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Control of Emotions and Comforting Practices before the Scaffold in Medieval and Early Modern Italy (with Some Remarks on Lorenzetti’s Fresco)

Introduction

As preliminary remarks, I find useful to come back to the part of Ambrogio Lorenzetti’s fresco which figures as front image for this conference (fig. 1). The winged woman flying just over the countryside is Securitas, embodying the political response of Justice to the “anxiety of the Republics”. Such anxiety is in turn represented by Timor, which is put in the fresco just in front of Securitas, on the opposite side of the room. Here’s a transcription of Security’s “cartiglio”:

“Sença pavra ogn’uom franco camini
elavorando semini ciascuno
mentre che tal comyno
manterra questa do(n)na i(n) signoria
chel alevata arei ogni balìa”.2

The image vividly shows how the “signoria” of this lady (the Justice) is possible: this delicate “angel” firmly exhibits on its hand a gallow with a hanged man. The essential condition that allows a citizen to walk free (“ogn’uom franco camini”) is that the criminal justice efficiently works. Why, however, is this virtue the only one represented outside the city, in the so called “Effects of good government in the countryside”? I’d like to propose a little suggestion, hopefully convincing, for that. If we better take a look at the whole fresco (fig. 2), Securitas is actually not flying in the open country, but just outside the city walls. Indeed, that was the place where criminal justice usually achieved its office: a parallel look at the famous Carta della Catena (fig. 3), for instance, shows that the scaffold for public executions was normally placed just outside the city walls, in Florence as well in Siena and in almost all the Italian cities. There is however another subtler – but not less meaningful – hint in Lorenzetti’s detail, which I think was completely ignored until now.3 By focusing a little more on the silhouette of the hanged man, we can in fact easily figure out a devil’s face in what normally seems to be a white simple dress stirred up by the wind (fig. 4). In medieval imagery it’s not unusual to find civil offenders surrounded or even goaded by devils, as the Leggenda of Caterina from Siena shows (emphasis mine):

“[Caterina] guardando dalla finestra, in brevissimo tempo non solamente considerò l’asprissima pena di coloro [going to the scaffold]; ma ella vide grande multitudine di demoni essere intorno a loro più che mosche, che con grandissima importunità gl’inducevano a desperazione”.4

Even the proximity of devilish figures to hanged persons is not a novelty: the image of Giotto’s Desperatio in the Cappella degli Scrovegni (fig. 5), as well as the illustrated story of Antonio Rinaldeschi (fig. 6), and also some of the accounts reported in Gherardo Ortalli’s study on the pittura infamante5 reveal, as now Lorenzetti’s Securitas, a very specific meaning: those condemned to death

1 See in this volume the paper of Andrea Zorzi, whom I thank along with Fabrizio Ricciardelli, for inviting me to this meeting. I would like to thank also Matthew Gregory for his precious editing of the text.
2 “Senza paura ogn’uom franco camini / e lavorando semini ciascuno, / mentre che tal comyno / manterrà questa donna in signoria, / ch’el à levata a’ rei ogni balìa” [Without fear every man may travel freely / and each may till and sow, / so long as this commune / shall maintain this lady sovereign, / for he [the commune] has stripped the wicked of all power]. For the text I follow the edition by F. Brugnolo, “Le iscrizioni in volgare: testo e commento”, in Ambrogio Lorenzetti. Il Buon Governo, ed. by E. Castelnuovo, Milan 1995, pp. 381-391: p. 385.
3 I would like to thank Elise Wilk for making me discover this.
4 Leggenda minore di s. Caterina da Siena e lettere dei suoi discepoli, ed. by F. Grottanelli, Bologna 1868, p. 89.
5 G. Ortalli, “...pingatur in Palatio...”. La pittura infamante nei secoli XIII-XVI, Rome 1979, cf. part. pp. 126-27. I am very grateful to Benedetta Chiesi, who addressed me toward this peculiar iconographic genre. The reference to Lorenzetti’s Securitas appears, along with that to Giotto’s Desperatio, in Ortalli’s book (cf. p. 108 n. 37), yet no mention of
are guilty of breaking the unity and the liberty of the Commune. Their faults, as social evils, have to be considered not only capital crimes, but also deadly sins. So those guilty, as *disperati*, have – or rather wear – a kind of demonic, for they should be totally eliminated from the civil community. However, the hiding of Lorenzetti’s devil’s face in the dress-folds of the hanged man seems to disclose a more peculiar sense, which draws this finding up to that – more famed – made in Assisi Giotto’s fresco by Chiara Frugoni (fig. 7, 8), and which is perhaps to be related with the presence of the positive figure of the “angel” *Securitas* and, in general, with the positive message of *Buon Governo*. Evil, even if subdued by the triumph of Good, appears then to be not completely “erased”: its presence still keeps threatening, this time in a hidden way, by the effects of Good.  

Trusting that the specialists will give much less naïve explications than mine, it is now however more prominent to my subject to say that, beside devils and angels and other super-human beings, at the end of the Middle Ages some other positive (human) figures appeared as witnesses of an extreme reconciliation of those offenders with God and the community: they are the members of the “companies of justice”. Following those condemned all the way to the death, those merciful assistants tried to give an ultimate chance of redemption to the *disperati*, which essentially lies in an open confession of all the sins of those guilty, as well as in their readiness to die willingly, that is without any resistance to public power. Such act of reconciliation eventually joined the ritual of death execution, in order to better control and channel all the “emotional waves” springing out from what is commonly defined as magnificent public drama. Nevertheless, there was still something which didn’t allow achieving a ‘perfect synthesis’ between this ceremonial and a drama: the protagonist of a death execution is in fact someone not acting, whose body is still living, whose conscience is still working and reacting. As a “polysemous system”, such ritual prefigured different visual, sound and gestural effects, all of them aiming at two main targets: the body and the soul of that condemned. Both indeed appear to be a key issue for understanding how mercy and comforting practice becomes in Italy, from the mid-fourteenth century, a crucial instrument of mediating emotions in public executions.

**The “body” factor**

Comforting practice started to dawn between fourteenth and fifteenth century, in relation with new forms of mercy, as well as with the re-discovery of the body, since physical pain started to gain a positive function of redemption. Such practice, aiming for the care and salvation of the soul of those sentenced to death, becomes then complementary to the repressive power of justice, which aimed instead for the bodily pain of those condemned. In particular in Italy, from the late fourteenth century, different huge Christian associative movements started to dawn, often involving baseborn laypeople in collective practices of body disciplining and in different works of mercy. The Florence comforting Company, for instance, raised in mid-fourteenth century, was probably inspired, as well as that of Bologna, to the movement of the *Disciplinati*. For those adopting a

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6 It must be noticed – and such remark can perhaps have some consequences in the global interpretation of the scene – that the monstrous face hidden in the hanged man’s dress doesn’t really stares menacingly at the *Securitas*, but actually at the she-wolf statue (p. 248), the winged woman (p. 251), and the hanged man (p. 253).


9 On the history of the Bologna Confraternity, cf. at least M. Fanti, “La Confraternita di S. Maria della Morte e la Conforterìa dei condannati a Morte in Bologna nei secoli XIV e XV”, in *Idem*, *Confraternite e città a Bologna nel Medioevo e*
Gospel-like way of life, stories like that of John the Baptist or Jesus were directly mirrored into the sentenced-to-death’s experience. Then, their Passion appeared exemplary among the iconographic themes of the tavollette, a sort of portable painted square panels showed by comforters to the condemned during his last night, and kept close to his face all along the walk to the scaffold.

Such process of sympathy between the comforter and that sentenced is already evident in the fifteenth century Bolognese Manuale della Conforteria di Santa Maria della Morte, the oldest document of its genre, recently edited by Alfredo Troiano. In these instructions for the confreres the dialectic between body and soul appears from the opening words addressed to the sentenced man, who is, by the way, always called “fratello mio”.

This sympathetic attitude was increasingly codified along the centuries in formulaires expressly prepared for the work of confreres: evidence of that is the Florentine Instruzione Generale del modo che deve tenere ogni fratello nell’atto del confortare (seventeenth century) of Confraternity of San Giovanni Battista, also known as Company of Santa Maria della Croce al Tempio or Compagnia de’ Neri. Here’s the first instruzione (emphasis mine):

“Primieramente, subito che il confortatore anderà dall'afflitto, chiamandolo con il nome proprio, o con quello di fratello afflitto, lo saluterà dicendogli: ‘Il Signore Iddio sia con voi’, o altre simili parole, e dolendosi dello stato in cui si trova si sforzerà o mansueto o ostinato che ha di trattar con esso con tutta la carità e docilità e di acquistarsi la confidenza del medesimo, tanto con le parole, quanto con l’opere, fino ad abbracciarlo se bisognerà, ed anco baciarli le mani ed i piedi in darli a dimostrare che, quanto si dice e si fa, il tutto è senza alcuno interesse o propria passione, ma solo per carità e zelo dell’anima sua” [f. 178r].

Such process of identification with the suffering body of that condemned is not a negligible fact, if we think that until very late in Italy, as well as in other European countries, not only the public authorities, but the majority of people were reluctant to consider the man condemned to death otherwise than an infected and accursed body. In addition to that, the period of dawning of such comforters’ companies was also, according to Kathleen Falvey,

“a period when vernacular religious plays flourished throughout Italy, with plays of Christ’s Passion and of saints’ martyrdoms becoming common in the very areas where the confraternal comforting of prisoners was established and well known”.

Of great importance are also some accounts of those heretics who were very close to the evangelic movements, like the anonymous Storia di Fra’ Michele Minorita (1389), in which the trial and the following execution of this friar is told like a profane Passion, while his walk to the stake is portrayed as a Florentine via Crucis. The sacrifice of Christ and the role of body and blood in the redemption of those sentenced are also crucial in the famous letter of Caterina da Siena to nel’età moderna, Rome 2001, pp. 61-173 (already in «Quaderni del centro di ricerca di studio sul movimento dei disciplinati», 20 [1978], pp. 3-101). On Florence, see L. Fineschi, “La rappresentazione della morte sul patibolo nella liturgia fiorentina della congregazione dei Neri”, Archivio storico italiano, 150 (1992), pp. 805-46. On the sources of the Florentine company and on a statistic treatment of death executions in Florence, see the important work of E. Luttazzi Gregori, “La «morte confortata» nella Toscana dell’età moderna (XV-XVIII secolo)”, in Criminalità e società in età moderna, ed. by L. Berlinguer and F. Colao, “La Leopoldina”, 12, Milan 1991, pp. 25-91. An exhaustive bibliography about the comforting companies of these and other Italian cities is in A. Prosperi, “Morire volentieri: condannati a morte e sacramenti”, in Misericordie, Conversioni sotto il patibolo tra Medioevo ed età moderna, ed. by A. Prosperi, pp. 3-70: pp. 54-70.


11 Ibidem, p. 369.

12 Firenze, Biblioteca Nazionale Centrale, ms. II I 138, ff. 167r-175r. The hand of manuscript is much more recent (18th cent.), but internal evidences brings back the composition of the text to the 17th cent.

13 See Zorzi, Le esecuzioni cit., passim; Fineschi, La rappresentazione, p. 809.


Raimondo di Capua (1375), in which the mystic reports how she comforted one sentenced to beheading from the night before the execution until the scaffold. There we find all the crucial steps of comforting practice: the visit during the last night, in which the comforter prepares the condemned man to the confession and assures him her assistance until his end:

“Andai a visitare colui che vui sapete: onde egli ricevette tanto conforto e consolazione, che si confessò, e disposei molto bene. E fecemisi promettere per l’amore di Dio che, quando venisse il tempo della giustizia, io fussi con lui. E così promisi e feci” [p. 873].

A second visit before the calling at execution, in which the comforter administers the sacrament, prepares that condemned to “die well” and tries to relieve his sudden anguish with consoling acts and words:

“Poi, la mattina innanzi la campana, andai a lui; e ricevette grande consolazione. Menailo a udire la messa; e ricevette la santa comunione, la quale mai più aveva ricevuta. Era quella volontà accordata e sottoposta alla volontà di Dio; e solo v’era rimasto uno timore di non essere forte in su quello punto. Ma la smisurata e affocata bontà di Dio lo ingannò, creandoli tanto affetto e amore nel desiderio di Dio, che non sapeva stare senza lui, dicendo: ‘Stà meco e non mi abandonare, e così non starò altro che bene, e muoio contento’” [ibid.].

Lastly, the comforting acts before the scaffold, with orations

“Aspettailo dunque al luogo della giustitia, e aspettai ivi, con continua orazione e presenza di Maria e di Caterina vergine e martire” [p. 874].

Physical proximity to the body of that sentenced and further soothing words:

“io gli distesi el collo, e chinàmi giù e ramentàli el sangue dell’agnello: la bocca sua non diceva, se non “Gesù” e “Caterina”, e così dicendo ricevetti el capo nelle mani mie, fermando l’occhio nella divina bontà, dicendo: Io voglio!” [ibid.]

Nevertheless, in Caterina’s words and acts, despite any apparent analogies with the lay practice, there’s something strongly distorting and even disrupting the official idea of comforting practice. As Kathleen Falvey remarked:

“It is quite clear what Caterina wanted: her own martyrdom […]. She desired to imitate the martyr, to accompany Niccolò in his bloody passage, or to take his place so that she too could assume the iconographic epithet cephalophorus”.17

This uncontrollable desire seems actually to have very little to do with the peace-making role of comforting companies. Caterina’s acts appear very revolutionary and risky if compared with the rigid restraints to which comforters were subject: they essentially lie in inducing that condemned to consider and appreciate his own bloodshed as a sacrifice re-joining him to God. And indeed, in one of her mystic rapture, she gets excited in so far as showing him all her desire of martyrdom:

“E teneva il capo suo in sul petto mio. Io allora sentiva uno giubilo e un odore del sangue suo; e non era senza l’odore del mio, il quale io desidero di spandere per lo dolce sposo Gesù. E crescendo il desiderio nell’anima mia, e sentendo il timore suo, dissi: ‘Confòrtati, fratello mio dolce; perocchè tosto giungeremo alle nozze. Tu v’anderai bagnato nel sangue dolce del


17 Falvey, Scaffold and Stage, p. 24.
Figliuolo di Dio, col dolce nome di Gesù, il quale non voglio che t’esca mai dalla memoria. E io t’aspetto al luogo della Giustizia” [p. 873].

At the place of justice, just before the condemned man arrives, Caterina showed again her mystic anxiety by getting down and stretching her own neck on the block, spurred on by the strong desire to be executed:

“Prima che giugnessi elli, io mi posi giù, e distesi il collo in sul ceppo: ma non mi venne fatto che io avessi pieno l’affetto di me” [p. 874].

In fact, her staying very close to the head of that sentenced, as well as her keeping his head during the beheading, is clearly disruptive for the strict rituals of comforters. The end of the account confirms all the “destabilising” features of Caterina’s comforting attitudes. As in a gory orgy, the mystic from Siena enjoys being filled by the blood of that sentenced and totally smelling it:

“Riposto che fu, l’anima mia si riposò in pace e in quiete, in tanto odore di sangue, che io non potevo sostenere di levarmi il sangue, che mi era venuto addosso, di lui” [p. 875].

How should an “official” comforting practice be then? Actually, the more visible the emotions of a comforter are, the more risky the success of comforting practice turns out to be.

In the Instruzione universale per la Compagnia de’ Neri in occasione d’esecuzione di condannato a morte, held in the same manuscript of the above mentioned Instruzione generale,18 there’s a special paragraph on the confreres behaviour during a sentence of beheading. This document testifies as well a century-long codified conduct of comforters about the sentenced-to-death’s body. There we see their mercy working in silence or at the most in whispers, using discreet acts and gesture (their movements for hiding the axe of executioner to that condemned) and adopting tools which should preserve both the confreres (the hats covering their faces) and the victim (the painted panels and the blindfold) from showing any perturbing emotions:

“Taglio della testa. Quando doverà tagliarsi la testa [...] salita che sarà la compagnia su il Pratello dell’esecuzione, i primi fratelli dopo le torcie, tanti quanti bastino, anderranno intorno alla mannaia, e stando in piedi usciranno ogni maniera di coprirla, acciò arrivato su il detto Pratello l’afflitto et andando come se ad inginocchiarsi in faccia al tabernacolo del detto Pratello non la veda, e gli altri andarranno ad inginocchiarsi al solito. Quando il Carnefice haverà bendato l’afflitto allora i fratelli che saranno stati attorno la detta mannaia anderranno al loro luogo, et i confortatori, messi in mezzo l’afflitto lo seguiranno al patibolo, tenendogli la tavoletta alla faccia, e giuntivi s’inginocchieranno con esso e ritirando la detta tavoletta dalla di lui faccia seguiranno a confortarlo, et allora il Carnefice farà mettere all’afflitto la testa sotto la mannaia” [f. 175v].

Unlike Caterina’s extreme proximity to the body of that condemned during that supreme act, comforters shall step back to allow “justice” achieving its function in the best possible way:

“il confortatore ch’haverà la tavoletta terrà questa vicino alla terra davanti alla testa del detto afflitto, dalla parte esteriore della detta mannaia, con fargli fare quegl’atti di pietà e dire quell’orazioni iaculatorie che stimerà convenevoli sin’a che il Carnefice non si prepari a tagliare la corda del ceppo, et allora il detto confortatore si scosterà con la persona et con la tavoletta dicendo in modo che l’afflitto possa sentire: In manus tuas Domine commendo spiritum meum, e lascierà ch’el Carnefice eseguisca il suo ofizio. Rescissa che sarà la testa dal suo busto, il confortatore ch’haverà la tavoletta prenderà quella con tutt’e due le mani per le guance di essa [176r] rivoltata in su, e la porrà nel cataletto già preparato, dove nello stesso tempo quattro altri fratelli eletti a portar detto cataletto prenderanno due dalle braccia e due dai piedi il cadavere e lo

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18 Firenze, Biblioteca Nazionale Centrale, ms. II I 138, ff. 167r-175r.
As shown, the foremost aim of comforters was to mediate all the possible emotions springing out from the public ceremonial of death sentence and not to exalt them, as the crowd, the mystics and even the confessors were inclined to do. The extreme prudence by which they handled comforting practice was firstly an effect of human mercy. On the other hand, it represented also an act of compliance with the official power allowing them to perform in a situation which could become at any moment emotionally disrupting and socially destabilising.

The "soul" factor
According to Adriano Prosperi:

“in these conversations between the comforters and that condemned, one word echoed more loudly than the others: grace. It is an ambiguous word with a double meaning: grace on earth and the grace of eternal life came face to face. [...] Divine grace in exchange for accepting public condemnation: this is the paradoxical argument that comforters [...] advanced ever more determinedly in their work of counselling and conversion at the beginning of the modern age”.19

And so, while on the one hand comforters claim their work of mercy before the secular judge in order to hope for a pardon, on the other hand, as devoted people, they address God, the supreme judge, for he eventually gives those guilty eternal grace. Such tension between mercy and justice, both secular and divine, brings back another legendary exemplum concerning Caterina from Siena, whose miraculous effects of devotion were very widespread at that time. The account is about an old Senese unrepentant sinner at the deathbed. Caterina, after hearing of his total reluctance to confess, engages in an obstinate debate with God in order to obtain pardon for him. Firstly God, like a merciless judge in a secular trial, lists all his sins (which were by the way also charges liable to death sentence):

“Le iniquità di costui per lo quale tu mi prieghi sono tante che sono venute in cielo dinanzi da me; però che egli è giocatore, bastemmiatore di Dio e de’ santi, et in tutto è ostinato nel male. E per mio dispetto e disprego arse una tavola nella quale era la figura mia, e quella della mia Madre, con tante altre sua iniquità, che la mia giustizia nol può nè vuole più sopportare. Unde cosa degnissima è che sia condennato allo eterno fuoco; e però figliuola non merita che tu più t’impacci de’ fatti suoi”.20

Such is God’s prosecution: all the charges he enumerates are so evident and terrible that no way of mercy seems to be possible. Yet this is, in turn, the pleading of Caterina, whose obstinate devotion and powerful sense of mercy remind of those of comforters:

“E quando il Signore allegava la divina giustizia, la vergine prudentissima rispondeva: ‘Grazioso Signore mio, io non sono venuta nel tuo sacratissimo conspetto per disputerne con la tua giustizia; ma per dimandarti misericordia per questo mio fratello. Io so che la tua misericordia, della quale è pieno el cielo e la terra, è maggiore che l’altre tue operazioni. A te è proprio di fare misericordia. Tu per la bontà tua mi promettesti ch’io sarei cagione della salute di molte anime, e però da’ tuoi santi piei non mi partirò mai, se prima non fai misericordia a questo mio carissimo fratello’ Queste e molte altre cose allegava questa prudentissima vergine. Et in effetto questa piaiosa disputazione bastò tutta la notte in fino all’aurora. Infine la misericordia vénse la giustizia”.21

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20 Leggenda minore di s. Caterina, p. 89.
21 Ibidem, p. 90
Caterina’s wilfulness, as well as her arguments before the supreme judge, was probably well retained by the workers of mercy during their practice. Such disputatio of mercy and justice, however, entailed further judicial and theoretical questions of crucial importance, namely the relationship between crime and sin and the trust in a second life (and so even in a second death, much more frightening than the first), which became all along the Middle Ages a matter of a fraught controversy between public and religious authorities: should an earthly outlaw be definitely a heavenly outlaw? Prosperi, among the others, has very well outlined how crime and sin, otherwise theologically and legally well separated, were in history often confused or identified, and how public executors looked at this identity as the only way to warrant the strength of their authority and the total control over their subjects. That’s why in many countries (e.g. Germany, France and England) public power was mostly reluctant in granting the sacraments to those sentenced to death: it indeed planned a total dissolution of his body, as the “hanged, drawn and quartered”, the “four-horses-dismemberment” and the public anatomy rituals clearly show. Neither torture nor any type of capital punishment, on the other hand, could really inflict on the sentenced-to-death’s mind a more intimate anguish than the fear of a second death. Such fear created a kind of pervading desperation for those going to the scaffold, exponentially increased by the glare of almost always hostile onlookers they had to endure on their march towards death. This is the crucial moment in which comforting practice becomes necessary, both for those condemned and for a successful conclusion of such spectacle of terror. Some studies on the libri dei giustiziati of Ferrara Company have already showed, for instance, how desperation and obstinacy of those condemned could sometimes rip the subtle emotional veil impending before the scaffold by transforming the rigid ceremonial of execution into a tragic escalation of emotion and violence. My examination of documents concerning the Florentine comforting Company has confirmed those case studies as well as the confreres’ aim at easing as much as possible the spiritual pains of the condemned person and his tendency to desperation. The 24 articles of the above mentioned Instruzione Generale represent a well settled exposition of how a comforter can envisage and possibly face the potential subversive desperation and affliction of a person facing the death sentence. For instance, article 2 essentially recommends passivity to and tolerance of any kind of emotional outburst of that condemned and discourages any form of severity (emphasis mine here and after):

“Cercherà di mostrare al reo ogni più tenera compassione per la di lui disgrazia e gli approverà li suoi lamenti e lagrime, e mai l’insulterà o braverà o tratterà male di parole o di fatti, se non quando esso fusse del tutto ostinato e non vi fusse altro rimedio che lo strapazzò ed il rigore, nel qual caso ognuno sarà tenuto a darne parte ai suoi superiori per far ciò che sarà stimato più giovevole all’anima del paziente, come sotto si dirà al n.° 11” [f. 178r].

In addition to that, article 4 shows for example how any attempt of the condemned at carrying his desperation against God or the comforter shall be tolerated and appeased:

“Se esso darà in smante e in scandescenze e anche di bestemmie ed imprecazioni, lo lascerà da principio alquanto sfogare senza parlare, e subito che esso sarà punto quieto, con carità ed a poco a poco li farà conoscere l’errore ed il grave peccato in cui è incorso collo strapazzare il nome di Dio e de’ santi, e senza mostrare ira verso di lui, lo correggerà suavemente, mostrandoli avere il Sign.re Iddio permesso con ciò salvare l’anima sua, e se trattasse male il confortatore con parole ingiuriose, o in altro modo, non lo corregga in altra forma che con ringraziarlo per l’occasione che gli dà di poter soffrire simili strapazzi a gloria d’Iddio od in salute dell’anima sua” [ff. 178r-v].

22 Prosperi, Morire volentieri, passim.
Controlling emotions of a man sentenced to death needs an endless patience. Comforters shall be aware that conversion or preparation of a good death may be achievable only step by step. Hence the high frequency of adverbs, like *a poco a poco*, in these kinds of manuals (art. 8):

“O sia convertito o ostinato, procurino tutti i modi di andare incontro particolarmente a quella passione che più dominerà il povero afflitto, o sia di rendetta, o di disperazione, di amore verso i figlioli, moglie e parenti, d’avversione all’infamia o altra, e con tutta carità cerchi mitigargliela a poco a poco con quelle ragioni e modi che gli detterà la propria perizia, e non bastandoli l’animo di ottenere il suo intento, chiamerà altri frati più pratici, acciò tra tutti lo riduchino all’*intiera quiete*” [f. 179r].

Any radical obstinacy of the condemned is considered as a devil’s temptation, and it must be treated as an illness needing increasingly effective remedies, like prayers and lauds (art. 9):

“Lo stesso faranno, se scopriranno avere il medesimo *gran tentazione diabolica*, alla quale rimedieranno con palesargli l’astuzia del demonio ed il fine che ha con esso, e con farli fare espresamente *atti contrari alla detta tentazione*, insieme con qualche *orazione alla SS. Vergine, a S. Giovanni Battista, al suo angiolet custode, ed ad altri santi sua devote*” [f. 179v].

Otherwise, converting efforts may come to more serious remedies, like the calling of Company’s Governor or even the using of harsher words (art. 11):

“Se poi il reo non volesse confessarsi o stesse ostinato nella sua perversità, o generale o particolare, allora il servo, richiesto da’ confortatori, avviserà di ciò il Proveditore, che lo partecipi al Governatore, il quale [...] userà ogni maniera ed ogni atto di carità per rimovere detti ostacoli; e non bastando questo chiameranno altri frati de’ più pratici, che facciano lo stesso, cercando principalmente di tore al reo ogni speranza di vita, con dirgli che deve morire, o beato se si converte, o dannato se nega di farlo” [f. 179v].

Or they may even resort to some aspects of theatrical acting, in order to emotionally strike that condemned (art. 11):

“[...] Dettoli questo i confortatori *lo lascranno in silenzio senza dirgli alcuna cosa*, e dopo qualche tempo, *all’improvviso*, gli presenteranno d’avanti agl’occhi qualche santa imagine di Giesù appassionato, e con tutta pietà lo persuaderanno a corrispondere alle divine chiamate, con minacciarlo che quel sangue che scaturisce da quelle piaghe per la sua salute, servirà tra poco tempo ad accendere maggiormente il fuoco della sua dannazione. Gli faranno anco vedere all’improvviso qualche teschio di morto, insinuandogli come doverà essere *esso tra poche ore*. Potranno anche portarli esempi di re, di regine, e di altri signori grandi che, condanni a morire per mano di Boia, vi si sono preparati con quiete e rassegnazione, riconoscendo il tutto da mano di Iddio, e *che esso che è un vile, un plebeo, un infame abbia a recalcitrare contro la Giustizia divina et umana*, con altre cose che concludano l’argumento” [ff. 179v-180r].

Before the most tenacious man, eventually, the work of comforters may even come to the point of a collective insulting and an out-loud condemnation of his obstinacy (art. 11):

“Et se tutto ciò non giovasse allora et in tal caso doveranno i confortatori *usare i rigor*, cominciando dalle *cattive parole*, chiamandolo *peccatore ostinato*, traditore dell’anima sua, ingrato a Dio ed al suo sangue, figlio del demonio, anima dannata, vano scellerato, e nell’istesso tempo lo *lascranno tutti*, con dichiararsi di lasciarlo in mano del demonio e al Carnefice, che prontamente lo strangolerà e mandarallo all’inferno da esso voluto e meritato” [f. 180r].

So every single act or speech by the comforters is strictly controlled and carefully measured, in relation with the situation and with the occurring needs. Comforters don’t have to exceed in their practice (art. 19):
“Non doveranno i confortatori esser prolissi e confusi nel parlare, ma doveranno parlare uno per volta, e con pausa uno dall’altro, e doveranno lasciare stare il reo con quiete bene spesso, e aspettare alle volte che esso introduca il discorso, e con moderazione risponderli, particolarmente se esso sarà ridotto e contrito, nel qual caso potranno anco lasciarlo dormire e riposare alquanto, e svegliato che sia potranno farli fare qualche atto di virtù, ma breve ed efficace” [f. 181r]

neither shall they avoid any movement quickening the step to the scaffold of that sentenced (art. 20):

“Si guarderà ogni confortatore e fratello di fare o dire cosa che possa accelerare anche per momenti la morte al paziente, siccome di tirare, toccare, sollevare, e sollecitare il reo in caso che non potesse o non volesse andare avanti, ma solo con le parole in tal caso l’esorterà a rassegnarsi nella volontà di Dio e de suoi superiori, colla virtù dell’obbedienza, e suggerire a quanto da essi è stato risoluto col prendere tal gastigo volenteri in sconto de’ suoi peccati, o con altre simili e generali parole. E dato il caso che per la strada o altrove, purché questo non segua sulla forca, il reo inciampasse o cadesse o venisse meno per qualche deliquio, allora i confortatori potranno aiutarlo, reggerlo e soccorrerlo, particolarmente quando ciò non potesse comodamente farsi dal servo o altri assistenti, e questo per non mancare a quella cristiana carità, che ci comanda che facciamo bene e difendiamo dal male, patendo il nostro prossimo” [f. 181r-v].

As a matter of fact, these practical suggestions helped comforters to achieve their aim more easily, by converting the suffering person (afflitto) and preparing him to eventually die well and wholeheartedly.

A codicological survey on the execution registers of Florence comforting company

As well as for those cases of obstinacy at the point of death, several cases of “good death” were also considered exemplary by comforters and showed as historical evidence of both the necessity of confession and the efficacy of the Company’s practice. Such a use of these cases is proven by the peculiar manuscript tradition of execution registers held by comforting Companies. An overview of the huge corpus of manuscripts concerning the Florentine Company (more than 30 items) has showed that its registers of executed people can be divided in two main types:

1. a type α, that is an extended version, going from 1420 to 1745 (or 1752), reporting 1958 executed persons;
2. a type β, that is a reduced version, often going back to mid-fourteenth century and finishing as well around mid- eighteenth century, and reporting about 300 executed persons.

Now type α is represented, along with some others, by the most important manuscripts for the history of the Company, namely the Trivulziano 207 (sixteenth century) and the already mentioned BNCF II I 138 (eighteenth century), which also gather other essential documents for the Company. On the other hand, type β is represented by the remaining tradition, uniquely formed by recent manuscripts (seventeenth and eighteenth centuries). My hypothesis is that type β is a selection

24 Here’s the list of the manuscripts directly examined: Firenze, Biblioteca Nazionale Centrale, mss. II – 71; II I 138; II III 502; II IV 157; II IV 327; II IV 377; II VI 59; Capponi 207; Capponi 305; Cappugi, 170; Cappugi 272; Cappugi 428; Magliab., VII 859; Magliab. VIII 43; Magliab. XXV 42; Magliab. XXV 159; Magliab. XXV 418; Palatino, 454; Passerini, ms. 55; Passerini, 55bis; Biblioteca Moreniana, mss. Moreni 13; Moreni 58; Palagi 174; Milan, Biblioteca Trivulziana, ms. 207. For the remaining Florentine mss., see Luttazzi Gregori, “La ‘morte confortata’”, p. 35, n. 31. Should be added to them now the two registers published by C. Fabbri, E fece buona morte. Memorie sui condannati alla pena capitale in Firenze in due “libri neri” inediti del Settecento, San Giovanni Valdarno 2004, which are very similar to those held in the Biblioteca Moreniana.

25 A similar distinction Adriano Prosperi noticed for Ferrara and Bologna registers, as I can see in his recent “Statistiche criminali italiane di antico regime”, Annali della Scuola Normale Superiore di Pisa, Classe di Lettere e Filosofia, s.V, 3/2 (2011), pp. 497-525; pp. 508 and ff. I am very grateful to the author for allowing me to read it before its issue date.
of type α originally made by comforters for practical purposes, and then diffused for devotional and historical interests. The aim was probably to create a case record for internal use, by selecting entries which were relevant both for the history of the Company and for comforting practice. The diffusion of this selection in the eighteenth century is due to devotional purposes and to an increasingly widespread interest in crime news in history, as we can see in the case of Cesare Beccaria, who made use of the registers of the Milan comforting Company to begin his consideration of the death penalty. The evidence of this hypothesis lies in the fact that in the two most important manuscripts of type α, entries appearing in type ß are highlighted with maniculae (Triv. 207) or underlined (BNCF II I 138). That means that the selection was originally made from the extended list of those manuscripts. I can’t yet definitely say whether the Florentine ms. is a direct copy of that Milanese. However, the Trivulziano codex figures to be the most ancient of the manuscript tradition and probably the original register of the Company after the Arno’s flood in 1557 badly damaged the ancient one.

What are, then, the selection criteria? There are cases exemplary both for history of the comforting Company and the comforters’ work. In some type ß registers, sometimes the record of executions starts long before the origin of the Company; that reveals the comforters’ aim at pre-dating the very beginning of their work, in order to give more prestige to their Company. In some other type ß manuscripts, the first entry is that of Delfo (or Dolfo) di Antonio “che batteva la bambagia”. He is actually the first executed person (1423, October 23rd) who was comforted by the Company after it was reformed (from that date comforters started to wear the traditional black copes and hats):

“1423
Dolfo d’Antonio che batteva la bambagia del popolo di san Piero. Fu dicapitato pel podestà addì 14 ottobre, et sepolto in san Piero detto. Costui fu il primo ch’ hebbe 26 battuti cioè e nostri con le veste nere, et furono dieci” [Triv. 207, f. 103v].

Another interesting entry for the history of the Company dates from 1531. From that year executions were made in a new place, which is just outside Porta alla Croce (currently Piazza Beccaria), and not anymore outside Porta al Tempio (currently Piazza Piave). The entry also reports the change of the way (“le cerche”) from the Bargello until to the scaffold:

“1531
Giuliano di [...] dal Ponte Arignano; Domenichio di Gostanzo del Perugino, detto Mencho. Addì primo di dicembre furono inpicchati al luogo della Iustitia nuovamente ordinato, cioè fuori di Firenze, tra la porta a’ Pinti e la porta alla Croce, alle torre a’ tre Conti, et furono e primi che morirno in detto luogo. Feciono le cerche, le quali a farsi si cominciorono al contrario, cioè da’ Lioni, dal Sale in piazza, et per Vachereccia in Merelato nuovo et vecchio al Canto alla Paglia. Lungho e fondamenti di Santa Maria del Fiore, et po’ al Canto de’ Pazzi, et per il borgo degli’ Albizi, sino al luogo della Iustitia, nuovamente da gl’otto di Guardia et Balia, et furono sepolti a Santo Ambrogio” [Triv. 207, f. 140r].

Other cases were selected in order to build a reference book for comforting practice and to better manage what Prosperi has called “the politics of emotions”.27 In those cases the selection focuses, among different type of crimes, mainly on those subversive of economic, social, political and religious order: servants killing their masters; lower class people killing nobles; falsifiers of coins and of credit letters; heretics (e.g. Giovanni di Cane da Montecatini or Savonarola); executions “per stato or per tradimento”. In addition to that, some other figures and accounts lend themselves to building hagiographical profiles: Turks and Jews converting before the scaffold; cases of people who, after surviving to the execution, were re-executed some days later for recidivism; cases of executed persons with a strong presumption of innocence; cases of “revolution” of the ceremonial

26 The ℡ form, here and in the following transcription, refers to the masculine plural determinative article.

of death sentence; lastly, natural or prodigious events occurring in conjunction with the execution. To conclude, this huge *corpus* of historical passions, gathered throughout the centuries by devoted hands of different Companies’ members, became essential for building a reference book in which selected cases were easily transformed into moral and hagiographical *exempla*, so that Companies could better handle that subtle politics of emotion, which they were born for. On the other hand, the same sober historicity of those documents became increasingly interesting for some careful readers like Cesare Beccaria, who “could contemplate in that way the violent side of his city, and eventually read what can be called “the anti-history” of his country”.28

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