

# Liberty and Urban Revolts: A Comparative Perspective <sup>\*</sup>

## Libertad y revueltas urbanas: una perspectiva comparada

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**Resumen:** Desde el siglo XIX, los historiadores han observado una estrecha conexión entre las revueltas urbanas de la baja Edad Media y la "libertad" que los rebeldes urbanos esperaban conquistar, de una forma que recuerda el papel de la libertad como idea central en las revoluciones modernas. Este artículo analiza lo que la libertad pudo haber significado para los rebeldes urbanos de la baja Edad Media, a través de un análisis detallado de las revueltas en las dos regiones más urbanizadas del periodo, Italia y los Países Bajos del Sur. Se argumenta, en primer lugar, que el eslogan "libertas" a menudo tenía un significado particular cuando era invocado por los rebeldes, generalmente en revueltas contra gobernantes externos. Aunque sus oponentes con frecuencia acusaron a los rebeldes de buscar la independencia completa, los rebeldes a menudo invocaron este eslogan para pedir una mayor autonomía de las instituciones políticas urbanas dentro de un marco jurisdiccional más amplio, en lugar de la independencia de este. En segundo lugar, la libertad no era necesariamente una preocupación central en todas las revueltas urbanas. En la revuelta de Florencia en Ciompi, por ejemplo, las demandas sobre la provisión de justicia eran mucho más importantes que las que giraban en torno a la noción de libertad. De hecho, cuando los habitantes de la ciudad se rebelaban contra los "tiranos", probablemente no estaban pensando en la tiranía como ausencia de libertad, sino que la percibían como la violación de un orden legal.

**Palabras clave:** Libertad; Revuelta; Ciudades; Italia; Países Bajos.

**Abstract:** Ever since the nineteenth century, historians have seen a close connection between the urban revolts of the later Middle Ages and the 'liberty' urban rebels hoped to gain in ways that recalled the role of liberty as a central idea in modern revolutions. This article analyses what liberty could have meant to later medieval urban rebels in a close-up analysis of revolts in the two most urbanised regions of later medieval Europe, Italy and the Southern Low Countries. It is argued, first, that the slogan '*libertas*' often had a particular meaning when it was invoked by rebels, usually in revolts against external rulers. Although their opponents frequently accused rebels of seeking

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complete independence, rebels often invoked this slogan to ask for the greater autonomy of urban political institutions within, rather than independence from, a larger jurisdictional framework. Second, liberty was not necessarily a central concern in all urban revolts. In the Ciompi revolt of Florence, for instance, demands about the provision of justice were much more important than demands revolving around the notion of liberty. In fact, when city-dwellers rebelled against ‘tyrants’ they may not have primarily thought of tyranny as the absence of freedom, but as the perceived violation of a legal order..

**Keywords:** Liberty; Revolt; Cities; Italy; Low Countries.

**Sumario:** 0. Introducción, 1. Revueltas en Bolonia y Lieja: la libertad como una forma de autonomía. 2. La revuelta de los Ciompi: ¿libertad u otros fines? 3. Conclusión.

**Summary:** 0. Introduction. 1. Revolts in Bologna and Liège: Liberty as a Form of Autonomy. 2. The Ciompi Revolt: Liberty or other Aims? 3. Conclusion.

## 0. INTRODUCCIÓN

Modern historians have always been fascinated by the clamours for greater ‘liberty’ which reverberated in streets and squares during the protests and revolts that were such a prominent feature in European cities in the later Middle Ages. This subject has most recently received monograph-length treatment by Samuel K. Cohn Jr. in a book with the poignant title *Lust for Liberty*. In Cohn’s view, cries for liberty in urban revolts were the manifestation of ‘a new political ideology’ which could be associated with a new self-confidence of ‘peasants, workers, artisans, and petty shopkeepers ... to change the here and now, to gain liberty, to preserve their dignity, and to expand their rights and those of their communities, thus shaping their future welfare’<sup>1</sup>.

This approach has a long genealogy which ultimately stretches back to another ‘Age of Revolution’. Nineteenth-century historians were fascinated by medieval urban revolts because they seemed to foreshadow many of the dramatic conflicts of their own time which were precisely centred on the idea of ‘liberty’. One revolt that has particularly inspired historians is the Ciompi revolt of Florence in 1378, when wool-workers known as Ciompi stormed the city’s governmental palace, overthrew the urban government, and enfranchised virtually the entire male working population of the city. It is not surprising that many historians saw close parallels between the Ciompi and rebels of their own day. One of the first modern historians of the Ciompi, Jean Charles Léonard Simonde de Sismondi praised the Ciompi leader Michele di Lando for his love of ‘his fatherland and of liberty (*sa patrie et la liberté*)’. After all, the purpose of Sismondi’s *Histoire des républiques italiennes du*

<sup>1</sup> Cohn, *Lust for Liberty*, pp. 236-242 (at p. 242). For a comprehensive overview of recent work on urban revolts in the later Middle Ages, see Firnhaber-Baker, «Medieval Revolt in Context» and the chapters in Firnhaber-Baker and Schoenaers (eds.), *The Roudledge History Handbook of Medieval Revolt*.

*Moyen Age* (1809-1818) was to study Italian city-states as places of republican freedom in ways that would inspire many participants of the Risorgimento<sup>2</sup>. A later author writing in 1873, Louis Simonin, even likened the Ciompi to the *communards* of Paris and suggested that, once the wool-workers controlled the apparatus of the Florentine state, the Ciompi were finally ‘free to do everything they wanted and could dream of (*libres maintenant de tout faire et de tout oser*)’. When describing the Ciompi, Simonin even asked: ‘Could one not hear the battle cry of the communards of Paris on 31 October 1870 in front of the Hôtel de Ville of Paris? (*Ne croirait-on pas entendre le cri des bandes communalistes de Paris, à la journée du 31 octobre 1870 devant l’Hôtel-de-Ville?*)’<sup>3</sup>. As I have suggested elsewhere, the shadow of nineteenth-century politics has continued to loom large over interpretations of the Ciompi revolt up to the present day. Historians have disagreed and disagree about the degree to which the Ciompi revolt was the revolution of an excluded class against the Florentine state, but they have often conducted this argument within a fundamentally modern conceptual framework whose core concepts – not just ‘liberty’, but also ‘revolution’, ‘class’, or ‘state’ – cannot be transferred to the reality of fourteenth-century Florence in any straightforward way<sup>4</sup>.

My purpose in this article is twofold. First, I want to ask what urban rebels meant when they invoked the slogan ‘*libertas*’. Second, was ‘liberty’ even always the most important slogan, let alone value, that was at stake in urban revolts? My focus in this article is on case studies of city-based revolts drawn from the two most urbanised regions of later medieval Europe, Northern and Central Italy and the Southern Low Countries, but I will branch out beyond Europe in the coda to this article<sup>5</sup>. By revolt I mean a particular form of political conflict when insurgent coalitions sought to acquire power in and over a city.

Two distinct, but interlinked, methodological problems lie at the heart of this article. First, there is the relationship between ‘liberty’ as a slogan used by medieval rebels and ‘liberty’ as a broader concept in medieval society. To infer from one about the other is itself not un-problematic, not least since neither the slogan nor the concept necessarily had a stable or uncontroversial meaning. Second, there is the relationship between contemporary understandings of this concept and our own perspective as external observers. Things get especially problematic when historians try to cross the bridge between the slogan which appears in the medieval sources and our own modern understandings of liberty. There is no straightforward solution to all this, but the best a historian can do is at least to be aware of these various traps and to be extremely cautious when it comes to drawing a direct line

<sup>2</sup> Sismondi, *Histoire des républiques italiennes du Moyen Âge*, IV, p. 32.

<sup>3</sup> Simonin, «Une insurrection ouvrière à Florence», p. 446.

<sup>4</sup> Lantschner, «The “Ciompi Revolution” Constructed».

<sup>5</sup> For a more detailed rationale, see Lantschner, *The Logic of Political Conflict*, pp. 10-15 and passim.

between the ‘liberty’ of medieval urban rebels and any clamours for ‘liberty’ that we may hear in our own streets and squares<sup>6</sup>.

## 1. REVOLTS IN BOLOGNA AND LIÈGE: LIBERTY AS A FORM OF AUTONOMY

Bologna and Liège are among the later medieval European cities which saw the highest levels of urban revolt. Many of these revolts were aimed at the rulers of these cities – the pope, usually, in the case of Bologna and the prince-bishop in the case of Liège. The slogan of and demands for ‘liberty’ can particularly be found in the context of revolts against external rulers and, in fact, also featured in the rhetoric surrounding revolts in Bologna and Liège. This would make it tempting to associate the rebels’ invocation of the slogan ‘liberty’ with the most common understanding of this concept in modern liberal thought – the complete absence of interference from external agencies. Isaiah Berlin has called this understanding of the concept ‘negative liberty’<sup>7</sup>. Whether or not the rebels in Bologna and Liège seriously advocated this kind of liberty can, however, be doubted. Their calls for ‘liberty’ were rarely straightforward calls for independence from an external ruler. Their ideas about liberty were often closely associated with the jurisdictional autonomy held by a city, or by particular corporations within it, rather than independence in a way that would be recognisable to a modern observer.

It is worth first turning to Bologna where ‘liberty’ was an important slogan, as it was in other Italian cities<sup>8</sup>. Bologna was a subject city of the Papal State from 1278, but *de facto* slipped in and out of papal control for a turbulent century and a half until a more stable arrangement was reached between pope and city in 1447. No doubt with exasperation, Enea Silvio Piccolomini, the later pope Pius II, famously said about Bologna that it ‘is only constant in its inconstancy (*solius inconstantiae constans*)’<sup>9</sup>. Especially important for our analysis of how rebels used the word ‘liberty’ is Bologna’s revolt against papal rule in March 1376 when an insurgent coalition, comprising the city’s main parties and guilds, occupied the city square and inaugurated a new *popolo*-based urban regime. The rebels were aggrieved at the tyrannical government successive papal legates had imposed on the city, expelled the papal legate Noëlle, and also attacked one of the city’s chief judicial officers, the *podestà*, who they accused of not exercising justice properly. The rebels proclaimed ‘the state of the *popolo* and of liberty (*stato popolare e di*

<sup>6</sup> For the purposes of this essay, I use the terms ‘liberty’ and ‘freedom’ interchangeably.

<sup>7</sup> Berlin, «Two Concepts of Liberty». For a contemporary perspective on Berlin’s original formulation, see Baum and Nichols (eds.), *Isaiah Berlin and the Politics of Freedom*.

<sup>8</sup> See especially Mineo, «Liberté et communauté»; Zorzi (ed.), *Le libertà nelle città comunali e signorili*.

<sup>9</sup> Enea Silvio Piccolomini, *De Europa*, p. 210 (rub. CXCIX). For this period in Bologna’s history, see especially Milani, *L’esclusione dal comune*; Blanshei, *Politics and Justice in Late Medieval Bologna*; Lantschner, *The Logic of Political Conflict*, pp. 95-130; see also Blanshei (ed.), *A Companion to Medieval and Renaissance Bologna*.

*libertà*)’ and carried a banner with the inscription ‘*Libertas*’ which had been handed to them by Florence<sup>10</sup>.

Did this battle cry amount to the kind of independence that we associate with ‘negative liberty’ as the complete absence of interference from external agencies? This is certainly what their opponents accused the rebels of. Among the most vociferous opponents of the revolt in Bologna was the famous jurist Giovanni da Legnano who not only lived and taught at Bologna, but also sided with the pope in this dispute – a reminder, also, that the rebels faced considerable opposition in Bologna itself<sup>11</sup>. In a treatise written around this time, the *Tractatus de iuribus ecclesiae*, Giovanni da Legnano accused the rebels of nothing less than having committed a *crimen laesae maiestatis*. The just ruler of Bologna was the pope, as had been most recently confirmed in Emperor Rudolf of Habsburg’s donation of the city to the papacy in 1278, and the rebels were at any rate in breach of divine law, natural law, the law of nations (*ius gentium*), canon law, as well as the constitutions of the Papal State<sup>12</sup>. Giovanni da Legnano also directly engaged with, and rebuked, the claims the rebels made about liberty. Drawing on the distinction in Roman Law between freedom and slavery (Dig.I.4-6), he argued that Bologna’s citizens already possessed freedom. It was only possible to achieve true liberty of reason under the laws of a good ruler and Giovanni strongly hinted that after the revolt against the papal legate Bologna had effectively lost this form of liberty. Not without irony, Giovanni remarked that the rebels’ true slogan should not have been ‘Long live liberty (*Vivat libertas*)’, but ‘Death to liberty and long live slavery (*Moriatur libertas et vivat servitus*)’. Giovanni da Legnano clearly accused the rebels of wanting to escape what was, in his eyes, the legitimate and necessary rule by their superior. Indeed, his own position suggested that there was no necessary contradiction between the liberty of Bologna and the agency of an external ruler: both these concepts were not only compatible, but obedience to their ruler was even necessary for the Bolognese to be truly free<sup>13</sup>.

But was his judgment of the rebels’ intentions entirely fair? The rebels certainly wished to reject similar claims when they were put to them in a trial set up by the papal legate Noëllet in neighbouring Ferrara as early as one month after the revolt. The new urban government despatched the civil lawyer and university lecturer Giacomo Preunti to deny that the commune had ever rebelled against the

<sup>10</sup> *Corpus chronicorum bononiensium*, ed. Sorbelli, III, pp. 313-314. For this revolt, see Vancini, *La rivolta dei bolognesi al governo dei vicari della chiesa*; Lantschner, *The Logic of Political Conflict*, pp. 30-32, 107, 109, 113-114, 121-126.

<sup>11</sup> For Giovanni da Legnano in the context of Bologna, see Bosdari, «Giovanni da Legnano, canonista e uomo politico del Trecento».

<sup>12</sup> Biblioteca Nazionale Marciana, Venice, Lat. V, 16 (2653: Giovanni da Legnano: «Tractatus de iuribus ecclesiae»), fos. 1r-11r. On this treatise, see Gooden, *Papal Authority and Canon Law in the Fourteenth Century*, pp. 174-222.

<sup>13</sup> Biblioteca Nazionale Marciana, Lat. V, 16 (2653: Giovanni da Legnano, «Tractatus de iuribus ecclesiae»), fos. 13r-14v, 21r.

Papal State. To the contrary, Preunti argued, it had always intended to obey the pope. The Bolognese had to form their own government in order to safeguard peace in the city and prevent it from falling into ‘the hands of tyrants (*in manibus tirannorum*)’. He also disputed the claim that the legate had been harmed by anyone and promised that any abuses would be thoroughly investigated – and, as we know from the surviving judicial registers, such investigations indeed took place<sup>14</sup>. In fact, in the course of the following year, talks with the papacy brought Bologna back under the umbrella of papal government. In July 1377, the Bolognese formally submitted to papal rule in return for generous jurisdictional concessions to the commune. The pope was effectively willing to grant Bologna’s urban government full recognition and allowed it to exercise *merum et mixtum imperium* as well as fiscal power in both the city and *contado*. In return, Bologna’s *anziani*, the highest college of urban government, were willing to hand over the city’s keys to the papal vicar and, among other obligations, to pay a hefty sum of 10,000 florins p.a. into papal coffers. It is not without irony that the first papal vicar was Giovanni da Legnano himself<sup>15</sup>.

This outcome broadly parallels the trajectory after similar revolts against the papacy in subsequent decades. Demands for liberty in uprisings almost always turned out to be demands for greater levels of jurisdictional autonomy, rather than independence, and for the most part Bologna’s city-dwellers were happy to enjoy this autonomy under the broad umbrella of papal government. From 1393, the Bolognese appointed special reform commissions called *Riformatori dello Stato di Libertà* whose purpose was, among other objectives, to strengthen the city’s political standing vis-à-vis the papacy. In 1416, 1431, and 1438, the *Riformatori* did seriously fall out with the pope, but most of the time this institution co-existed with papal rule of the city. The *capitula* of 1447 between Pope Nicholas V and Bologna, which resolved some of the long-standing tensions, even made the *Riformatori* joint rulers of the city with the papacy<sup>16</sup>.

Liège also had a long history of conflicts which involved its overlords, the bishops of Liège who were also the princes of the city and *pays* of Liège. There were major clashes between prince-bishops and rebel coalitions in the prince-bishopric’s cities, including Liège, about the prince-bishops’ powers vis-à-vis urban institutions in 1315-16, 1325-8, 1345-7, 1373-6, 1395, and 1402-3. These

<sup>14</sup> Published in Vancini, *La rivolta dei bolognesi*, pp. 79-82. For the judicial records, see Archivio di Stato, Bologna, Curia del Podestà, Libri inquisitionum et testium, 224, no. 1, fos. 1r-3v, 5r-9r, 17r-18r, 88r-89r.

<sup>15</sup> *Codex diplomaticus domini temporalis S. Sedis*, ed. Theiner, II, p. 599; see also Vancini, *La rivolta dei bolognesi*, pp. 99-115.

<sup>16</sup> Tamba, *Il regime del popolo e delle arti verso il tramonto*, pp. 29-68, 117-132; De Benedictis, «Lo “stato popolare di libertà”», pp. 906-914; Bosdari, «Il comune di Bologna alla fine del secolo XIV». For the continuing conflicts over Bologna’s autonomy between Bologna and popes after 1447, see De Benedictis, *Repubblica per contratto*; De Benedictis, *Una guerra d’Italia, una resistenza di popolo*; Robertson, *Tyranny under the Mantle of St. Peter*.

culminated in a major uprising in 1406-8 which was led by a rebel coalition composed of former mayors (*bourgmestres*), guilds, and even canons from the city's collegiate churches. Known polemically by their opponents as Hédroits ('those who hate the law'), they expelled Prince-Bishop John of Bavaria, proceeded to appoint a new bishop as well as a new governor, and led a two-year war against the prince-bishop who had taken refuge in Maastricht. Even after the uprising was put down with the help of an army assembled by the duke of Burgundy, tensions between city and prince-bishop continued to smoulder until, in 1468, another intervention by the duke of Burgundy led to the city's wholesale destruction<sup>17</sup>. In Liège, calls for 'liberty' were often made in the context of claims about the 'liberties, franchises, and privileges' of the city or of particular institutions within it, such as the city's *bourgmestres* or guilds. The Hédroits, for instance, were particularly aggrieved at what they viewed as the tyrannical regime of John of Bavaria whose hated tribunal, the Anneau du Palais, was seen as infringing the 'liberties' of Liège and other cities in the prince-bishopric. Already on 13 May 1402 Liège and eight other cities entered a formal pact to protect each others' 'liberties and franchises (*libertés et franchises*)' which the prince-bishop had last guaranteed in a peace accord as recently as 1395<sup>18</sup>. In their campaign against the prince-bishop, the Hédroits allegedly spread rumours that John of Bavaria 'wanted to reduce the citizens and the city [of Liège] to great servitude and to diminish their franchises and liberties'<sup>19</sup>. As these examples suggest, rebels in Liège were, therefore, also concerned about the jurisdictional autonomies of particular institutions. The Liégeois articulated this particularly clearly with their use of the formulation 'liberties, franchises, and privileges' which, in the language of diplomatic, referred to the the power of a city, a guild, or other legal institutions to pass statutes, elect officials, or exercise various kinds of judicial powers.

Were such liberties ever meant to refer to the city's independence from the prince-bishop's jurisdiction? Again, that the Hédroits harboured such ambitions was an accusation their opponents liked to make against them. In a letter to the city of Cologne in August 1407, Pope Gregory XII accused the Hédroits of expelling their legitimate ruler and replacing him with the leader of a conspiracy. Writing during the Great Schism, the Rome-based Gregory had every reason to insinuate that the Hédroits were so radical. After all, the rebels had only just submitted to the

<sup>17</sup> For Liège in this period, see especially Xhayet, *Réseaux de pouvoir et solidarités de parti à Liège*; Lantschner, *The Logic of Political Conflict*; Charlier, «La bataille d'Othée»; Charlier, «Henri de Hornes et les Hédroits». For a wider panorama, see Masson and Dumoulin (eds.), *La Paix de Fexhe*. An older historiography has interpreted these conflicts as a conflict between the prince-bishop's 'absolutism' and the city's 'democracy'; see Kurth, *La cité de Liège au Moyen Âge*.

<sup>18</sup> *Régestes de la cité de Liège*, ed. Fairon, II, pp. 109-110; *Recueil des ordonnances de la principauté de Liège*, ed. Bormans, pp. 373-375. See also Vrancken, «Aspects institutionnels du pouvoir souverain au quinzième siècle».

<sup>19</sup> *Chronique du règne de Jean de Bavière*, in *Chroniques liégeoises*, ed. Balau, I, p. 150 ('volebat cives et civitatem redigere ad maximam servitutem, francias et libertates eorum infringere').

Avignon-based pope Benedict XIII who had recognised their nominated bishop in March 1407<sup>20</sup>. Another opponent of the Hédroits, the local Benedictine monk and chronicler Jean de Stavelot, also argued that in rebelling against the prince-bishop they had rebelled ‘against God, justice, and reason (*contra Deum, justiciam et rationem*)’. Jean was actually himself critical of John of Bavaria, but, like Giovanni da Legnano in Bologna, Jean de Stavelot did not regard rebellion as an act of liberation. He explained that the inobedience of the Liégeois against their ruler only had the consequence of provoking the duke of Burgundy’s invasion and of reducing the city ‘to the great servitude of rulers from a foreign country (*en grant seirvaige de sangneurs de strange paiis*)’<sup>21</sup>.

The claim that the Hédroits somehow sought to subtract Liège from the obedience to external rulers does not correspond to how the rebel government wanted to be seen. They not only sought approval for their regime from Benedict XIII at Avignon, but also from (the deposed) Emperor Wenceslas<sup>22</sup>. In the charter sealing the election of a new governor and bishop, the Hédroits were also keen on pointing out that they had made these elections because the *pays* of Liège had found itself ‘without a head and without a defender (*senz tiest et sans défenseur*)’ after the prince-bishop had left the city. It was only for this reason that the rebels had been forced to turn to the city’s old chronicles where, they claimed, they had learnt that ‘anciently the people [themselves] elected their prelate (*d’anchienneteit à pueple dependoit la election de leur prelas*)’<sup>23</sup>. It is, in fact, difficult to see that the Hédroits had any problem with the notion, expressed in the prince-bishopric’s most important custumal manual, that ‘no country can govern itself during peace or war without a lord or sovereign, no less than the body can exist without a head’<sup>24</sup>.

What the Hédroits really had in mind, like the rebels of Bologna, was liberty as a form of autonomy. Rebels in both Bologna and Liège were, in fact, extremely interested in the legal documentation which upheld the jurisdictional powers of their urban institutions. In the aftermath of Bologna’s revolt in March 1376, new statutes were drawn up for the commune and guilds which were now expected to play a greater role in the city’s political system<sup>25</sup>. Among the first steps that the Hédroits

<sup>20</sup> *Régestes de la cité de Liège*, ed. Fairon, III, pp. 96-98, 100-101. For the schism in Liège, see Lantschner, *The Logic of Political Conflict*, pp. 128-129.

<sup>21</sup> Jean de Stavelot, *Chronique de Jean de Stavelot*, ed. Borgnet, p. 103; Jean de Stavelot, *Chronique latine de Jean de Stavelot*, in *Chroniques liégeoises*, ed. Balau, I, p. 140.

<sup>22</sup> Jean de Stavelot, *Chronique de Jean de Stavelot*, ed. Borgnet, p.107; Jean de Stavelot, *Chronique latine de Jean de Stavelot*, in *Chroniques liégeoises*, ed. Balau, I, p. 110.

<sup>23</sup> The charter is published in *Régestes de la cité de Liège*, ed. Fairon, III, pp. 91-94; see also Jean de Stavelot, *Chronique de Jean de Stavelot*, ed. Borgnet, pp. 104-105, 107; Jean de Stavelot, *Chronique latine de Jean de Stavelot*, in *Chroniques liégeoises*, ed. Balau, I, pp. 109-110.

<sup>24</sup> Jacques de Hemricourt, *Patron de la temporalité du pays de Liège*, ed. A. Bayot, in *Oeuvres de Jacques de Hemricourt*, ed. de Borman, III, p. 53 (‘Nul pais ne soie puet, en tranquilliteit, gouverneir, ne en fait de guerre, sens aulcun sangneur ou souverain, nient plus que ly corps sens chief’).

<sup>25</sup> *Gli statuti del comune di Bologna*, ed. Braidì; *Haec sunt statuta*, ed. Medica; see also Bosdari, «Il comune di Bologna alla fine del secolo XIV».



took was to issue a charter which confirmed the election of a governor and bishop and to seek confirmation from superior jurisdictions<sup>26</sup>. It is, in fact, telling that when the duke of Burgundy, John the Fearless, finally defeated the Hédroits in 1408 he expected the Liégeois within weeks to deliver ‘all their letters of privileges, laws, liberties, and franchises (*toutes leurs lettres de privilèges, de lois, de libertés et franchises*)’ to him. The duke’s measures against the jurisdictional liberties enjoyed by institutions in Liège were harsh: he deprived the city’s urban government of its autonomy, abolished the city’s guilds, and banned all assemblies<sup>27</sup>.

In so far as rebels did invoke ‘liberty’ as a slogan, fully-fledged independence from other jurisdictions does not seem to have been at the forefront of their concerns – even in Bologna and Liège where revolts were so frequent and where city-dwellers were, again and again, aggrieved at the tyrannical government of their superiors. This is, of course, not to deny that this meaning of the term ‘liberty’ was irrelevant. It may well have been a tempting proposition for some and, as we have seen, opponents certainly thought that rebels conceived of ‘liberty’ as an escape from established ties of obedience. At the same time, rebels in both Bologna and Liège did not really reject established legal frameworks, but ultimately sought to re-insert themselves within these in new ways. It may be argued that the concern rebels evidently had for the jurisdictional status of their institutions comes close to a particular understanding of liberty which, according to Quentin Skinner, can be traced back to Roman ideas about liberty as a form of protected legal status. However, it is significant that the rebels of Bologna and Liège did not also argue for the ‘absence of dependence’, which, according to Skinner, became an important feature in arguments about this particular conception of liberty in the early modern period<sup>28</sup>.

## 2. THE CIOMPI REVOLT: LIBERTY OR OTHER AIMS?

Liberty was only one of the concerns that were at stake in urban revolts in later medieval Europe. Recent work on urban revolts and the languages of politics in the later Middle Ages has shown that urban rebels operated inside a complex framework of slogans, values, and ideologies in which justice, the common good, and peace were often critically important concepts<sup>29</sup>. The key question is not so

<sup>26</sup> *Régestes de la cité de Liège*, ed. Fairon, III, pp. 91-94.

<sup>27</sup> *Recueil des ordonnances de la principauté de Liège*, ed. Bormans, I, pp. 420-429. This is also what happened: *Régestes de la cité de Liège*, ed. Fairon, III, p. 116; Jean de Stavelot, *Chronique de Jean de Stavelot*, ed. Borgnet, p. 140; Jean de Stavelot, *Chronique latine de Jean de Stavelot*, in *Chroniques liégeoises*, ed. Balau, I, pp. 125-126. See also Marchandisse, «Vivre en période de vide législatif et institutionnel».

<sup>28</sup> Skinner, *Liberty before Liberalism*; Skinner, «A Third Concept of Liberty»; Skinner, «Freedom as the Absence of Arbitrary Power».

<sup>29</sup> On this subject, see especially Dumolyn, Haemers, Oliva Herrer, and Challet (eds.), *The Voices of the People in Late Medieval Europe*; Lecuppre-Desjardin and Van Bruaene (eds.), *De Bono Communi*.

much whether liberty was *also* an important concept, but whether it was the central organising concept to which other ideas were subordinated in the same way that the thought system of modern-day liberalism is structured around liberty as its organising concept. It is not surprising that, since the nineteenth century, historians have often interpreted the cries for greater ‘liberty’ in medieval urban revolts as if this slogan was as central to the ideology of medieval rebels as it was for revolutionaries in the nineteenth and twentieth centuries<sup>30</sup>.

The revolts in Bologna and Liège have shown that *libertas* could indeed be an important slogan for rebels, but the same is not necessarily true for all revolts. The Ciompi revolt of Florence is an interesting case in point. As we have seen, it has often been tempting to view this uprising of Florentine wool-workers through the lens of the nineteenth- and twentieth-century paradigm of thinking about politics. After all, in the wake of this revolt thousands of wool-workers gained the freedom to form new guilds and virtually the whole male working population, for a short period at least, became eligible for office-holding in the commune<sup>31</sup>.

The concept of *libertas* was, of course, not alien to the Florentine political discourse. As Alma Poloni shows in this volume, in the years before the Ciompi revolt the slogan of *libertas* was predominantly invoked by men connected with the faction of Salvestro de’ Medici in the particular circumstances of its conflicts with the Parte Guelfa, the other main faction at the time<sup>32</sup>. The slogan ‘*libertà*’ also featured in an outbreak of violence one month before the Ciompi revolt, in June 1378, when according to the chronicler Marchionne di Coppo Stefani, protesters shouted ‘Long live the popolo and liberty (*Viva il popolo e libertà*)’. Salvestro and his supporters were directly implicated in the violence and one member of the Florentine war committee, which was packed with supporters of Salvestro, handed the city’s standard of liberty (*gonfalone della libertà*) to one of the protesters so that it could be paraded around the streets of Florence<sup>33</sup>.

However, this episode was not representative of what happened during the actual uprising in July 1378 in which the slogan ‘*libertas*’ featured hardly at all.

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Particularly important contributions to this subject in the context of the Southern Low Countries are Dumolyn, «Privileges and Novelties»; Dumolyn, «Urban Ideologies in Later Medieval Flanders»; Dumolyn and Haemers, «“A Bad Chicken Was Brooding”»; Vrancken «United in Revolt and Discourse».

<sup>30</sup> For an interesting methodological approach to the study of how ideologies are structured, see Freedon, *Ideologies and Political Theory*, pp. 47-95.

<sup>31</sup> For the Ciompi revolt, see especially in chronological order: Falletti-Fossati, *Il tumulto dei Ciompi*; Rodolico, *I Ciompi*; Brucker, «The Ciompi Revolution»; *Il tumulto dei Ciompi: un momento di storia fiorentina ed europea*; Trexler, «Neighbours and Comrades»; Trexler, «Follow the Flag»; Stella, *La révolte des Ciompi*; Screpanti, *L’angelo della liberazione nel tumulto dei Ciompi*. For a more extensive historiographical overview, see Lantschner, «The “Ciompi Revolution” Constructed».

<sup>32</sup> See Alma Poloni in this volume. See also Becker, «Florentine “Libertas”».

<sup>33</sup> *Il tumulto dei Ciompi*, ed. Scaramella, p. 15; Marchionne di Coppo Stefani, *Cronaca fiorentina*, ed. Rodolico, no. 790. For the connections between Salvestro’s faction and the rebels, see Lantschner, «Revolts and the Political Order of Cities».

Instead, chroniclers reported other slogans, such as ‘Long live the popolo minuto (*Viva il popolo minuto*)’, ‘Long live the popolo minuto and the guilds (*Viva il popolo minuto e le arti*)’, or ‘Long live the popolo and the guilds (*Viva il popolo e le arti*)’<sup>34</sup>. A similar pattern emerges from the three petitions which the rebel coalition drew up in the church of San Lorenzo to put to the Florentine government on 20 July 1378. Two of the petitions spoke for the *popolo minuto*, the city’s unenfranchised workers and artisans, while a third petition was explicitly identified with the Florentine guilds<sup>35</sup>. As I have argued elsewhere, these petitions suggest considerable co-operation between the Ciompi, guildsmen, and the Medici faction who each brought different aims to this political enterprise<sup>36</sup>. Again, the word ‘*libertas*’ features very little in the petitions. In so far as the term is used it mainly refers to the liberation of prisoners or to demands for particular individuals to be guaranteed freedom from prosecution. Once, one of the petitions of the *popolo minuto* used the formulation ‘for the free and popular state of the *popolo* and commune of Florence (*pro statu libero et populari populi et comunis Florentie*)’<sup>37</sup>. The petitions made demands regarding the status of the commune and guilds, including the crucial request for a guild that represented the *popolo minuto*, but this only superficially recalled demands for jurisdictional liberties in the revolts of Bologna and Liège. It is perhaps significant that the Florentine rebels chose not to use the word ‘*libertas*’ even when they talked about the new guild of the *popolo minuto*. In fact, the Ciompi’s demands regarding the city’s political institutions were made in a fundamentally different context from that of Bologna and Liège. While the Bolognese and Liégeois rebels asked for the autonomy of urban institutions within the political framework of an external ruler, the Ciompi rebels were not so much driven by concerns about the city’s autonomy within a wider jurisdictional framework<sup>38</sup>.

It is questionable whether ‘constitutional’ demands concerning the commune or guilds were even the most important objectives of the rebels when they sat down to draw up their petitions. In fact, a central concern in all three petitions were demands about justice. These arguably took up most space in the petitions, and it is possible to distinguish between three categories of concrete demands relating to the provision of justice in Florence. First of all, large parts of one of the *popolo*

<sup>34</sup> *Il tumulto dei Ciompi*, ed. Scaramella, pp. 14, 81, 116, 120; Marchionne di Coppo Stefani, *Cronaca fiorentina*, ed. Rodolico, nos. 790, 800, 801; *Diario d’anonimo fiorentino*, ed. Gherardi, pp. 366, 377; Paolo di Ser Guido, *Cronaca*, in Stella, *La révolte des Ciompi*, pp. 272-273.

<sup>35</sup> The guild and the first *popolo minuto* petitions are published in Falletti-Fossati, *Il tumulto dei Ciompi*, pp. 356-375. The second *popolo minuto* petition is published in Screpanti, «La politica dei Ciompi», pp. 42-56.

<sup>36</sup> Lantschner, «Revolts and the Political Order of Cities»; Lantschner, *The Logic of Political Conflict*, pp. 77-86. For descriptions of how the petitions were drawn up, see *Il tumulto dei Ciompi*, ed. Scaramella, pp. 26, 74-75, 142.

<sup>37</sup> Falletti-Fossati, *Il tumulto dei Ciompi*, pp. 366-369, 370, 373.

<sup>38</sup> Falletti-Fossati, *Il tumulto dei Ciompi*, pp. 358, 360, 364, 366, 372-373.

*minuto*'s petitions were demands for how to address judicial malpractice in the city. Among several demands made in this context were calls to discontinue the practice of cutting off the right hand of debtors who were unable to pay a penalty fee within ten days, a moratorium on the arrest of members of the *popolo minuto* on account of debt, obligations, promises, or contracts, and the sacking of the foreign official of the wool guild<sup>39</sup>. Second, there were not only concerns about specific judicial practices, but also about the very jurisdictional apparatus through which justice was exercised. A number of different jurisdictions were critiqued in the petitions, such as the city's judicial agencies, the wool guild's own tribunal, as well as the commune itself. A particular concern which all the petitions shared were the quasi-judicial powers exercised by the Parte Guelfa. The Parte Guelfa was, in many ways, not only a faction, but a semi-public institution in its own right whose history reached back to the thirteenth century. It claimed for itself the power to proscribe (*ammonire*) city-dwellers that were accused of being un-Guelf and to effectively bar them from office-holding in the commune. The Parte Guelfa disproportionately targeted members of the Medici faction, largely in reaction to the controversial war Florence had been fighting against the papacy since 1375<sup>40</sup>. All three petitions made specific demands about how the Parte Guelfa's powers to proscribe citizens should be curbed<sup>41</sup>. A third category of demands concerned the legal status of particular individuals. Indeed, the second petition of the Ciompi consisted entirely of such requests. There were demands for named individuals to be stripped of their right to hold communal office, to be declared magnates or to be exiled, while other named individuals were to have their *ammonizioni* cancelled<sup>42</sup>.

Concerns about the exercise of justice were not unique to the Ciompi revolt and played a central role in many urban revolts in later medieval Europe as well as beyond<sup>43</sup>. Indeed, the denial of justice was frequently cited by legal theorists as a possible reason for the justification of resistance against governments. Building on a long tradition of interpretation of the *Tres libri Codicis*, the jurist Bartolo da Sassoferrato permitted the rejection of governmental authority under specified circumstances, such as particular situations when an official acted unfairly (*iniuste*). As Angela De Benedictis has shown, Bartolo's commentaries on the *Lex*

<sup>39</sup> Falletti-Fossati, *Il tumulto dei Ciompi*, pp. 365-376.

<sup>40</sup> Marchionne di Coppo Stefani, *Cronaca fiorentina*, ed. Rodolico, nos. 294-295, 300-301, 307-309, 311, 314-317; *Diario d'anonimo fiorentino*, ed. Gherardi, pp. 346-353, 356, 360-361. For this topic, see especially Brucker, *Florentine Politics and Society*, pp. 297-335; Mazzoni, *Accusare e proscrivere il nemico politico*, pp. 130-134, 203-242.

<sup>41</sup> The guilds asked that all *ammoniti* could apply for rehabilitation and for the Parte Guelfa's records to be destroyed. The *popolo minuto*'s two petitions also asked for the rehabilitation of recent victims of *ammonizioni*. See Falletti-Fossati, *Il tumulto dei Ciompi*, pp. 357-359, 361-362, 364, 373-374; Screpanti, «La politica dei Ciompi», pp. 47-50.

<sup>42</sup> Falletti-Fossati, *Il tumulto dei Ciompi*, pp. 361-363, 368, 373; Screpanti, «La politica dei Ciompi», pp. 42-60.

<sup>43</sup> Zorzi, «Politiche giudiziarie e ordine pubblico»; Lantschner, «Justice Contested and Affirmed»; Lantschner, «Invoking and Constructing Legitimacy».

*prohibitum* and the *Lex devotum* of the Codex (X.1.5 and XII.40.5) were upheld and extended by legal commentators throughout the early modern period and also proved important in Northern Europe during the Reformation<sup>44</sup>.

It is interesting to note that even when it came to how rebels understood tyranny, justice played a central role. Accusations of tyranny were, as we have seen, at the heart of the uprisings in Bologna and Liège, and they were also made by protagonists in the Ciompi revolt<sup>45</sup>. In our modern understanding of tyranny, we conceive of tyranny as the absence of freedom. However, this was not the only way of thinking about this concept. In the treatment of many medieval commentators tyranny was also conceptualised as the absence of a legal order. In his treatise *De Tyranno*, Bartolo da Sassoferrato argued, in a formulation borrowed from Pope Gregory the Great, that a tyrant was somebody who ‘does not rule by law (*non iure principatur*)’. For Bartolo, there was a close connection between the illegal nature of tyrannical rule and the denial of justice. By acting unfairly, the tyrant kept the city in a state of permanent division. According to Bartolo, this prevented him from delivering fair judgements, thus leading to a breach of the *Lex Iulia de vi publica* about the nature and legitimacy of governmental authority<sup>46</sup>. Bartolo’s text circulated widely in later medieval Europe, but it built on an even more widely-known categorization by Thomas Aquinas. Like Aquinas, Bartolo distinguished between two types of tyrants: first, tyrants ‘by defect of title (*ex defectu tituli*)’ who had usurped their office; secondly, tyrants ‘by conduct (*ex parte exercitii*)’ whose actions ‘do not further the common good, but only benefit the tyrant himself (*opera eius non tendunt ad bonum comune, sed proprium ipsius tyranni*)’. Aquinas and Bartolo agreed that it was possible to reject the authority of both types of tyrants<sup>47</sup>.

The concerns of the Ciompi and other rebels about the provision of justice were, therefore, deeply rooted in contemporary political and legal theories about the duties of rulers and in a perception that acting against such rulers could even be seen as legitimate. In the case of the Ciompi revolt, in fact, justice seems to have been a much more important concept for rebels than liberty. This does, of course, not mean that justice was necessarily as central a concept in all urban revolts, but it serves as a reminder that the aspirations and demands of later medieval urban rebels need to be analysed in the context of their broader concerns and the particular political and legal framework which they inhabited.

<sup>44</sup> Bartolo da Sassoferrato, *Tres Codicis libros commentaria*, fos. 7v (X.1.5), fos. 86v–87r (XII.40.5). For this tradition of interpretation, see De Benedictis, «Rebellion – Widerstand»; Conte, «“De iure fisci”». See also De Benedictis, *Neither Disobedients nor Rebels*.

<sup>45</sup> *Il tumulto dei Ciompi*, ed. Scaramella, p. 14.

<sup>46</sup> Bartolo da Sassoferrato, *Tractatus de tyranno*, in *Politica e diritto*, ed. Quaglioni, pp. 184, 202–205.

<sup>47</sup> Bartolo da Sassoferrato, *Tractatus de tyranno*, in *Politica e diritto*, ed. Quaglioni, pp. 185–202; Thomas Aquinas, *S. Thomae opera omnia*, VI, pp. 787–788 (*Scripta super libros sententiarum*, II, dist. XLIV, quaest. II, art. II). For the circulation of Bartolo’s treatise in Europe, see Quaglioni, «Das Publikum der Legisten im 14. Jahrhundert», pp. 99–100; Paradisi, «La diffusione europea del pensiero di Bartolo», pp. 449–450.

### 3. CONCLUSION

Ever since the the nineteenth century, historians have seen a close connection between the urban revolts of the later Middle Ages and the ‘liberty’ urban rebels hoped to gain when they occupied city squares and overthrew governments. However, *libertas* meant something different to the urban rebels of Bologna, Liège, or Florence than what it meant to the revolutionaries of 1789, 1848, or 1871 or to the modern historians, who inspired by the ‘Age of Revolution’ which they themselves inhabited, wrote about them. The slogan ‘*libertas*’ was undoubtedly important sometimes, particularly in the context of the frequent revolts against external rulers, as was the case in Bologna’s revolts against papal rule or the revolts in Liège against the city’s prince-bishops. In this context, *libertas* often had the rather specific meaning of referring to the jurisdictional autonomies which particular political institutions in cities, such as urban governments or guilds, were supposed to enjoy. It is interesting that in the altogether different context of the Ciompi revolt – which was aimed at internal enemies, not an external ruler – *libertas* was a much less important slogan for rebels. In the Ciompi revolt, alleged breaches of justice and violations of what was perceived to be the city’s legal order were much more central to rebels’ aspirations and concerns. What emerges from all these cases is that ‘liberty’ was always part of a wider package of demands, aspirations, and values that need to be evaluated in the context of the particular vocabulary and conceptual paradigm within which rebels operated. There is always the danger that, as scholars operating within the vocabulary and conceptual paradigm of the modern world, we make liberty more central to the concerns of rebels than they actually were. In modern liberal thought, liberty is the central organising concept to which other values were subordinated and around which an entire ideology was built – but it would obviously be highly problematic to assume the same for the rebels of medieval Europe.

It is, however, not enough just to rethink the connection between later medieval urban revolts and liberty. Ideas about freedom-thirsting urban rebels are themselves rooted in a long historiographical tradition of thinking about the cities of medieval Europe. Nineteenth- and twentieth-century historians, after all, extolled cities as havens of freedom in a Europe otherwise characterised by feudalism and monarchy. There has also been a long tradition of viewing the Italian or Flemish cities of the later Middle Ages as proto-democracies<sup>48</sup>. Indeed, claims about the exceptionalism of European cities vis-à-vis cities in other parts of the globe have often rested precisely on the assumption that only European cities developed a

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<sup>48</sup> Especially influential in the creation of this image were Weber, *Wirtschaft und Gesellschaft*, pp. 796-814 and Pirenne, *Les villes du Moyen Âge*, pp. 149-203. On proto-democracies, see Pirenne, *Les anciennes démocraties des Pays-Bas*; Lane, «At the Roots of Republicanism»; Putnam, *Making Democracy Work*.

concept of urban liberty. In his posthumously published essay *Die Stadt*, Max Weber famously argued that only European cities developed autonomous urban communities which enjoyed a distinct kind of law, partial or full autonomy or autocephaly, and constituted legal corporations in their own right. Chinese, Indian, or Islamic cities, by contrast, were divided by clans or castes and did not develop into autonomous urban associations<sup>49</sup>. Few historians would today agree with these characterisations of European cities. Indeed, by abandoning the notion that freedom was so central to the operation of European cities many new possibilities for comparisons of European cities with other parts of the world open up. There were, for instance, also high levels of urban revolt in the later medieval Islamic world where there was no concept of urban liberty, but where grievances about justice and the legal order also brought city-dwellers to revolt against their rulers<sup>50</sup>. *Libertas* was, of course, one of the things that mattered to medieval European urban rebels, but the excessive attention that has been devoted to it, in many ways, tells us more about our concerns in the modern world than about the Middle Ages.

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<sup>49</sup> Weber, *Wirtschaft und Gesellschaft*, pp. 727-741.

<sup>50</sup> Lantschner, «Invoking and Constructing Legitimacy»; see also Elbendary, *Crowds and Sultans*; Hirschler, «Riten der Gewalt».

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