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*Isola non isolata. Le Stinche in the Middle Ages*¹

The Italian government's Department of Penal Administration (DAP) publishes a monthly journal, aptly entitled «Le due città». But rather than seeking to evoke a central theme in Augustinian thought, the name consciously attempts to critique (and redress) the growing gulf between two social entities: the city and the prison². As if lifted from some Durkheimian textbook, this disjunction is symptomatic of how 'mainstream' and 'deviant' societies have come to construe themselves as profoundly and almost irrevocably at odds with one another – an ideology that reached its strongest manifestation in the Anglo-American world, where prisons are being relocated to rural areas or otherwise camouflaged as downtown office buildings³. And although the process is not nearly as pronounced in Italy (or in Europe generally), it is certainly a strong trend, as the DAP's journal emphatically stresses.

The disjuncture between convicts and free society, however idealized, was simply unimaginable when prisons were first widely introduced into communal justice systems, that is, between the mid thirteenth and the early fourteenth centuries. In this sense, Florence is not merely a case in point, but perhaps *the* case in point, for c. 1300 the commune created the flagship prison of late-medieval Italy and a unique facility in all of western Europe. Indeed, Le Stinche – as the compound soon came to be known – ranks high among the city's political, legal, administrative, and social achievements in its late-medieval period. And that this fact remains obscured today reflects our own mentality of «the two cities» rather than the original, socially integrative thinking behind the foundation of medieval prisons.

Ignorance about the real 'birth' of the prison as an institution (as distinct from that of modern penology) and about life within it dictates the two main goals of the present essay: first, to delineate the early history of Florentine incarceration, from its diverse and disparate origins to the foundation and routinization of Le Stinche as an exclusive facility by the close of the fourteenth century; second, to illuminate the organization of prison life and the considerable degree to which it relied on external intervention, be it by independent supervisors, charitable confraternities, or concerned individuals. For Le Stinche's location, regime, and the social permeability of its walls ensured that inmates and society at large interacted daily, thereby avoiding the creation of «a city within a city».

After briefly introducing the sources and available scholarship on the topic (sections 1-2), we will advance through three main sections (3-5): the first sketches a profile of Le Stinche mainly from an administrative point of view; the second analyzes the facility's financial aspects; and the third deals with prison society and the inmates' daily life. The conclusion (section 6) briefly situates Le Stinche within the wider context of two parallel and overlapping developments: the proliferation of prisons across late-medieval western Europe and the shifting of attitudes from exclusion to containment of social deviants at that time. For, contrary to the still prevalent view of late medieval society as imbued with a «persecuting mentality», identifying deviants in that period entailed a greater deal of tolerance than is usually recognized.

1. *Sources for the study of Le Stinche*

The high degree to which prison life in late-medieval Florence has been documented is perhaps the best testimony to Le Stinche's relative significance in the city's daily routine. Unlike most contemporary city-states, Florence constructed a self-standing, purpose-built facility, with an independent administration and an elaborate supervisory mechanism. These bodies in turn generated a substantial set of 'organic' documents, that is, records composed by and for prison government. Most of these records, which are unique for their period in both quantity and quality, were unfortunately destroyed in two separate bouts, first during the burning of the prison's archives in 1343, and later in the flood of 1966. Yet enough materials survive in the Florentine archives today for a responsible reconstruction of the institution's early phase, so far mostly neglected by scholars.

Three series of documents in particular form the basis of this study. Two comprise the prison wardens' original archive (*Soprastanti alle Stinche*). The first is a series of the facility's inmate-traffic registers (*Carceri e Carcerati*), containing basic biographical information on each incoming prisoner, the grounds for his or her arrest, the arresting officer or individual, additional charges, and the aftermath of imprisonment, such as release, execution, fines paid or reduced, and other interventions. The prison notary would edit one such register each administrative term, that is, twice in a calendar year. Of what would have been around two hundred such registers, from Le Stinche's foundation c. 1300 to 1400 (the cut-off date of the present investigation), merely eight volumes survive, not all of them fully legible⁴. No less damaged are the prison's financial records (*Entrata e Uscita*), which attest the inmates' payments of fines and debts and the wardens' expenses on salaries, physical maintenance, and miscellaneous items. Whatever remained of this series prior to 1966 fell victim to the Arno that year. However, I was able to examine fifteen of these crumbling volumes by special permission

at the Archivio di Stato di Firenze, a major step toward understanding medieval prison finance (fig. 1)⁵.

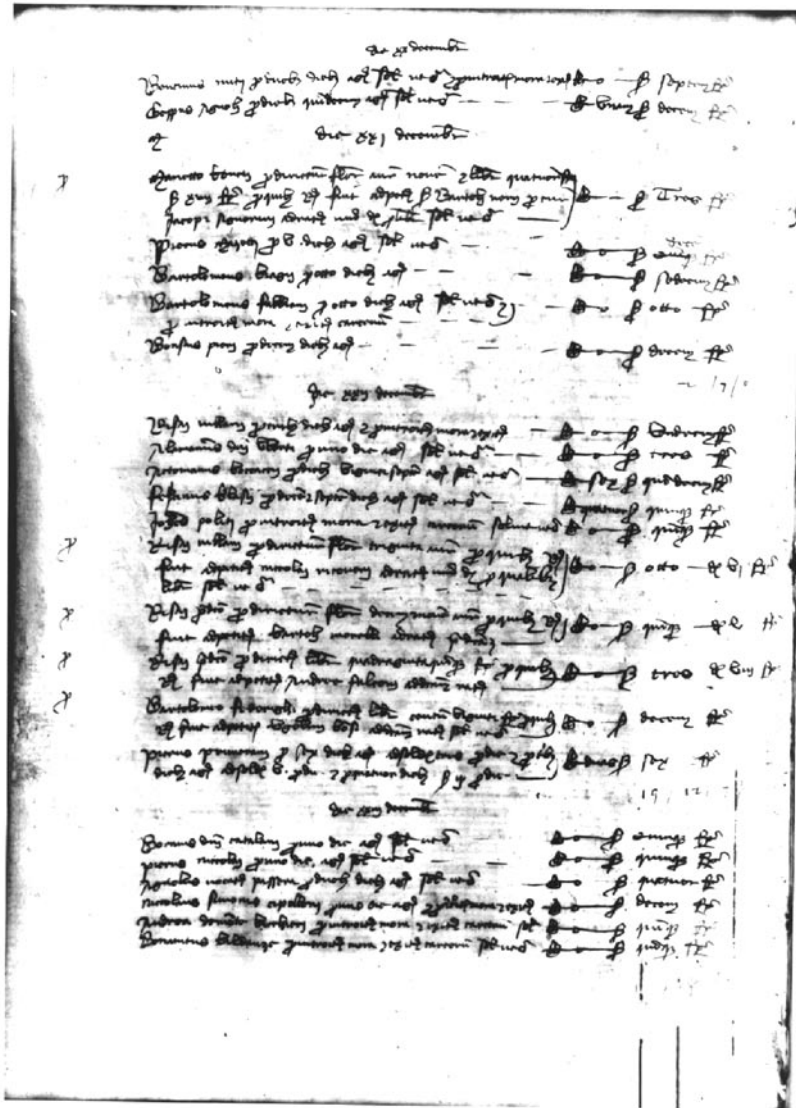


Fig. 1. A register of prison expenses (1359). Archivio di Stato di Firenze, *Soprastanti alle Stinche, Entrata e Uscita*, 380 (unnumbered leaf).

Third and last, the *Esecutore degli Ordinamenti di Giustizia* and his officers, who supervised Le Stinche's administration, monitored the staff's conduct and documented infractions of prison regulations by means of weekly interviews with representatives from each ward. One hundred and eight of these reports survive today from the period 1349-1400 (fig. 2)⁶.



Fig. 2. Report of the Esecutore's visitation at Le Stinche (March, 1370). Archivio di Stato di Firenze, *Atti dell'Esecutore degli Ordinamenti di Giustizia*, 589, cc. 24v.-25r.

So far as I am aware, no other medieval city-state originally documented local prisons to such an extent, although individual polities certainly did keep inmate registers, take account of prison expenses, and nominate supervising officials⁷. Other types of records, traceable in archives and manuscript libraries elsewhere, likewise illuminate prison life: personal account books ('diaries'), notarial and court records, testaments, chronicles, executive council minutes, statutes, fiscal accounts, and even poetry and graphic art. Many of these sources have been tapped in order to frame the following profile⁸.

2. Florentine incarceration and the process «from tower to palazzo»

Historians of medieval urban Italy have fittingly dubbed the reorganization of communal public space as a process «from tower to palazzo»: an architectural

reflection of a political shift from a polycentric oligarchy to a centralized communal regime⁹. Yet despite the many excellent studies of Florentine civic architecture and public engineering, prisons in general and Le Stinche in particular have mostly remained blindspots in the city's urban panorama.

To be sure, Le Stinche's creation has been noted by medieval chroniclers and modern scholars alike, from Giovanni Villani to Robert Davidsohn and beyond, and some of the archival documents concerning its foundation were published by Guido Pampaloni in 1973¹⁰. Already in 1960, US criminologist Marvin Wolfgang remarked the scholarly potential of studying the prison's extant archives, but more than thirty years would pass before Graziella Magherini and Vittorio Biotti sketched the facility's early development (albeit as a prototypical mental asylum), and it was not until 1995 that Polish historian Halina Manikowska published the first major institutional history of Le Stinche's late-medieval phase¹¹.

Our debt to Dr. Manikowska's work in particular is immense since her detailed archival survey and analysis offer a solid point of reference for students of this and other premodern prisons. At the same time, her thorough groundwork serves as a point of departure as well. For instance, and as already mentioned, I was able to consult the prison's fourteenth-century fiscal records, which were apparently unavailable to earlier scholars, and my survey of the *Esecutore's* supervisory committee's records from that period is comprehensive rather than selective. Moreover, while Manikowska's article convincingly refutes the traditional chronology of Western prisons (as exemplified, most famously, by Michel Foucault's *Surveiller et punir*)¹², the present essay is mainly concerned with life in and around Le Stinche, and the ways in which it, too, much like other communal edifices, reflects changing attitudes towards social deviants and the regime's self-perception as a just and efficient ruler. In fine, the process «from tower to palazzo» encompassed the Florentine justice system as well, including one of its main focal points: Le Stinche.

3. *Le Stinche: profile of a medieval prison*

Before delving into Le Stinche's finance and social dynamics, let us introduce its physical and administrative structures, as they crystallized by the middle of the fourteenth century. Within roughly two decades of its foundation, the prison was run by three to four wardens, three to six guards¹³, a chamberlain¹⁴, a scribe, and one or two lay penitential friars (*pinzocheri*), who attended to the prisoners' needs¹⁵. Additionally, a number of permanent service-givers were enlisted: a chaplain from the adjacent church of San Simone¹⁶, a water-carrier¹⁷, and, somewhat later, a physician¹⁸ and a coroner responsible for removing the bodies of dead inmates¹⁹. A

third layer of officials occupied with prison management were its supervisors or *sindaci*²⁰, whose responsibility was later assumed by officials of the *Esecutore degli Ordinamenti di Giustizia*²¹. By 1355 four *buonoomini* (one from each recently designated quarter) formed a lay supervisory committee that worked closely with the *pinzocheri* to distribute alms²². Toward the end of the fourteenth century these men were joined by a further, legally trained and salaried supervisor²³.

This elaborate organization marks a new chapter, rather than the first, in the history of Florentine prison administration. A nebulous basis for this structure already existed in previous decades, since late thirteenth-century Florence was home to a variety of facilities. Around 1300 these included the Pagliazza (the women's prison) and the Burelle, appropriated from a Byzantine tower and from the foundations of the ancient Roman amphitheater, respectively²⁴. The old Bellanda prison was only recently demolished (c. 1290), and the Volognana, a room in the tower of the Palazzo del Podestà, continued to function throughout this period, albeit for brief custody only. As late as 1294, in the aftermath of the so-called anti-magnate legislation of the previous year, the commune established a dedicated *magnati* prison, run solely for and by *magnati*, however loosely they came to be defined²⁵. Beyond these recognized facilities, the commune used existing houses, inns, and courts at times of need, especially during temporary influxes of war prisoners²⁶.

We possess very little information about the life and government of these early facilities. It seems, however, that they, too, were publicly run, in contrast with the private, aristocratic prisons of the pre-communal era, which were now formally banned. Toward the century's close salaried wardens replaced private leasers, as incarceration came to entail fixed daily- and service fees paid by the inmates to the city²⁷. It appears that the accumulated experience and success of these facilities' management informed the definition and regulation of the new facility, including the wardens' office and the remainder of the minor and adjunct personnel. Founding Le Stinche thus entailed the conservation of traditional elements but it also saw the introduction of significant innovations.

One prominent innovation was the erection of an independent building to house the prisoners and staff. Situated near Florence's emerging civic center, on the trapezoid plot occupied today by the Teatro Verdi, the somber compound of Le Stinche superseded all but one of the existing facilities – the *magnati* prison – though it, too, was soon to be stripped of its autonomy and relocated to Le Stinche as a ward. The available records betray a minor excitement over this fact through a reassertion of the prison's novelty and the repetition of its politically symbolic name: the Cavalcanti stronghold in the Val di Greve, a castle known as Le Stinche, was razed and its soldiers captured in August, 1304, by Guelph forces. The ironic fate of the castle's defenders, who were led from Le Stinche to its namesake prison, compelled most contemporary and later writers²⁸.

By 1358 the compound consisted of seven sections: the old prison, the new prison, a women's ward, the *magnati* prison, the upper *malevato*, the lower *malevato*, and an infirmary²⁹. A separate facility for the insane was established a year later³⁰. According to Le Stinche's surviving records, by this point hundreds of inmates processed through the prison annually (fig. 3)³¹.

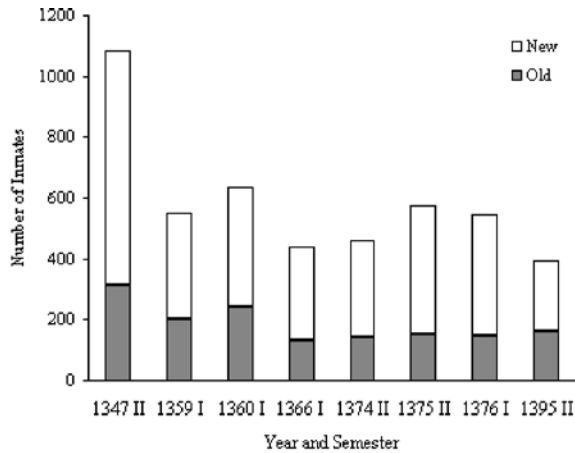


Fig. 3. Inmate turnover at Le Stinche. Based on Archivio di Stato di Firenze, *Soprastanti alle Stinche, Carceri e Carcerati*, 82-85, 88-91.

Contemporaries associated Le Stinche with Guelf supremacy. Founding the prison enabled the commune to dispose of some imposing physical remains of Florence's oligarchic past by offering a real solution to the city's myriad private prisons. Yet the act carried anti-magnate undertones as well, since it eventually entailed the abandonment of the *magnati* prison. Indeed, Le Stinche was loaded with anti-magnate symbols. For instance, not only was it removed from the city's traditional (i.e., ecclesiastical) center, but it was also built on lands confiscated from the Uberti family, scions of Florentine oligarchy. The prison's staff had to consist of *popolani*, whereas the *magnati* prison was run solely by *magnati* prior to its transfer into Le Stinche's grounds. In other words, the *magnati* prison's relocation, c. 1307-1308, completed a calculated effort by the commune to assert a new hegemony, as expressed through the creation of new public spaces to replace the numerous strongholds of the old political system. In this sense, the process «from tower to palazzo» characterizes the history of local prisons as much as it does the city's grander and more famous civic edifices.

A further, equally significant departure from tradition was the introduction of entirely salaried personnel, paid directly and exclusively from communal funds³². This choice may indicate a general satisfaction with the finances of the Burelle and Pagliazza prisons, which had recently shifted from private leasing to public administration³³. Yet set wages also represented an attempt to reduce corruption among the wardens and guards, and signaled the commune's commitment to maintaining the prison's staff. The latter gesture is particularly understandable given the personnel's frequent appeals for unpaid wages³⁴. But however well-intentioned Florentine magistrates might have been in this respect, Le Stinche's wardens, guards, and other staff members continued to wait for their salaries, sometimes for months on end, in the following decades³⁵.

The hiring of caretakers, chaplains, a physician, and a coroner suggests a growing sensitivity to the prisoners' needs, perhaps partly borne out of the less intimate atmosphere engendered by a large, central institution. Le Stinche's physician also acted as the commune's *medicus pauperum*³⁶, but the creation of his position was not merely a compassionate act; it also made economic sense: at fifty lire a year, the prison physician could attend to a range of cases on the commune's behalf, including the supervision of and post-traumatic care for punitive amputations³⁷. Thus the physician exemplifies, on the one hand, the basic conservation of medieval multi-tasking, and on the other, the introduction of a more efficient utilization of professional skills. Despite his diverse clientele, the physician eventually based himself at the prison³⁸, perhaps at the little hospital or 'sick-room' founded there later that century³⁹. Although theirs was not a prestigious position, nor the salary particularly attractive, physicians tended to remain at Le Stinche for relatively long periods⁴⁰.

The prison's minor staff were a more stable group compared to the wardens, scribe, and chamberlain, all of which served fixed terms of one semester or a year⁴¹. Andrea di Brunello, for instance, served as the prison's chaplain consecutively from 1362 to 1375; Bartolo di Michele acted as almoner there from 1367 to 1374; and Jacopo di Piero, known as *il Grasso*, «carried water» from 1374 at least until 1392. These long tenures influenced the prison's management culture by allowing much knowledge and experience to accumulate among a limited number of low and middle functionaries: if scribes and chamberlains enabled a smooth transition from one semester to the next, the presence of permanent personnel shaped many aspects of the prison's daily running.

The permanent staff's expertise increased their value in the eyes of their superiors. One unofficial way to reward such men (and curb corruption) was to employ them in occasional tasks such as repairing the prison and running various errands. Between April and October, 1387, for example, the aforementioned water-carrier, Jacopo di Piero, augmented his modest monthly wages of 6 lire, 10s. by some 188 lire (over 480 percent!) in this way; and in one semester dur-

ing 1392, while earning 7 lire monthly, the same employee received more than 49 lire (over 115 percent) in additional income⁴². In other words, Le Stinche's handy-man could earn nearly as much and at times well beyond the wardens, and certainly more than any other prison official.

The inmates and staff constituted a separate jurisdiction within Florence. For the duration of their stay, prisoners were subject to a distinct scale of fines, and were adjudicated weekly by the *Esecutore* «sub volta mallevolatis superioris posita in muros stincharum»⁴³. As we shall later observe in greater detail, documented offenses included gambling, blasphemy, drinking, brawling, and sexual intercourse, all of which were strictly forbidden at Le Stinche. The inmates' penalties were usually pecuniary, and as such they were quite low by 'outside' standards. The *Esecutore* also monitored the staff's conduct, fining them for the escape of prisoners or illicit entries of prostitutes, for exacting inappropriate fees, or for embezzling the inmates' alms⁴⁴. *Grosso modo* this administrative outfit remained intact for centuries to come.

4. Prison finance

Beyond serving as a symbol of Florentine independence and a tool in its machinery of justice, Le Stinche was founded in order to generate some income for the commune: directly through obligatory and optional fees and indirectly by improving the collection of fines and debts. Like most of their contemporaries, Florentine inmates paid for their incarceration and had to feed themselves. While basic processing fees (*pro introitu et exitu*) were set at 5s. per person, other fees depended on an individual's status, the grounds for his or her arrest, whether the arrest was carried out by a communal officer or by a private person, and the amount that he or she owed to the commune or a private creditor. Imprisonment for a private debt was a service – however obligatory – offered by the commune to private creditors. Accordingly, the latter had to pay the commune either ½d. or 1d. for each lire they were owed, depending on whether they brought the debtors into custody themselves, or relied on commune officials for the arrest.

Once inside, most prisoners could upgrade their living conditions by paying an additional *agevolatura* fee of between 1s.-5s., determined by the value of their fine or debt⁴⁵. Originally and in principle, *agevolatura* meant greater spatial freedom, but in practice the option helped to recreate external hierarchies within the compound. Those who could afford to pay the fee, lived in a separate ward called the *malevato*, which was divided into upper and lower rooms. Financial means even overrode traditional status divisions, as the former *magnati* prison (once incorporated within Le Stinche) gradually came to house *popolani* as well.

Giovanni Villani claimed that Le Stinche's revenues augmented the city's coffers annually by 1000 gold florins⁴⁶. This figure, however, has no grounding in the available sources. Although Le Stinche is a rare example of a medieval prison that actually generated some profit, its income from the inmates' fees and fines barely covered the main running costs, despite a coherent financial rationale, a high inmate turnover, and relatively lengthy periods of incarceration. A close examination of the prison's extant financial records illustrates these points quite clearly (fig. 4).

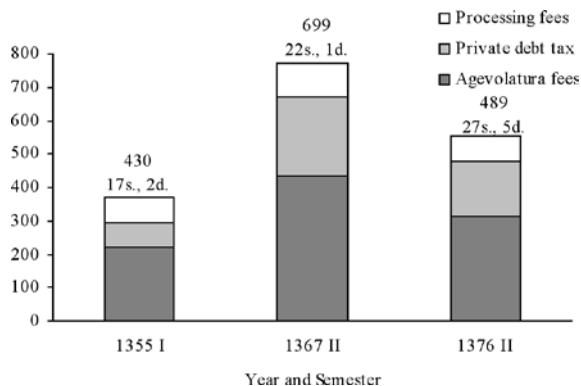


Fig. 4. Major income components at Le Stinche. Based on Archivio di Stato di Firenze, *Soprastanti alle Stinche, Entrata e Uscita*, 376, 382, 388. The upper figure above each bar relates inmate quantities, the lower figure represents the average expense per inmate during each term.

The largest single component of Le Stinche's revenues was the income from *agevolatura* fees, 1s.-5s. per day, determined according to the cumulative amount of an inmate's fines or debts. For the three semesters analyzed here, the average daily *agevolatura* rate was 2s., 6d., applicable to roughly 53 percent of the inmates. The second largest component was the income from taxation on private debts, prorated at ½d. or 1d. for each lira owed – depending on whether the creditor or the commune apprehended the debtor. The average tax during these semesters was 16s., 2d., applicable to 36 percent of the inmates⁴⁷. Income from processing fees (5s. per person) is the third largest component, trailed from afar by the occasional fines imposed by the *Esecutore*, who oversaw prison administration and the inmates' conduct.

A Florentine prisoner who was not a private debtor, paying the average *agevolatura* rate mentioned above, would have spent 85s. for a thirty-two-day imprisonment. The *agevolatura* fees constituting this figure are particularly prominent (nearly 95 percent), reflecting their proximity to the processing fee.

In Florence *agevolatura* fees would outweigh processing fees within two days only, compared with thirty-two days in Bologna and four days in Siena⁴⁸.

How do these figures compare with the staff's wages, which constituted the commune's single greatest expense on Le Stinche? By the mid-fourteenth century, the personnel's salaries amounted to 1460 lire annually. To shoulder this burden, three hundred and forty-three inmates (according to the above configuration) would have been required: a monthly turnover of nearly twenty-nine inmates. However, according to this analysis, an inmate's average expense at Le Stinche was 22s., 3d., that is, nearly 75 percent lower than the desired 85s. The average annual turnover, despite being over three times higher than that theoretically required for meeting the staff's salaries, still leaves a major gap between the potential and actual income. What partially compensated for the shortfall was the income from the private debtors' tax and, to a lesser extent, the *Esecutore's* occasional fines. Still, Le Stinche's income barely covered the cost of its personnel's salaries even in a busy semester.

The discrepancy between potential profitability and actual income was tied to the low revenues from *agevolatura* fees. In the registers analyzed in the following chart (fig. 5), just over half the prisoners paid to ameliorate their conditions. Presumably, more inmates would have done so had they been capable of paying.

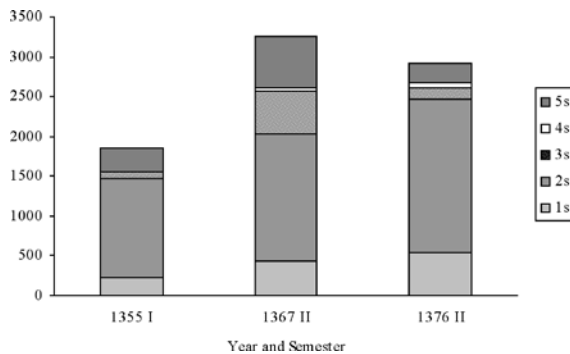


Fig. 5. Distribution of *agevolatura* rates (1s.-5s.) at Le Stinche. Based on Archivio di Stato di Firenze, *Soprastanti alle Stinche, Entrata e Uscita*, 376, 382, 388.

Moreover, a comparison between these three registers reveals that paying inmates were mainly divided between two major fee-groups, and that there was a growing asymmetry between the two. The vast majority of *agevolatura* payments (66, 49, and 65 percent, respectively) were for 2s., the daily rate fixed for accumulated fines or debts of between 100-500 lire. The second largest group (daily 5s., corresponding to fines or debts of 1000 lire and above) accounted for

16, 20, and 8 percent, respectively, of all *agevolatura* payments in each semester. Although both groups remained dominant, the former expanded while the latter eventually shrunk. There was a marked rise of the less expensive *agevolatura* rates as opposed to a sharp decline in maximum-rate payments: between the second semester of 1367 and the parallel term in 1376, the number of *agevolatura* payments of 5s. dropped by over 60 percent, from 652 to 242.

The expansion of low-rate *agevolatura* is all the more telling given that even these rates were a difficult compromise on the commune's part. For at least thirty years *agevolatura* at Le Stinche cost nominally double the amounts related above⁴⁹. The reduction is first attested in the 1355 statutes, where the commune ostensibly signed off half of its potential income from *agevolatura* fees, the prison's single largest income component⁵⁰. Although the motivations for the act are nowhere stated, the reduction probably reflects the deflation or contraction of Florentine economy in the aftermath of the 1348 Plague. If so, however, the reflection is a partial one at best, since the very same statutes contain no parallel adjustment to the staff's salaries. On the other hand, it is likely that the reduced range of fees corresponded to the continuing impoverishment of the prison's population accompanied by a certain deflation in pecuniary penalties. According to this interpretation, the rates were slashed in order to salvage the income from the *agevolati* wards, whose population would have otherwise diminished.

By updating the scale of *agevolatura* rates the Florentine commune sought to maximize the prison's income under changing economic circumstances. This attentiveness paid off, at least temporarily: to judge by the 1367 register, both high- and low-rate *agevolatura* payments increased. The number of optional-fee payers itself grew from 221 (51 percent of all inmates) to 404 (58 percent). This trend reversed itself, however, within less than a decade, as the 1376 register reveals: payments of 5s. plunged from 20 to 8 percent of all *agevolatura* payments, while payments of 2s. climbed from 49 to 66 percent. The number of *agevolati* itself fell from 404 to 236 (from 58 to 48 percent of all inmates). In graphic terms, what was beginning to look like a symmetrical hourglass division *c.* 1367, turned into a broad-based pyramid by 1376: the ratio between payments of 1s.-2s. and those of 3s.-5s. shifted from 62/38 (2035 vs. 1225 payments; 182 vs. 250 lire) to 85/15 (2459 vs. 460 payments; 217 vs. 97 lire)! Thus, from the middle of the fourteenth century, wealthy debtors were becoming an increasingly smaller minority among Le Stinche's inmates.

That prisons today impose a major burden on state budgets is a foregone conclusion. In contrast, the growing poverty of medieval Florentine inmates only underscores the contingency of institutional development. For if Le Stinche was never meant to be a capitalistic endeavor, it is likely that its founders expected at least some remuneration from the inmates' fees. In practice, however, it seems that no one had anticipated the degree to which the prison community would be unable

(rather than unwilling) to pay for *agevolatura*, thereby further weakening the state of Le Stinche's finances. This, however, was the price of increasing the prison's capacities, whether still within the scope of its traditional functions as a place of custody and coercion, or through the nascent application of punitive incarceration.

5. *Prison life*

Contrary to the popular notion that medieval prisons were earthly infernos, the picture emerging from our records is that of a tolerable, if unpleasant, experience⁵¹. True, inmates mostly lived in common wards, with rare opportunities for employment. The latter restriction in particular meant that erstwhile day-laborers or artisans could and often did enter a vicious cycle of debt once incarcerated. Prison life, moreover, seems to have been oppressively boring: reading material was hard to come by, space for recreational activities limited, alcohol prohibited, drugs non-existent, and prostitutes rare. Financial and legal affairs could occupy some of a prisoner's time, but these were often over within several weeks, and seldom guaranteed even an occasional leave. Begging outside the prison walls to help pay for one's incarceration was only intermittently allowed even before the practice was abandoned in favor of employing penitential friars. But despite all this, the available sources never mention mass riots instigated by inmates independently of external political turmoil. Further, assaults on staff, suicides, and even casualties of violence in general were few and far between. If these are relevant parameters to judge by, there is no indication that Florentine prisoners, whether individually or collectively, perceived their state as fatal or resorted to extreme measures in order to avoid it⁵².

What made prison life tolerable? Above all, Le Stinche's particular human constitution. Most inmates in this period were, at least technically, debtors rather than violent criminals. As such their socio-economic background – as a reflection of their capacity to contract debt in the first place – was middling rather than low, even if throughout the fourteenth century this community became increasingly impoverished, as we have seen. An examination of six extant inmate-traffic registers yields the following distribution of offenses for which Le Stinche's prisoners were *initially* imprisoned (tab. 1).

The range and distribution of offenses is fairly consistent. Debt is the most common offense among the inmates, trailed from afar by custodial imprisonment with or without bail (*uno processo* and *bene custodia*, respectively), and custody prior to execution (*avere et persona*)⁵³. Fairly common were also incarceration for gambling and the illicit bearing of arms (an average of 3.6 cases per semester) and especially incarceration *pro amendare* (8.3 per semester), usually inflicted upon delinquent domestic slaves and children. The latter practice was

Tab. 1. Distribution of grounds for incarceration at Le Stinche. Based on Archivio di Stato di Firenze, *Soprastanti alle Stinche, Carceri e Carcerati*, 82-84, 89-91. Further charges were often added throughout one's imprisonment.

	1347 II	1359 I	1369 I	1375 II	1376 I	1395 II
Debt	219	135	159	89	76	102
Bene custodia	50	40	66	3	2	8
Pro amendare	11	4	4	11	9	11
Avere et persona	8	2	2	5	4	10
Gambling	5	1	2	2	0	0
Arms	1	2	5	2	2	0
Uno processo	0	8	2	8	5	0
Homicide	1	0	0	0	0	0
Theft	0	1	0	0	0	0
Unknown	17	8	3	8	13	11
Total	312	201	243	128	111	142

considered the prerogative of a paterfamilias: when a certain Florentine notary entrusted his son to a business associate, the latter was encouraged to «make him [the lad] good; and if he obey you not well, beat him like a dog, and cast him into prison, as if he were your own [son]»⁵⁴. At any rate, and despite the documented presence of violent offenders, Le Stinche's population represented the city's 'mainstream' commercial society rather than its more unruly elements.

To be sure, an apparently non-criminal population does not in itself guarantee tranquility under conditions of captivity. Another way to gauge the relative tolerability or harshness of medieval prison life is by recourse to contemporary standards of living on the outside, both in the domestic and urban-public sphere. Urban inns, for instance, were notoriously crowded, filthy, and often dangerous⁵⁵; and low-income family accommodations could consist of a cramped, wooden single-room⁵⁶. Before the onset of the Plague cycle in 1348, cities were densely populated, and public hygiene fell well short of stringent bylaws⁵⁷. All this would have rendered the material conditions in prison less than appalling.

Relations between inmates and staff are likewise an important factor for mitigating conditions in captivity. Wittingly or not, Le Stinche's personnel avoided incurring the inmates' wrath in several ways. One method was to abstain from being involved in judicial torture and the execution of penal justice. Unlike their counterparts in Venice, Bologna, and elsewhere, Florentine custodians filled no executionary roles in the local administration of justice. Another means to earn

the inmates' interested compliance was collusion: running little errands in exchange for cash, turning a blind eye to illicit activities, and on rare occasions even aiding an escape⁵⁸.

But what may have compensated most for the pains of imprisonment was the inmates' frequent access to the outside world. The permeability of Le Stinche's walls was partly planned and partly inevitable. Service-givers, magistrates, lawyers, friars, officers of charitable confraternities, business associates, friends, family-members, and of course the prison's staff and its supervisors had routine access to the inmates. Unlike its modern, 'total' heir, the medieval prison was never designed to be autonomous or provide for all its needs. In the absence of a kitchen at Le Stinche, prisoners' meals were normally provided by lay friars, families, or friends, a routine which involved a constant stream of outside visitors. Easy access to the courts and interrogation rooms (there was no torture chamber at Le Stinche in the fourteenth century) was likewise an important consideration. In any case, free society was never more than an ear-shot away.

Visibility and accessibility had the further advantage, at least so far as the inmates were concerned, that they could never be wholly forgotten. During the famous flood of 1333, when the water's breaking path threatened to submerge Le Stinche's inhabitants, the city's magistrates instructed the wardens to remove the prisoners to the roof. As the wardens had anticipated, however, several men used the higher ground offered to them to launch an escape⁵⁹... But inmates encountered free society on more routine and structured occasions, for instance while begging outside the prison walls, on their way to and from the courts, and most notably during release processions on major feast days⁶⁰.

The semi-inclusive nature of Florentine prison life did not guarantee a risk-free environment. In the upheaval precipitating the expulsion of the Duke of Athens in 1343, some excited inmates trashed Le Stinche and, shrewdly, destroyed its archive⁶¹. Yet, as the reports produced by the prison's supervisors reveal, it was an exceptional event. For rather than focusing their attention on their captors, inmates mostly turned on one another: a day after Biagio di Filippo struck Uicino di Gentile «with his bare hand», the latter retaliated by stabbing Biagio with a knife; Naso di Baldo of San Felice confessed to a sexual assault; Jacopo di Giovanni injured Giovanni di Lapo by turning his bed over while the latter was sleeping; and so it goes⁶². A survey of the extant visitation records reveals the following distribution of offenses (tab. 2).

An underreporting of infractions, perhaps even to a considerable degree, must be assumed. After all, the supervisors' task was to monitor the staff's behavior no less than that of the inmates', so that collusion between captors and captives in order to avoid further fines was probably encouraged. Further, collusion may have also operated as a mechanism by which guards appeased the inmates. At any rate, the most widely attested infraction at Le Stinche was gambling, an

Tab. 2. Inmate infractions at Le Stinche (1366-1377). Based on Archivio di Stato di Firenze, *Atti dell'Esecutore degli Ordinamenti di Giustizia* (see note 6 for a complete list of registers). The witnesses distinguished between a simultaneous brawl (*rissa*) and a unilateral assault (*percussio*), even when the latter was followed by a counter-assault. With one exception (1099, c. 13v. [11 June, 1389]), violent offenses involved male inmates only. Gambling necessarily engaged at least two prisoners, but often involved multiple participants.

	Brawl	Assault	Gambling	Blasphemy	Sodomy
1366	0	1	0	0	0
1367	0	0	1	1	0
1368	6	3	3	2	2
1369	0	3	0	0	0
1370	1	3	2	0	0
1371	2	0	2	0	0
1372	4	10	13	1	0
1373	2	11	4	0	0
1374	0	0	1	0	0
1375	1	0	8	1	0
1376	0	0	0	0	0
1377	0	0	2	0	0

activity banned due to its potential for accruing further debt, its association with violence, and, no less importantly, its blasphemous nature. Gambling may have been popular for any number of reasons. It was easily arranged and dissolved, it created an immediate distraction, and it promised (falsely, for the most part) to improve one's influence and material conditions. Yet perhaps the main attraction of gambling was its familiarity as a common and equally abhorred activity in the free world. However briefly, gambling transported its practitioners into pseudo-liberty⁶³.

In fine, Le Stinche's physical centrality and accessibility, the grafting of normative divisions and hierarchies onto its internal design, routine formal supervision, and the occasionally complicit relationships between inmates and guards refute the common image of the medieval prison as an earthly hell. To be sure, there is no need to assume that all this was premeditated; the prison's openness was only partly ideological, and mostly practical, despite the fact that easy access could have compromised security both in and out of the compound. All the same, it seems that the overall benefits of semi-exclusiveness outweighed their

disadvantages, and, along with inmates' fairly short sojourns and routine external supervision, rendered prison life a tolerable experience.

6. *Conclusion: marginality at the city center*

Five centuries would pass from the foundation of Le Stinche (and other contemporary facilities) to the advent of modern penology in the post-Enlightenment era. At no time prior to Beccaria and Bentham were prisons employed as the basis of state penal systems, nor would incarceration serve as the default penalty for major offenses⁶⁴. Yet, as we have argued, there are firm grounds for studying the advent of the prison per se separately from the history of penology. Whether as an administrative unit, a cog in the machinery of justice, or a site for the negotiation of civic ideologies, Le Stinche, like many similar facilities, became integral to civic life by the middle of the fourteenth century. The routines developed in and around it were to remain in place until its destruction in 1833.

In order to appreciate the cultural shift which Le Stinche's foundation reflected and promoted, it may be useful to turn our gaze to other so-called marginalizing institutions, for instance, brothels, Jewish quarters, hospitals, and leprosaria. Social historians have become increasingly dissatisfied with the view of late medieval society as one imbued with a «persecuting mentality» – a thesis originally propounded by R.I. Moore⁶⁵. Moore argued that by *c.* 1250 Christendom had manifestly closed its ranks in the service of homogeneity. Lower tolerance meant that 'others' (Jews, homosexuals, heretics, lepers, etc.) were identified, criminalized, and eventually persecuted. Whatever the merits of Moore's conclusions may be, it is significant that for many of these new-found marginals, the solution (especially in urban centers) often involved palpable institutionalization: regulation, congregation, and immuring. In other words, once identified as dangerous and deviant, 'others' were customarily *contained*, not expelled. Thus the creation of municipally run brothels, for instance, can be seen as exemplifying a broader civic perspective, not a narrower one; the enclosure of Jews within designated quarters (or rather, its encouragement) was at times more integrative than exclusive; and expanding urban jurisdictions chose to bring suburban leper-houses into their fold, not reject them, as reflected by a shift from their original designation *extra civitatem* into their more recent description *iuxta civitatem*⁶⁶. Paradoxically, then, institutionalizing marginality reflected greater tolerance.

Seen from this vantage point, the creation of municipal prisons across western Europe, a process strikingly exemplified by Le Stinche, fits into a general tendency toward containing and maintaining deviants, including criminals, rather than bringing about their social death. Despite being the most elaborate facility of its day, Le Stinche never became «a city within a city».

Notes

¹ Many thanks to the directors and staffs at the Archivio di Stato di Firenze and the Biblioteca Nazionale Centrale, Firenze; to Andrea Zorzi for his advice, encouragement, and the invitation to contribute to this journal; and to the journal's anonymous reviewers for their helpful comments. This essay builds on yet augments the sections concerning Le Stinche in my *The Medieval Prison: A Social History*, Princeton, Princeton University Press, 2008. Funds have been provided generously over the years by the Social Science Research Council, Princeton University, Lincoln College (Oxford), and the Yad Hanadiv Foundation.

² In his opening statement for the journal's inaugural issue (December, 2000, p. 3), Gian Carlo Caselli, the DAP's director, asserts: «L'esecuzione penale, il carcere, sono realtà piantate nel cuore della città. Il carcere è esso stesso 'città'... Città nella città il carcere».

³ W.G. Nagel, *The New Red Barn. A Critical Look at the Modern American Prison*, New York, Walker and Co., 1973, pp. 47-48; Home Office, *New Directions in Prison Design. Report of a Home Office Study of New Generation Prisons in the U.S.A.*, London, HMSO, 1985, pp. 8-19; M. Davis, *City of Quartz. Excavating the Future of Los Angeles*, New York, Vintage Books, 1992, pp. 253-257.

⁴ Archivio di Stato di Firenze (henceforth ASF), *Soprastanti alle Stinche* (henceforth SS), *Carceri e Carcerati* (henceforth Car.), 82-85, 88-91.

⁵ ASF, SS, *Entrata e Uscita* (henceforth EU), 376, 380-383, 385-388, 390-395.

⁶ ASF, *Atti dell'Esecutore degli Ordinamenti di Giustizia* (henceforth AE), 129, 148, 156, 269, 280, 298, 314, 324, 333, 350, 365, 373, 389, 407, 416, 429, 442, 454, 477, 489, 501, 515, 535, 538, 540, 573, 575, 589-590, 609, 631, 633, 647, 658, 663, 674-675, 678, 690, 698, 712, 715, 725, 728, 741, 744, 754, 763, 770, 785, 788, 790, 826, 830, 852, 874, 890, 909, 922, 939, 955, 965, 980, 985, 997, 1002, 1011, 1015-1016, 1022, 1026, 1037, 1064, 1081-1082, 1095, 1097, 1099, 1111, 1115, 1129, 1133, 1147, 1149, 1161, 1175, 1185, 1188, 1204, 1222, 1224, 1226, 1245, 1293, 1310, 1312, 1320, 1327-1329, 1343-1344, 1354-1355, 1370, 1373, 1401, 1417.

⁷ M. Beltrani-Scalia, *Sul governo e sulla riforma delle carceri in Italia. Saggio storico e teorico*, Torino, Favale, 1868, pp. 211-348.

⁸ ASF, *Camera del Comune* (henceforth CC), *Camarlinghi, Uscita* (henceforth CU); *Miscellanea Repubblicana* (henceforth MR); *Provvisori, Protocolli* (henceforth PP); *Provvisori, Registri* (henceforth PR); *Statuti del Comune di Firenze* (henceforth Statuti), *Statuti del Podestà e del Capitano del 1355* (henceforth Statuti 1355).

⁹ D. Balestracci, *From Development to Crisis. Changing Urban Structures in Siena between the Thirteenth and Fifteenth Centuries*, in T.W. Blomquist, M.F. Mazzaoui (ed. by), *The 'Other Tuscany'. Essays in the History of Lucca, Pisa, and Siena during the Thirteenth, Fourteenth, and Fifteenth Centuries*, Kalamazoo, MI, Medieval Institute Publications, 1994, pp. 200-201; J. Heers, *La ville au moyen âge en Occident. Paysages, pouvoirs et conflits*, Paris, Hachette, 1990, pp. 423-441; G. Piccinni, *Modelli di organizzazione dello spazio urbano dei ceti dominanti nel Tre e Quattrocento. Considerazioni sul caso senese*, in *I ceti dirigenti nella Toscana tardo comunale*, Atti del convegno (Firenze 1980), Firenze, Papafava, 1983, pp. 221-236; F. Redi, *Dalla torre al palazzo. Forme abitative signorili e organizzazione dello spazio urbano a Pisa dal IX al XV secolo*, Ivi, pp. 271-296; Id., *Pisa com'era. Archeologia, urbanistica e strutture materiali (secoli V-XIV)*, Napoli, Liguori, 1991, pp. 177-313.

¹⁰ G. Pampaloni, *Firenze al tempo di Dante. Documenti sull'urbanistica fiorentina*, Roma, Ministero dell'Interno, 1973, doc. 23-29 (pp. 37-47).

¹¹ M. Wolfgang, *A Florentine Prison: Le Carceri delle Stinche*, «Studies in the Renaissance», VII (1960), pp. 148-166; G. Magherini, V. Biotti, *L'Isola delle Stinche e i percorsi della follia a Firenze nei secoli XIV-XVIII*, Firenze, Ponte alle Grazie, 1992; H. Manikowska, *The Florentine Communal Prison - Le Stinche - in the Fourteenth Century*, «Acta Poloniae Historica», LXXI (1995), pp. 133-160.

¹² M. Foucault, *Surveiller et punir: naissance de la prison*, Paris, Gallimard, 1975.

¹³ The Statutes of the Podestà for 1325 (L. I, R. XVIII) and for 1355 (L. I, R. LII) mention twelve guards. See *Statuti della Repubblica Fiorentina 1322-25*, a cura di R. Caggese, nuova edizione a cura di G. Pinto *et al.*, Firenze, Olschki, 1999, 2 voll. (henceforth *F.St.* 1325), 2: 53, and ASF, *Statuti 1355*, 16, c. 43v., respectively. This is an exceptional number and is probably unrealistic. The highest recorded number of guards (six) appears in 1360. See ASF, *CC, CU*, 145, c. 22r. (14 March, 1360). Conversely, the Statutes of 1415 (L. I, R. LXXI) call for the election of three guards – perhaps an optimistic assertion. See *Statuta populi et communis florentiae ... anno salutis MCCCCXV*, Freiburg, Kluch, 1778, 3 voll. (henceforth *F.St.* 1415), 1: 91-92. These statutes also mention an otherwise elusive fifth warden.

¹⁴ The chamberlain rotated among the city's sixths (and later quarters) and was nominated by the seven major guilds. See *F.St.* 1325, L. I, R. XVIII (50); ASF, *Statuti 1355*, 16, L. I, R. LII (c. 41v.).

¹⁵ ASF, *PR*, 15, 90, c. 144r.-v. (9 March, 1318); *PR*, 19, 56, c. 75r. (28 February, 1323). For the *pinzocheri*, see also *PR*, 25, 42, cc. 44v.-45r. (20 June, 1329); and, in general, A. Thompson, *Cities of God. The Religion of the Italian Communes, 1125-1325*, University Park, PA, The Pennsylvania State University Press, 2005, pp. 70-102.

¹⁶ ASF, *PR*, 19, 56, c. 75r. (28 February, 1323). The rector of San Simone, the parish church near the prison's southern wall, received 60 lire annually for the chaplain's needs, but not the latter's salary (100 lire annually), which was paid by the commune. This practice continued into the fifteenth century. See *F.St.* 1415, L. I, R. LXXIV (1: 98).

¹⁷ ASF, *SS, EU*, 380 (1 October, 1359-10 February, 1360); and 381 (1 October, 1362-31 March, 1363).

¹⁸ ASF, *CC, CU*, 146, c. 60r. (8 August, 1360). A further physician was occasionally employed. See Ivi, 197, c. 10v. (31 October, 1370).

¹⁹ ASF, *SS, EU*, 380 (1 October, 1359-10 February, 1360).

²⁰ ASF, *PR*, 12, 86, c. 105r.-v. (29 February, 1305); 115, c. 149r.-v. (4 May, 1305).

²¹ The *Esecutore's* office was established in 1307, and the supervision of Le Stinche and the Volognana (see below) fell under his 'extraordinary' responsibilities. See A. Zorzi, *I rettori di Firenze. Reclutamento, flussi, scambi (1193-1313)*, in J.C. Maire Vigueur (a cura di), *I podestà dell'Italia comunale. Parte I: Reclutamento e circolazione degli ufficiali forestieri (fine XII sec.-metà XIV sec.)*, Roma, Istituto Storico Italiano per il Medio Evo, 2000, p. 463.

²² *Statuti 1355*, 16, L. I, R. LII (c. 44v.). These men served for two months, apparently without pay. See also *F.St.* 1415, L. I, R. LXXII, where the term is extended to four months, with the added responsibility of hiring the prison physician (pp. 92-93). The prison's almoners appointed (from among the prisoners, apparently) a podestà who could collect 2s. from each inmate to aid the *pinzocheri's* work. Neither these funds, nor this functionary, however, appear in the prison's extant records.

²³ ASF, *SS, EU*, 391 (5 October, 1391-31 March, 1392); and 392 (5 April-7 October, 1392). The office of the communal almoner, or *litoris*, is defined in *F.St.* 1415, L. I, R. LXXXII (1: 102-103).

²⁴ At least 160 inmates were dispersed throughout the city's jails in 1298. See ASF, *PR*, 9, 78-79 (16 July, 1298).

²⁵ G.B. Uccelli, *Il Palazzo del Potestà. Illustrazione storica*, Firenze, Tipografia delle Murate, 1865, pp. 154-155. And see A. Zorzi, *Politica e giustizia a Firenze al tempo degli Ordinamenti antimagnatizi*, in V. Arrighi (a cura di), *Ordinamenti di giustizia fiorentina. Studi in occasione del VII centenario*, Firenze, Archivio di Stato di Firenze, 1995, pp. 105-147.

²⁶ See P.I. Fraticelli, *Delle antiche carceri di Firenze denominate Le Stinche, ora demolite e degli edifizii in quel luogo eretti l'anno 1834. Illustrazione storica*, Firenze, Formigli, 1834; F. Becchi, *Sulle Stinche di Firenze e su' nuovi edifizii eretti in quel luogo*, Firenze, Le Monnier, 1839; G.B. Uccelli, *Il Palazzo del Potestà* cit., pp. 142-159; R. Davidsohn, *Storia*

di Firenze, Firenze, Sansoni, 1956, 8 voll., 1: 983-984; 3: 247, 247 n. 1, 648-649; 4: 98-100, 108, 403, 615-634; 7: 547, 603; G. Fanelli, *Firenze architettura e città*, Firenze, Vallecchi, 1973, pp. 129-130.

²⁷ See ASF, MR, 8, no. 240, cc. 211r.-214v. (27 November, 1292) on the regulation of the Burelle and Pagliazza.

²⁸ See R. Davidsohn, *Forschungen zur Geschichte von Florenz*, Berlin, Mittler und Sohn, 1896-1908, 4 voll., 4: 525, for an exception to this rule.

²⁹ ASF, AE, 269, *passim* (1 August, 1357-15 January, 1358).

³⁰ ASF, AE, 298, c. 52r. (19 February, 1359).

³¹ Inmate turnovers elsewhere in the period appear to have been substantially lower. See G. Geltner, *The Medieval Prison* cit., chapters one and two.

³² Direct payments to prison guards by the commune are already evident in 1286. See ASF, PP, 1, cc. 20v.-21r. (20 September, 1286). However, according to PR, 6, 33, cc. 35v.-36r. (5 June, 1296) and 8, 62, c. 71r. (7 July, 1297), it was probably an innovation.

³³ In 1289 Bandino di Tebalducci was still leaseing the Burelle and Pagliazza prisons. See PR, 2, 10, c. 12r. (2 July, 1289).

³⁴ ASF, PP, 1, c. 24r. (6 December, 1286), c. 76r. (12 May, 1287); 2, c. 34v. (26 March, 1303).

³⁵ ASF, PR, 29, 130, c. 113r.-v. (2 April, 1339); 30, c. 59r.-v. (9 March, 1341). Lorenzo, Le Stinche's water-carrier in late 1369, was not paid for over seven months: ASF, SS, EU, 383 (5 October, 1369-31 March, 1370).

³⁶ ASF, CC, CU, 197, c. 9v. (30 October, 1370).

³⁷ For the physician's salary, see ASF, CC, CU, 146, c. 60r. (8 August, 1360); 197, c. 9v. (30 October, 1370); 244, c. 2r. (24 September, 1380). Inmates convicted of violent assault within the prison could also suffer amputations. See ASF, *Statuti 1355*, 16, L. I, R. LIV (c. 45v.).

³⁸ By 1387 the physician's salary (10 lire monthly) was paid directly from Le Stinche's treasury. See ASF, SS, EU, 390 (1 April-7 October, 1387).

³⁹ The first mention of a hospital at the prison appears in ASF, AE, 269, c. 78r. (20 October, 1357).

⁴⁰ Niccolò Valori replaced Master Ambrogio in 1387 and remained in this post at least until 1392. See ASF, SS, EU, 390 (1 April-7 October, 1387); 392 (5 April-7 October, 1392).

⁴¹ Official administrators were also prohibited from assuming any position related to the prison for the following three years. See *F.St. 1325*, L. I, R. XVIII (pp. 49-50); ASF, *Statuti 1355*, L. I, R. LII (16, c. 41r.); *F.St. 1415*, L. I, R. LXXI (pp. 91-92). The duration of guards' employment is never specified.

⁴² ASF, SS, EU, 390 (1 April-7 October, 1387); 391 (5 October, 1391-31 March, 1392).

⁴³ ASF, AE, 515, c. 2r. (12 November, 1368). The phrase is ubiquitous.

⁴⁴ The deputy chamberlain Jacopo was fined 5 lire for allowing an «unauthorized woman» to enter the compound. See ASF, AE, 573, c. 18r. (26 March, 1369).

⁴⁵ According to the Podestà's 1325 Statutes (*F.St. 1325*, II, I.xviii [pp. 51-52]), the rates were as follows: for fines or debts up to 100 lire, 3s.; between 100-500 lire, 4s.; between 500-1000 lire, 6s.; 1000 lire and above, 10s. Prisoners incarcerated by the commune without an express sum were to pay according to the wardens' or chamberlain's decision, but never above 10s. per day. Major debtors could not obtain *agevolatura* without their creditor's permission. These rates were reduced and modified by 1355: 1s. for fines or debts totaling under 100 lire; 2s. between 100-500 lire; 3s. between 500-1000 lire; and 5s. for 1000 lire and above. Men held without a specific fine were subject to a 2s. daily rate. Citizens were allowed eight days from their initial *agevolatura* to pay their fees, while non-citizens were given fifteen days. See ASF, *Statuti 1355*, 16, L. I, R. LII (c. 42r.-v.), and *F.St. 1415*, I.lxxiii (p. 95).

⁴⁶ G. Villani, *Nuova cronica*, a cura di G. Porta, Parma, Fondazione Piero Bembo / Guanda, 1990-1991, 3 voll., 3: 193 (XII, xcii).

⁴⁷ Accordingly the average volume of unpaid private debts was between 37,200 and 74,400 lire per semester.

⁴⁸ See G. Geltner, *The Medieval Prison* cit., chapter two.

⁴⁹ *F.St.* 1325, II, I.xviii (pp. 51-52).

⁵⁰ ASF, *Statuti* 1355, 16, L. I, R. LII (c. 42r.-v.); *F.St.* 1415, I.lxxiii (p. 95).

⁵¹ See G. Geltner *Medieval Prisons: Between Myth and Reality, Hell and Purgatory*, «History Compass», IV (2006), pp. 261-274.

⁵² See Id., *Coping in Medieval Prisons*, «Continuity and Change», XXIII (2008), pp. 151-172.

⁵³ Note, however, the sharp decline in *bene custodia* incarcerations in the last three semesters.

⁵⁴ Quoted in I. Origo, *The Merchant of Prato: Francesco di Marco Datini, 1335-1410*, Boston, Nonpareil Books, 1986, p. 127.

⁵⁵ A.I. Pini, *Città, comuni e corporazioni nel medioevo italiano*, Bologna, CLUEB, 1986, p. 34; M. Mollat, *Les pauvres au Moyen Age. Etude sociale*, Paris, Hachette, 1978, pp. 93-106.

⁵⁶ P. Skinner, *Material Life*, in D. Abulafia (ed. by), *Italy in the Central Middle Ages, 1000-1300*, Oxford, Oxford University Press, 2004, pp. 148-149; A. Schiaparelli, *La casa fiorentina e i suoi arredi nei secoli XIV e XV*, a cura di M. Sframeli e L. Pagnotta, Firenze, Le Lettere, 1983, 2 voll., 1: 7-9. And see C. Dyer, *Standards of Living in the Later Middle Ages. Social Change in England c. 1200-1500*, Cambridge, Cambridge University Press, 1989, pp. 200, 203.

⁵⁷ F. Bocchi, *Regulation of the Urban Environment by the Italian Communes from the Twelfth to the Fourteenth Century*, «Bulletin of the John Rylands Library», LXXII (1990), pp. 63-78. And see L. Thorndike, *Sanitation, Baths, and Street-Cleaning in the Middle Ages and Renaissance*, «Speculum», III (1928), pp. 192-203; D. Jarry, *Diététique et hygiène au XIIIe et XIVe siècle*, «Languedoc Medical», XLI (1958), pp. 5-24; D.J. Keene, *Rubbish in Medieval Towns*, in A.R. Hall, H.K. Kenward (ed. by), *Environmental Archaeology in the Urban Context*, London, The Council for British Archaeology, 1982, pp. 26-30.

⁵⁸ See G. Geltner, *Coping in Medieval Prisons* cit.

⁵⁹ ASF, PR, 26, 118, c. 70r.-v. (12 November, 1333).

⁶⁰ J. Koenig, *Prisoner Offerings, Patron Saints and State Cults at Siena and Other Italian Cities from 1250 to 1550*, «Bullettino senese di storia patria», CVIII (2001), pp. 222-296.

⁶¹ ASF, PR 33, cc. 6v.-7r. (9 June, 1344), respectively. And see G. Villani, *Nuova cronica* cit., 3: 333-334 (XIII, xvii).

⁶² ASF, AE, 489, c. 12r.-v. (27 November, 1366); 538, cc. 19v.-20r. (29 August, 1368); 674, c. 32r. (4 March, 1373).

⁶³ On gambling see L. Zdekauer, *Il gioco in Italia nei secoli XIII e XIV e specialmente in Firenze*, «Archivio storico italiano», series IV, XVIII (1886), pp. 20-74, and XIX (1887), pp. 3-22; G. Ortalli (a cura di), *Gioco e giustizia nell'Italia di Comune*, Treviso, Fondazione Benetton, 1993; F. Sacchetti, *Il trecentonovelle*, a cura di E. Faccioli, Torino, Einaudi, 1970, LXXXI (pp. 208-210).

⁶⁴ J.H. Langbein, *The Historical Origins of the Sanction of Imprisonment for a Serious Crime*, «The Journal of Legal Studies», V (1976), pp. 35-60.

⁶⁵ *The Formation of a Persecuting Society. Power and Deviance in Western Europe, 950-1250*, Oxford, Basil Blackwell, 1987. And see N. Cohn, *Europe's Inner Demons*, rev. ed., London, Pimlico, 1993.

⁶⁶ See N. Bériou, F.O. Touati, *Voluntate Dei Leprosus. Les lépreux entre conversion et exclusion aux XIIIe et XIIIe siècles*, Spoleto, Centro Italiano di Studi sull'Alto

Medioevo, 1991; C. Rawcliffe, *Leprosy in Medieval England*, London, Boydell, 2006; L.L. Otis, *Prostitution in Medieval Society. The History of an Urban Institution in Languedoc*, Chicago, The University of Chicago Press, 1985; J. Henderson, *The Renaissance Hospital. Healing the Body and Healing the Soul*, New Haven, Yale University Press, 2006; A. Haverkamp, *The Jewish Quarters in German Towns during the Late Middle Ages*, in R. Po-chia Hsia, H. Lehman (ed. by), *In and Out of the Ghetto: Jewish-Gentile Relations in Late Medieval and Early Modern Germany*, Washington, DC, Cambridge University Press, 1995, pp. 13-28.