A History of Murder

Personal Violence in Europe from the Middle Ages to the Present

Pieter Spierenburg
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Polity
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The usual caveat that I am solely responsible for the final result applies.
Introduction

Murder is as old as the marks of external violence found on the skulls of prehistoric skeletons. It is with us today and likely to continue to be part of the human experience. More than 100 years ago Frederic William Maitland remarked that, if a fairy were to offer him the opportunity of personally witnessing the same type of scene across societies, he would choose a murder trial, because it reveals so many matters of the first importance.¹ This book examines homicides on record without a trial as well, but Maitland’s remark serves for the coming chapters. Killing always affects the fundamental values of those who participate in and witness the act, thus providing valuable information about culture, social hierarchy, and gender relations. In turn, a consideration of broad social change over the long term increases our understanding of the history of killing. Hence, the subject lies at the crossroads of historical scholarship and criminology.

The word “murder” has the advantage of belonging to everyday language. Most people have a clear idea of what it means. We rarely use it to refer to a soldier shooting an enemy or a traffic accident, whatever our personal views of such events. For that reason, scholars often employ the term murder as shorthand for all forms of private and non-accidental killing. That is the case, for example, in Roger Lane’s (1997) overview of the subject in American history. This book conforms to that usage, interchanging murder with the formal concept of homicide just for variation. In the few instances where the reader should understand the former word in a strictly legal sense, this will become clear. Killing is, of course, the most extreme form of personal violence. The scripts of many homicidal incidents are akin to those of violent encounters that do not result in a person’s death. Such incidents will be included in our examination, but the focus on murder structures the book. It pays little attention to minor
assaults or threats. On the other hand, it excludes subjects that fall outside the realm of “private” violence: revolutions and other forms of large-scale collective action, military activities, or physical punishment (except where this involves the legal punishment meted out to killers). By violence, I mean any intentional encroachment upon the physical integrity of the body. Readers who favor a wider definition of this term may simply insert the word “physical” each time. Finally, neither violence nor murder should be equated with crime. Their gradual criminalization, in fact, constitutes one of the major themes discussed.

It is only in relatively modern societies that we can apply the category of crime or distinguish between interpersonal violence and state violence. From a world-historical perspective, Johan Goudsblom (1998) distinguishes three sequences of monopolization. First, adult males monopolized violence, excluding women and children from its organized use. The beginning of this hypothetical process coincided with the differentiation between hunting as a male activity and gathering vegetables as a female one. Next, in military-agrarian societies, an elite of warriors monopolized violence, excluding other social groups, mainly peasants and priests. Whereas the earlier situation was rooted in psychological persuasion, the second was reinforced by a related monopoly, that of bearing arms. During the third stage, relatively autonomous warrior elites increasingly had to yield to larger organizations. Violence became monopolized within the framework of the institutions that we now call states. All specialists in organized violence were either incorporated into the state or eliminated. This process gained momentum from the sixteenth century onward, and independently from each other, in North-West Europe and Japan. The subsequent uses of state monopolies include war against other states and, internally, physical punishment, torture, and the forceful restraint of lawbreakers. As in earlier phases, the monopoly remained relative: all assaults and murders, as well as riots and occasional civil war, implied a breach of it, while some states lost their exclusive control on violence.

Covering seven centuries, this book takes up the history of murder in Europe when it begins to be possible to distinguish private killing from state violence. The later Middle Ages witnessed the transition from the second to the third phase of monopolization. The oldest reliable evidence about the number of murders, moreover, dates from around 1300. Such evidence forms a crucial basis, but this book goes beyond a study of the frequency of killing. Nor does it jump from one narrative to the other. Instead, it adopts a social scientific perspective, examining patterns in the character, incidence, social meaning, and cultural context of murder. Sub-themes such as the representation of violence get attention in passing, but the main focus is on events that actually happened.
The Long-term Decline of Murder

Our starting-point, nevertheless, is a quantitative time series. For several decades, numerous historians, in painstaking empirical studies, have been collecting data that reveal the incidence of murder in individual towns and regions over several centuries. Although researchers already had access to the more easily accessible national statistics of recent periods, this new archival work has greatly enhanced our knowledge of the extent of killing. Several scholars, beginning with Ted Robert Gurr (1981), have used these studies to compile long-term graphs of the incidence of murder. Currently, Manuel Eisner’s database represents the most comprehensive effort at systematizing the quantitative work done so far.

Figure 0.1 shows the so-called homicide rate. This is the term always used, although “ratio” would be more accurate. As in all studies of crimes, the homicide rate refers to the number of murders relative to the total population of the area in which they occurred. It is always measured per year. For earlier centuries, this often means the annual average over a longer period, because, if we only have a single-year count, we cannot tell whether it is normal or exceptional for its century. The number of inhabitants taken as a measure is usually 100,000. We could just as well compute the rate per 10,000 inhabitants or per million, but the measure per 100,000 is so extremely common that it is often implicitly assumed. Throughout this book, when the homicide rate is rendered by just one number, this means the annual average per 100,000 population.

The relative scarcity of medieval data has led me to combine them all in one count. The downward trend since then is clearly visible. Whereas homicide rates of several dozen were common in medieval towns, the figure hovered around one in mid-twentieth-century Europe. Of course, such a highly aggregated graph obscures geographic differences and temporary fluctuations. The coming chapters will discuss the principal middle-term trends, along with the qualitative changes in the character of murder that accompanied them. Since about 1970, the long-term trend of decline appears to have been reversed, although the recent rise – hardly visible in figure 0.1 – remains modest when compared to the starting level. The final chapter deals with this contemporary development.

Some readers may wonder how we can be so sure of the data. Isn’t there a “dark number” in play? The dark number, or figure, a basic concept in criminology, refers to the difference between recorded criminality and all crimes actually committed. It constitutes a methodological problem in the quantitative study of the incidence of crime. If someone steals my bike and I choose not to report this to the police, I am contributing to the dark number. If, on the other hand, I report it to a researcher who calls me at the
end of the year because I am in his sample, my stolen bike becomes part of an estimate. Nowadays, victimization surveys constitute the primary means of getting around the dark number. For obvious reasons this does not apply to murder, but there are alternatives. Except in a few special cases, a homicide is usually noticed and recent police registrations are reliable. Moreover, medical statistics of the causes of death, including violent death, date back, on average, 100 years. As it happens, such data also exist for the past, often even for as far back as the Middle Ages. The authorities ordered the investigation of all suspect corpses for signs of a violent death, whether or not they had information about a perpetrator. These body inspection reports, called “coroner’s records” in England, constitute the basis for our long-term graphs of homicide. The only remaining dark figure is that of corpses that have been successfully hidden, but scholars assume that their number is negligible. Advances in the medical skill of treating wounds, moreover, hardly affected homicide rates before the twentieth century.

The quantitative record, supplemented by judicial evidence, yields information beyond the mere incidence of murder. Gender is a crucial factor. High homicide rates almost always result from a prevalence of male-on-male fighting. Several chapters discuss this in detail, with examples such as the vendetta and the duel. In the wake of the decline in
homicide, on the other hand, we observe an increasing proportion of intimate victims among the remaining murders. The incidence of the killing of newborn babies is related primarily to the intensity of concern over extramarital sex. Most scholars reserve separate graphs for this phenomenon. After gender, the categories of age and social class are important for an understanding of murder in its wider context. Not only were fighters usually male; they were also relatively young. That is a surprisingly constant factor, regardless of the long-term decrease. The pattern of social stratification matters because of the pacification of the elites. Whereas the medieval upper classes exceeded their social inferiors in propensity for violence, the adoption of a peaceful life style by their descendants marked the decline in homicide. The question of race looms large in the history of murder in America, but less so in Europe. Apart from tensions between Jews and Christians, racial and ethnic differences scarcely affected the character of European murder until the later twentieth century. The United States, moreover, witnessed less of a long-term decline in homicide, always retaining higher levels than those of Europe.

In order to explain the long-term decline of homicide, most scholars prefer Norbert Elias’s theory of civilizing processes. Its exposition here, for readers not already familiar with it, is geared toward its application to our subject. It should be emphasized nevertheless that the theory deals with the overall development of societies. In the title of his initial publication of 1939 Elias used the word “civilization” in a polemical sense on purpose. Whereas a lot of his contemporaries worried about a crisis of civilized values, he asked himself: “What, then, does this civilization consist of?” To answer that question, Elias turned to books on etiquette written in various periods from the Middle Ages onward. He found that they dealt with such surprising problems as how to act when a person needed to urinate or felt the urge to spit. Such books were especially elaborate about dining. Whereas medieval table companions ate with their hands from a common dish and drank from the same cup, forks and individual plates only came into use from the sixteenth century on. Gradually, the rules for dining expanded and people became increasingly sensitive to the movement of each other’s mouths and hands at the table. That applied equally to other functions of the human body. Elias supplemented the evidence from etiquette books with that from other sources, providing information, notably, on standards of behavior with respect to sex and physical aggression.

A major conclusion that Elias drew from these data was that civilization is never static; it involves complex processes of change. Over some six centuries, standards of behavior became ever stricter, requiring greater self-control from individuals. Although Europeans in, say, 1900 were proud of being civilized, the fact that they cherished certain standards of conduct was merely the result of having been born in the nineteenth
century. In many ways, the Victorian period was the heyday of internal psychic repression, but since then, as many scholars have argued, individual behavioral controls have become more stable, balanced, and spread across time. Hence, the average level of self-control is higher still in the modern world. The regulation of urges and emotions is loosely connected across most areas of life, including eating, sex, and conflict. A telling example is the prohibition, repeated in many seventeenth-century manner books, on putting one’s knife into one’s mouth. Ostensibly, this is a rule of dining etiquette, reflecting the unease that table companions experience at seeing someone display such an offensive habit. But the rule also reflects the awareness of contemporaries that the knife is a dangerous weapon and that a polite person should both act with dignity at the dinner table and also take care not to engage in frequent quarrels and fights.

Finally, these socio-psychological processes are connected to changes in society as a whole, in particular to the development of the modern state. At the most general level, the theory of civilization posits that changes in the way of handling natural resources, in inter-human organization, and in the nature of individual people’s emotions and behavioral style are all interrelated. In particular, this applies to the level of control in each of these three fields. If controls decrease or increase in one field, they will tend to do so in the other two as well. The amount and stability of self-control went up on average over the last six centuries of European history, along with heightened social integration and differentiation of functions. Among these changes in behavioral controls, the transformation of aggressive urges and emotions occupied a prominent place. Individuals’ propensity for physical assault diminished, as pacification and monopolization by state organizations, as well as economic differentiation and urbanization, progressed. The potential lethality of inter-state conflict, on the other hand, increased significantly. Differences in power between social groups constitute an important element in the theory of civilization. For the established, the adoption of behavioral controls and the pride in being “civilized” are sources of power that are lacked by outsiders.

Not every scholar agrees with this theory. Some historians simply doubt the validity of all theoretical explanations. A few sociologists turn to Durkheim instead, in particular his theory of individualism and the decreasing force of collective bonds, which is well-suited to explain such sub-processes as the disappearance of feuding, in which the decline of extended family ties was a crucial factor. The Eliasian and Durkheimian perspectives, it appears, can easily be integrated.

A theory that applies to the quantitative decline of murder must take its changing faces into account. Homicides and assaults can be characterized according to their position on two related but distinct axes. One axis extends from the extreme of impulsive violence to that of planned
violence. It has to do primarily with the mental *habitus* of the perpetrator, inquiring into the degree of spontaneity or control in the act. The second axis, extending from ritual to instrumental violence, refers to the social and cultural meaning of an aggressive confrontation. The more that violence has a ritual character, the more it is done for its own sake. Violence with a highly instrumental nature is employed not for its own sake, but in order to attain something else. Robbery is the classic example, but, historically, bandits also performed rituals. Thus, human behavior always falls between the extremes of both axes, but not necessarily in the middle. In principle, every violent incident can be situated at some point on each of the axes. These can be represented as crossing each other, which leads to four distinct boxes. This way of representing alerts us, for example, to the possibility of violence that is both instrumental and impulsive. The axes can also be represented as parallels. In that case, they imply the hypothesis that, over time, violence on average moves away from the ritual pole in the direction of the instrumental pole, and away from the impulsive pole in the direction of the planned pole. In a formal sense, a high number of planned murders, reflecting self-control, would be compatible with a civilized mentality, but any murderer today acts against the civilized standards cherished by the large majority of the population.

Rituals, it should be emphasized, concern real behavior. Authors studying contemporary phenomena sometimes speak of ritual violence when they mean that playful acting rather than serious fighting is involved. Mimetic aggression and play, however, should be called symbolic violence. For example, when the inhabitants of a village decapitate Lord Carnival at the end of Mardi Gras (Shrove Tuesday), this is a symbolic killing because a puppet cannot actually die. While symbolic behavior often is also ritual, not every ritual is symbolic. Ritual extends into the sphere of reality. Knife-fighters, for example, often aim at their opponent’s face because of its ritual significance. Rituals can be cruel and degrading and, although not all historians agree on this, ritual and impulsive violence are wholly commensurable.

**The Crucial Role of Honor**

In an examination of the character of violence over the long term, the most important element is that of honor. It was involved in the overwhelming majority of murders in Europe – and not only there. Honor is highly gendered. What counts as honorable for a man is often dishonorable for a woman. It is only in the modern world, where power
differentials between women and men have diminished, that female and male honor begin to converge. By contrast, in many societies, past and present, the two were highly divergent, paralleling a similar divergence in social roles. In the cultural complex that concerns us here, female honor was based, first, on chastity and, second, on passivity and silence. The passive role accorded to women meant that they had only limited possibilities for maintaining their honor themselves. In patriarchal societies, an important component of men’s honor was to uphold the honor of women, which they did in particular by attacking and taking revenge on other men whose actions had compromised a woman’s honor. The woman in question was usually her defender’s wife, daughter, mother, or dependent. But a man also reacted with violence when another man encroached upon his honor directly. Thus, for men, honor and its defense were practically the same. Male honor depended on physical courage, bravery, and a propensity for violence. Being insulted either verbally or physically equally amounted to an attack on a man’s honor, which could be repaired only by counter-attack. Any conflict, about an entitlement to land use for example, had repercussions for male honor. Many murders, therefore, resulted from such conflicts.

This honor complex first received systematic attention from anthropologists such as Julian Pitt-Rivers and Pierre Bourdieu. They discovered it, still very much alive in the 1950s and ’60s, among nations on both sides of the Mediterranean. Bourdieu incorporated his findings into his theory about the various forms of capital. According to him, honor did not conform to the logic of economic profits and losses; instead, it constituted a symbolic capital that people valued highly. For his part, the historical anthropologist Anton Blok emphasizes the association of traditional male honor with the body. All body parts had distinct symbolic meanings. In many languages, a man’s face stands for his honor, while his testicles make him a real man. This association extends to animal bodies, in particular to the contrasting behavior of rams and billy goats. As country people know from direct experience, a he-goat will allow other males to mate with the females, whereas rams continually fight each other over such an intrusion. All horns that figure as negative markers in folklore – those of a cuckold and the devil, among others – refer originally to goats’ horns. An honorable man acts like a ram: he fights other men and controls his female dependents. This attitude is reflected in the popular ballads of early modern England, telling us that only men who rule their wives are capable of eating roast ram. Weak men refuse it from fear of displeasing their sweethearts and cuckoldors cannot swallow it at all. Human body symbolism is reflected in the image of blood in the vendetta. A man’s blood, rather than his life, constituted the proper revenge for bloodshed and, therefore, vengeance could be taken on the killer’s blood relative.
Indeed, the body-related concept of honor was widespread in medieval and early modern Europe and numerous historians have found a close tie between male honor and male violence.

Theories about honor vary. Whereas Daly and Wilson (1988) argue that traditional male honor and the concomitant propensity for violence are so widespread across societies because they have evolved as traits bringing reproductive success, most other authors prefer cultural explanations. According to Frank Henderson Stewart (1994), honor should be conceptualized as a right to respect. He adds another important element by distinguishing between its vertical and its horizontal dimensions. Studies of past violence usually observe the latter. For example, two artisans are drinking in a tavern and one calls the other a dirty dog. The man so degraded makes a threatening gesture with his knife, which wipes out the insult. If a man had the reputation of always reacting violently in such situations, and few others dared to challenge him, he counted as very honorable. Thus, horizontal honor derives from a man’s peers. It is a zero-sum game, in which one person’s gains are another’s losses. Vertical honor, on the other hand, stems from a person’s office or rank. People of inferior social status simply cannot attain it. This type of honor is also closely related to violence. It was improper, for example, to issue a challenge to a formal duel across class boundaries. Elite duelists considered their violence to be legitimate, denying that honor could be involved in fights involving craftsmen or peasants.

Like the theory about violence, a convincing theory about honor should include a time perspective. If many murders were honor-related and the murder rate declined over time, did the sense of honor decline too? In fact, honor was subject to change rather than decline. Blok notes this with reference to the work of George Fenwick Jones. Examining German literature, Jones speaks of a shift from external to internal honor, beginning in the mid-eighteenth century and leading to a universally accepted ideal by the end of the nineteenth. Whereas honor first denoted respect, deference, prestige, rank, or superiority, it came to denote admirable conduct, personal integrity, or inner sense of right and wrong. A similar development, he maintains, took place in other European countries. Instead of opposing two types of honor, however, or even calling only the traditional type honor and the newer one virtue or dignity, it makes more sense to emphasize the process of gradual change. Over several centuries, the basis of honor, the male variant in particular, drifted away from its close association with the body. Honor gradually became associated with inner virtue. Consequently, the need to employ violence in order to save one’s face when insulted or challenged greatly diminished. Finally, a man could be non-aggressive and honorable at the same time. We call this process “the spiritualization of honor.”
Rather than belonging to a particular period of history, the spiritualization process depends on the type of society in which it occurs. We observe it in Antiquity, for example. In Roman society, the word “honor” primarily connoted vertical honor, as exemplified by the fact that Romans referred to offices as honores. The process of spiritualization revolved around the word virtus, originally meaning masculinity. In the early Republic, virtus indeed implied traditional male honor, linked to the body and won especially by military courage. In the later Republic and the Empire, on the other hand, it came to connote temperance, sobriety, and chastity, thus meaning “virtue” in the modern sense. Conversely, later European history witnessed counter-movements to the process of spiritualization, such as the revival of dueling among the nineteenth-century bourgeoisie. More recently, traditional, body-related male honor resurfaced in urban neighborhoods – a subject for the final chapter.

The body-related concept of honor, it appears, is strongest in societies that lack a stable state system and a differentiated economy, while most, but not all, of the counter-movements to the spiritualization process occurred during temporary lapses in the pacification brought about by state institutions. This brings us back to Elias’s theory. Elias dealt at length with the notion of shame, but hardly at all with the theme of honor. Nevertheless, the honor perspective can easily be integrated into the theory of civilization. As a working hypothesis, we expect the murder rate to be highest, and traditional male honor to be most intense, when the monopolization of violence by state institutions and economic differentiation are at their lowest point. That situation prevailed in the European Middle Ages. Most men had to rely on their own resources in order to defend themselves, their dependents, and their property, and they took pride in this. As state and economic institutions developed, the spiritualization of honor set in and the incidence of personal violence decreased. The details and specific mechanisms of this development, along with related processes such as transformations of the family and campaigns to change popular culture, will receive attention in connection with the empirical evidence in subsequent chapters.

Outline of the Book

The coming chapters mix a chronological with a thematic structure. The book’s geographic scope extends roughly to the countries that lay west of the “Iron Curtain” during the Cold War. Within that vast region, the United Kingdom, France, Germany, the Low Countries, and Italy constitute the core area, but the principal trends in murder were Europe-wide.
A work of synthesis always depends to a large extent on the efforts of other scholars. Additionally, I rely on my own research in the rich Amsterdam archive, in particular when it provides more detailed evidence and answers to questions not raised in the historical literature. The subject of the popular duel, for example, is crucial to our understanding of the evolution of violence and honor, but it has been neglected in historiography so far. Thus, a balance is sought each time between the scope of the geographic and that of the thematic coverage.

Each chapter has its principal focus. Chapter 1 deals with medieval murder, focusing especially on the feud. Everything related to the judicial handling of homicide is left for chapter 2, which treats its gradual criminalization. That process connected the later Middle Ages with the beginning of the early modern period. Chapter 3 deals with male fighting in early modern Europe, with its social differentiation, marked by the coexistence of the formal and the popular duel, as the principal theme. The fourth chapter examines murder of and by women and intimates. It takes up this subject in the Middle Ages and discusses its increasing visibility from the seventeenth century to the mid-nineteenth. The growing willingness to consider some types of murder as symptoms of madness is the theme of chapter 5. This applied in particular to infanticide, first harshly repressed and then treated as a consequence of unfortunate circumstances, until its incidence became insignificant in the twentieth century. The marginalization of murder after 1800 constitutes the theme of chapter 6, which further deals with the revival of dueling as well as new phenomena such as the *crime passionnel*, serial killing, and the emergence of the underworld. Chapter 7's main focus is on the modern rise in homicide, which reverses the centuries-long trend. Is this temporary or is it with us to stay?

These chapters contain a certain number of violent incidents. Most of the time, the principal function of the protagonists’ names is to enable an easy “who’s who.” This function is best served by first names, especially when men as well as women are involved. In any case, most lower-class people of the early modern period lacked a family name other than a patronym. Historians dealing with the nineteenth century, in particular, are accustomed, after giving the full name, to further designate the protagonists by their last names only. I find this tedious to read. I have chosen to refer to people mostly, but not systematically, by their first names. This is to improve readability, and not because I want to make them look nicer. It has the additional advantage of being more in line with the historical actors’ own experiences.
Romeo’s Kindred: The Fragility of Life in Medieval Europe

Juliet Capulet and Romeo Montague promise to be true to each other for better or for worse, in secret, with only a friendly friar present. A little later, the young bridegroom and some of his kinsmen, on a walk through town, encounter a party of their enemies. One of them, Tybalt, hurls an insult at Romeo. The power of love stops him from immediate retaliation, but his companion Mercutio draws his sword. Exclaiming that the Prince of Verona wants peace in the city, Romeo intervenes in the fight to stop it, but too late. Mercutio is seriously injured. Then Romeo deplores his own cowardliness:

\[
\text{... O sweet Juliet} \\
\text{Thy beauty hath made me effeminate} \\
\text{And in my temper soften’d valour’s steel.}^1
\]

A little later Romeo learns that Mercutio has died. When Tybalt returns, Romeo has recovered his manliness and challenges the killer: one of them has to die too. This time, Tybalt does not survive the fight. Romeo runs away to a hiding place, but he leaves it during the night to spend a few happy hours with his lovely bride before his fleeing for good. He bids farewell to Juliet as the lark announces the morning: “I must be gone and live, or stay and die.”

Ignorant of the clandestine union, the Capulet family arranges for their daughter’s wedding to the young nobleman, Paris. Juliet turns to the friar for help. Not daring to admit that he has already married her to Romeo and afraid that he will have to preside over a bigamous ceremony, the friar makes a plan. He has a mysterious potion, which will make Juliet appear
dead for two days. She is indeed buried in the family vault, not in a coffin but dressed in her finest clothes. Then fate strikes. The messenger whom the friar has sent to Mantova to inform Romeo of the ruse, so that he can snatch away the sleeping Juliet, is held up because of a plague rumor. From another acquaintance, Romeo hears that his loved one has suddenly died. With poison procured in Mantova, he rides back to Verona; he breaks open the vault and through the dim light sees Juliet’s body:

. . . O my love! my wife!
    Death, that hath suck’d the honey of thy breath,
    Hath no power yet upon thy beauty . . .

Then he swallows the poison:

    Here’s to my love! O true apothecary!
    Thy drugs are quick. – Thus with a kiss I die.

    Immediately after this, Juliet wakes up from her long sleep and notices her dead husband:

    What’s here? a cup, clos’d in my true love’s hand?
    Poison, I see, hath been his timeless end: –
    O churl! drink all, and left no friendly drop
    To help me after? – I will kiss thy lips;
    Haply some poison yet doth hang on them,

But there is not enough poison left on Romeo’s lips and when Juliet hears watchmen approaching, she quickly grabs his dagger and stabs herself. Soon all the principal characters assemble around the two lifeless bodies. United in sorrow, Capulet and Montague make peace. The Prince concludes: “For never was a story of more woe / Than this of Juliet and her Romeo.”

These events, purported to have happened in the northern Italian town of Verona at the beginning of the fourteenth century, are rendered here as retold by the English playwright William Shakespeare (1564–1616). Obviously, they are not plain history. The admiration of posterity, not the judgment of modern scholars, ought to be invoked to plead the case for Romeo and Juliet. The young couple has fascinated audiences since the sixteenth century, through the Romantic age, until today. Actors, directors, and writers of new versions have interpreted the motif, which has changed with every generation that considered it afresh. West Side Story, the popular musical and film of some 50 years ago, is the best-known modern interpretation. Romeo and Juliet, then, are characters who constantly appear to us in a new guise. It would be utterly superfluous to issue
the stern caveat of a professional historian, warning that this play does not accurately depict fourteenth-century Verona, or, indeed, late medieval Italy. This chapter reintroduces the legendary couple because of the family enmities that tragically thwarted their brief romance. That part of the story, whatever its fictional content, alerts us to events and situations which really took place, in Italy and elsewhere.²

That the story migrated from one society to another is actually an advantage. A consideration of Shakespeare’s sources makes that clear. He wrote the play in the early 1590s, when English versions of the legend were already available. The English, along with French and Spanish writers, had adapted the tale from a novel by Luigi da Porto (1485–1529).³ This nobleman from Vicenza had situated the tragic love of Giulietta and Romeo in the city of Verona at the time of Bartolomeo della Scala’s rule (1301–4). Based on an ambiguous stanza in Dante’s Divina Commedia, da Porto had assumed that the Montecchi and Cappelletti were Veronese families enmeshed in a feud.⁴ This author, however, although he significantly reworked the theme, had not invented it. The original source, until literary historians discover a still earlier version, is Masuccio Salernitano’s Il Novellino, written in the 1450s. Masuccio (1410–75), whose real name was Tommaso Guardati, worked at the court of the Aragonese kings of Naples. His Novellino is a collection of short stories, one of which tells about the secret love of Mariotto and Ganozza. According to Masuccio, this affair took place “not long ago” and, more important, in Siena. Mariotto Mignanelli is “a youth of a good family” and Ganozza, whose surname is not mentioned, the daughter of an esteemed citizen. The motifs of clandestine wedding, exile because of homicide, the sleeping potion, and the lovers’ deaths are all there, although Mariotto does not commit suicide but is decapitated at the court’s order.⁵ Surprisingly, however, the Sienese story by Masuccio has no rival families. Mariotto simply gets into an argument with “another honorable citizen,” and this escalates into a fight; the citizen is hit on the head with a stick and dies. This was a homicide for honor, no doubt, but without, apparently, a family feud.

The Sienese and Neapolitan origins of the story of Romeo and Juliet serve as a warning. Not every medieval homicide can be traced back to a vendetta. Spontaneous street brawls, spousal conflicts, and violent robberies also occurred, as they would in subsequent periods of European history. And yet, a consideration of later periods makes the vendetta a crucial phenomenon. Every other type of serious violence which can be observed in the Middle Ages was equally characteristic of the early modern era, or even beyond. If we wonder what really was specific about the violence of the period that ended around the middle of the sixteenth century, it is precisely the omnipresence of feuds – feuds between
rival families, competing factions, neighboring lords and their retainers, members of opposed camps in a military conflict, or between two groups that had close internal bonds for still other reasons. In the words of a distinguished French historian: “The vendetta made its imprint on every aspect of medieval life, in particular in the towns and that until the fifteenth century at least.”

Thus, despite the absence of rival families from Masuccio’s tale, Siena had its share of bloody feuds. By the mid-fourteenth century, the Tolomei and Salimbeni families were enemies, as were the Malavolti and Piccolomini families. As a prominent historian of Siena explained four decades ago: “To expand upon the numerous episodes involving members of powerful noble families would belabor the obvious. Published chronicles alone are replete with tales of their murders, assaults and minor battles.” Middle Ages, in this chapter, stands for the period from about 1300 to the mid-sixteenth century, when it is more or less possible to distinguish between interpersonal and state violence, although state institutions were only just nascent. They nevertheless ensured a measure of regulation of violence, but this was no more than rudimentary and was easily circumvented.

**Murder and the Medieval City**

The prevalence of feuding was a major factor contributing to the elevated homicide rates found in the Middle Ages. They leave us in no doubt that violence was endemic in Europe. Surprisingly, however, the oldest reliable figures, for thirteenth-century England, are relatively modest – though not really low – compared to those available for the fourteenth and fifteenth centuries. James Given compiled the thirteenth-century rates from eyre rolls (accounts of visitations by justice officials) supplemented with coroner’s records – sources which include cases with unknown offenders. The averages, over periods of three or four years, for the counties of Bedford, Kent, Norfolk, Oxford, and Warwick lay between 9 and 25 per 100,000 inhabitants, depending on the population estimate. For the cities of London and Bristol it was, respectively, 12 and as low as 4, but these urban figures refer to just two years in each case. Note, moreover, that the counties and towns studied are concentrated in the relatively small core area of southern England. Given does concede that Wales and Scotland were notorious feuding areas, but it is possible that the rest of England, too, was more violent than the region he investigated. In any case, higher figures have been calculated for fourteenth-century England. In London, between 1300 and 1340, the average was 42 per 100,000 inhabitants.
about the same period, it was lower in Surrey (12) but at a similar level as that of the capital in Herefordshire (40). The homicide rate for the town of Oxford in the 1340s, just before the Black Death, stood at a record high of 110. No English rates are available between the mid-fourteenth century and the mid-sixteenth.

Continental homicide rates are overwhelmingly urban. The Oxford record was matched by the city of Florence, which, in the second half of the fourteenth century, also boasted 110 per 100,000 inhabitants. Apart from these extreme figures, rates around 50 were not uncommon— in Dutch and German towns among others. Utrecht’s homicide rate averaged 53 in the first half of the fifteenth century and in Amsterdam it was 47 by the middle of that century. In Freiburg im Breisgau in the second half of the fourteenth century, the rate fluctuated between 60 and 90. From various local publications, Martin Schüssler collected homicide rates for a number of towns in present-day Germany, Poland, and the Czech Republic in the fourteenth century: Speyer (30), Nürnberg (42), Augsburg (60), Regensburg (20), Olmütz/Olomouc (77), Liegnitz/Legnica (70), Breslau/Wroclaw (27), and Krakow (64). Available Swedish rates are for Stockholm (38 in the 1470s and 1480s) and the small town of Arboga (23 between 1452 and 1543). In a few cases, inflicted wounds appear to have been registered more or less systematically, but there was probably still some “dark number” remaining. The annual physical injury rates per 100,000 inhabitants are 234 for Regensburg (1324–50) and 175 for Krakow (1361–1405). Another Regensburg source, complete for the years 1410–59, lists oaths taken by people who left the city after a term in jail; 647 of them, about 108 per 100,000 annually, had committed assault.

The unavailability, outside England, of reliable quantitative data about rural homicide is unfortunate. Partly to compensate for this, I have calculated minimum estimates referring to the end of the period dealt with in this chapter. They are based on data, provided by Marjan Vrolijk, concerning petitions either for a safe conduct or for a pardon after a murder in the Dutch provinces of Holland and Zeeland, both still largely rural at the time. The rates of homicide for which a petition was drawn up average 15 in the years 1531–5, 18 in 1546–50, and 16 in 1561–5. These are minimum rates, because they exclude an unknown number of murders which resulted in no petition at all. But even if the majority of killers had written a request to the Court of Holland, the numbers suggest the untenability of a “peaceful countryside versus violent towns” hypothesis.

Admittedly, the historical literature, including Schüssler’s article, contains lower figures as well. However, these are derived, without exception, from criminal prosecutions or similar types of court proceedings; i.e., they refer only to killers who were arrested and tried. The higher rates just
mentioned refer to cases with known killers, usually including fugitives who might be banished by default or offenders who escaped trial through reconciliation. Although a few historians argue that we should simply consider all homicide figures together, from whatever source they derive, this argument cannot be accepted. Obviously, in every case in which an unknown number of killers escaped trial, the real number of murderers – those tried plus the dark figure – cannot have been lower than the number of prosecuted homicides; it must have been higher. Even most of the elevated homicide rates just mentioned exclude cases whose killers remained entirely unidentified and who could therefore not even be banished from the city. Clearly, the higher figures are closer to the mark. The more reliable source of body inspections, available in parts of Continental Europe from the mid-sixteenth century onward, never yields rates above 20 per 100,000 – and usually much lower, except in a few marginal regions. To conclude, the quantitative figures unequivocally point out that interpersonal violence was a relatively common element in medieval life compared to later periods in European history.

Not only homicide rates, but also most of the qualitative evidence about medieval violence derives from urban settings. This state of affairs necessitates a closer look at urban life. Who inhabited and who ruled the towns of the fourteenth and fifteenth centuries and what kinds of activity went on in them besides fighting? Although these towns differed from each other in some respects, the resemblances, ultimately, were more important. The differences primarily concerned their size and economic function. As far as we can tell from the available evidence, economic or demographic conjunctures do not seem to have had a significant influence on the amount of interpersonal violence or the ferocity of vendettas. Homicide rates continued to be high and feuds flared up time and again throughout the period 1300–1550. The Black Death, too, although the occasion for collective violence against Jews and lepers, made little difference over a longer term.

The oldest towns had been built around a pre-existing structure, often a castle or an abbey. Newer markers were the cathedrals that the citizens themselves had built, and the various market squares. The palaces which great families erected in Italian cities and the public buildings of Northern Europe were made of solid stone, but by the fifteenth century timber still predominated among the great majority of ordinary dwellings. The danger of fire always lurked around the corner and the inhabitants probably feared it more than the violence associated with feuding. Volunteers manned the fire brigades, organized by district or street. Bathhouses, bakeries, and breweries were obliged to open their wells if necessary. The narrowness of the streets contributed to the hazard of fire. In Paris, for example, the main streets were five to eight meters across and the alleys
two to three meters. Everywhere, they were paved, if at all, with cobblestones. Streets were important for social life, too. A craftsman fabricated his wares in the house, but would trade them, preferably, in front of his door. Next to buying and selling, there was talking and fighting in the streets. Today, a person witnessing a row would quickly shut his door, but medieval people, more familiar with violence than we are, often saw it as just another part of their social lives.

Because the available drinking water was notoriously suspect, all inhabitants, even prisoners, drank beer to quench their thirst. The beer was light; anyone who became involved in a fight as a result of alcohol consumption would have been drinking either a stronger beer or wine. Perhaps the killing of animals led to violence being seen as a normal event. Butchers drove live cows and pigs through the streets to the meat hall, slaughtered them there, and immediately offered the beef or pork for sale. Customers watching this spectacle were probably reassured that they were clearly buying fresh meat. Butchers often threw the offal, including blood, into a nearby canal, but in due course some towns began to insist that they used flowing streams or rivers instead. Latrines, few in number, were often no more than a dead-end street near the market square. These facilities served residents as well as a host of travelers. It wasn’t only pilgrims and vagrants who were on the move, but also merchants and their agents – i.e., mostly men. Plenty of lodging houses and inns accommodated travelers, who, as a rule, had to share beds. The more adventurous among them would visit the prostitution quarter or stay in the “women’s house,” as it was called in Germany.

All towns were highly stratified and dominated by an elite whose origins varied. Its members sometimes descended from landed nobles, at other times from ordinary tradesmen. Even the latter claimed a venerable ancestry, and everywhere the dominant group cherished its armories and took part in tournaments. The elites monopolized urban government, although the feudal lord on whose territory the city had come into being often had some say in it. At the same time, many towns acquired a degree of control over the surrounding countryside. This form of control was most elaborate in Italy, many of whose towns had completely subjugated their contado. The principle of elite domination was shaken, but not undermined, by the popular movements and uprisings of the later Middle Ages. For one thing, “the people” never meant the really poor. In the towns of northern and central Italy, the old elite, which included the magnates, was challenged in the late thirteenth century, but the new leaders also were wealthy merchants. Guildsmen of Northern European towns acquired rights to seats on city councils and other offices during the fourteenth century, often after bloody uprisings, which continued into the early fifteenth century. But even where their demands for a share in the
urban government were granted, the spoils usually fell to guilds of relatively prosperous merchants such as wine traders. Successful guild or popolo families formed a new closed group, aligning itself with the older elite and, whether governments were “popular” or not, a strong family competition for offices remained the rule. In Italian towns, a single family often managed to gain pre-eminence, with its leading member acting as the signore, and these urban lords were of popolano as well as magnate origin.

This portrait of medieval cities is biased in favor of the upper classes, but that bias is easily justified. The social elites of the Middle Ages were just as heavily and sometimes disproportionately involved in assault and murder as was the rest of the population. It is fair to say that the history of interpersonal violence in Europe begins with the upper classes. Before the rise of towns, men of the secular elite were warriors whose only neighbors were unarmed peasants and peace-loving clerics. Manorial lords levied fines on serfs who fought each other, but their mutual fights were usually trivial. For the elites, violence was part of their lifestyle. When towns emerged, their leading patricians merged or allied themselves with the aristocracy and, more often than not, soon adopted their lifestyle. Medieval patricians and aristocrats alike considered violence to be their special prerogative.

**Elite Violence**

Quantitative judicial data provide only partial confirmation of an excessive upper-class aggressiveness. Records of chattels confiscated from murderers in thirteenth-century England, for example, indicate that the overwhelming majority were of rather humble means. The offenders’ occupations in the Regensburg injury book form a cross-section of the town’s population, save for an overrepresentation of tailors. Figures from other places come closer to implicating the elites. In fourteenth-century Venice, nobles were about averagely represented as offenders in murder cases but overrepresented in cases of assault, rape, and insult. In Konstanz, in the mid-fifteenth century, the group of highest tax-payers was considerably overrepresented among the citizens punished for crimes involving the use of arms. Within 30 years, the council fined 19 of its own members and a number of its servants and messengers for assault. Still another pattern prevailed in Florence in around 1400. Both the magnates and the very poor were overrepresented among citizens convicted for assault. However, because it was harder for poor people to escape judicial prosecution, the overrepresentation of magnates was, in reality, greater.
The Florence pattern probably prevailed in other places as well.\textsuperscript{26} If a large proportion of elite violence remained unrecorded, the extant statistics have only a limited value.

Aggression from nobles and patricians had the greatest chance of remaining unpunished when the victims came from the humble poor. Although vendettas characterized the Middle Ages, most common people experienced violence as being aimed principally at themselves, and mostly without justification. The prerogative of the elites included the right, self-evident to them, to harass any social inferior who happened to displease them. A lot of top-down casual violence ensued, most of which remained unreported; even if it did become a case, the attacker usually got away with it. A nobleman taking a ride finds a peasant in his way: he might take his sword and cut the peasant’s arm. An artisan knocks over the beer can of a wealthy merchant in a tavern: he might himself be knocked down by the merchant. Alternatively, a servant might beat up an impertinent inferior. Aristocrats regularly got angry when an innkeeper or some other service provider asked them to pay the bill. Any hindrance from or self-conscious behavior of a commoner was interpreted by the great as an act of impertinence. The fact that this interpretation was self-evident to them is a constitutive part of the huge inequality of power prevailing in the Middle Ages. As late as the early sixteenth century, the Flemish legal writer Filips Wielant wrote that a gentleman was allowed to ward off with his sword a commoner who attempted to give him a slap on the cheek. If he killed his assailant, it counted as self-defense because he “ought not to tolerate such a shaming act” from a “villain.”\textsuperscript{27}

This kind of routine aggression is attested widely in England, Germany, and Italy, among others.\textsuperscript{28} Italian youths from magnate families would ride out to the \textit{contado} and commit “recreational” violence against peasants. Almost everywhere, such activities only reached the judicial record when an aristocrat was guilty of a long series of particularly callous acts. Noblemen usually had sufficient connections among office-holders to ward off any judicial proceedings. English Justices of the Peace and sheriffs, for example, were all attached, through clientship, family ties, or otherwise, to a great lord, which made them hesitant to undertake action not only against the lords, but also against any of their dependents. In addition, these office-holders used the control they had over the judicial system to resolve personal disputes.\textsuperscript{29} Throughout Europe there were cases of disorderly judges, who drank, gambled, fought, and intimidated people, or who promised to release a prisoner on condition of having sex with his young wife.\textsuperscript{30} Wealthy merchants found it easy to bribe judges. Only rarely did a higher authority stop such abusers of office. Italian nobles often indignantly and impulsively attacked a city guard or a court messenger who approached them in performance of their duty; nobles did
stand trial for such acts, but they were merely fined, whereas a commoner would receive a heavier punishment.  

The casual violence of elites against commoners fits perfectly into Elias’s model of established versus outsider relations. This unequal relationship between two groups can be observed in practically every society, regardless of its overall level of “civilized” behavior. Members of a group with a large surplus of power over another group often consider themselves as intrinsically “better” than their social inferiors. Established groups view themselves as first-rate human beings and deny the outsiders their full humanity. In relatively pacified societies, the established take pride in their civilized manners and stigmatize outsiders as dirty, sexually immoral, or aggressive. Outsiders are socially excluded, through contact avoidance and similar measures. In societies that value honor and bravery, outsiders can literally be pushed aside. The established, proud of their valor and arms, do not feel stained by physical contact with an inferior, at least not by one-sided violent contact. If an outsider gets in the way of an elite person or in any way spoils his pleasure, he is beaten and injured, and he will bear the mark of his inferiority.

When the power of an established elite is challenged, the balance may turn. The rise of “people’s governments” in the Italian communes constitutes an ambiguous example. Medievalists disagree about the effectiveness of their attempts to curb the aggression of aristocrats. As just mentioned, the leaders of the popolo constituted a new elite, interested primarily in restricting the magnates’ arbitrary behavior against themselves. The new elite’s attitudes toward feuding were no different from those of their predecessors. In Florence, in the thirteenth and fourteenth centuries, Andrea Zorzi identified 66 feuds involving patrician families. Of these, 28 conflicts involved popolo houses and in 11 cases, both parties belonged to “the people.” One vendetta pitted the Mannelli clan, of the old magnate class, against the Velluti clan, rich merchants who had started as wool traders. Although the Velluti participated in drafting the 1295 anti-magnate statutes, Lippo Mannelli was killed just a few days before these statutes were promulgated.

This murder is a famous case in historiography. Ostensibly, it was done in retaliation for a loss the Velluti had suffered no fewer than 28 years earlier. Their descendant, Donato, writing in the 1360s, recalled the case. He explained that his father, a few cousins, and some clients from their neighborhood took revenge in 1295 for the death of Ghino, killed by Mannello Mannelli in 1267. When Donato wrote his ricordanze, he had held various offices in the city, among them that of judge. Nevertheless, he praised this act of retaliation by his ancestors, done for the love of lineage and neighborhood. Donato’s account has led to different interpretations of feuding and family obligations. According to John Larner,