streets of early modern Rome’, 616; Brackett, *Criminal justice and crime*, 133-134.

⁸¹ Gray, ‘The regulation of violence in the metropolis’, 75-77; King, ‘The summary courts and social relations’, 147-150.

which commoners employed the criminal court to conduct the small politics of their everyday lives. Some scholars of early modern Italy have argued that taking conflicts to the judicial authorities may have been particularly appealing to those with a marginal position in society. In her examination of the scorning of prostitute's houses in sixteenth-century Rome, Elizabeth Cohen asserts that while established householders might resolve attacks on honour through other routes, prostitutes found in the criminal tribunal a "public and socially sanctioned forum in which to air their grievances and, within the conventions of honour culture, to spread shame on their attackers."⁸²

Marginality was however not necessarily characteristic for the social profile of offenders and plaintiffs that came before early modern Italian criminal courts.⁸³ This was true for insults as well as for violent behaviour in general. While there is some evidence that by the early twentieth century violence in Italian towns had become more closely connected with a milieu of poor and marginal 'criminals', there is little evidence that the early moderners belonged to a particularly disreputable segment of the urban lower classes.⁸⁴ Instead, during the early modern period, both the plaintiffs and defendants of aggressive verbal or physical behaviour by and large belonged to the group of 'regular' labourers or small-time artisans who had been unable to settle the often long-term disputes they faced within their quotidian social environment.

This use of the courts brings to light various important observations. Firstly, it suggests a more diverse notion of the functioning of the criminal justice system in relation to insults and other forms of petty violence in early modern communities. It shows that the lines traditionally drawn between the older system of communal justice – in which shaming was an important means of controlling behaviour that broke the rules of community – and 'a more modern' model of hegemonic justice in which the repression of deviant behaviour was increasingly taken over by the state, were blurred during the early modern period.⁸⁵ Older practices clearly continued in new institutions. Secondly, while litigious victims of insult and

⁸² Cohen, 'Honor and gender in the streets of early modern Rome', 624.

⁸³ Recent literature casts doubt on the characterisation of prostitutes in early modern Italian towns as outsiders. Instead of social outcasts, there is a growing body of evidence that suggests that prostitutes were in fact very much part of the fabric of society. On the other hand, Robert Davis has called their position 'protected marginality', in which prostitutes were indeed deemed marginal but enjoyed a certain protection in society. See McCarthy, *Prostitution, community and civic regulation*, 165-211; Cohen, 'Seen and known', 392-409; Davis, 'Say it with stones', 114.

⁸⁴ Daniele Boschi demonstrates that the proportion of those who had been gaoled at least once before committing homicide rose significantly between 1845-6 and 1905-6. He however also suggests that this may have been due to the criminal justice system becoming more efficient, Boschi, 'Knife fighting in Rome', 145.

⁸⁵ Burke, *The historical anthropology of early modern Italy*, 103.

other affronts turned to the court, what they expected of the law was not state intervention per se. This was true for verbal as much as physical forms of aggression. Many of the Bolognese men and women turned to the authorities as the result of long-term daily insults they suffered from neighbours. Unable to settle these conflicts by themselves, they appealed to the authorities to be able to use the pressure of an official criminal denunciation to renegotiate power within their communities.

Interestingly, while recourse to the criminal court may have enhanced one's social bargaining power, at a broader social level taking such action was also frowned upon in early modern Italian towns. This was not only reflected in the aforementioned disgruntled responses by defendants, but the political dimension was also in a tangible way incorporated into the vocabulary of verbal assault. There is evidence for both early modern Bologna and Rome that the corpus of insults was complemented with invectives of 'traitor' and, above all, 'spy' (*spia*).⁸⁶ In a broad sense, 'spy' was a serious insult because it conjured up associations with the inquisition and oppressive social control.⁸⁷ Locally, within the Papal States, the insult furthermore specifically alleged a perceived deceitful collusion with the 'operators of justice'; represented in Bologna by the *Torrone* and its *shirri*. Of course, local officials or others working directly for the authorities formed the most obvious target of these slurs. The denunciation by Stefano a Porta, a local bailiff of the *via nuova* in Bologna's inner-mural parish of San Giorgio, from the early 1650s is illustrative in this regard. While investigating a brawl that had taken place in his district, he encountered Giovanni Monti, a day labourer, who upon being questioned started to call him a "fucking cuckold spy and a thief who was a spy as his profession."⁸⁸

But this particular kind of slander extended beyond these actual officials to the wide range of ordinary labourers (textile workers, cobblers, tanners and so on) who took recourse to the law. In the collected court records it appears to have been men who were the usual recipients of this specific form of verbal aggression, but there is ample evidence that the contempt for cooperating with the criminal court and its lot was shared equally by men and women of all social classes.⁸⁹ In 1723, for example, Angela Monti accused her neighbour

⁸⁶ Cohen and Cohen, *Words and deeds*, 159-187; Angelozzi and Casanova, *Donne criminali*, 76.

⁸⁷ Rose, *Homicide in North Italy*, 214.

⁸⁸ ASBo, Torrone, 6609, fasc. 142. "[...] et esso subito mi ha ingiuriato di parole dicendome spia becca fotuta, ladro, dicendome inoltre ch'io vada a fare la spia, ch'è mio mestiere"

⁸⁹ Angelozzi and Casanova, *Donne criminali*, 76.

Maria, wife of Giovanni Berti, of having been a spy (*fare la spia*) after having her incarcerated for an insult.⁹⁰

The contempt for taking recourse to the law can be attributed to a combination of cultural and political factors. Firstly, the traditional Italian honour culture precluded the use of the courts. According to the so-called *scienza cavalleresca*, i.e. the laws of honour which governed gentlemanly conduct first codified in the 1550s but still widely discussed in eighteenth-century Italy, a man of honour was required to punish offences without recourse to the law because a true gentleman demanded satisfaction for himself rather than punishment by a third party.⁹¹ Even though these codes formally only pertained to the honour of gentlemen, there were broader social and political tensions that made both conceptions of honour and using the law a contested affair for men and women of all social standings.

Indeed, secondly, the new regimes that emerged in Italy during the first half of the sixteenth century lacked legitimacy and struggled to collaborate with local elites.⁹² Following the 1506 conquest of Bologna by Pope Julius II and the expulsion of the Bentivoglio oligarchs, Bologna was governed by a mixed government (*governo misto*) under which the papal legate – the cardinal installed by the Pope as city governor – worked in cooperation with the civic Bolognese Senate. Rule by priests was widely resented, however, and in the eyes of parts of the population the Pope (and thus the Papal government) represented a foreign despot.⁹³ Because criminal law was in the hands of a papal delegate, involving a ‘foreign body’ rather than resolving conflicts informally was commonly regarded a deplorable ‘collaboration’ with a power external to the community. Recourse to the law was thus both very efficient particularly because of this external leverage, but also, ultimately, reprehensible. While the continued use of *spia* and *fare la spia* as insults throughout the eighteenth century suggest that the contempt was deep seated, the use of law courts by those seeking to resolve disputes over insults and other forms of petty aggression did increase, despite the potential for shameful disclosure inherent in such a move.⁹⁴

⁹⁰ ASBo, Torrone, 7869-1, fasc. 163. “Sopradetta Angela mi va perseguitando con strapazzarmi sempre con parole ingiuriose, et essendo stata ultimamente carcerata in Vescovato, hieri sera fù scarcerata, et immediatamente si portò a ritrovarme in mia casa, e mi ha cominciato a strapazzare con parole ingiuriose trattandomi da puttana con dire, che io ero stata causa che lui era stata carcerata, perche gl’havevo fatta la spia.”

⁹¹ Carroll, ‘Revenge and reconciliation’, 102, 113.

⁹² Ibidem, 106.

⁹³ G. Angelozzi and C. Casanova, ‘Il tribunale criminale di Bologna’ in M. Cavina (ed.), *La giustizia criminale nell’Italia moderna (XVI-XVIII sec.)* (Bologna: Pàtron Editore, 2012) 252-253.

⁹⁴ Strocchia, ‘Gender and the rites of honour’, 59.

The importance of petty physical violence

Aside from verbal aggression, petty physical violence is increasingly recognised as a regular feature of women's everyday life in the early modern period. Just how regular this violence was and what this represents in comparison to the figures of other regions is difficult to ascertain due to the differences in source material as well as contemporary classifications. Much of the recent research on women's violence in towns in northern Europe has emphasised women's relatively high shares among petty violence.⁹⁵ Examining women's physical violence prosecuted by Rotterdam's (lower) court of correction during the first half of the eighteenth century, Manon van der Heijden argued that women's share among 'fighting' (the least serious category of physical violence she distinguishes) was 42 per cent.⁹⁶ This rate was significantly higher than those before the regular criminal courts in Rotterdam and Amsterdam, which amounted to around 6 per cent. Studies on sixteenth- and eighteenth-century Paris suggest that women's proportional share as offenders of petty violence ranged between five and 17 per cent.⁹⁷ A broader definition of petty violence is used in the scholarship on assault on England, which includes threatening gestures and words alongside physical violence.⁹⁸ In his examination of the prosecution of assault before two summary courts in London between 1784 and 1796, Drew Gray demonstrates that 31 per cent of those accused of assault were female.⁹⁹

Depending on the definition of violence used, the Bolognese criminal court records also produced higher shares of women's involvement for petty violence. Measuring solely denunciations of petty physical violence, women made up about 21 per cent of all petty violent offenders. A categorisation closer to that of 'assault' results in women comprising 26 per cent of the total number of offenders between 1655 and 1755.¹⁰⁰ Among the five incomplete sample years (1655, 1675, 1705, 1725 and 1755) this share fluctuated between 13 per cent and 39 per cent though a clear pattern is not discernible.

⁹⁵ Hurl-Eamon, *Gender and petty violence*; Kilday, *Women and violent crime*; Van der Heijden, *Women and crime*; Walker, *Crime, gender and social order*, 25.

⁹⁶ The average share of women accused of the broad category of violence (including fighting with another person and the destruction of property and belongings) prosecuted by Rotterdam's correctional court was 24%. See Van der Heijden, 'Women, violence and urban justice', 84.

⁹⁷ A. Farge and A. Zysberg, 'Les théâtres de la violence à Paris au XVIIIe siècle', *Annales. Économies, sociétés, civilisations* 34:5 (1979) 986; Roussel, 'La description des violences féminines', 71.

⁹⁸ Gray, 'The regulation of violence in the metropolis', 78.

⁹⁹ Deduced from table 5.4 based on the minute books of the Guildhall and Mansion House justice rooms in Gray, *Crime, prosecution and social relations*, 108.

¹⁰⁰ In the Bolognese case this would include the categories of physical violence not resulting in life-endangering wounds, threats and other forms of verbal aggression as well as the recordings of *preceppi* issued for a range of undefined physical or verbal acts of violence.

Early modern European women's involvement in petty violence has also been quantified based on particular judicial procedures that bound people to keep the peace through sureties or conditional fines. Similar to the broad English definition of assault, these measures were used for a range of acts of physical and verbal aggression. Studying London's recognizances between 1680 and 1720, Jennine Hurl-Eamon describes female assailants making up one-third of the total.¹⁰¹ For Scotland between 1750 and 1815, Anne-Marie Kilday has calculated that 41 per cent of the so-called 'Letters of Lawburrows' were brought and granted against women.¹⁰² It has been argued both for England and Scotland that these measures were preferred by those seeking redress for assault particularly when the assailant was a woman.¹⁰³ The accessibility, efficiency and effectiveness as well as the low costs associated with this form of prosecution may well have contributed to the popularity of this judicial procedure among early modern women. As I have argued earlier, the seventeenth- and eighteenth-century Bolognese peace injunctions functioned in a similar way to these English and Scottish measures and produce strikingly similar figures. In Bologna, women accused of petty physical or verbal aggression consisted of 44 per cent of the offenders who were made to promise not to injure or harm the other person again.

Further evidence that speaks to the importance of petty violence in Italian women's everyday lives is presented by the proportional share of petty violence among reported crimes. Studies on Italian towns during the Renaissance and early modern period have demonstrated the continuous high share of primarily petty violence among women's (and men's) recorded crimes. This was in marked contrast to most Northern European towns, where property crime was generally regarded as the most prominent crime category, and was furthermore true for both men and women. Indeed, in fourteenth- and fifteenth-century Florence between a quarter and half of all urban female offenders were brought before the court for assault and battery.¹⁰⁴ Non-lethal violence was also the most common crime that brought men and women before Viterbo's fifteenth-century podestarial court.¹⁰⁵ This observation is echoed by the few examinations of later periods. In sixteenth- and seventeenth-century Rome, the largest proportion of deviant behaviour by women who

¹⁰¹ Hurl-Eamon, *Gender and petty violence*, 67.

¹⁰² Kilday, *Women and violent crime*, 94.

¹⁰³ Hurl-Eamon, *Gender and petty violence*, 130; Kilday, *Women and violent crime*, 94; Shoemaker, *Prosecution and punishment*, 207.

¹⁰⁴ Cohn, 'Women in the streets, women in the courts', 26.

¹⁰⁵ Rizzo, 'Donne e criminalità', 13.

appeared before the Governor's criminal court concerned brawls and other forms of petty violence.¹⁰⁶

In early modern Bologna, the denunciations for petty violence also filled the notaries' case books, much more so than lethal violence or verbal aggression. As in other Italian towns, petty violence constituted a significant share of the crimes reported to the criminal court in Bologna: among the denunciations, nearly 80 per cent of all female and over 58 per cent of all male offenders had been accused of non-fatal, physical violence without life-endangering wounds (see table 15). Significantly more so than verbal affronts or homicide, petty physical altercations formed the largest cause for *bolognesi's* encounters with the law.

TABLE 15. RELATIVE IMPORTANCE OF VIOLENCE AMONG DENUNCIATIONS AND <i>PROCESSI</i> , CA. 1655-1755				
	Female defendants		Male defendants	
	Denunciations (N=241)	<i>Processi</i> (N=70)	Denunciations (N=903)	<i>Processi</i> (N=1287)
Lethal violence	-	6%	1%	9%
Physical violence with danger to life	2%	13%	7%	19%
Physical violence without danger to life ^a	34%	10%	34%	9%
Verbal aggression ^b	19%	4%	15%	7%
Undefined violence (<i>precetto</i>) ^b	26%	4%	10%	1%
Other crime categories	18%	63%	33%	55%
Total	100%	100%	100%	100%

Source: Sample 1 and 2 combined (see appendix), counted by defendant.
^a 'Petty physical violence'
^b 'Petty violence' in its broadest sense includes the categories of petty physical violence, verbal aggression and the undefined violence.

While the books recording the denunciations brimmed with instances of petty violence, these brawls and assaults were prosecuted to a much smaller degree. This is clearly visible in the diverging shares of the different crime categories during the criminal court process as demonstrated in table 15. While the denunciation books were full of such cases, non-lethal physical violence among the lower classes very rarely led to the start of an inquisitorial trial. Indeed, as elsewhere in early modern Europe, non-fatal attacks were largely considered too insignificant to prosecute by criminal courts.¹⁰⁷ That the *Torrone's* statutes specifically instructed its judges not to pursue so-called 'minor crimes' such as

¹⁰⁶ C. Vasta, 'Per una topografia della violenza femminile (Roma, secoli XVI-XVII)', *Genesis* 14:2 (2015) 67.

¹⁰⁷ Hurl-Eamon, *Gender and petty violence*, 3;

insults, threats and non-life-threatening fights among the lower classes, is a telling example of this attitude.¹⁰⁸

This does not mean, however, that violence was condoned or ignored, even if it was 'petty' in character. It is generally known that communities in early modern Europe did their best to maintain law and order through a range of formal and informal sanctions.¹⁰⁹ Both the authorities' active encouragement of peace-making among its plaintiffs and defendants as well as the stream of by-laws issued concerning weapon regulations underscore this point.¹¹⁰ For those men and women who came to the court, too, the insistence on pressing charges reveals a popular concern over petty violence.¹¹¹ This notion is supported by the prevalent appeal to and summary issuing of the aforementioned peace injunctions for petty violence. If the denunciations are evidence of popular perceptions of misbehaviour, the prevalent female violence was clearly considered an unwelcome aggression deemed worth denouncing to the court.

Severity and weapons

Recognising that women were considered capable of a significant degree of violence and that both men and women used violence as a tool, the scholarship from the past decade has commenced re-evaluating the relationship between gender and violence. Recently various scholars have argued that petty violent offences were, in many ways, 'not sex-specific' or even 'ungendered'.¹¹² Factors that contributed to this assessment were the words chosen to describe violence in the depositions, as well as, importantly, their form and seriousness. As elsewhere in early modern and modern Europe, Bolognese men assaulted in greater numbers than women according to the criminal court records, but when women did commit an assault there were many similarities to be found.

Although both men and women were capable of inflicting serious damage, it is the relative 'pettiness' that may be the most typical aspect of both women's and men's violence. The pettiness that characterises most violence by men and women related both to the causes of the altercation as well as the physical repercussions. The denunciation against barber

¹⁰⁸ Angelozzi and Casanova, *La giustizia criminale a Bologna nel XVIII secolo*, 391.

¹⁰⁹ Dinges, 'The uses of justice', 159-175; Kilday, *Women and violent crime*, 93.

¹¹⁰ Rose, 'Homicide in North Italy', 85-86.

¹¹¹ Hurl-Eamon, *Gender and petty violence*, 4; J.M. Beattie, 'Violence and Society in Early Modern England' in A.N. Doob and E.L. Greenspan (eds.), *Perspectives in criminal Law: Essays in honour of John L. J. Edwards* (Aurora: Canada Law Book, 1984) 42.

¹¹² Hurl-Eamon, *Gender and petty violence*, 3, 66, 70, 88; J. Turner, 'Summary justice for women. Stafford Borough, 1880-1905', *Crime, history & societies* 16:2 (2012) 55.

Antonio Leli on 19 August 1705 is typical in this regard.¹¹³ When the two men passed one another on the street, Antonio bumped into plaintiff Gio Batta Spinelli which led Gio Batta to fall on the ground and soil his hand. He disgruntledly showed his now dirty hand to Antonio and asked if he wanted to be soiled as well, after which Antonio gave him two blows with his barber scissors. According to Gio Batta this wounded him in his right shoulder and left arm, wounds that the court officials would have been able to see at the time of the denunciation a day later if he “had not had himself medicated.” The records indeed note *vulneribus minime*. A similar situation is found some twenty-odd years later, when Anna Vandoni’s tenants were yelling at each other all night and she asked them if they were not ashamed of all the obscene words that came out of their mouths.¹¹⁴ Anna Marchesini, one of these tenants, responded by throwing a foot stove in her face, even though she admitted the wounds could not be seen when she made the denunciation one day later. These cases are typical of the severity of most of the violence by both male and female offenders, leading only to minimal or no visible physical wounds at all.

Several recent studies have opposed various stereotypical gender differences with regard to how men and women in the past fought. In her important work on crime and gender in seventeenth-century Cheshire, Walker explicitly dismisses both the stereotypical notion of women’s violence as a modern ‘catfight’ involving “a few scratches, a slap in the face, or pulling hair” and the association of weapons with distinctly masculine combat as somewhat anachronistic.¹¹⁵ She instead found that male and female defendants, as proportions of the total number of defendants of their own sex, were equally likely (just over 40 per cent of the total) to be prosecuted for armed assault. Percentages for other regions and time periods diverge. In eighteenth-century Rotterdam, only a quarter of the male defendants are reported to have used a weapon compared to ten per cent of the women.¹¹⁶ Moreover, percentages as low as four per cent (for female defendants) to seven per cent (for

¹¹³ ASBo, Torrone, 7608-1, fol. 76.

¹¹⁴ ASBo, Torrone, 7869-1, fol. 19. “Hieri sera all’ave maria senti che le sopradette gridavano con Lucia Giordani pigionante nella loro casa a causa che tutta notte andava delle gente su per le scale della medema, il che sentita da me, dissi, che vera non era vergogna per le gran parole oscene [... e]n che pertanto le medeme tutte uscite mi cominciorono a strappazzare con parole ingiuriose e la sopradetto Anna mi tiro lo scaldino, che haveva in mano, e mi ferì nella fronte, la qual ferita VS non puol vedere, atteso i medicamenti”.

¹¹⁵ Walker, G., *Crime, gender and social order in early modern England* (Cambridge University Press, 2003) 77-78. Walker here quotes Spierenburg, P., ‘How violent were women? Court cases in Amsterdam, 1650-1810’, *Crime, histoire & sociétés* 1 (1997) 10. Also insisting that women were usually unarmed is Amussen, S., “‘Being stirred to much unquietness’: Violence and domestic violence in early modern England’, *Journal of women’s history* 6:2 (1994) 75.

¹¹⁶ Heijden, M. van der, ‘Women, violence and urban justice in Holland, 1600-1838’, *Crime, History & Societies* 17:2 (2013) 88.

male defendants) have been found for seventeenth- and eighteenth-century London.¹¹⁷ In seventeenth- and eighteenth-century Portsmouth, 16 per cent of the male offenders of physical assault and 15 per cent of the women used weapons.¹¹⁸

In early modern Bologna, using weapons in physical violence appears to have been more commonplace than in most of the aforementioned Northern European towns. Nearly one-third of the female and 60 per cent of the male defendants were reported to have used a weapon in their affront. The available data is too scarce and above all too disparate for conclusive conclusions to be drawn, but a tentative case can be made for weapons being so prevalent in Southern European towns like Bologna due to the prevailing culture of violence. Examinations of violence in other Southern European towns in Italy and France have pointed to variable but generally high rates of weaponry use in physical violence, and some scholars have also noted early modern Italians' particular "comfort with violence and a familiarity with weaponry that pervaded all levels of society."¹¹⁹ On the other hand, others argued that scholarship has commonly overlooked the proactive enforcement of weapon-possession laws in Italian towns like Bologna. Gregory Roberts recently argued that the strict regulation of the right to bear arms through police patrols and a government licensing regime from the mid-thirteenth century onwards "resulted in the arrest, trial, and conviction of scores of men, including political elites, each year."¹²⁰ Bologna's citizen legislators attempt to suppress interpersonal violence through the active policing of arms-bearing may thus also play an important role in explaining the prevalence of weapons mentioned in the criminal court records.

While it has thus been disproven that women invariably used only their bodies rather than weapons with which to offend an adversary, many scholars have observed clear gender differences in the types of weapons that were used. Among weaponry types, swords and firearms are the most notable and distinctly gendered, as they were nearly exclusively used by men.¹²¹ This was also the case in Bologna. Swords and other long-bladed weapons were not just the particular preserve of men, but of nobles and their retainers. As elsewhere in early modern Europe, the right to bear these kinds of arms was reserved for the nobility of

¹¹⁷ Hurl-Eamon, J., *Gender and petty violence in London, 1680-1720* (Columbus: Ohio State Press, 2005) 73.

¹¹⁸ See table 1 in Warner, J., Riviere, J. and Graham, K., 'Women behaving badly. Gender and aggression in a military town, 1653-1781', *Sex roles* 52 (2005) 294.

¹¹⁹ Peter Blastenbrei notes that between 1561 and 1584, no fewer than 42.5% of the cases were committed with arms. For the *Sénechaussées* of Libourne and Bazas (southern France) between 1696 and 1789, Julius Ruff notes weapon use in a staggering 63.3% of the homicide and physical assault trials. Ruff, *Crime, justice and public order*, 79; Blastenbrei, 'Violence, arms and criminal justice', 75; Rose, *Homicide in North Italy*, 130.

¹²⁰ Roberts, 'Vendetta, violence, and police power', 5

¹²¹ Hurl-Eamon, *Gender and petty violence*, 74; Walker, *Crime, gender and social order*, 79.

the senatorial class and their licensed servants.¹²² In the eyes of papal justice, the possession of arms constituted a crucial cause of the endemic violence. Thus, in a bid to improve public order and mitigate violence in Bologna's streets and villages during the seventeenth century, from the sixteenth-century onwards weapons became the pillars of the public order legislation.¹²³ This ambition was reflected in the 1610 *Bando Generale*, the summation of the criminal by-laws, which prohibited the carrying of a wide range of arms in the city and countryside.¹²⁴ The carrying of swords without a licence was also prohibited on pain of the loss of the arm, a fine of 25 gold scudi and three *tratti di corda*.¹²⁵ However, although the right to carry swords was outlawed on broad social levels, a massive number of civic officials and notables were exempted from its provisions, beginning with the *Anziani* and the *Tribunale delle Plebe* and including the counts, senators, judges, soldiers, notaries, captain gatekeepers, artisans, and citizens and inhabitants who returned from outside the city.¹²⁶ The special status of these officials and notables was largely upheld in later edicts throughout the seventeenth century, although further restrictions and conditions were imposed upon them regarding the bearing of other blades such as daggers, the length and blunting of blades and the licensing of servants.¹²⁷

Firearms, another male preserve, were also heavily regulated in early modern Italian towns. In Bologna throughout the seventeenth and eighteenth centuries, arquebuses were often subject to an absolute ban. Under the section of prohibited arms in the 1610 criminal by-laws, the arms mentioned first were the *archibugietti* - longer than three palms and suitable to wound from far away - which were absolutely forbidden.¹²⁸ The punishments for the bearing of these rudimentary firearms ranged from death by hanging for the *archibugietti corti da ruota*, the *archibugio longo a ruota* and pistols to a fine of 200 scudi and three *tratti di corda* for the *arcobugio da fuoco*.¹²⁹

Despite these harsh prescribed punishments, Colin Rose has argued that firearms were nevertheless readily available either through the widespread licensing system if not through the black market.¹³⁰ In their campaign against bandits, the *Torrone* decreed in 1614

¹²² Rose, *Homicide in North Italy*, 231.

¹²³ *Ibidem*, 230; Blastenbrei, 'Violence, arms and criminal justice', 75; *Bando generale Serbelloni 1756*, chapter XLVI, No. 7, page 75.

¹²⁴ *Bando generale Giustiniano 1610*, chapter XXIV, page 43-51.

¹²⁵ *Ibidem*, 47.

¹²⁶ *Ibidem*, 47-49.

¹²⁷ Rose, *Homicide in North Italy*, 230-231.

¹²⁸ *Bando generale Giustiniano 1610*, chapter XXIV, no.2, page 43.

¹²⁹ *Ibidem*, 43-45.

¹³⁰ Rose, *Homicide in North Italy*, 166-167.

the obligation of all *contadini* in Bologna's rural surroundings to keep in their house "at least one, and preferably two, loaded wheel-lock arquebuses, and to carry one with them at all times when out in their fields and around their villages."¹³¹ Due to the many disorders and homicides that accompanied the rise of firearms ownership, the decree was reversed within two and a half years. However, the ubiquity of the firearms continued to haunt the *Torrone*, as men continued to use them in their fights and murders throughout the seventeenth and eighteenth centuries.¹³² The high number of citations issued on a daily basis by the criminal court's lawmen for unlicensed weapons demonstrated a continuous ubiquity of these arms among the male Bolognese populace.¹³³

While the use of swords and firearms was thus distinctly reserved to men, it is important to emphasise that both men and women used a broad range of items in their violent altercations. Table 16 shows the categories of weapons used by men and women in their violent quarrels during the sample periods between 1655 and 1755. Taken together, swords and firearms only made up a quarter of the weapons used by men in an urban setting. With their specific connotations of noble (the swords) and pre-meditated violence (the arquebuses), these arms were not necessarily the most representative for men's quotidian violence, neither quantitatively nor contextually. For the spontaneous rises to violence that characterised much of the quotidian altercations that filled the *Torrone's* court records, aggressors reached for their knives, their tools or other handy implements they had on them or could find in their nearby surroundings.¹³⁴

Various work tools were also among the items weaponised in the event of an escalated dispute. In proportional terms they were used equally often by men and women, making up 15 per cent of women's weapons and 12 per cent of men's. They broadly reflected their occupations and work environments as they were either picked up in the work environment during the fight or, in case of the smaller items, were carried around as part of the offender's profession. For men the tools they used in their violent altercations reflected their work in stables (shovels, pitchforks, horse bridles and leather whips), agriculture (sickles), textile (textile rods, spools and scissors) and as artisans (hammers), among which the tools of cobblers were most prominent (cobbler knives, leather punchers and molds).

¹³¹ ASBo, *Legato Bandi*, 1600-1700, bando of 7 June 1614, as cited in Rose, *Homicide in North Italy*, 85.

¹³² For a detailed examination of the predominance of arquebuses as weapons in the prosecution of long-standing conflicts resulting in death, see Rose, *Homicide in North Italy*, 117-193, particularly 180.

¹³³ *Ibidem*, 231.

¹³⁴ Rose, *Homicide in North Italy*, 180.

Women’s tools also refer to their textile work (textile rods, spindles) and furthermore include sickles and shovels.

TABLE 16. WEAPONS USED IN REPORTED PHYSICAL VIOLENCE, CA. 1655-1755														
	Firearm		Edged ^a		Work tool ^b		Houseware ^c		Stick		Stone		Misc.	
Female defendants (N=54)	0	0%	11	20%	8	15%	21	39%	5	9%	7	13%	2	4%
Male defendants (N=317)	19	6%	141	44%	38	12%	20	6%	41	13%	53	17%	5	2%

Source: Sample 2 and 3 (see appendix).
 Included are the categories of lethal physical violence, serious physical violence and petty physical violence. Not included in this table are the allegedly unarmed assailants: 133 women, 214 men. The distribution is roughly the same for petty physical violence alone.

^a Includes swords, daggers and knives. Out of the 141 male defendants recorded to have used edged weapons, 49 used swords (35%).
^b Included are tools carried outside of the household setting, often referred to as tools for certain professions such as ‘cobbler’s knife’ or ‘instruments’, hammers, scissors, sickles and shovels.
^c This category includes a range of items found around the house such as foot stoves, rolling pins, pots and pans and pieces of furniture.

Importantly, a broad range of knives were utilised as weapons in violence. Various kinds of knives and daggers (though rarely the elite stiletto) made up over a quarter of all of the weapons mentioned in men’s violence (29 per cent excluding swords) and 20 per cent of women’s. Knives were of course ubiquitous in the urban space as they were far less regulated than for example firearms and swords and furthermore had many functions. Indeed, men and women of all social stripes were accustomed to carrying a blade, ostensibly for cutting bread or eating and only occasionally, when quarrels escalated, for fighting.

Literature commonly associates certain weapons with particular kinds of social segments. While swords were at least in normative terms reserved for gentlemen and their aides, knife fighting was affiliated with the population’s lower social strata.¹³⁵ Broadly speaking, the Bolognese court records indeed support such subdivisions, identifying at least two socially distinct groups: the sword fighters (arguably alongside those that fought with daggers) and the knife fighters. The group that fought with swords clearly belonged to a higher social segment and included a variety of those exempted from the ban on weapons, such as a marquis, three chevaliers, a notary’s son and seven servants.¹³⁶ Those fighting with

¹³⁵ Boschi, ‘Knife fighting in Rome, 138; P. Spierenburg, ‘Knife fighting and popular codes of honor in early modern Amsterdam’, in P. Spierenburg (ed.), *Men and violence. Gender, honor and rituals in modern Europe and America*. (Columbus: Ohio State University Press, 1998) 109-110.

¹³⁶ The category of ‘swords’ includes 2 sables. Among the 31 known professions of the sword fighters (out of 43), there were also various merchants (5), (master) artisans (9) as well as various seemingly lower-class professions

daggers resemble the group of the sword fighters, including one gentleman (jailed nine times previously, however), a knight and three servants, as well as various artisans.¹³⁷ The knife fighters on the other hand clearly belonged to the broad band of urban artisans and labourers.

Some scholars have made further subdivisions. In his work on knife-fighting in seventeenth- and eighteenth-century Amsterdam, Pieter Spierenburg went so far as to assert that the groups of people that used knives were socially distinct from those that used other weapons such as sticks.¹³⁸ According to this theory, sticks were predominantly used by the more respectable people who refused to become involved in knife fights and instead, when threatened or challenged, tried to ward off the danger by other means such as a stick. The people with knives on the other hand, according to Spierenburg, occupied a social position along the border of the 'respectable and disreputable segment' of the urban lower classes.

Whether this distinction between knife and stick fighters is also significant in the Bolognese case is open to discussion. Firstly, there is no mention of the parameters for this inference in Spierenburg's work. Secondly, the Bolognese sources did not systematically record information on offenders' occupations, criminal pasts and/or reputation of the accused. Based on the data at hand, however, the difference between the people with knives and sticks does not appear to have been that significant in early modern Bologna. As mentioned before, the knife fighters often belonged to the group of artisans (consisting of cobblers for example, as well as various types of textile workers), but also included one arms keeper. Only two of the knife fighters were recorded to have been jailed before. One of them was Francesco Antonio Angeloni, the aforementioned arms keeper, who had wounded an innkeeper, and the other was tanner Girolamo Romagnoli, having spent 17 days in the bishop's jail for an unspecified offence.¹³⁹

The court records paint a rather similar picture of those who fought with sticks. Sticks and stones were among the more 'circumstantial' weapons, as they were often picked up during a fight rather than carried about the person, but made up significant proportions for both men and women. Nine per cent of the women and 13 per cent of the male fighters employed sticks in their fights. Not many appeared to have had a criminal past: only one of

such as cleaners (2), gong farmers (2) and even a vagabond that fought with swords that they had either stolen, acquired through the licensing system or through the black market. For 14 sword fighters, the occupation was unknown.

¹³⁷ The 19 'dagger fighters' record 10 professions: 1 gentleman, 1 chevalier, 3 servants, 2 barbers, 2 coopers and 1 painter.

¹³⁸ Spierenburg, 'Knife fighting and popular codes of honor', 109-110.

¹³⁹ ASBo, Torrone, 7869-2, fasc. 10; 7869-1, fol. 149.

them has been reported as having just been released from prison for an unspecified crime.¹⁴⁰ But while some of the stick fighters indeed attained respectable social positions (for example as church guardians and guilders), the majority appeared to have belonged to the same, ambiguous group of artisans (primarily coopers, bricklayers and various apprentices), complemented by porters and one unemployed beggar. Based on the occupational data and crime histories derived from the Bolognese court records, there is little evidence that those who fought with sticks belonged to a more respectable segment of the urban populace. What does stand out among the stick fighters is the number of apprentices and porters among them, a peculiarity which is shared by those that hurled stones.

Stones formed opportune weapons for men and women alike, making up 13 per cent of women's weapons and 17 per cent of men's. The streets were littered with stones, roof tiles and pottery shards and it therefore comes as little surprise that people in early modern Italy were often reported to have carried them with them and used them in their fights. For seventeenth-century Rome Robert Davis observed that the police "were forever stopping" people with rocks on them; in their pockets, under their cloaks, up their sleeves, in their work aprons or even in the lining of their hats.¹⁴¹ Much of the appeal of stones as weapons lay in their ubiquity, as they could easily be picked up during a brawl. On 9 February 1706, the angered barber's apprentice Gio Battista Rampone, for example, spontaneously threw a stone at the back of Giovanni Alberti, a matress maker's apprentice, after he had played a prank on him.¹⁴² Similarly, Domenico and Marta Pongetti, two textile cutters, took offence at their co-worker Giuseppe Fiorentini's jokes on 6 August 1755 and Marta hurled a stone at him, hitting Giuseppe in the eye.¹⁴³

A relatively small but culturally significant proportion of the fights with stones concerned the so-called *sassaiole* or *sassate*. A continued series of edicts issued against the *sassate* (rock-throwing battles) in many of the Italian towns throughout the centuries attests both to the pursuit to outlaw it and to its failure to push rock-throwing out of the civic mainstream. The unsuccessful outlawing of this practice in Perugia (also part of the Papal States) reconstructed by Davis mirrors the situation in Bologna, where both the criminal by-law of 1610 and that of 1756 reiterated the hefty fines and public corporal punishment

¹⁴⁰ ASBo, Torrone, 6653, fasc. 2.

¹⁴¹ Davis, 'Say it with stones', 113.

¹⁴² ASBo, Torrone, 7608-1, fol. 176.

¹⁴³ ASBo, Torrone, 8171-1, fol. 157.

prescribed to those that participated in or went to see the rock-throwing battles.¹⁴⁴ Yet, as in Perugia, the early modern Bolognese court records contain many references to these forbidden rock battles, particularly because doctors treating those injured by rock-throwing were required to denounce their patients – nearly always claiming to be an innocent bystander – to the *Torrone*.¹⁴⁵ The denunciation by Gaetano Ordellassi, an eight-year-old boy is no exception and is indeed in many ways emblematic of these rock-throwing battles.¹⁴⁶ On 6 August 1674 he found himself before one of the court's notaries with a barber's report describing the grave head wound he had sustained the previous Saturday. He described sitting on the ground on a street near to where they buried the hanged. Many boys were battling each other, throwing stones, when one of these stones hit Gaetano in the middle of the head, wounding him 'with some danger to life'.

While stones were used as weapons by men and women alike, the *fare a sassate* is considered to be a crime typically committed by groups of young men and boys.¹⁴⁷ The appeal of the rock-throwing battles lay in the cultural and political sphere. Culturally, being attacked by stones was considered shameful as it likened the victim to an uncivilised beast.¹⁴⁸ Rather than merely functioning as weapons that caused physical injury, Davis argued that the fights with stones must also be viewed as a 'complex means of discourse' that involved moral hurt, personal vilification and an anti-authoritarian, anti-papal connotation.¹⁴⁹ Although women certainly did use stones as weapons in their violent one-on-one altercations, there is little evidence that they partook in the local legacies of the *sassate*. Bolognese court records as well as Perugia's police accounts seem to support the notion that the offenders were young men. Although systematic inquiries into the age of offenders was lacking in the case of Bologna, the groups of stone-throwers were invariably referred to as *ragazzi*, i.e. boys. Often, though not always, victims were also boys themselves. The denunciation by Girolamo Blasio is illustrative in this regard.¹⁵⁰ After being treated for a dangerous head wound, he identified the principal perpetrator as a boy – "big like me" – of around twelve years old.¹⁵¹

¹⁴⁴ *Bando generale Giustiniano 1610*, chapter XXV, no. 5-7, page 52-53; *Bando generale Serbelloni 1756*, chapter LXII, no. 8-9, page 112.

¹⁴⁵ Davis, 'Say it with stones', 119.

¹⁴⁶ ASBo, Torrone, 7028, fol. 50.

¹⁴⁷ Angelozzi and Casanova, *Donne criminali*, 83.

¹⁴⁸ Davis, 'Say it with stones', 114-115.

¹⁴⁹ *Ibidem*, 118, 127.

¹⁵⁰ ASBo, Torrone, 6620, fol. 273.

¹⁵¹ *Ibidem*: "[...] non conosco detto ragazzo, ne si chiama, ma è grande come sono, et puole avere dodici anni in circa [...]"

In literature, knives, swords and firearms are commonly contrasted to the pottery, dishes, pots and pans that made up so-called female weapons.¹⁵² The Bolognese data indeed confirm the prevalence of various housewares employed in women's violence, which made up 39 per cent of their weapons (see table 16). The importance of such items is striking when compared to men's use of housewares, which was limited to a comparatively meagre six per cent of their weapons.

The housewares women used in their violent altercations included various rather stereotypically gendered domestic goods, such as pots and pans, rolling pins, bottles, water buckets, chairs and food items, but were not necessarily as harmless as may seem. Pieces of furniture (like a chair) were used to beat one another, which could cause significant bodily harm, and, importantly, a very significant number of women flung foot stoves at their adversaries. Within the category of housewares, these peculiar foot stoves made up nearly half of the weapons women used in their assaults. The trial against Ursula Bagliardi on 5 February 1755 is a telling example of the damaging potential of this kind of weapon.¹⁵³ Married spinster Barbara Lambertini had to be treated in the hospital for a serious head wound after getting into a fight with Ursula after Barbara had seen her sixteen-month-old toddler being hit with a stone by Ursula's young daughter and smacked the girl in the face to discipline her. After finding out about her daughter's disciplining, Ursula sought out Barbara and threw a foot warmer still full with fire (*pieno di fuoco*) in her face. According to the surgeon who treated her, this resulted in life-endangering wounds. Other victims of such still lit foot stoves describe similar unnerving effects. When Maria Corellini threw one at her neighbour Antonia Vignecchi, in anger at having to pay more rent, Antonia described it hitting her in the face, and that she ended up with wounds all the way from her mouth to her stomach.¹⁵⁴

However, calling housewares typically female weapons seems too simplistic. After all, the Bolognese court records furthermore show that women, like men, also assaulted people with knives, work tools as well as sticks and stones they found on the ground. It is thus important to reiterate Walker's assessment that both women and men armed themselves with whatever they had at hand.¹⁵⁵ With the exception perhaps of arquebuses, which due to their size and weight alone required some sort of planning on behalf of the

¹⁵² Van der Heijden, 'Women, violence and urban justice', 88; Hurl-Eamon, *Gender and petty violence*, 72-73.

¹⁵³ ASBo, Torrione, 8166-2, fasc. 50.

¹⁵⁴ ASBo, Torrione, 7869-1, fol. 30.

¹⁵⁵ Walker, *Crime, gender and social order*, 79.

offender, the types of weapons men and women used probably reveals less about the premeditation of violence than about the gendered contexts in which this violence took place.

Despite the normative prescriptions that have coloured historians' perceptions of women's violence, there is little evidence that women's behaviour was characterised by a particular weakness or passivity. At the same time, it is important to emphasise that men's violence as a whole was by no means always deadly, nor did the type of weapons they used diverge inherently from those employed by women. Having assessed that the violence of men and women was in many ways more alike than different, it is now important to scrutinise two aspects that play important roles in the discussions on the gendered nature of violence. To understand the meaning and purpose of women's violence in early modern Italian society, the next sections will explore the social profiles of both offenders and victims, which are believed to have been highly gendered, as well as where and when violence occurred.

The social landscape of violence

Who were the men and women involved in violence? Much of our understanding of the social composition of violent offenders is based on studies on lethal violence. These studies emphasise that the majority of murderers were (and are still) young men between the age of twenty and twenty-nine, whose victims were often of the same age and sex.¹⁵⁶ While no scholar disputes the predominance of men among killers, the focus on homicide has led to very particular, arguably inaccurate characterisation of quotidian violence in early modern Europe. The *Torrone's* additional function as a forum for conflict resolution allows us to also gauge a large number of non-fatal violent altercations. This gives up the opportunity to gain a broader perspective on the realities of everyday violence in the urban environment of an early modern Italian town. The examination of the social characteristics of those involved in physical and verbal aggression will demonstrate the prevalence of violence among broad sections of the population.

Ascertaining the social positions of offenders and victims of violence is no easy feat. As others have noted, the characteristics of wealth and status that marked social division during the early modern period were fluid, and the language of social description was

¹⁵⁶ R. Muchembled, *A history of violence: from the end of the Middle Ages to the present* (Cambridge: Polity, 2012) 9.

imprecise.¹⁵⁷ The descriptions found in the criminal court records are no different. Overall an assessment of the social profile of the users of justice based on socioeconomic characteristics is difficult to give because the sources do not provide systematic information on them. For this reason, markers of identity such as provenance and age, while meaningful and interesting, are beyond the scope of this section. What will be treated here are the occupational and marital status of the plaintiffs and defendants, who they fought and what relationships existed among them.

Just how scarce the information about these aspects is, can be seen in table 17. At least half of the criminal court records collected provides no information at all about the marital or occupational status of the defendants. Aside from its paucity, this table again demonstrates that the data the Bolognese criminal court records provide for men and women is skewed. As was found in the examination of the denunciations, for men it was far more common that the occupation was listed than marital status, while the opposite was true for women. The following examination of the social landscape of violence is thus inevitably based only on that proportion of the cases that do provide this information, and should therefore be approached with caution.

The occupations recorded in the Bolognese criminal records represent a broad section of society. For their livelihood, defendants of both sexes pursued a wide range of professions, from servants, labourers, market sellers and struggling textile workers, to shopkeepers, skilled master artisans and even some public officials, as well as nobles. In this regard the Bolognese situation mirrors that of other late medieval and early modern towns, in which violence originated not from fringe groups as much as from the centre of communities.¹⁵⁸ Far from being marginalised to the social periphery, violence belonged to the cultural repertoire of most classes and groups in pre-modern Europe. Craftsmen, especially apprentices but also masters, have been identified as the core group among urban perpetrators.

A similar image has been observed for the profiles of victims of violence, as offenders and victims often belonged to similar social groups. When comparing the group of victims and offenders, one can discern a slight difference in the sense that the middle and wealthier classes were slightly better represented among victims of violence. This difference was largely caused by public officials or other figures of authority who experienced violence as a kind of occupational hazard. A good example of this has already been provided by the

¹⁵⁷ Hitchcock and Shoemaker, *London lives*, 4.

¹⁵⁸ Schwerhoff, 'Social control of violence', 227, 241.

aforementioned name-calling of local bailiff Stefano a Porta during the early 1650s, who was called a fucking cuckold spy while conducting his investigation.¹⁵⁹ The threat of violence towards *corsore* Pier Maroni in 1706 is also illustrative of these types of incidents.¹⁶⁰ Following a complaint made against Giovanni Gambalunga, a seller of chestnut cookies, the *corsore* issued a citation to Giovanni that obliged him to come to the *Torrone* to make a statement. Giovanni did not want to accept the citation, which the *corsore* ended up leaving for him under a bag of chestnut flour, and was even more disinclined to pay him the twenty-six *quattrini* demanded for bringing the citation, saying he will not give him anything and was not afraid of him. When the *corsore* tried to seize a towel as collateral Giovanni was angered further, raising his arm to punch him and shouting at him to drop his possessions, leading the *corsore* to scurry away and lodge a complaint. However, these types of acts of aggression against social ‘superiors’ only represent a minority of the cases recorded by the criminal court.

	Women				Men			
	Offender (N=205)		Victim (N=283)		Offender (N=723)		Victim (N=643)	
Only marital status	68	33%	150	53%	35	5%	27	4%
Only occupation	21	10%	14	5%	389	54%	314	49%
Both	17	8%	41	14%	39	5%	7	1%
Neither	99	48%	78	28%	260	36%	295	46%

Source: Sample 2a and 2b (see appendix).
Calculations based on denunciations and *processi* of physical violence, verbal aggression and issuances and breach of the *precetto criminale (de non offendendo)*.

As elsewhere in early modern Europe, violence did not commonly challenge presiding hierarchies and structures of social and political authority.¹⁶¹ Overall, most perpetrators of violence belonged to the lower reaches of society and offended those of roughly equal status.¹⁶² In many ways more typical of everyday violence in early modern European towns than the aforementioned violent acts against public officials were the brawls that erupted among artisans, peddlers and porters during their daily affairs. The trial against

¹⁵⁹ ASBo, Torrone, 6609, fasc. 142. “[...] et esso subito mi ha ingiuriato di parole dicendome spia becca fotuta, ladro, dicendome inoltre ch’io vada a fare la spia, ch’è mio mestiere”

¹⁶⁰ ASBo, Torrone, 7608-1, fol. 235.

¹⁶¹ Schwerhoff, ‘Social control of violence’, 227-228; Rose, *Homicide in North Italy*, 98.

¹⁶² Dean, *Crime and justice in late medieval Italy*, 171; Ruff, *Violence in early modern Europe*, 125; Rose, *Homicide in North Italy*, 130; Becker, ‘Changing patterns of violence and justice’, 283; G. Ruggiero, *Violence in early Renaissance Venice* (New Brunswick/New Jersey: Rutgers University Press, 1980) 120.

Domenico Maria Giacometti in 1706 is in many ways illustrative of these kinds of quarrels.¹⁶³ Because he had a nosebleed, he lost an employment opportunity to his fellow wine porter Giuseppe Tomasi and ended up stabbing him out of anger a while later. There are similar examples for female aggressors. In a denunciation from 1724, vegetable seller Fiorina was fed up with labourer Giacomo Ruspulini's lingering around her stall and insinuated he should get on with it and purchase something before he died.¹⁶⁴ Giacomo responded by saying he would erect the gallows for her husband then, if she had one, after which Fiorina hit him in the face with her stool. With a bloodied face he hurried away, first to the market chief and then to the hospital to have his wounds treated. Interestingly, while women's violence did also generally adhere to hierarchies of class and social status, this did not prevent them from offending against men – something about which we will speak more in detail later on.

An interesting feature of the Bolognese case – and arguably more broadly of the premodern Italian one – was the violence perpetrated by members of the nobility. Recent historical works have revealed how early modern states saw noble violence as a threat to the maintenance and extension of their authority.¹⁶⁵ Looking back on the past centuries of private vendettas, Legate Serbelloni's 1756 summation of the criminal by-laws describes this factional violence as “destroying human society.”¹⁶⁶ This perceived threat was also reflected in the criminal court records. For towns all over medieval Europe, scholars have observed an overrepresentation of the upper classes in violent behaviours compared to their demographic proportions.¹⁶⁷ Although long-term comparisons on the social status of offenders are lacking, it has been suggested that the involvement of the upper classes in criminal violence declined sooner in northern than in southern Europe.¹⁶⁸ While noble violence in England, for example, is assumed to have declined after 1550, upper-class violence remained prevalent in Bologna well into the early modern period.

This upper-class violence, as well as the papal government's campaign against it, was deeply entrenched in Northern Italy's political history. During the fifteenth century, the papacy in Rome wished to develop for itself a political identity in line with the city states of the Italian peninsula and therefore reasserted its claims to direct governance in north Italy;

¹⁶³ ASBo, Torrone, 7608-2, fasc. 30.

¹⁶⁴ ASBo, Torrone, 7869-1, fol. 2.

¹⁶⁵ Cummins, 'Forgiving crimes in early modern Naples', 255.

¹⁶⁶ *Bando generale Serbelloni 1756*, chapter VI, no. 3, page 12

¹⁶⁷ Eisner, 'Long-term historical trends', 116-117; G. Ruggiero, *Violence in early Renaissance Venice* (New Brunswick/New Jersey: Rutgers University Press, 1980); S.R. Blanshei, 'Crime and law enforcement in medieval Bologna', *Journal of social history* 16:1 (1982) 123; Hanawalt, *Crime and conflict*, 131.

¹⁶⁸ See for a summary of this evidence Eisner, 'Long-term historical trends', 117.

remnants of the old Papal States. The re-establishment of papal authority over this part of Emilia to which Bologna belonged has been called 'a violent project' as it was met with continued resistance by local oligarchies that wished to retain their power.¹⁶⁹ This resistance and particularly the refusal of Bologna's leading Bentivoglio clan to adapt to papal rule led to the conquering of the city by Pope Julius II in 1506 as well as to the expulsion and hanging of dozens of leading, rebellious oligarchs in subsequent years. The papal government furthermore sought to appease Bologna's leading families through a series of concessions and the entering of papal ranks. But the nobility's violence was not only directed against the nascent papal rule: they also fought each other. Unlike other Italian states, during the period of 'absolutist' government Bologna's nobility remained riven by the factional identities (Republican and Oligarchic) that had dominated the late-communal period.¹⁷⁰ Many of the edicts issued throughout the seventeenth century indeed aimed to curb the nobility's independence, power and violence in the city of Bologna and its rural hinterlands, as elsewhere in and outside the Papal States.¹⁷¹

Related to this endeavour, the Bolognese criminal court records reveal a significant shift in the social composition of those involved in violence between the seventeenth and eighteenth centuries. In Siena in 1600, nobles committed around 30 per cent of the homicides prosecuted, 16 per cent by the mid-century and only eight per cent by 1700.¹⁷² A similar decline has been observed for seventeenth-century Bologna by Rose, who has contended that nearly half of the homicide victims in the (urban and rural) territory of Bologna had consisted of members of the nobility and their servants.¹⁷³ This was bound to change. According to Angelozzi and Casanova, the seventeenth century was characterised by the premeditative violence and vendettas of the nobility, while it was the love rivalries, futile arguments and escalated drunken brawls that typified the eighteenth century.¹⁷⁴ They have argued that this change was engendered by the pacification of Bologna's fractious local nobility by the turn of the eighteenth century. They attributed this 'disciplining' of the nobility to a programme of re-education in enlightenment values and the *scienza cavalleresca*, a new chivalric code that emphasised courtly civility over violent revenge as the defining

¹⁶⁹ Rose, *Homicide in North Italy*, 35-37.

¹⁷⁰ *Ibidem*, 31, 38.

¹⁷¹ G. Hanlon, 'The decline of violence in the West: From cultural to post-cultural history', *English historical review* 128:531 (2013) 390; Hanlon, 'Violence and its control', 144.

¹⁷² O. Di Simplicio, *Peccato, penitenza, perdono: Siena 1575-1800. La formazione della coscienza dell'Italia moderna* (Milan: Franco Angeli Storia, 1994) 103, 130 as quoted in Hanlon, 'Violence and its control', 148.

¹⁷³ Rose, *Homicide in North Italy*, 185.

¹⁷⁴ Angelozzi and Casanova, *La giustizia criminale a Bologna nel XVIII secolo*, 183.

trait of the nobleman.¹⁷⁵ Rose, however, contended that the Bolognese nobility were not so much civilised or re-educated, as that the more violent ones were prosecuted and banished to beyond the borders of the Papal States.¹⁷⁶ This culminated in the expulsion of a large swathe of the local nobility in 1664, after which homicide rates fell to rates similar to those of the early 1600s.

That the social composition of those involved in violence changed during the second half of the seventeenth century is supported by my own samples of both lethal and non-lethal violence in the urban center of Bologna during the seventeenth and eighteenth centuries. Although the proportion of nobles and their retainers among perpetrators of all forms of violence was lower than among homicides alone examined by Rose, a similar trend can nevertheless be distinguished. Among the *processi* for all acts of physical and verbal aggression sampled for the years 1655, 1675, 1705, 1725 and 1755, over half of those explicitly referred to as notables on the cover page of the indictment were concentrated in the 1655 sample year.¹⁷⁷ Furthermore, when examining the *processi* and denunciations more in-depth, it is revealed that nearly one-seventh of the violent offenders in the 1655 sample consisted of nobles or their servants – *bravi*, *socci* and *servitorii*. In the periods after this – and indeed following the final expulsion of rebellious noble families in 1664 – the percentage of nobles among offenders dropped to a mere two to three per cent in the sample years afterwards.¹⁷⁸ Although in urban Bologna labourers and artisans had invariably consisted of the largest group of perpetrators of quotidian violence, the diminishing share of the nobility and their retainers is nevertheless important to the understanding of the changing face of violence during the seventeenth and eighteenth centuries. Although the bell curve of violence in seventeenth-century Bologna illustrates the capriciousness of the secular decline of violence, it corroborates the suggestion by scholars that the ‘retreat of the nobility’ from aggressive behaviours occurred later in the south than in the north of Europe.¹⁷⁹

Compared with the data on occupation or estate, marital status is far more often recorded for women than for men in the criminal court documents. As mentioned before,

¹⁷⁵ Angelozzi and Casanova, *La nobiltà disciplinata*, 243-288.

¹⁷⁶ Rose, *Homicide in North Italy*, 2, 228.

¹⁷⁷ In a representative sample of all urban *processi* collected for the years 1655, 1675, 1705, 1725 and 1755, 13 out of 588 identified offenders indicted for physical or verbal aggression were explicitly named as *D.* (*don*, notable) on the cover page of the trial dossier. Seven of these offenders had offended in the sample year 1655, 2 in 1675, 1 in 1705, 2 in 1725 and 1 in 1755.

¹⁷⁸ In the 1655 sample, 20 out of 144 offenders with an indication of profession or estate belonged to the nobility or their retainers. For 1675 the sample includes only 2 references (out of 100 offenders), and in the periods after that only 7 (out of 267) offenders are categorised as such.

¹⁷⁹ Eisner, ‘Long-term historical trends’, 117.

scholars have suggested that this was related to the fact that a woman's social position was much more contingent on her relationship to other men (her father and husband in particular).¹⁸⁰ Table 18 breaks down the marital statuses recorded in the sampled denunciations and *processi* from the *Torrone*. The preponderance of married offenders and victims of violence is striking. Despite the discrepancy in information provided for men and women, they share a roughly similar proportional distribution among the various civil statuses. Those married made up by far the largest proportion of those involved in violence, followed by the unmarried (as in never-married) and lastly widowed.

TABLE 18. MARITAL STATUSES OF ACCUSED OFFENDERS AND VICTIMS OF VIOLENCE, CA. 1655-1755								
	Women				Men			
	Offender (N=85)		Victim (N= 191)		Offender (N=74)		Victim (N=34)	
Unmarried	10	12%	35	18%	8	11%	5	15%
Married	74	87%	145	76%	66	89%	28	82%
Widowed	1	1%	11	6%	0	0%	1	3%

Source: Sample 2a and 2b (see appendix).
Calculations based on denunciations and *processi* of physical violence, verbal aggression and issuances of breach of the *precetto criminale (de non offendendo)*.

Whether this data provides a realistic portrayal of violent men in particular could be called into question. Aside from the proportionally scarce recordings of men's marital statuses in the criminal court records, scholarly literature casts substantial doubt upon a characterisation of violent men as predominantly married. Indeed, criminologists, sociologists and historians generally agree that it was young unmarried men who were predominantly responsible for violent offences.¹⁸¹ This has been contended for towns all over Europe, as well as for earlier and later time periods. The scarcity of information in my sample excludes any real proof to the contrary.

On the other hand, there are several reasons why characterising female aggressors as married does not seem unlikely. The more extensive recording of the marital statuses for women was the first reason for this, since they make the data more reliable. Secondly, it could be speculated that in early modern Italian towns wives experienced greater freedom than unmarried women, whose movements were controlled to a greater extent due to the importance attached to preserving her chastity and the family's honour. The fact that

¹⁸⁰ Castan, *Les criminels de Languedoc*, 36-37.

¹⁸¹ Ruff, *Violence in early modern Europe*, 125; Eisner, 'Long-term historical trends', 113-115; Spierenburg, *A history of murder*, 90-91; Mantecón, 'The patterns of violence in early modern Spain', 245, 248; Schwerhoff, 'Social control of violence', 227; Blastenbrei, *Kriminalität in Rom*, 95.

commercial activities were exclusively performed by married women and widows, according to information from Bologna's 1796 partial census, could be interpreted as a practical outcome of this more restrictive attitude.¹⁸² Unmarried women thus appear to have been excluded from commerce and trade, be it in the shops or out on the streets and markets. According to Maura Palazzi, who examined the census, this exclusion is most likely related to the importance attributed to women's sexual honour and the necessity of protecting it by controlling the movements of unmarried women. For married women, this anxiety diminished somewhat and they were then arguably able to become involved in a wider range of social situations that made frequent and wide-ranging contacts possible.

But more importantly, that the women who came before the criminal court for violent offences were often married has also been observed in other scholarly works.¹⁸³ Walker, noted that married women constituted over half of all female defendants in assault cases in seventeenth-century Cheshire.¹⁸⁴ Similarly, Beattie found that in the urban parishes of eighteenth-century Surrey over 60 per cent of women accused of crimes against the person were married.¹⁸⁵ This was in stark contrast to the prosecutions for theft, in which single women and widows constituted the most important share. Beattie furthermore observed that many of these married, violent women were furthermore in settled and established positions in the community, with a good proportion being married to 'men of some substance', rather than being part of the "dispossessed and rootless sections of society."¹⁸⁶ In fact, in Bologna as in Surrey the integration of these women in the community may have been an important part of the reason why it was that *their* violence specifically came to the notice of the courts. Beattie hypothesised that this mechanism may have inflated the number of accused married women, who could afford to pay. But in a broader perspective, too, going to court for predominantly petty acts of aggression makes most sense when they involved other rooted members of the community. After all, given that Bologna's early modern criminal court primarily functioned as a forum for conflict resolution, charges were largely designed to extract reparations for the damage done, monetary or other. This bore most meaning when it occurred within the context of community.

¹⁸² Palazzi, 'Tessitrici, serve, treccole', 374.

¹⁸³ Beattie, 'The criminality of women', 101-102, 115; Kilday, *Women and violent crime*, 94; Walker, *Crime, gender and social order*, 76.

¹⁸⁴ Wives constituted 54.2 per cent, spinsters 35.6 per cent and widows 10.2 per cent of defendants according to Walker, *Crime, gender and social order*, 76.

¹⁸⁵ Beattie, 'The criminality of women', 101-102, 115.

¹⁸⁶ *Ibidem*, 102.

This brings us to the question of who fought whom in early modern Bologna. Scholars have observed that in early modern European towns in the majority of cases the patterns of interaction in quarrels reveal 'gender homogeneity'.¹⁸⁷ This meant that men generally faced men and women opposed other women. Nevertheless, the idea that women's violence should be categorised as 'same-sex' violence has been questioned. Notable among the critics of this notion is Walker, who instead observed that nearly three-quarters of the victims were male in female-perpetrated assaults.¹⁸⁸ Among the recognizances too, men comprised nearly half of those who sought the security of peace against women. This was the case regardless of whether women acted alone or in groups. In attempting to explain why women assaulted men to this degree, Walker argued that these altercations reflected contemporary realities as well as gendered style of prosecutions. Firstly, men generally possessed greater means than women to prosecute by indictment, which was not free of charge in Cheshire like in Bologna, but the patterns of women's violence were also informed by household structures and obligations.¹⁸⁹ She argued that wives exercised *de facto* control of the domestic space and defended household boundaries against men, who were "numerically more likely than women to be aggressors in such situations."¹⁹⁰ It was thus in the role of the mistress of the household that women most often became involved in disputes that the criminal courts heard about; when household concerns were at stake.

For early modern Bologna, as is shown in table 19, the truth lies somewhere in the middle between the 'gender homogeneity' proposed by most scholars and Walker's unsurpassed high share of female-on-male assaults. While the majority of violent protagonists offended against adversaries of their own sex, the share of women who victimised men should not be overlooked. Men – alone or in groups – constituted nearly one-third of the victims of women's verbal and physical aggression recorded in the criminal court documents. Women, on the other hand, constituted a significantly lower proportion of victims of acts of violence committed by men (only about one-fifth). In proportional terms, men's violence in Bologna was thus significantly more 'same-sex' than women's was.

To what extent this – relatively – greater likelihood of female-on-male altercations reflects contemporary realities or gendered styles of prosecution in Bologna, is difficult to ascertain. It is certain that rates of men victimising women would have been higher had

¹⁸⁷ Schwerhoff, 'Social control of violence', v 227; Spierenburg, 'How violent were women?', 21; Van der Heijden, 'Criminaliteit en sexe', 29-30; Vasta, 'Per una topografia della violenza femminile', 60.

¹⁸⁸ Walker, *Crime, gender and social order*, 79-80.

¹⁸⁹ *Ibidem*, 80.

¹⁹⁰ *Ibidem*, 52, 76, 80.

spousal violence been brought to the attention of the Bolognese criminal court more often and consistently. In Italy men had the right to chastise their wives and the law did little to correct men who abused this right. Several Italian studies on the subject suggest that in early modern Italy the right to chastise was enacted in legislation, respected by the law courts, and assumed by husbands in everyday marital life.¹⁹¹ In its most extreme form, the husband's right to discipline his wife functioned as an extenuating factor or even an acquittal in trials involving wife-killing. In non-lethal forms of domestic violence, too, Italian men brought before the court generally appealed to their natural right of correction.¹⁹² While 'moderate correction' therefore largely went uncontested, uncontrolled wife-beating was condemned by family members and neighbours alike.¹⁹³ Nevertheless, domestic violence only rarely came to the notice of the *Torrone*, and when it did these complaints were generally either rejected due to insufficient evidence, or they were settled semi voluntarily in the form of reconciliation.¹⁹⁴

TABLE 19. WHO ASSAULTED WHOM IN VIOLENT ENCOUNTERS BEFORE THE *TORRONE*, CA. 1655-1755

	Female victim		Male victim		Group, mixed		Group, mostly women		Group, mostly men		Authority figure	
	#	%	#	%	#	%	#	%	#	%	#	%
Female offender (N=205)	120	59%	55	27%	13	6%	13	6%	4	2%	-	-
Male offender (N=723)	135	19%	542	75%	16	2%	10	1%	13	2%	7	1%

Source: Sample 2a and 2b (appendix), counted by defendant.
Calculations based on denunciations and *processi* of physical violence, verbal aggression and issuances of breach of the *precetto criminale (de non offendendo)*.

As we will see in the next section, the overwhelming majority of cases documented by the *Torrone* concerned what Kilday has called 'communal' violence that occurred between neighbours, co-workers, clients and so on.¹⁹⁵ Whether, as has been argued for Cheshire, this role of women as defenders of household interests explains the greater likelihood of female-on-male altercations in Bologna is difficult to discern from the court records, which provide insufficient insight into the motives of brawls. However, what is certain is that the cost of

¹⁹¹ T. Dean, 'Domestic violence in late-medieval Bologna', *Renaissance studies* 18:4 (2004) 527; Cavina, *Nozze di sangue*, 30; Lombardi, 'Marriage in Italy', 112-113.

¹⁹² Cavina, *Nozze di sangue*, 111.

¹⁹³ Hacke, *Women, sex and marriage*, 141.

¹⁹⁴ Cavina, *Nozze di sangue*, 111, 115; Casanova, *Crimini nascosti*, 81.

¹⁹⁵ Kilday, *Women and violent crime*, 52, 92.

litigation – a criminal complaint could be brought to the court’s notice for free – was not a distinguishing factor in early modern Bologna.

A factor that did affect social patterns of violence was co-offending, i.e. whether or not they had male or female accomplices. For early modern Bologna, Angelozzi and Casanova have calculated that in around half of the cases women acted in association with others, such as their husbands, siblings and children as well as neighbours and friends.¹⁹⁶ They contend that women often had an ‘assisting role’. Various examples of cases could be given in which women did indeed incite men to commit violence. In 1646, Barbara Bentocchi, a married mother of one, was indicted alongside her lover Leonardo Bosci, a cobbler, for the attempted murder of her neighbour with whom she shared a house, the spinner Paolo Refiggeri.¹⁹⁷ Paolo had openly criticised her lifestyle, as Barbara was married but also a prostitute, which allegedly led Barbara to incite Leonardo and two of his cousins to attack Paolo as he entered the front door of the apartment complexes. In a similar mode, Rinaldo Rinaldi killed his lover Antonia Regatia’s husband in 1654 “with her participation and on her orders.”¹⁹⁸ Rinaldo was hung, while Antonia (who was a mother of one) was released on surety. While examples like these readily capture the imagination of women in non-executive roles, this assertion is complicated by the fact that women also regularly (nearly half of the co-offending cases) acted alongside other women. Furthermore, male accomplices were not necessarily described as the chief assailant. It was, for example, bread seller Leonora, and not her assistant Lorenzo, who ran after her customer, the cobbler Vincenzo di Stantani, when he said he wanted his money back because he did not like the bread.¹⁹⁹ Lorenzo did indeed have stones in his hand, but it was Leonora who had hit him on the back with a stick, making her the clear protagonist in this violent altercation.

There does seem to have been a gendered relation between the composition of the offender group and the gender of the victim. Although the topic of co-offending merits further scrutiny, some provisional conclusions can be drawn. Firstly, women by themselves fought a male victim in roughly one-third of the cases. In the cases where a woman had a male accomplice, the share of male victims rose to nearly 60 per cent. When female offenders enlisted the help of other women, they overwhelmingly fought with other female victims.

¹⁹⁶ Urban women committed crimes alongside their husband in about one-tenth of the cases, with other family members in roughly one-fifth of the cases and around the same percentage with non-family members. See Angelozzi and Casanova, *Donne criminali*, 113-117.

¹⁹⁷ ASBo, Torrione, 6620, fasc. 9.

¹⁹⁸ ASBo, Torrione, 6670-2, fasc. 2.

¹⁹⁹ ASBo, Torrione, 6653, fol. 131.

Men, on the other hand, were slightly more likely to offend by themselves, were more likely to co-offend with male accomplices, fought in proportionally larger groups and in all cases predominantly offended other men. There are thus some indications that the choice of accomplices, perhaps combined with the defence of household interests, has impacted the patterns of women's violence.

The relationship between the perpetrator and victim of violence was another variable of the social landscape of violence. Although it has been suggested that the likelihood of violence among strangers was probably more likely on urban streets and in town alehouses than in close-knit rural surroundings, studies suggest that most people involved in quarrels in early modern towns generally knew each other.²⁰⁰ For seventeenth-century Bologna, Rose has demonstrated that most homicides occurred within known relationships, where the victim and offender were at the very least acquainted with each other.²⁰¹ This also appears to be true for the more mundane forms of non-lethal violence in early modern Bologna. Despite the brevity of most denunciations, they generally reveal that the vast majority of violent altercations in the city of Bologna were committed by people who knew each other at least by name and acquaintance, rather than between strangers. Only about one-tenth of the urban Bolognese offenders were entirely unknown to the victim.²⁰²

Rather than complete strangers, offenders and victims of violence were commonly relatives, fellow professionals, acquaintances and neighbours. These relationships, broken down in table 20, could be gathered for nearly half of the denunciations and *processi* for physical and verbal aggression collected for the five samples between 1655 and 1755. This data testifies to the similarities between the everyday violence committed by men and women. Notably, it demonstrates that the overwhelming majority of reported violence in Bologna had taken place outside of household or family relations. Although studies on lethal violence suggest that women probably committed violence against 'intimate victims' such as children, husbands and servants, the same cannot be assumed for violence in general.²⁰³ Instead, women, like men, had many other opportunities for socialisation and conflict outside of the 'domestic realm' in the city.

²⁰⁰ Schwerhoff, 'Social control of violence', 227; Eisner, 'Long-term historical trends', 119.

²⁰¹ Rose, *Homicide in North Italy*, 145.

²⁰² From the 451 offenders whose relationship to the victim was known, 45 declare not knowing the offender at all, not even from sight.

²⁰³ Howard, *Crime, communities and authority*, 85-86; Kilday, *Women and violent crime*, 52-53; O. Hufton, 'Women and violence in early modern Europe', in: F. Dieteren and E. Kloek (eds.), *Writing women into history* (Amsterdam: Historisch Seminarium van de Universiteit van Amsterdam, 1991) 82-84; Beattie, 'The criminality of women', 83-84; Spierenburg, *A history of murder*, 16.

TABLE 20. SOCIAL AND ECONOMIC RELATIONSHIPS BETWEEN OFFENDERS AND THEIR VICTIMS, CA. 1655-1755					
		Women		Men	
		#	%	#	%
Family		8	10%	40	12%
Neighbourhood	Neighbours	58	57%	38	11%
	Landlord-tenants	8	8%	5	1%
	Employer-employee	1	1%	19	5%
Work and the urban economy	Colleagues-competitors	3	3%	37	11%
	Vendors-clients	3	3%	24	7%
	Creditor-debtor	2	2%	23	7%
Undefined friends & acquaintances		17	17%	117	34%
Unacquainted		1	1%	44	13%
Total		102	100%	347	100%
Source: Sample 2a and 2b (appendix), counted by defendant. Calculations based on denunciations and <i>processi</i> of physical violence, verbal aggression and issuances and breaches of the <i>precetto criminale (de non offendendo)</i> .					

In proportional terms, the relationships forged by women's activities in the urban economy were at least equally important as violent conflicts within the sphere of the family. Similar to other textile manufacturing towns such as Turin and Milan, women's labour force participation was high in Bologna: it has been estimated that nearly 64 per cent of Bolognese women aged eleven and over had paid employment.²⁰⁴ More than half of them worked in the textile industry. Most women thus had an economic life of their own, be it in their husband's business or outside of it. Orsola, who made and sold headdresses out of her home, for example, mistreated Paolo Salani, a citizen of Bologna, and his female acquaintance who wanted to return one of the three headdresses bought the week before. When setting a price, they had done so based on a total purchase of three, and Orsola did not agree with the restitution of one third of the price. With "bad words, and little respect" she mistreated Paolo and his acquaintance and started pushing both of them aggressively.²⁰⁵

Female fighters also came in the shape of market sellers competing in the market place and defending their economic interests with words and deeds. A good example of the fierce competition over preferred places on the market comes from Elisabetta Spadoni and her husband Melchiorre, a goldsmith, who together threatened to strike another goldsmith by

²⁰⁴ Palazzi, 'Tessitrici, serve, treccole', 366-367; D'Amico, 'Shameful mother', 110; Zucca Micheletto, 'Reconsidering women's labor force participation rates', 211.

²⁰⁵ ASBo, Torrione, 8171-1, fol. 80.

the name of Gasparo Cavalli with a cane if he would not give up the market stall she had set her eyes on.²⁰⁶ Similarly, Barbara Romare was pulled by the hair, dragged across the piazza and scratched on the face by another market seller who was upset with her for selling similar wares near to her stall at too cheap a price.²⁰⁷ The different social relationships will be discussed more extensively in the next section, which discusses the gendered geographies of violence, since these factors were very much intertwined. But what is important to note is that these examples echo women's broader socio-economic roles in the fabric of early modern towns.

Aside from the similarities, various gender differences in the perpetrator-victim relationships can be distilled from the table above. Firstly, the group of undefined friends and acquaintances was much larger for male than for female offenders (34 compared to 17 per cent). Many of the conflicts in this category occurred in the context of sociability, for example in and around inns as well as on the street. Conflicts revolved around losing and cheating at gambling as well as jokes and drunken banter taken the wrong way. Although women certainly visited taverns too – the Bolognese criminal court records feature several of these visits – the world of sociability is assumed to have differed for men and women.²⁰⁸ More so than for men, the presence of women in public spaces in early modern Italian towns was shrouded by normative restrictions, which when violated could not only impact her perceived respectability but also made her liable for criminal prosecution. When women fought with present and former friends and acquaintances, they therefore appear to have frequently done so in and around the home. In the criminal records women are often reported to have hung out around houses, for example leaning out of the window or standing in the doorway. This will be examined in more detail in the next section that discusses the importance of houses as spaces for women's violence. The prevalence of neighbours and the neighbourhood may therefore help to explain the relatively lower share of undefined friends and acquaintances for female offenders.

Secondly, while it is important to recognise that women's violent altercations also emerged from their activities in the urban economy, it is noteworthy that these kinds of relations were recorded more frequently for male than for female fighters (30 compared to 9

²⁰⁶ ASBo, Torrione, 8171-1, fol. 128.

²⁰⁷ ASBo, Torrione, 8171-2, fasc. 31. "[...] quale venuta meco a contesa a motive della nostra uniforme professione, pretendo essa dassi le mie a troppo vile prezzo [...]"

²⁰⁸ Taylor, *Honor and violence in golden age Spain*, 141; Howard, *Crime, communities and authority*, 76-77; M. Prior, 'Private spheres and public records. Reconstructing women's history for the early modern period', in: F. Dieteren and E. Kloek (eds.), *Writing women into history* (Amsterdam: Historisch seminarium van de Universiteit van Amsterdam, 1990) 61.

per cent). It does not seem unlikely that this difference was related to the gendered division of labour. As mentioned before, a significant proportion of men and (even more so) women in early modern Bologna found employment in the urban textile industry, as spinners, weavers, hosiery manufacturers and seamstresses.²⁰⁹ Throughout the early modern period, the male artisans in the shops, factories and mills increasingly specialised in producing the heavier silks of greater value, leaving the lighter and simpler textiles to women's 'domestic' production.²¹⁰ The largest majority of the female textile labourers therefore worked at home through a sort of putting-out system organised by merchant contractors. Because women lacked the incorporation into an organisation of production (such as the workshops), women had a weaker professional identity than men.²¹¹ Although the testimonies in the criminal records reveal that women did not necessarily always ply their trades on their own, this gendered labour division likely affected the extent to which socialisation and consequently conflicts occurred between for example co-workers or between employers and employees. It furthermore reminds us that to understand the social dynamics of violence, the spatial environment needs to be taken into consideration.

The gendered geography of violence

Another important issue in the debate on the gendered nature of crime relates to the places in which violence took place. For their conceptualisation, historians of crime have drawn on the scholarship on the relationship between gender and the early modern urban geography. The early historiography on this topic was characterised by a strong emphasis on a gendered divide between the public and private spheres. Based on didactic and prescriptive literature as well as travel descriptions, the idea was put forward that women, because they were secluded and enclosed by moral norms, were typically absent from the public spaces. Dennis Romano's work has been particularly influential for early modern Italy.²¹² As sites of business and politics, he described Renaissance Italy's piazzas, bridges, canals and streets as male spaces, whereas female spaces were thought to have been more confined to the 'home'. Other studies have on the other hand indicated that, especially for non-elite men and women, such a binary divide between public and private spaces was an anachronistic

²⁰⁹ For 1726 it has been calculated that women made up 62 percent of the urban weavers in Bologna, see Guenzi, 'L'identità industriale', 464.

²¹⁰ Palazzi, 'Tessitrici, serve, treccole', 368-369; Guenzi, 'La tessitura femminile', 251-253; Dumont, 'Women and guilds', 7, 9; Terpstra, 'Working the cocoon', 48-49.

²¹¹ Guenzi, 'La tessitura femminile', 252; Groppi, 'Lavoro e proprietà delle donne', 144.

²¹² D. Romano, 'Gender and the urban geography of Renaissance Venice', *Journal of social history* 23 (1989) 339-350.

projection of ideals that did not reflect the complex realities of past everyday lives.²¹³ It is now generally agreed upon that, like men, women regularly used many if not most of the urban spaces, and for various reasons: to attend religious or civic events, to go to church, to work, for recreation and for transgressive behaviour.

In spite of this criticism, the 'domestic space' has continued to be equated with the 'typical female arena', including when violence is concerned. Men are usually seen as being able to navigate between public and private places, committing violence in both realms, while for women it is often the setting of the household that is emphasised.²¹⁴ Various studies on women's lethal violence in the early modern period, have stressed the 'domestic nature' of this violence, stressing that women's conflicts were based on the tensions and conflicts of 'household life and relationships' and that they primarily made 'intimate victims' such as family members and servants, whereas for men this was much more varied.²¹⁵ Explanations as to why this was the case have revolved around early modern women's more restricted social and economic roles.²¹⁶

It would be erroneous to extrapolate this 'domestic character' of lethal female violence to violence as a whole. Indeed, while it is uncontested that women's killings generally took place within the household setting, there is abundant evidence that the much more common acts of non-fatal violence did not. When examining these predominantly petty acts of physical aggression, our perception of the context therefore changes. In early modern Bologna, the vast majority (59 per cent) of female defendants were accused of offending outside the house. Furthermore, both accused male and female fighters victimised non-family or household members, even within the house. Instead, the acts of violence that were

²¹³ Cohen, 'To pray, to work, to hear, to speak', 294; A. Jacobsen Schutte, 'Society and the sexes in the Venetian Republic', in: E.R. Dursteler (ed.), *A Companion to Venetian History, 1400-1797* (Leiden: Brill, 2013) 363; A. Vickery, 'Golden Age to separate spheres? A review of the categories and chronology of English women's history', *The historical journal* 36 (1993) 383-414.

²¹⁴ P. Spierenburg, 'Masculinity, violence, and honor: An introduction', in P. Spierenburg (ed.), *Men and violence. Gender, honor and rituals in modern Europe and America*. (Columbus: Ohio State University Press, 1998) 17; M. Wiener, 'The Victorian criminalization of men' in P. Spierenburg (ed.), *Men and Violence: Gender, Honor, and Rituals in Modern Europe and America* (Columbus: Ohio State University Press, 1998) 207; Boschi, 'Knife fighting in Rome', 144; Walker, *Crime, gender and social order*, 33, 37, 76; C.R. Corley, 'On the threshold. Youth as arbiters of urban space in early modern France', *Journal of social history* 43:1 (2009) 144; Howard, *Crime, communities and authority*, 85-86.

²¹⁵ Howard, *Crime, communities and authority*, 85-86; Kilday, *Women and violent crime*, 53; Spierenburg, 'Masculinity, violence, and honor', 16; Walker, *Crime, gender and social order*, 135; Hufton, 'Women and violence in early modern Europe', 82-84; Beattie, 'The criminality of women', 83-84; J.S. Cockburn, 'Patterns of violence in English society: homicide in Kent, 1560-1985', *Past & Present* 130 (1991) 95.

²¹⁶ Kilday, *Women and violent crime*, 57.

brought to the criminal court's notice were largely communal events in which women sought violent redress for their disputes under the gaze of others.

This rather limited domestic quality of women's violence fits well within the general image of early modern Italian criminal justice, in which the criminal prosecution of intrafamilial and marital violence was relatively uncommon.²¹⁷ Not only did the male head of the household have the right to correct and chastise his subjects (within moderation), matters of the family were also generally not considered to be the business of the criminal court, nor is there much evidence that formal interference was actively sought by the ecclesiastical court. For female violent offenders within the domestic domain, a combination of factors such as the perception of its general unimportance, the assumed habit of dealing with it informally as well as humiliation have been identified as reasons for its underreporting.²¹⁸ The case of apprentice Francesco Vitali – one of the few domestic cases recorded among the *Torrone's* case files – supports this view. When Vitali claimed to have acquired his head wound through an unlucky fall, the surgeon responsible for medicating him deemed his explanation implausible and reported him to the criminal court.²¹⁹ Only days later, after hearing that his wife had taken various items from their house during his hospital stay, he admitted to lying about the cause in his earlier declaration and that it actually had been his wife who had beaten him on the head with a hammer.

TABLE 21. LOCATIONS OF VIOLENCE BEFORE THE <i>TORRONE</i> , CA. 1655-1755				
	Female defendants (N=120)		Male defendants (N=484)	
	#	%	#	%
House	49	41%	79	16%
Street (incl. markets, squares and outside public buildings)	65	54%	228	47%
Inn/tavern	4	3%	70	14%
Shop/workshop	2	2%	76	16%
Church	-	-	29	6%
Misc	-	-	2	0%

Source: Sample 2a and 2b (appendix).
 Calculations based on denunciations and *processi* for (predominantly) all degrees of physical violence as well as verbal aggression and issuances and breaches of the *precetto criminale (de non offendendo)*.

²¹⁷ Cavina, *Nozze di sangue*, 111, 115; Casanova, *Crimini nascosti*, 81. For a more elaborate discussion of the Italian criminal justice system's treatment of domestic violence in a comparative perspective, see M. van der Heijden and S. Muurling, 'Violence and gender in 18th-century Bologna and Rotterdam', *Journal of social history* 51:4 (2018)) 695-716.

²¹⁸ Angelozzi and Casanova, *Donne criminali*, 120; Eibach, 'Böse Weiber und grobe Kerle', 680; Beattie, 'The criminality of women', 87.

²¹⁹ ASBo, *Torrone*, 8171-1, f197.

The general reluctance to involve the secular criminal court in these potentially embarrassing matters of the family – experienced by both the authorities and the victims themselves – provides a contextual explanation for the public character of the violence recorded in the criminal court files in Bologna. Studies on towns elsewhere in early modern Europe – Rome, Rotterdam and Scotland – however support the idea that this publicness of most of women’s reported violence was not a Bolognese particularity. For eighteenth-century Scotland, Kilday found that while homicides by women were largely confined to mariticides (the killing of husbands), the overwhelming majority of common assault cases perpetrated by women were in fact committed outside of the domestic sphere, stressing its communal character.²²⁰ Indeed, in Rotterdam’s eighteenth-century so-called fight books almost all (95 per cent) of the female aggressors acted outside of the home.²²¹ Finally, in sixteenth- and seventeenth-century Rome, nearly two-thirds of women’s violence that came before the Governor’s court was committed on the city streets and squares that also formed the stage of men’s violence.²²² Since petty violence was much more common than homicide, for women as well as for men, it can be argued that the communal context was much more typical for female violence as a whole than its supposed ‘domestic nature’.

Although both men’s and women’s violence largely took place outside houses, they nevertheless constituted important sites of conflict. With 41 per cent of the violence committed by women occurring in a house (as opposed to male defendants’ 13 per cent), this was particularly true for female fighters. But most of the violence that took place in these houses should not be categorised as private, domestic disputes. As is known, the early modern house was not a private domain in a modern sense of the word, as there was no strict spatial divide between working and living.²²³ Aside from the artisan’s workshops and inns in which families often both worked and resided, the organisation of Bologna’s textile industry furthermore ensured that many of women’s economic contributions were largely made from houses. As a site in which violence erupted, the court records reflect this connection between women’s work and the house. The aforementioned denunciation by

²²⁰ Kilday, *Women and violent crime*, 52, 92.

²²¹ Van der Heijden, ‘Women, violence and urban justice’, 19.

²²² Vasta, ‘Per una topografia della violenza femminile’, 69.

²²³ For an elaborate discussion of public and private spheres in the early modern period, see J. Eibach, ‘Das offene Haus. Kommunikative Praxis im sozialen Nahraum der europäischen Frühen Neuzeit’, *History & Archaeology* 38:4 (2011) 621-664; S. Muurling and M. Pluskota, ‘The gendered geography of violence in Bologna, 17-19th centuries,’ in D. Simonton (ed.), *Routledge history handbook of gender and the urban experience* (Abington: Routledge, 2017) 153-163; E.S. Cohen, and T.V. Cohen, ‘Open and shut: The social meanings of the cinquecento Roman house’, *Studies in the decorative arts* 9 (2001-2002) 61-84; A. Cowan, ‘Gossip and street culture in early modern Venice’, *Journal of early modern history* 12 (2008) 314-315.

Paolo Salani against Orsola concerning the headdresses she made and sold out of her apartment is a notable example of this.²²⁴

Houses furthermore had social functions, which formed important contexts in the eruption of violence. Indeed, the fights reported to the criminal court above all concerned acquaintances and community-members. The ‘after-party’ of weaver Anna Grilli and her husband is a rather exceptional but telling example of this in-house sociability.²²⁵ On Saturday 6 September 1755, Anna, her unnamed husband, her sister Margarita and some other unnamed women had frequented a tavern nearby their home and around its closing hours, on the fourth hour of the night, her husband decided to invite some of the tavern-goers over to their house for some more drinks. One of the guests who came along was Guido Gennasi. He had already had an altercation with the women before in the tavern. Guido testifies that he had commented on the women who remained outside drinking while Anna’s husband went inside – comments that were ignored. In their drunken joviality, the women furthermore spilled wine on him not much later (or more crudely, as he testifies, threw a cup of wine in his face), which disgruntled him. He then describes admonishing the women for their drunken, unladylike behaviour, and commented that it was their level to behave in this way – a reproach that the women again ignored. Being invited over to the house, he took aside Anna’s young sister, Margarita, and confronted her while armed with a knife. This enraged the already drunk Anna, who – nicknamed *La diavoletta* (the little she-devil) for a reason – responded by saying her sister was not there to pity him and that she did not tolerate such behaviour, after which she threw a pair of scissors (candle snuffer) across the room, unfortunately missing its target (Guido), into the face of another male guest (Pietro Berti) who was standing in the doorway. While exceptional in her ferocity, also encapsulated in her criminal past which involved whipping a woman in public, Anna’s case clearly shows how houses could function in similar ways as taverns – in this case literally as a continuation of a tavern visit – and as contested sites of sociability.

While this functionality of the house remains understudied, the importance of the more ‘public’ sites of sociability in engendering particularly men’s violence has been widely acknowledged.²²⁶ Together, taverns, shops and workshops, and (most commonly the exterior of) churches were the sites of roughly one-third of the recorded violent disputes by male

²²⁴ ASBo, Torrone, 8171-1, fol. 80.

²²⁵ ASBo, Torrone, 8175-2, fasc. 7.

²²⁶ J. Eibach, ‘Violence and masculinity’, in P. Knepper and A. Johansen (eds.), *The Oxford handbook of the history of crime and criminal justice* (Oxford University Press, 2016) 240; Eisner, ‘Long-term historical trends’, 119-121.

assailants compared to one-tenth of the female fighters. Though not overly important in quantitative terms, ale-houses have been understood as particularly significant for men and, allegedly, their violent 'performance' of masculinity.²²⁷ With taverns came joking, drinking, smoking, dancing and gambling with peers, and it was these rituals that according to scholars produced masculinity.²²⁸ In his study of the socio-cultural meanings of spaces in eighteenth-century Frankfurt, Joachim Eibach has argued that it was this symbolic meaning of the tavern that made them highly contested spaces. Seemingly trivial conflicts concerning payment of the bill, rude jokes and accusations of cheating in games were therefore always – in some way or another – about honour. An example serves to illustrate this point. Whilst playing the hand game of the Morra, a very fast game infamous for raising tempers, Bartolomeo Boscardini accused fellow player Antonio Marco Pallati of cheating and after a back and forth of insults Bartolomeo was stabbed with a knife.²²⁹ A crucial aspect of most of these brawls was that they were instigated by insults and challenges made in a public place. Recognising that reliability and trustworthiness were regarded as important features of a man's honour and reputation, violence could be an appropriately masculine response to avoid the loss of face in the presence of others.²³⁰

Despite the historiographical tendency to describe taverns in relation to violence as quintessential 'male spaces', the court records do contain examples of women acting aggressively there. The denunciation against Margarita Borsi, a married spinner, made to the *Torrone* on 30 September 1754 demonstrates this.²³¹ According to the plaintiff, the Bolognese lumberjack Alessio Corsini, he was sharing a drink with Margarita – whom he assumed to be a prostitute (*donna di mala vita*) – in the *Osteria della Pellegrina* when another man tried to join the two. According to his account, he told the other man to leave them alone, after which Margarita suddenly took out her knife and stabbed him in the face three times. Margarita herself did not deny stabbing Alessio "a few times", but insisted it was because she overheard him telling his three friends that he wanted to take her up to his room. Trying to escape the situation, she walked away, but Alessio grabbed her headdress, slapped, pushed and started choking her and she only stabbed him to liberate herself.

²²⁷ Howard, *Crime, communities and authority*, 76; S. Rau, 'Public order in public space: tavern conflict in early modern Lyon', *Urban history* 34:1 (2007) 102-103; Eibach, 'Böse Weiber und grobe Kerle', 678; Schwerhoff, 'Social control of violence', 229; Rose, *Homicide in North Italy*, 255; S. Amussen, 'Punishment, discipline and power. The social meaning of violence in early modern England', *Journal of British studies* 34:1 (1995) 24-26.

²²⁸ Eibach, 'Böse Weiber und grobe Kerle', 678; F. Nevola, 'Street life in early modern Europe', *Renaissance Quarterly* 66:4 (2013)1337; ASBo, *Torrone*, 8171-1, fol. 49, 157.

²²⁹ ASBo, *Torrone*, 8171-2, fol. 6.

²³⁰ Walker, *Crime, gender and social order*, 37.

²³¹ ASBo, *Torrone*, 8171-1, f23.

Criminal court records like these show that women were indeed present in taverns: sometimes as perpetrators of violence and, arguably more often, as victims (commonly as personnel) and witnesses (as guests). However, scholars like Eibach generally assume that their presence was both quantitatively modest as well as normatively frowned upon.²³² Indeed, as has also been noted for German and English towns, unaccompanied Italian women who visited taverns were looked upon with suspicion, particularly regarding their moral status.²³³ The case of Margarita and Alessio echoes these normative ties, as Alessio automatically assumed she was a prostitute because she was there by herself. The normative restrictions were backed up by many of the Italian cities' criminal by-laws. Although they were not actively enforced, they essentially criminalised women's unescorted mobility in certain places and at certain times. It is therefore no surprise that scholars have argued that women's social lives revolved more around houses – their own and those of others – while men gravitated more towards taverns, piazzas and other open spaces.²³⁴

Similar to taverns, streets, fairs and markets have been recognised as notable contexts for contests about masculine honour and authority.²³⁵ As has been noted for early modern towns, violence in Bologna was above all a 'spectacle of the streets'.²³⁶ Comprising streets, alleyways, squares, street markets and the exterior of public buildings, this space was by no means less important to women than to men. In fact, in proportional terms it was even slightly more prominent among women's reported violent offences (62 per cent) than among men's (49 per cent). The reasons that caused blood to boil on the streets were manifold and ranged from disputes over such issues as property and debts or presumed thieving, the mishandling of shared resources (such as the neighbourhood well), spontaneous social altercations and work-related arguments.

The case against a female market seller nicknamed *La sbirazza* demonstrates that the defence of economic interests was not reserved for men. On 6 August 1755 married market vendor Barbara Romare had herself medicated by a surgeon at Bologna's *Ospedale di Santa Maria della Morte* located near to the city's *Piazza Maggiore*, for a forehead contusion and

²³² Joachim Eibach also found women primarily as victims and witnesses to violence in taverns. See Eibach, 'Böse Weiber und grobe Kerle', 678.

²³³ Ibidem; Prior, 'Private spheres and public records', 61; Angelozzi and Casanova, *Donne criminali*, 104.

²³⁴ Taylor, *Honor and violence*, 141, 176; Howard, *Crime, communities and authority*, 76-77; Prior, 'Private spheres and public records', 61.

²³⁵ Howard, *Crime, communities and authority*, 76.

²³⁶ J. Eibach, *Frankfurter Verhöre: städtische Lebenswelten und Kriminalität im 18. Jahrhundert* (Paderborn: Ferdinand Schöningh, 2003) 222; Vasta, 'Per una topografia della violenza femminile', 69; Farge, 'Les théâtres de la violence', 989-992.

various facial abrasions.²³⁷ They were caused by another female market seller – *La sbirazza* – who had pulled her by the hair and dragged her across the piazza while scratching her face with her nails for selling similar wares nearby her stall for too cheap a price. Although these market fights do not carry much quantitative weight among the criminal court records, this kind of violence was typical and representative for women’s socio-economic interwovenness in and importance to the urban economy. As economic actors, whether working in the public market place or at home, women did not shy away from defending their economic interests.

Both male and female fighters thus above all settled their violent quarrels in public, but they did not always choose the same location within the urban space. A closer examination of the representation of the ‘street locations’ in the judicial records indicates that a significant difference between men and women lay within the importance of what can be described as ‘liminal spaces’ for women. Bologna’s criminal court proceedings suggest that a lot of their conflicts occurred not just anywhere in the street, but rather on the doorsteps of their homes, on the threshold, as noted by Christopher Corley in Dijon.²³⁸ Indeed, it is noteworthy that in 41 per cent of the cases (i.e. a notable two-thirds of the ‘street’ category) women declared being just outside their homes when the violence erupted: when entering or leaving their house, when using the shared spaces in the apartment complexes, while standing in the doorway, leaning out of the window and sitting on the doorsteps under the city’s *portico*. The role of these types of locations as descriptive markers in male plaintiff’s reports was more limited (12 per cent in total and 27 per cent of the street category).²³⁹

The following case of two quarrelling neighbours in 1706 is therefore in many ways typical of women’s everyday violence committed in early modern Bologna. On 30 March Anna Cattarina Gaspari made her way to one of the criminal court’s notaries to denounce her neighbour Teresa following a longstanding conflict between the two. Up until then, Anna Cattarina had been insulted daily by Teresa, who on numerous instances called her an adulterous whore even though she, as she asserts, was in fact a *donna da bene*.²⁴⁰ On this day, matters escalated into physical violence after Teresa had become vexed by Anna Cattarina’s dog walking through her vegetable garden. Upon their encounter just outside their houses,

²³⁷ ASBo, Torrione, 8171-2, fasc. 31: “[...] quale venuta meco a contesa a motive della nostra uniforme professione, pretendo essa dassi le mie a troppo vile prezzo [...]”

²³⁸ Corley, ‘On the threshold’, 149.

²³⁹ The meaning of this difference in the description of spaces in relationship to violence will be treated in the next paragraph.

²⁴⁰ ASBo, Torrione, 7608-1, fol. 210-211.

Teresa pelted Anna Cattarina with stones, which did not cause her significant harm because she evaded them and fled the scene.

Violence erupted in places where men and women interacted on a daily basis and the criminal court records suggest that the immediate neighbourhood bore great importance for women - greater than for men. Indeed, it is known that the microcosm of neighbourhood relations functioned as a dense social fabric of interdependencies and reciprocal social control. Most middle or lower class inhabitants of Bologna could not afford to rent or buy their own house and instead lived in apartment complexes with shared courtyards, passageways and entrances to the street. Avoiding those neighbours you are at odds with may have been difficult when sharing these spaces, but even the houses themselves offered little privacy since many people merely rented a room within a house. As in other early modern towns, the close proximity to one another and sharing of resources formed an understandable source of conflict and animosity in Bologna. This contextualised the vast array of neighbourly conflicts that made up the bulk of women's violence before the *Torrone*, motivated by anything from accusations of theft²⁴¹ and taking offence to another woman presumed flirting with one's husband,²⁴² to smaller lingering annoyances²⁴³, gossip²⁴⁴ as well as competition over shared resources and space. The aforementioned wrecking of Teresa's vegetable garden is but one of the many examples of neighbourly petty violence captured in the *Torrone's* court records in which women acted as protagonists.

The significance of the neighbourhood for women's violence is also distinguished for many other early modern towns in Italy, France, Germany, Holland, and England.²⁴⁵ In eighteenth-century Rotterdam, for example, some 30 per cent of the women that came before its lower court for violent acts took place in the neighbourhood, on the sidewalks and streets near their houses.²⁴⁶ Although the different source types and traditions render direct comparisons difficult, it does not appear to be that different from the situation in Bologna, where 41 per cent of the female aggressors were described as being just outside the house. These similarities in the locus of violence in various early modern towns are suggestive of the existence of a broader, shared pattern relating to women's use of the urban space. While

²⁴¹ ASBo, *Torrone*, 8171-1, fol. 117, 147, 177.

²⁴² ASBo, *Torrone*, 8171-1, fol. 64.

²⁴³ ASBo, *Torrone*, 8179-2, fascicolo 2.

²⁴⁴ ASBo, *Torrone*, 8171-1, fol. 36

²⁴⁵ L. Nussdorfer, 'The politics of space in early modern Rome', *Memoirs of the American Academy in Rome* 42 (1997) 162; Roussel, 'La description des violences féminines', 78; Eibach, 'Böse Weiber und grobe Kerle', 679; Van der Heijden, *Women and crime*, 87; Beattie, 'The criminality of women', 83, 87, 102.

²⁴⁶ Van der Heijden, *Women and crime*, 87, 92.

dominant gender norms did not in practice enclose most women inside religious or domestic walls be it in Catholic or in Protestant regions, they may have meant that the lives of women, more so than those of men, unfolded mainly in their neighbourhood streets. The everyday quarrels, brawls and scuffles that found their way into the criminal court records reflect these characteristics.

A comparison of violent offences before the *Torrone* and Rotterdam's lower criminal court during the first half of the eighteenth century has recently revealed both important overarching similarities and indications of differences.²⁴⁷ Similarities between regions and genders were above all found in the profile of the offenders: women were by no means passive accomplices but, like men, mostly acted alone and on their own behalf in their violence against other city dwellers in the public urban space. Importantly, however, Rotterdam's female fighters made up a larger proportion of offenders than in Bologna and it is hypothesised that the locations of women's fights may help explain this discrepancy. Although the geographies of violence were very similar for men and women in Rotterdam, the Bolognese records reveal more distinctly gendered patterns. For male Bolognese fighters, the locations very much resembled those of Rotterdam: 84 per cent of the men accused of committing physical violence before the Bolognese criminal court had fought their quarrels out in the street, on markets and squares, near public buildings, in taverns, and at work-related locations – just like their violent counterparts in Rotterdam. Compared to the general pattern distinguished for Rotterdam and for Bolognese men, it is noteworthy that Bologna's female fighters were comparatively more likely to offend either inside or – above all – in the immediate vicinity of houses than their Rotterdam counterparts. Furthermore, the Bolognese court records suggest that the recorded female fighters of Bologna much more rarely operated in taverns, near public buildings or workshops.

The more distinctly gendered pattern in Bologna may be explained by a combination of socio-economic and legal factors that impacted women's lives in the city. Firstly, in the eighteenth century women's labour within the textile industry was largely concentrated in their homes, while men generally worked in workshops and mills dispersed through the city. Women's labour in Holland and other Western European towns was on the other hand not confined to the house in the same way. Secondly, there are important indications that the spaces for sociability were more gendered. The social world of women seemed to a larger extent to have revolved around houses – their own and those of their friends and family,

²⁴⁷ Van der Heijden and Muurling, 'Violence and gender', 695-716.

while men gravitated more towards taverns, squares and other open spaces. This difference is also found in studies on France and Spain, and is broadly echoed in the court proceedings of early modern Bologna.²⁴⁸ A legal and normative dimension was added to this division by the city statutes that suggested that respectable women should be accompanied to the tavern by male kin, or were otherwise considered to be *donne di mala vita* (supposedly bad women, prostitutes) and could be subjected to punishments ranging from public whipping to exile.²⁴⁹ The built urban environment also contributed to the gendered pattern. While in many other European towns most houses directly faced the street, Italian cities had an architecture that favoured condominiums. Life in these apartment complexes, with their communal facilities, passageways, courtyards and gardens separated from the street by a large door, imposed a notoriously intrusive cohabitation that lay at the basis of many quarrels.²⁵⁰ This especially affected women, since both their work and social lives were centred in these spaces more so than men's.

Importantly, women's movement in the urban public space was in fact regulated by many of Italian cities' legislation. In Bologna, a 1610 general decree restricted women's unescorted mobility after the *Ave Maria* bell at sunset.²⁵¹ Although the policy, like the tavern regulations, targeted prostitutes and those presumed to be prostitutes, women who ventured into the evening streets either alone or in the company of unrelated men became the principal female prey for the policemen patrolling the streets. Respectable women were allowed to walk outside in the dark, but if they were not shepherded by their husbands or male kin they were liable to be treated as courtesans by the men in town as well as by the police. On the one hand these city regulations can be interpreted as a sign that the authorities did actually expect women to be in the streets and there is furthermore little evidence of a strict enforcement of these regulations.²⁵² However, the few arrests of women for *vagare la notte* (wandering the streets at night) found in the court records do illustrate that the gendered expectations presented limitations to women: as it stigmatised if not restricted women's presence and free movement in the urban space.

²⁴⁸ Corley, 'On the threshold', 139-156; Taylor, 'Women, honor, and violence', 1079-1097.

²⁴⁹ Angelozzi and Casanova, *Donne criminali*, 104.

²⁵⁰ Ibidem, 127-128; Muurling and Pluskota, 'The gendered geography of violence in Bologna', 159.

²⁵¹ Cohen, 'To pray, to work, to hear, to speak', 303.

²⁵² Ibidem, 304.

Framing men's and women's violence

Normative perceptions on how men and women should behave also influenced criminality in a different way. The judicial records reflect real as well as fictional differences in how, where and why men's and women's violence was committed. Natalie Zemon Davis was the first to explicitly characterise court testimonies as a mixed genre: first, as a judicial supplication to persuade the courts, and second, as a historical account of past actions or observations. In her *Fiction in the archives*, she describes how supplicants appealing for mercy in sixteenth-century France constructed tendentious versions of their lives and crimes to persuade the king and courts to issue a pardon for their crimes. Through the example of the so-called pardon tales, she scrutinised the fictional qualities of judicial records, i.e. the "forming, shaping and moulding elements: the crafting of a narrative."²⁵³ As such, she made a persuasive case for the examination of texts of crime as a series of narratives that are packaged in a certain way to augment their probative power, directed at pleasing a certain audience. The notion that texts of crime can themselves also be viewed as a series of narratives has since received substantial recognition in international scholarship.²⁵⁴ It is particularly relevant for the study of violence since its punishment was comparatively negotiable.

This fictionalisation did not equate to falsity per se, nor does acknowledging that judicial records were subject to moulding and shaping mean that these sources cannot be used to gain an image of actual fights, as Spierenburg implied.²⁵⁵ In his examination of knife fighting in seventeenth- and eighteenth-century Amsterdam, he contended that there was no "fiction in the archives here" because of the magistrates' careful inquiries, the interrogation of several witnesses and the fact that the interrogation protocols regularly contained different versions of the defendants' confessions. As such, he contrasts the fiction of the archives with "the real story", although he also admitted that the defendants' "strategies certainly played a part."²⁵⁶ However, there is little need to oppose these aspects as they were, according to Zemon Davis and others, two sides of the same coin. Scrutinising prevalent narrative tropes helps both in discerning ideas about appropriate and inappropriate behaviour as well as in determining the strategies used by plaintiffs and defendants in employing them to their advantage.

²⁵³ Zemon Davis, *Fiction in the archives*, 3.

²⁵⁴ For a recent treatment of the narratives in crime texts, see P. Arnade and E. Colwill, 'Crime and testimony: Life narratives, pardon letters and microhistory', *Journal of medieval and early modern studies* 47:1 (2017) 147-166.

²⁵⁵ Spierenburg, 'Knife fighting and popular codes of honor', 106-107.

²⁵⁶ *Ibidem*.

The forming, shaping and moulding occurred at all levels of the criminal process. Zemon Davis' account of the pardon tales describes the defendants' attempts to convince the judge that they should receive a pardon for their crimes. But not only defendants moulded their narratives. Already in the late 1980s Thomas Kuehn cautioned against a naïve reading of court cases without reference to the formative role of the court in the witness testimony.²⁵⁷ He argued instead that legal procedure shaped the testimony of witnesses and, consequently, that the filter of legal rules and terms subtly restructured social realities.²⁵⁸ In a similar vein Edward Muir and Guido Ruggiero have emphasised that both accusations and investigations tried to force the details of an event in the mould of what was required or perceived to be required to designate a specific action as a crime.²⁵⁹

The judicial narrative's mould was not only shaped by perceptions of criminality, but was furthermore constructed along lines of gender and class. The plaintiffs and defendants played decisive roles in this. Notably, Zemon Davis' argues that early moderners, especially the men, could draw upon distinctive understandings intrinsic to their estate.²⁶⁰ From the pardon tales she discerned various different 'anger plots', i.e. the contexts and procedural unfolding of violent escalations, which clustered around the social types of gentleman, artisan and peasant.²⁶¹ While 'peasant tales' often involved either the rivalry of suitors or inheritance, the 'gentleman's tale' revolved around defending his rights as a seigneur and his honour as a gentlemen, while the tales of artisans and tradesmen concern disputes in the realm of work, payment, theft and debt. Although further examination is necessary, it is not difficult to imagine that this typology would also hold for the rest of the criminal court proceedings.

Aside from class, themes and assumptions also clustered distinctly around gender. Ideas about appropriate masculinity and femininity take up an implicit yet fundamentally formative role in the representation of behaviour in the judicial records. For men, notions of culturally demanded retributive violence play an implicit but marked role. One good and almost stereotypical illustration of this is the homicide trial against Nicolo Sgariglia, a *cavaliere* nicknamed *Il Sergente*, who was prosecuted for the murder of another soldier called

²⁵⁷ T. Kuehn, 'Reading microhistory: The example of Giovanni and Lusanna', *The journal of modern history* 61 (1989) 518.

²⁵⁸ *Ibidem*, 515, 519.

²⁵⁹ Muir and Ruggiero, 'Afterword. Crime and the writing of history', 235.

²⁶⁰ Zemon Davis, *Fiction in the archives*, 43.

²⁶¹ *Ibidem*, 38.

Marsilio Tomassini in June 1652.²⁶² Marsilio, who had wounds on the left side of his hand and arm, was found dead just outside the tavern and was brought to the attention of the *Torrone* through a 'secret friend of the court', who informed the *bargello* (chief of police). Figuring out who had committed this murder did not prove to be too difficult, as there had been several witnesses to the act. Although the perpetrator Nicolo could not be found, the witnesses' testimonies speak volumes regarding the motivation behind the fight. Tavern keeper Antonio Santi vividly describes how the offender came into his *osteria* to eat and drink and had an argument with victim Marsilio over a previous altercation with his friend. Marsilio had asked Nicolo why he had bothered his friend, which Nicolo denied doing. Nicolo then asked to speak to Marsilio outside the tavern, saying he would not stand for such accusations, that he was an honourable soldier and demanded 'satisfaction'. Marsilio cursed Nicolo, calling him a *gridone et un ladro*, to which Nicolo responded by saying he was in fact a *galanthomo* and that he was willing to defend this reputation with his sword.²⁶³ He urged Marsilio to retrieve his own sword from inside, saying that he was a pig if he would not fight him, and waited for him. Once outside, the two men drew their swords and started fighting each other. Marsilio received a deadly blow to the head and Nicolo – in absentia – was convicted and sentenced to the galleys for ten years.

The murder case of Marsilio and Nicolo in many ways speaks to the ritualised nature of violence in early modern societies. Although the court records make no explicit mention of it, the circumstances that led to Marsilio's untimely death very much resembled the duels treated extensively in historical literature. It also contains many of the classic ingredients of Zemon Davis' honour-driven 'gentleman's tales'. The dispute started in a tavern, took place between gentlemen who fought each other one-on-one with equal weapons after an encroachment upon the honour of one of them and a challenge to fight outdoors to settle the dispute once and for all. Although concepts of honour in relation to violence are usually discussed at the level of the nobility, it has been argued that they were crucial to individuals of all social levels.²⁶⁴ Notably, Spierenburg has emphasised that the ritualised nature of violence also extended to forms of aggression among the lower orders of society. Until the eighteenth century, much of the knife fighting in Amsterdam followed distinct rules and

²⁶² ASBo, Torrone, 6620, fasc. 3.

²⁶³ A *gridone et un lado* means someone that out of habit shouts very loudly, and a thief.

²⁶⁴ T.V. Cohen, 'The lay liturgy of affront in sixteenth-century Italy', *Journal of social history* 25:4 (1992) 610.

norms and represented a plebeian manifestation of male codes of honour.²⁶⁵ Davis has called this kind of violence ‘popular duels’.

In the Bolognese court records both the ‘equal’ and ‘unequal’ fights among the lower social strata relate to masculine honour in one way or another. The denunciation against Giovanni Cancelli, a tavern boy from Medicina in Bologna’s countryside, underlines that for men of all social stripes violence was an accepted and sometimes even demanded response to an encroachment of their honour. On 10 December 1652, the Bolognese stable master Piero Rovani denounced Giovanni Cancelli for having hit him on the head with a pitchfork in the stable where Piero worked.²⁶⁶ Piero asserted that Giovanni had probably hit him because he had previously intervened in a quarrel between Giovanni and another worker. When interrogated some ten days later, however, Giovanni himself provided quite a different explanation. After asking Piero for a key to one of the stables, Piero had mocked Giovanni and had called him a blind man and a fucking cuckold (*huomo orbo, becco fotuto*) in the presence of another colleague. Angered by this mistreatment, Giovanni hit Piero on the head with the pitchfork. When asked by the court whether he perceived his actions as a criminal offence, he answered that he did not think so, because if Piero had not insulted him, he would not have hurt him either. Indeed, he had only wounded Piero, he stressed again, “for his necessary defence.”²⁶⁷ In this regard, even these supposed unfair fighters seemingly far removed from Spierenburg’s popular duel, appealed to cultural notions of honour and retributive violence to defend their actions. Giovanni portrayed acting violently as inevitable, “because he felt there was no other possibility; he just had to do it.”²⁶⁸

Appeals to the interlinked culture of honour and violence were by no means constant over time, nor were they shared among the entire population. Firstly, that the Bolognese examples were derived from the very first sample period does not seem to have been a coincidence. Spierenburg has, for example, contended that the deadly, ‘honourable’ knife fights in Amsterdam disappeared after around the 1720s in favour of the violence emanating

²⁶⁵ P. Spierenburg, ‘Faces of violence. Homicide trends and cultural meanings: Amsterdam, 1431-1816’, *Journal of social history* 27:4 (1994) 709-711; N. Worden, ‘Public brawling, masculinity and honour’, in N. Worden (ed.), *Cape town. Between East and West* (Hilversum: Verloren, 2012) 197; Spierenburg, ‘Knife fighting and popular codes of honor’, 103-127.

²⁶⁶ ASBo, Torrone, 6620, fol. 171-172, 221-225.

²⁶⁷ *Ibidem*, fol. 223v: “[...] et vedendome cosi strapazzate, me sapito per li mani quell forcale de ferro et per mia difesa da una sola bastonata al medemo Piero che lo colpi nella testa [...]” and fol. 224r: “[...] non penso d’essere incorso in pena alcuna per havere ferito il sudetto Pier Rovani per mia necessaria difesa, che se lui et Battistino non mi ingiurivano io non l’haverei tocco, ne dato fastido [...]”

²⁶⁸ As cited in Spierenburg, ‘Knife fighting and popular codes of honor’, 105.

from conflicts in intimate relationships.²⁶⁹ Other scholars have also suggested that conceptions of honour changed during the eighteenth century, perhaps lessening the appeal for defendants to refer to it.²⁷⁰ In the Bolognese judicial narratives female fighters, furthermore, never alluded to the necessity to respond physically to an encroachment of their honour. Although the circumstances and contexts in which violence erupted were more often similar than different, women would or could not invoke the same tropes suitable for and useful to men's judicial narratives.

That the testimonies of women regarding violence did not employ the same topoi or tropes as men's is likely to have had a cultural explanation. The first part of this rationale related – again – to the honour code. Various scholars have remarked that early modern Italian women's engagement in aggressive behaviour was neither expected nor desirable from a cultural perspective.²⁷¹ In a very practical sense there were no customary rules for fighting women, and they could not be formally challenged in honourable fights. In terms of defence, women's anger therefore seemed to have few acceptable uses. According to Zemon Davis' account of sixteenth-century France, for a woman, only the exceptional scenarios of genuine self-defence, the defence of her children, property, inheritance or religion could be used to justify her anger erupting into violence.²⁷²

A second part of the explanation lies in literary conventions. It has been remarked that women lacked a dependable set of narrative techniques, as "the general storytelling, Biblical and folktale tradition was ill-supplied with accounts of how women fought."²⁷³ This made it difficult for women to appeal to these modes to explain their behaviour. While men's violence arose in many of the same contexts of women's – namely that of everyday social interactions – the language of masculine violence permitted the framing of their conflicts in terms of manhood and honour.²⁷⁴ For women, on the contrary, there were significantly fewer conventions to draw on that had any bearing on their violent behaviour.

In their denunciations and testimonies, women therefore had to use different strategies from men. But although there is abundant literature that links women's legal status in Roman law (as the *imbecillitas* or *fragilitas sexus*) to leniency in the prosecution and

²⁶⁹ Ibidem, 107, 121.

²⁷⁰ E. Hofman, 'Dikwijls bespied. Sociale controle onder buren in het achttiende-eeuwse Kortrijk', *De Leiegouw* 55 (2013) 38; Spierenburg, 'Masculinity, violence, and honor', 5-7.

²⁷¹ Brackett, *Criminal justice and crime*, 133-134; Spierenburg, 'Knife fighting and popular codes of honor', 118.

²⁷² Zemon Davis, *Fiction in the archives*, 81, 94-96.

²⁷³ Ibidem, 101-102.

²⁷⁴ Walker, *Crime, gender and social order*, 97; Zemon Davis, *Fiction in the archives*, 104; Howard, *Crime, communities and authority*, 85.

sentencing of women, there is no consensus on whether or not women actively appealed to their supposed weakness in their defence. Summarising the works of others on various German early modern towns, Joachim Eibach suggested that women appearing before the criminal court presented themselves as weak women, whose disposition was disinclined towards violence.²⁷⁵ Zemon Davis on the other hand found few of these kinds of references. In her examination of the French sixteenth-century pardon tales, female offenders neither pleaded their *imbécillité*, nor did they claim irresponsibility due to their husband's presence or directions.²⁷⁶ While women may in practice have benefitted from judicial paternalism, they do not appear to have actively appealed to these notions in their defence before Bologna's criminal court.

One of the most noticeable gender-specific narratives for women instead related to their use of space and was formed by plaintiffs rather than defendants. In their denunciations female victims of violence invariably portrayed the street as a thoroughfare rather than a space of sociability. They reported walking to and from certain places during the day and evening, particularly to and from mass, but did not appear to congregate with their friends, as men often did. Lined with its distinct porticos, the Bolognese streets were also described as places where men gathered socially. Male plaintiffs reported having become the victims of violence while sitting on benches under the porticos, playing cards, watching puppet plays on the piazza, playing games, or drinking in and around the taverns or the city gates throughout the day and evening. With the notable exception of the plaintiffs who were working on the market or in the city's many *osterie* when they became the subject of violence, the majority of female plaintiffs invariably stated that they were walking to or from home, or church. Otherwise, these women declared that they were standing in doorways, leaning on window sills, sitting on the steps and so forth when they were mistreated.

Both the descriptions of being nearby the house as well as justifiable mobility should be viewed from the perspective of gendered tropes of appropriate behaviour. Indeed, court testimonies were moulded by a combination of the conventions of law and judicial practice as well as by popular discourse and the personal, micro-political interests of the speakers.²⁷⁷ While it is highly unlikely that the women who reported being assaulted strictly used the streets as thoroughfares from and to home, it is nevertheless telling that they chose to frame

²⁷⁵ Eibach, 'Böse Weiber und grobe Kerle', 672.

²⁷⁶ Zemon Davis, *Fiction in the archives*, 84.

²⁷⁷ E.S. Cohen, "'Courtesans' and 'whores'". *Words and behavior in Roman streets*, *Women's studies* 19 (1991) 204.

their use of this space as such. Although it is known that lower- and middle- and arguably even upper-class women used the public urban space for a wide range of purposes, women's uncontrolled presence in it was regarded as threatening.²⁷⁸ That many Italian cities' criminal by-laws implicitly link women's unrestricted movement through the city to prostitution is illustrative of this notion. It should therefore be no surprise that the women who were violated on the streets appealed – as a litigation strategy – to such tropes of women's acceptable presence in the urban space, which did not extend beyond what was necessary, regardless of their actual behaviour. While male defendants referred in their testimonies to violence as a necessary means to defend their honour, those of women remained rather matter-of-fact and commonplace and devoid of such clear appeals. This mundaneness of the descriptions of women's violence has also been observed by scholars working on other regions in early modern Europe.²⁷⁹ Tropes of appropriate feminine behaviour do rise to the surface through the denunciations, in which female plaintiffs framed their presence and mobility in the urban space in terms that presumably strengthened their positions.

Conclusion: Everyday violence and the uses of justice

The violent tenor of everyday life in early modern Italy is undisputed, yet its special position within Europe has gone largely undiscussed. The Italian criminal court records undeniably attest to a pervasive culture of violence that is in some ways in stark contrast to developments elsewhere in Europe. Not only do they expose homicide rates much elevated from those found in more northerly parts of Europe, but also show a clear preoccupation with a broad spectrum of non-fatal violent behaviours. Overall, in Bologna, violence of all sorts made up over three-quarters of the criminal complaints for which an offender was named. These are significantly higher levels than those recorded in Northern European cities, even those brought before the lower summary courts.²⁸⁰ Scholars have commonly linked the prevalence of violence in pre-modern Italy to the enduring cultural importance of a distinctly masculine honour culture, in which men frequently clashed over slights to reputation and status. Combined with presumed restrictive gender roles, the ethics of honour meant that it was neither expected nor desirable for women to engage in aggressive acts.

²⁷⁸ Brackett, 'The Florentine Onestà', 274.

²⁷⁹ Walker, *Crime, gender and social order*, 97; Zemon Davis, *Fiction in the archives*, 101-104.

²⁸⁰ Gray, 'The regulation of violence in the metropolis', 83.

Despite these stringent normative restrictions, in practice violent behaviour was by no means the preserve of men. This chapter demonstrates that this was as much the case in Italy as it was elsewhere in early modern European societies. Although women arguably did not play a substantial role in the lethal violence committed in the city of Bologna, the criminal court records attest to women's ability and audacity in violently confronting their female and male adversaries. Between the mid-seventeenth and mid-eighteenth centuries, urban Bolognese women made up about one-fifth of the violent offenders – a figure similar to that found in other parts of Europe. That women's aggressive behaviour can largely be categorised as 'petty violence' does not invalidate its importance, especially because petty violence was also the most common type of violence committed by men. Indeed, for every recorded homicide in urban Bologna, there were reports of about five serious (non-lethal) injuries and fifteen acts of violence that did not lead to life-threatening wounds. Rather than relying solely on men for the defence of their reputation and interests – as prescribed by the ethics of honour – many Italian women took matters into their own hands. While women's violent behaviour may not have found much cultural encouragement, it was too common to be viewed as an anomaly.

Women's violence in early modern urban Bologna was distinct from men's in some ways but also shared many of its characteristics. Importantly, contrary to women's lethal violence, which was characterised by the realm of the household, the overwhelming majority of the non-fatal violence – that the *Torrone* dealt with was 'public'. Much of the violence reported to the court had been directed against members of their own sex and concerned the brawls that erupted among fellow artisans, peddlers and porters during their daily affairs, arming themselves with whatever items came to hand. Rather than pointing to women's 'enclosed' lives, the reported violent interactions of Bolognese women testify to the full range of women's engagement in social and economic relations in the early modern town. Their experiences were nevertheless undeniably gendered. The criminal court records reveal that women's violence, more so than men's, had often taken place in their immediate neighbourhood and involved their direct neighbours. This chapter has argued that this may well have reflected some gendered socio-economic realities of everyday life concerning women's labour activities and sociability as well as legal constraints that limited women's mobility in the urban space. However, it also seems likely that the mention of these particular kinds of spaces appealed to gendered tropes of appropriate behaviour and spaces, and as such may have been part of a judicial narrative.

Individuals' recourse to the criminal court has been fundamental in shaping the image of historical violence. After all, the Bolognese authorities had only little interest in prosecuting the bulk of the reported violent acts and instead accommodated and generally favoured peace-making practices. As we have seen earlier, this was also the objective of many of the plaintiffs. As such, the verbal and physical aggression recorded in the court records must be viewed from the perspective of conflict resolution, in which men and women used the criminal court as leverage in the small politics of their everyday lives. In seventeenth- and eighteenth-century Bologna, its inhabitants had been exposed to at least hundred years of institutional intrusion. In addition to the widespread culture of violence, both men and women turned to litigation to mediate and settle their personal disputes, to establish personal boundaries and to make individual statements. Italy's early development of judicial and administrative structures had not thwarted its culture of violence and instead, until the judicial reforms of the nineteenth century, saw it go hand in hand with a culture of peace-making. As we have seen in this chapter, women were active in both.