Honos alit artes. Studi per il settantesimo compleanno di Mario Ascheri
a cura di Paola Maffei e Gian Maria Varanini

4 volumi

GLI UNIVERSI PARTICOLARI

Le ricerche confluite nel volume, dovute a storici di diversa vocazione, illustrano svariati aspetti della storia dell’Italia medievale e moderna (ordinamenti, economia, società, istituzioni ecclesiastiche e civili, architettura, arte, urbanistica), sono incentrate sulle singole realtà cittadine e su circoscritte aree geografiche e politiche. Fra queste, particolare attenzione è riservata alla città di Siena e al suo territorio, che costituiscono uno dei centri d’interesse dell’illustre studioso al quale è dedicata la serie di quattro volumi di cui fa parte il presente.

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On Christmas Eve 1317, Donosdeo di Bartolomeo Malavolti made his ceremonial entrance into Siena through the city’s northern gate, the Porta Camollia. A decade had passed since the Malavolti family had controlled the bishopric and Donosdeo’s triumphant entrance into the city was cause for celebration. Dressed in his episcopal garments and accompanied by his assistants, Donosdeo walked past the crowds gathered along the Via Camollia and by the Malavolti family castellare where he had grown up. After making sure to stop at the Croce del Travaglio, the one place in the city where its three terzi meet, he proceeded up the Via Francigena to the cathedral, following the same path countless pilgrims had taken while passing through Siena on their way to Rome. A surviving anonymous account of the ceremony describes that as the procession approached the cathedral, Donosdeo paused to pray at the entrance to the Duomo and again at the high altar, before taking the throne for the first time as his city’s bishop. That night, he celebrated his ascension to the high office by hosting a feast for friends and family in the episcopal palace. And the next day at Christmas Mass, he reintroduced himself to his fellow Sienese citizens, now not only as a son of one of the city’s richest magnate families, but also as Siena’s spiritual leader.

Recent scholarship has demonstrated the ways in which familial ties and family solidarity remained the foundation of many economic and political alliances well into the Renaissance. One important yet largely unexamined
route through which late medieval families sought to exert their power and enrich themselves in the process was through ecclesiastical office. This article focuses on a particular Sienese family, the Malavolti, and its control of the bishopric under Donosdeo, whose tenure corresponded with the high point in the city's history under the famous government of the Nine, who ruled Siena from 1287 to 1355\(^3\). Through an examination of Donosdeo's thirty-three year tenure and his relationship to his natal family, this article examines many of the ways in which the Malavolti benefited from placing their son on the episcopal throne. At the same time, this article suggests that Donosdeo's overlapping identities as the city's bishop, a Sienese citizen, and a member of the Malavolti family provided him with a way to align the interests of the episcopal office with those of the Sienese state and his family. Accordingly, Donosdeo's career as bishop provides one way for medieval historians to move beyond the old dichotomies of church vs. state, or magnates vs. civic governments, or even mendicants vs. bishops, as his tenure helps illustrate the advantages of considering questions of identity, in particular civic and familial, when explaining the complex power dynamics of late medieval Italian society.

Among the many city-republics to benefit from the miraculous economic growth and urban expansion of the thirteenth century, Siena emerged by the middle of the 1200s as one of Europe's richest cities. From the beginning it seems, Siena's prosperity was tied to the success of its banking companies: the Piccolomini and Buonsignori banking firms served as papal bankers throughout the thirteenth century, and the other great Sienese magnate families, the Tolomei, Malavolti, and Salimbeni, all made their fortunes in the banking industry\(^4\). The great success of each of these families and their companies kept any single family from gaining control over the city's political institutions. In fact, despite their wealth, Siena's richest families were largely excluded from

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political power, particularly after 1277 when all magnate families were prohibited from holding the highest offices within the city government\(^5\).

Without direct access to political power, Sienese magnates sought to establish close relationships with the city’s other great centers of power: its chief religious institutions. For instance, for much of the first half of the fourteenth century, the Tolomei proudly displayed their coat of the arms on the front of Siena’s wealthiest and most prestigious charitable institution, the hospital of Santa Maria della Scala, as a symbol of that family’s direct control over the institution\(^6\). Numerous other magnates, including the Salimbeni and the Piccolomini, forged close relationships with the mendicant churches, commissioning chapels and frescoes, patronizing the orders, and sending their sons and daughters to join the ranks\(^7\).

But it was the Malavolti who most successfully forged connections with Siena’s leading religious institutions, most notably, with the Dominicans. In many ways, the Malavolti’s control of the bishopric had its origins in a land deal between the family and the Dominican Church. On 24 March 1226, three members of the Malavolti clan provided the Dominicans with property on which to construct their church, located directly outside the city walls in Camporegio, near the Malavolti *castellare*\(^8\). The large Dominican church quickly went up, and the order grew to be a major force in Siena owing to the Dominicans’ role as the city’s chief inquisitors from 1245\(^9\). Less than a decade later, the Dominican friar Tommaso Fusconi was elected bishop of Siena\(^10\). Bishop Tommaso’s elevation of Rinaldo di Orlando Malavolti as the episcopal vicar under in 1259 marked the beginning of the Malavolti family’s efforts to control the cathedral canonry and with it, the right to appoint the city’s bishops\(^11\). Just over a half century after the Malavolti sold the Dominicans land upon which they could build their church and two decades after Rinaldo di Orlando’s election to the position of episcopal vicar, the Malavolti placed one of their sons upon the episcopal throne for the first time in 1282, when the cathedral canonry elected Rinaldo di Uguccio

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\(^7\) Surviving magnate wills show widespread patronage of all the mendicants, including the Dominicans, Franciscans, Servites, and the Augustinians of Siena; Mucciarelli, *I Tolomei Banchieri di Siena*, pp. 248-252. Canon Rinaldo di Orlando, as well as Orlando di Bartolomeo and bishop Donosdeo were among the Malavolti family members who bequeathed money in their wills to the Franciscans, Dominicans, Servites and Augustinians.

\(^8\) Archivio di Stato di Siena (hereafter ASS), *Diplomatico*, S. Domenico, n. 807 and 808, 24 March 1226.

\(^9\) In 1245, the bishop of Siena, Buonfiglio, granted the Dominicans and the Franciscans power to seize, hold, and condemn heretics in Siena. ASS, *Diplomatico*, S. Domenico, 18 January 1245.


\(^11\) Archivio dell’Opera della Metropolitana di Siena (hereafter AOMS) 1, n. 10, 6 Nov. 1259.
Malavolti as bishop. From the time of Rinaldo’s election in 1282 until the death of Giacomo Malavolti in 1371, all of Siena’s bishops would come from the ranks of the Malavolti family or the Dominican Order\textsuperscript{12}.

Of all the Malavolti bishops, Donosdeo’s tenure was the most productive and illustrative of the complex power dynamics within fourteenth-century Sienese society\textsuperscript{13}. First of all, Donosdeo proved himself to be an effective administrator and legislator. In his first major act as bishop, on 31 January 1318 at a general synod held in the cathedral, Donosdeo ordered his administrators to visit and report on the condition of each church under his control. The result of these efforts was the \textit{Liber titulorum benefittorum ecclesiasticorum civitatis et dioeceses Senensis}, which systematically assessed all church property in the diocese for the first time\textsuperscript{14}. The creation of the \textit{Liber titulorum} was just the first of several actions taken by Donosdeo to centralize and strengthen Siena’s episcopal administration\textsuperscript{15}. In 1324, together with the leading men from those lay communities under episcopal control, Donosdeo created the statutes of the Vescovado\textsuperscript{16}. He also comprehensively reformed the ecclesiastical statutes in 1336, restricting the behavior and actions of clerics, reasserting the centrality of the parish in daily Sienese life, and further strengthening the episcopal bureaucracy\textsuperscript{17}.

Even more important to the history of Siena than Donosdeo’s administrative and legislative efforts was his close relationship with the government of the Nine. As bishop, Donosdeo proved to be a critical ally of the Nine, and on several occasions, he played a vital role in the government’s very survival. For instance, the Tolomei family attempted to overthrow the government of the Nine by staging a violent rebellion in the city’s main square in 1325. When Siena’s police forces and communal soldiers were unable to put down the uprising, Donosdeo came to the rescue. Processing with his clergy down into the


\textsuperscript{14} Archivio Arcivescovile di Siena (hereafter AAS) 3395, cc. 1r-39r. See also W. Bowsky, \textit{A Medieval Italian Commune}, pp. 270-272.

\textsuperscript{15} On the evolution of the episcopal administration in the late Middle Ages and the Renaissance, see G. Chironi, \textit{La mitra e il calamo. Il sistema documentario della chiesa senese in età pretridentina (secoli XIV-XVI)}, Siena 2005.

\textsuperscript{16} N. Mengozzi, \textit{Il feudo del vescovado di Siena}, Siena 1911, pp. 185-254.

square behind the cross and into the middle of the chaos, Donosdeo brought an end to the fighting, as «the fighters began to let themselves be separated so that the fighting ceased»\(^{18}\). Remarkably, the bishop and clergy were able to do what communal soldiers and officials could not: they restored peace and reestablished public order in Siena. Acting as both the city’s spiritual leader and a member of one of the city’s leading families, Donosdeo recognized the threat the Tolomei posed in their efforts to establish a tyranny over the city and inserted himself and his clergy into the mêlée in order to suppress the rebellion.

On other occasions, including in the aftermath of natural disasters and periods of famine, Donosdeo acted in concert with the Sienese government to prevent various crises from upending civic order. After an earthquake struck Siena in December 1320, he led special Masses to abate God’s anger and participated in communal processions with civic authorities as a public show of unity with the ruling class\(^{19}\). And when famine struck Siena a decade later, he used episcopal grain reserves to help the Nine squelch riots and keep shortages from leading to the upheaval of society and the overthrow of the government\(^{20}\).

In each of these instances, Donosdeo had personal, professional, and moral obligations for supporting the government: it is likely that he viewed his actions as being in the best interests of the Sienese Church, the Malavolti family, and the Sienese state.

Yet a closer examination of Donosdeo’s tenure suggests that out of overlapping allegiances to the church, family, and state, his ultimate loyalty was to his family, as he devoted significant efforts as bishop to ensure that the Malavolti benefited from his position and resources. Donosdeo was responsible for solidifying the Malavolti’s hold on the cathedral chapter and its rich benefices, appointing at least four family members to the canonry and providing them with the richest and most prestigious benefices in the diocese\(^{21}\). Just as importantly, during his long career as bishop, he helped prevent men from other magnate families from joining the chapter, as no Tolomei, Piccolomini, or Salimbeni served as cathedral canons under Donosdeo. Without a voice in the cathedral chapter, other magnates were unable to prevent Donosdeo from grooming and hand-picking his successor, Azzolino di Minio Malavolti, who was elected as bishop by the cathedral chapter in 1351\(^{22}\).


\(^{19}\) CS, Agnolo di Tura del Grasso, p. 382.


\(^{21}\) The most prestigious benefices in the diocese, over which the Malavolti had control were the pievi of Rosia, Corsano, and Bozzone: for Rosia, BC, ms B. VI. 18, c. 204v; for Corsano, AAS 99, 161r-v; for Bozzone, ASS Ospedale, 91 (Protoccolo XIV, di Geri del fu Nello), 45r.

\(^{22}\) Donosdeo’s will dates to 5 December 1350. Other related documents illustrate that he had died.
There are also numerous examples in which Donosdeo directly used his position as bishop and his control over the episcopal patrimony to financially benefit the Malavolti family. In 1331, for instance, Bishop Donosdeo received, in the form of a donation, significant property in the commune of Pari, located in the Sienese contado. The donation also granted Donosdeo legal rights as lord and signore of Cassaro and Rocco. Despite the language in the bequest which suggests that the donation was given specifically to the episcopate, Donosdeo immediately gave the property and related rights to his nephew, Bartolomeo di Orlando, who already possessed significant property in the area.

Donosdeo similarly used his office and its resources to gain control of the castello and commune of Gavorrano, located south of Siena in the Maremma between Massa and Grosseto. Until 1328, the Malavolti had actually held rights over the castles and territories of Gavorrano before selling their control of the land for 6,000 florins in that year. Yet less than a decade later, Donosdeo restored his family’s power in the region, as Donosdeo coerced the leading men of Gavorrano to recognize him as their signore. In these machinations, Donosdeo’s eye was clearly on family wealth and posterity. Near the end of his life, Donosdeo handed over his control of Gavorrano to his nephew to ensure that upon his death, Gavorrano would not become part of the episcopal patrimony but would instead remain with the family. The gambit worked: the Malavolti would maintain control over Gavorrano until 1465.

Donosdeo further appropriated church funds to advance family interests by using episcopal resources to purchase a farm, several houses, and some animals south of Siena along the Ombrone River in Castiglione in 1338. The surviving contract specifies that Donosdeo had purchased the property «for himself and his heirs, and truly not for [his] office and the church of Siena». The purchase ended up pushing the Malavolti family into direct contact with the Piccolomini, who had just recently invested heavily in Castiglione by purchasing its major castle for 10,000 florins. With the Malavolti and Piccolomini families already engaged in a vendetta, Donosdeo’s purchase at Castiglione led the two families into direct combat, with the bishop sending fifty of his men to fight against a healthy contingent of men loyal to the Piccolomini. Several men were killed in the battle and a

by 12 December 1350; Mazzi, Il vescovo Donosdeo dei Malavolti, pp. 205-206. Azzolino was elected as bishop on 22 November 1351; Pecci, Storia del Vescovado, p. 274. On Azzolino’s tenure, see Nardi, I vescovi di Siena e la curia pontificia, pp. 167-171.
23 BC ms B. VI. 13, c. 128v, N. 141, 28 June 1331: «in nome suo et a nome di detto Vescovado».
24 ASS CG 110, ff. 68-72v; see also Bowsky, Finance of the Commune of Siena, p. 129.
26 BC ms B. VI. 13, c. 129 r, N. 143, 18 April 1336. In return, they received permission to use the local mill and for their animals to graze on land in the district.
27 Repetti, Dizionario geografico, p. 417.
28 BC ms A VIII 48, 108rv: «ementem pro se suisque heredibus, et non vero pro dignitate et ecclesia senensi».
29 CS, Agnolo di Tura del Grasso, p. 522.
number of others were seriously injured. In the end, the Piccolomini maintained control over the property. In the same year (1338), at the instigation of the Piccolomini, papal officials launched an investigation into Donosdeo’s management of the episcopal mensa. Pope Benedict XII ordered Hugo Augerio, rector of the papal patrimony, to investigate charges that Donosdeo had extorted church money for the «use and inheritance of his brothers, nephews and others of his lineage». The papal inquiry specifically accused Donosdeo of purchasing property with episcopal resources for his family in Pari, Gavorrano, and Castiglione. The amount of money Donosdeo was accused of extorting from the church was 50,000 florins, an astounding sum. To provide some context, 50,000 florins was more than half of the entire value of all Malavolti family property in Siena as assessed in the city’s surviving fourteenth-century tax records. Ultimately, the papal inquiry was unsuccessful and did little to change Donosdeo’s approach to his office: the Malavolti maintained control over their properties at Gavorrano, Castiglione, and Pari well into the fifteenth century.

The Malavolti family also sought to use the office of the bishop to enhance its stature in society by adding the episcopal miter to the family crest right around the time of Donosdeo’s ascension to the throne. The family emblazoned their new crest, replete with the chief symbol of the bishop’s authority, on Malavolti tombs in the church of San Domenico and in the cathedral, as well as on the arco Malavolti, which served as the entrance to the family castellare. Donosdeo also linked the family to his office by prominently displaying the Malavolti crest on a distinctive large carpet and a shield of arms within the episcopal palace. In all of these ways, the Malavolti connected their family to the episcopal office, making clear to all that the bishop’s seat belonged to them.

30 CS, Agnolo di Tura del Grasso, p. 522; Pecci, Storia del Vescovado, p. 271.
32 Archivio Segreto Vaticano, Coll. 61A, f. 15rv, as cited by Théry, Faide nobiliaire et justice inquisitoire, p. 292: «à l’usage et héritage de ses frères, neveux et autres de son lignage».
34 Théry, Faide nobiliaire et justice inquisitoire, p. 291.
36 The earliest version of this crest with the episcopal miter survives from the seal of Niccolò di Orlando Malavolti (d. 1318). A. Lisini, Il sigillo di Niccolò Malavolti, in «Miscellanea storica senese», 2 (1894), I (Reprint Siena 2004), p. 31. This crest is divided into four quadrants, with the lower left and upper right depicting the traditional Malavolti ladder and the lower right and upper left composed of the episcopal miter.
Another way in which Donosdeo and his relatives used the episcopal office to exalt the Malavolti name was through the construction of a family chapel in the cathedral. Between 1339 and Donosdeo’s death in 1350, several Malavolti endowed chaplaincies on behalf of the family and contributed financially to the chapel’s construction. Donosdeo chose for the site of the chapel the altar of San Vittorio, one of the four major altars in the cathedral, each dedicated to one of Siena’s principle patron saints. As bishop, Donosdeo had helped commission all of Siena’s greatest living artists, Simone Martini, Ambrogio and Pietro Lorenzetti, and Bartolomeo Bulgarini, to paint Marian altarpieces depicting the Virgin and one of the city’s patron saints. While the first three were completed by 1342, the final Marian altarpiece, painted by Bulgarini, was placed upon the altar of San Vittorio, the site of the Malavolti family tomb just months after Donosdeo was put to rest in December 1350. The endowed chaplaincies ensured that the Malavolti chapel would be maintained and that the family would be remembered in prayer and through religious services in the cathedral for years to come. The chapel remained the reserve of the Malavolti family until at least 1560. To this day, in the cathedral in Siena before the altar of San Vittorio one can still see the Malavolti family crest, evoking the former power and accomplishments of Donosdeo and his family.

Although it is clear that Donosdeo used the episcopal office to benefit his family, it is important not to discount the role of faith and piety in his vocational choice. As Julien Théry has shown, it would be an oversimplification to view Donosdeo’s actions as bishop as stemming solely from his desire to benefit his family. As documented in his will, Donosdeo’s donations to the wretched poor, orphans, and to young poor girls, including 200 moggia of grain that he left as alms for the poor and for pilgrims at Santa Maria della Scala, reveal a commitment to Christian charity. Other bequests suggest that Donosdeo viewed piety as compatible with the interests of his family. In addition to endowing four cathedral chaplaincies for his own tomb in the cathedral,

38 Bartolomeo di Orlando di Malavolti asked to be buried in the cathedral next Donosdeo in his will: BC ms B. VI. 13, c. 170r (1339); Pietro di Guiduccio Malavolti endowed a chaplaincy in the cathedral on behalf of the family in 1348: ASS ms B 39, N. 835, 5 July 1348; Donosdeo himself endowed four chaplaincies in his will; see C. Mazzi, Il vescovo Donosdeo dei Malavolti, pp. 96-102.
41 Norman, An abbess and a painter, p. 298.
42 AOMS 8, c. 3r, 3 December 1415; AOMS 8, c. 3v, 15 January 1416.
43 The sixteenth-century wall tomb of Hieronymo Malavolti (d. 1560) is located beside the altar of San Vittorio; the Malavolti family crest containing the episcopal miter can be found next to the tomb.
44 Théry, Faide nobiliaire et justice inquisitoire, esp. pp. 314-316.
Donosdeo also endowed chaplaincies in San Domenico and the family’s parish church, San Egidio. The chaplains were responsible for singing Masses and praying for the souls of deceased family members, with the goal of easing his forebears’ and his own time in Purgatory.46

Perhaps the best example of Donosdeo aligning his overlapping allegiances to his city, his religious office, and his family was with the foundation of the ospizio of Santa Marta. Founded by Donosdeo in 1348, Santa Marta was established to provide lodging for clerics traveling through Siena on pilgrimage. In addition, the ospizio served as a hospital for the poor and as a school for clerics, staffed by a doctor, music teacher, and grammarian. In the statutes of Santa Marta, Donosdeo left his six nephews, the offspring of his three brothers, in charge of managing the institution.47 Santa Marta would quickly develop a reputation as one of the most venerable institutions in Siena, hosting emperors and foreign dignitaries in the fifteenth century, and surviving well into the eighteenth century.48 Through the establishment of Santa Marta in 1348, Donosdeo was able to donate the earnings from his management of the episcopal estate to a cause that was good for Siena, pious in its intention, and yet also beneficial for the Malavolti.

As this article has shown, the Malavolti family used its connections with the Dominican order to first gain control of the bishopric and then saw its investment in church office repaid during Donosdeo’s tenure: he helped the family to control the cathedral chapter, ensured that another Malavolti succeeded him to the episcopal throne, created a family chapel within the cathedral, and used episcopal funds to expand his family’s holdings throughout Tuscany. At the same time, his administrative reforms and cooperation with communal authorities in times of crisis suggest that Donosdeo successfully navigated his overlapping identities and found ways to align the interests of the bishopric, family, and state. Donosdeo was simultaneously the head of the Sienese church, a Sienese citizen, and a leader of the Malavolti family. Donosdeo’s long tenure as bishop and an examination of his competing loyalties to the church, his family, and his city force us to reevaluate notions of the church, state, and family as discrete spheres. Instead, it is clear that Donosdeo cast a long shadow over each of these institutions during his thirty-three year tenure as Siena’s bishop.

46 AOMS 8, c. IIIr, 3 December 1415; and c. IIIv, 15 January 1416.
47 Mazzi, Il vescovo Donosdeo dei Malavolti, p. 94.
The bishops embraced the findings of a study group on sexual morality chaired by Berlin Archbishop Heiner Koch, which will form a starting point for the Synodal Way of the Church in Germany to rethink Catholic teachings and praxis for the present day. There was agreement that the sexual preference of humans is expressed during puberty and assumes a heterosexual or homosexual orientation, the statement reads. The findings of the meeting, sponsored by the Bishops’ Commission for Marriage and Family to deal with issues of sexual morality, will be used to update the Church’s teaching staff on sexual morality, the communique revealed. Donosdeo Malavolti, vescovo di Siena dal 1317 al 1350. Azzolino Malavolti, vescovo di Siena dal 1351 al 1371. Iacopo Malavolti, vescovo di Siena nel 1371. (EN) Edward D. English, “Entreprise and Liability in Sienese Banking, 1230-1350”, Cambridge (Mass.), 1988. (EN) Bradley R. Franco, “Episcopal Power and the Late Medieval State: Siena’s Bishops and the Government of the Nine”, Viator, 45/2, 2014, p. 255-269. (EN) Bradley R. Franco, “Church and Family. The Tenure of Bishop Donosdeo Malavolti”, in Honos alit artes. Studi per il settantesimo compleanno di Mario Ascheri. II. According to the agreement, the practice of having one bishop govern two separate dioceses at the same time, aeque personaliter, was abolished. This made the combining of Montalcino and Colle di Val d’Elsa under one bishop infeasible. Instead, the Vatican continued consultations which had begun under Pope John XXIII for the merging of small dioceses, especially those with personnel and financial problems, into one combined diocese. On 30 September 1986, Pope John Paul II ordered that the dioceses of Montalcino and Colle be merged with the diocese of Siena, into one diocese with one bishop, with the Latin title Archidioecesis Senensis-Collensis-Ilcinensis. Peasant families now had less energy with which to till the land needed for a harvest to make up for the previous shortfall and possessed a much smaller food supply in reserve to sustain them until the next harvest. By the spring of 1317, all classes of society were suffering, although, as might be expected, the lower classes suffered the most. Draft animals were slaughtered, seed grain was eaten, infants and the younger children were abandoned. The weather had returned to its normal pattern by the summer of 1317, but the pople of Europe were incapable of making a quick recovery. An important factor in this situation was the scarcity of grain available to be used as seed. Nevertheless, the bishop demanded that everyone pay him their full rents and taxes in money and in kind.