

2021-22 / LESSON 20 / 2021-12-03

Later Middle Ages -- ~1000-~1492 ce/12

~ 1300

Pope Bonifacius VIII reaffirms the primacy of the Church over the rising secular kingdoms, in particular against the king of France Philip IV the Handsome who claims control over the Church in his kingdom.

First jubilee in 1300, with special indulgences granted against penitence and offers; this "sale of indulgences" granted arbitrarily in the name of the absolute spiritual power of the popes as successors of saint Peter is widely critiqued.

The three Capi of the Forty are aggregated to the Minor Council, forming the Signoria as the presiding bench of all Councils (Major, Forty, Pregàdi).

Three conspiracies are plotted against the government in the first half of the XIV century. None is aimed at restoring democracy though a coup d'état by the people, but rather they are led by members of the new ruling class itself and aim at changing the aristocratic, but participated, government of the Republic into a signoria, ruled over by one family of hereditary lords who keep heavy control over the city Councils and magistrates.

Marin Bocconio is the first who conspires against the government of the Republic in 1300, but the plot fails.

Such a development is taking place around this time in most of the mainland Comuni. Often the signorie enjoy support either by the popes, who demand privileges for the local bishops, or the Western emperors, who maintain formal superiority by giving the signori the title of imperial vicars: this entails full *iurisdictio* on their territories, but in the name of the Western emperors.

1301

Osman I sultan of the Seljuk Turks, neighbours of the Byzantine Empire, proclaims himself emperor.

1308

War between the pope Clement V and the Republic for the choice of the successor to the D'Este lordship of Ferrara and control of trade on the river Po; the pope excommunicates the Venetians, indiscriminately applying to all Venetian citizens a spiritual penalty in order to pursue his own secular interests of territorial acquisition. Such a general excommunication means that the clergy is forbidden to administer the sacraments to any and all Venetian citizens.

Dissension arises within the Major Council between the doge and the major offices on one side, intending to resisting the excommunication, and a "guelph" party ready to surrender.

1309-1377

Pope Clement V and his successors move the papal seat to Avignon in Southern France, as a compromise to avoid a schism by the king of France Philip IV the Handsome. This move distances the popes from their interests in Ferrara and the excommunication is revoked.

(http://www.arielcaliban.org/PX_papalisti.pdf - IT)

1310, June 14

Conspiracy of Baiamonte Tiepolo of the Scopulo branch (meaning "sea rock" for hard-headedness) with his father in law Marco Querini and Badoero Badoer (families traditionally allied through marriages and broglio) to upturn the doge Piero Gradenigo and institute a signoria in Venice.

Baiamonte was the nephew of Jacopo Tiepolo, who had resigned from the office of doge because of his autocratic inclinations (he used to call in the placitum in cases not sanctioned by constitutional custom, in order to override the deliberations of the Councils with populist appeals); his father had been beaten by Piero Gradenigo in the election to the office of doge; Baiamonte himself belonged to the minority "guelph" faction and had been accused of malversation in his public duties, so he was a fierce opposer of the government.

Nell'anno mille trexento e diexe / in mezo al mese delle cerese / Baiamonte passò il ponte / cussì fo fato el Conseio de Diexe ("In the year one thousand three hundred and ten / in the middle of the cherries month / Baiamonte crossed the bridge / therefore the Council of Ten was instituted"). The ditty, taught to schoolchildren, condenses the events.

The conspirators planned to bring a triple attack on the Palace during a session of the Major Council, and capture the whole governing class in one stroke. Tiepolo and Querini, with columns of armed supporters, would converge on the Piazza from different routes, finally crossing the small bridge from the Mercerie, while Badoer would come to the Piazzetta from the sea, sailing on ships rented from the Paduans.

However, rumours of the plot came at the last moment to the gathered Council. Its members, including the doge, hastily picked up the weapons which were left outside the hall, went out and fought off the conspirators led by Tiepolo and Querini. Meanwhile Badoer with his ships had been stopped and captured by the podestà in Chioggia, and never arrived. Legend tells that a storm raged on the insurgents, and that their advance was disrupted when the aged Giustina Rosso, hearing the tumult, leaned over her window and her heavy stone mortar fell over the head of Baiamonte's column.

In the end, the insurgents retreated from the Piazza back to the house of Tiepolo on the other side of the Canal, crossing the old, wooden Rialto bridge and setting it on fire. Thus the half *de ultra* of the city remained in their power; negotiations were held and a compromise was reached. Tiepolo and Querini, who had not been captured, would be sent into exile outside the territory, or in other words would be let go. Badoer arrested in Chioggia by the podestà, was tried and condemned to death, not only for his attempt against the Venetian constitutions, but also for conspiring with the Paduans.

The question remained of how to find and what to do with the other supporters of the conspiracy. In the end, the government chose to strengthen its image with a gesture of clemency: all those who confessed their involvement would be pardoned under oath of allegiance to the government.

1310, July 10

Tiepolo is still plotting to move against Venice with foreign help, and his hidden supporters may pose a real danger.

The Major Council instituted and elects the members of a provisional Council of Ten, with inquisitorial powers until September 29 to investigate and prosecute crimes against the Republic.

The inquisitorial model of criminal trial, as defined in 1234 by the first two books of Gregory IX's *Liber extra* and widely adopted by secular governments since the late Middle Ages, is not aimed at finding the best possible judicial truth, but at showing off the power of the judge to punish, and at reinforcing the image of the government through general intimidation. It is more important to punish someone, even if not certainly guilty, than to leave a crime unpunished.

Thus, no accusation is needed to start the trial: the judge has a duty to actively investigate any crimes and to gather evidence against the suspects for any illegal act they may have committed. The most final evidence is confession, and the most expedient way is to extort it by torture, or the threat of it. The suspect is not informed about the reason of the trial, and cannot be assisted by an attorney. The judge who inquires is the same who is called to judge, and not an impartial third party as in the accusatorial trial.

The introduction of such a model of trial, completely alien to the principles applied so far in the Venetian State, is the measure of the danger posed by the conspiracy, and of the fear it permanently impressed on the ruling class.

http://www.arielcaliban.org/PX_dieci.pdf

http://www.arielcaliban.org/PX_processo.pdf

http://www.arielcaliban.org/PX_inquisitori-di-stato.pdf

1310, September 29 to 1335, March 29

The Council of Ten is confirmed for two months (with of course newly elected members), then for five more, then for ten years. Its composition and limitations are established: the ten members are elected by the Major Council within its own members; in order to prevent plots by the members themselves, they must belong to different families and have no relations by marriage with each other; the turnover of members takes place with *contumàcia*, which in the Venetian political language means that those going out of office cannot be re-elected immediately.

The bench is held by the Minor Council and not the full Signoria. By this time, the Forty were performing mostly judicial functions as a Court of Appeal, and they followed the accusatorial pattern of trial, so they had no contribution to give in an inquisitorial Council.

Most notably, however, the meetings were not legal unless with the presence of an Avogadore di Comun, who did not vote, but spoke up and stopped the proceedings pending further discussion (*intromissione*), any time a proposal seemed to go against or beyond the rules stated in the capitular of the Council.

1317

Ferrara, after the popes relinquished their interests on the Po waterway, returns permanently to the D'Este family, supported by the Venetians, in the person of Obizzo III.

1318

Jacopo Da Carrara is elected by the local Council as signore of Padua. The Da Carrara developed as a family from agents and land administrators employed since the early Middle Ages by the bishops of Padua, who were also feudal lords on territories to the south of the city. When they moved from Carrara to Padua, they were part of the families of *milites* who supported the bishops and who formed the early Comune in order to gain power on the bishops themselves.

They gained the help of the Venetians in exchange for trade agreements, but as soon as their position was established, they progressively moved to economic and territorial competition against the Venetians, which within a century would come to a head with the Venetian conquest of dominions on the mainland.

1347-1351

The Black Death, a pestilence caused by *Yersinia pestis*, kills off one third of the Eurasian population and causes successive outbreaks until the XIX century, notably in the second half of the XVI and around the middle of the XVII century.