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Miniatura, ki prikazuje maščevanje med plemenitimi moškimi in ženskami / La miniatura che rappresenta la vendetta tra uomini e donne nobili / A miniature showing revenge among noble men and women (Source: Manuscript: BGE Ms. fr. 190/1 Des_cas_des_nobles_hommes_et_femmes, f. 77, from Paris, 1410, holding institution: Bibliothèque de Genève. <http://manuscriptminiatures.com/des-cas-des-nobles-hommes-et-femmes-ms-fr-1901/3069/>).

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THE FEUDING SPECTRUM: FROM THE MOUNTAINS OF ALBANIA
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ABSTRACT

At the end of an interdisciplinary conference on “Feud in Medieval and Early Modern Europe,” held in Aarhus, Denmark in 2003, the participants realized we could not agree on a definition of the feud, and we were left with a certain “definitional incoherence.” In the hope that scholarship can make progress, this paper proposes to build upon the Denmark conference. This paper suggests that the feud should be understood as a spectrum of behaviors and values. Part of the task is to identify the boundaries of the feuding spectrum, so that all acts of reciprocal violence do not collapse into it. At one end of the spectrum were those acts most distant from the power of the state, exemplified by the customary law of the Kanun of the Albanian mountains. At the other end of the spectrum might be cases of feuding that hid under the blanket of the ragione dello stato and statutory law, cases in which the laws of the monarch repudiated private justice in favor of public norms but that in practice allowed certain privileged persons to continue to pursue feuds. The paper examines the role of Emperor Charles V in the assassination of Lorenzino de’ Medici, himself the assassin of Duke Alessandro de’ Medici, the Emperor’s son-in-law. In between these two extremes were numerous examples of perpetrators of violent acts who negotiated their way along the spectrum to maximize the chances of success during a period of deep social conflict over the honorable and legal ways to redress grievances. There is a certain paradox in my thesis: although the customary codes of the feud implied rigid obligations to maintain honor, feuding parties made choices about where to situate themselves on the spectrum.

Keywords: Feud, Albanian Kanun, Emperor Charles V, Assassination

At the end of an interdisciplinary conference that I attended in Aarhus, Denmark in 2003 on “Feud in Medieval and Early Modern Europe,” the participants could not agree on a definition of the feud and concluded with a certain “definitional incoherence” (Netterstrom, 2007, 48–49). In the hope that scholarship can make progress, this paper proposes to build upon the Denmark conference. Rather than trying today to pin down a definition, as if feud is an object (“the feud”) or even a certain kind of transaction (“to feud,”) I would like to propose that we look at feuding as a spectrum of behaviors and values.

One might think “spectrum” connotes the Latin meaning of a *spectre*, an apparition, or ghost as in the Italian, *spettro*. The feud as a *spectre* implies it is an illusion, but I mean to engage the modern connotation of spectrum as designating the full range of a phenomenon: a spectrum of colors in a decomposed beam of light, a spectrum of the wavelengths of electromagnetic radiation, or the spectrum of autistic symptoms. The autistic metaphor borrowed from medicine might be especially useful because the symptoms are behavioral and often hard to distinguish at one extreme from “normal” variations in childhood behavior and at the other from severe brain damage. Moreover, as with feuding, the causes of autism are hard to pin down, and, therefore, hard to treat. Feuding and autism are both real phenomena but defy easy classification and definition.

Part of the task is to identify the boundaries of the feuding spectrum, so that all acts of reciprocal violence do not collapse into it. At one end of the spectrum were those acts most distant from the power of the state, exemplified by the customary law of the Kanun practiced in the Albanian mountains. At the other end of the spectrum might be cases of feuding that hid under the blanket of the *ragion dello stato* and statutory law, cases in which the laws of the magistrate and monarch repudiated private justice in favor of public norms but that in practice allowed certain privileged persons to continue to pursue feuds. As an example, this paper examines the role of Emperor Charles V in the assassination of Lorenzino de’ Medici, himself the killer of Duke Alessandro de’ Medici, the emperor’s son-in-law. In between these two extremes were numerous examples of perpetrators of violent acts who negotiated their way along the spectrum to maximize the chances of success over the honorable and legal ways to redress grievances. There is a certain paradox in my thesis: customary codes, at least in the forms available to us, seem to have regulated violence more effectively and more universally than early modern jurisprudence. Although the customary codes of the feud implied rigid obligations to maintain honor, feuding parties made choices about how to situate themselves on the spectrum (Muir, 1993, 275).¹ They decided when and how to retaliate, often after long delays, and they might appeal to the courts not from some respect for the law but when doing so seemed to offer the desired result.

The heuristic value of the spectrum might be that we can liberate European feuding codes from the quasi-mechanical functionalism of Max Gluckman’s “Peace in the Feud” thesis. He stated:

1 Wormald (1983, 104) draws on the spectrum idea in a similar fashion. Netterstrom seems to suggest the spectrum idea can solve the definition problem (Netterstrom, 2007, 67).

I wish to demonstrate how men quarrel in terms of certain of their customary allegiances, but are restrained from violence through other conflicting allegiances which are also enjoined on them by custom. The result is that conflicts in one set of relationships, over a wider range of society or through a longer period of time, lead to the re-establishment of social cohesion. Conflicts are a part of social life and custom appears to exacerbate these conflicts, but in doing so custom also restrains the conflicts from destroying the wider social order (Gluckman, 1955, 1).

Gluckman's functionalist paradigm has long held sway in historical research on feuding in Europe, especially for the more "primitive" early medieval period in which what we know derives largely from normative laws, but as Keith Mark Brown noted, such an approach "sanitized" the feud by making it a rational expression of socially legitimated norms (Brown, 1986, 2). Since the cultural turn in historical scholarship and especially in studies of Mediterranean violence, the feud has been understood less as a manifestation of the *longue durée* structures of society than as what Trevor Dean has called "vendetta narratives," those histories of quarrels that served as exemplary tales and that carried "implicit moral lessons" (Dean, 1997, 31–32). In my view, the vendetta or feud if you will (and I do not find the distinction between these two terms very useful) was a form of collective memory preserved in cautionary tales told to children, oral narratives, and literary efforts, in stories told around the hearth, in *novelle* such as Da Porto's *Giulietta e Romeo*, or plays such as John Ford's *Tis Pity She's a Whore* (but not the misogynistic David Bowie song of the same title).

Within Europe the most thoroughly elaborated customary code of feuding was undoubtedly the Kanun of the High Plateau of Albania. The Kanun is represented in a reputedly ancient customary law code that was finally published in several different versions beginning in 1853 and observed in practice during the early twentieth century by several outsiders, most famously the Scottish anthropologist-adventurer, Margaret Hasluck, who lived in Elbasan, Albania for thirteen years. It is also the subject of what is surely that most brilliant fictional representation of feuding, Ismail Kadar's *Broken April* (Kadaré, 1982) (*Aprile spezzato* (Kadaré, 1993)).

In his novel Kadar echoes Pierre Bourdieu's observation about the characteristics of a practice (Bourdieu, 1977). To Bourdieu the violent act of revenge manifests the *habitus* of feuding, the dispositions or acquired schemes of perception, thought and action that constitute the practice of the feud. The feuding *habitus* relies on what Bourdieu called its *doxa*, the learned but unconscious values and belief structures that are assumed to be self-evident and that guide an avenger's actions and thoughts. In Bourdieu's analysis of the feud, the timing of an act of retaliation undergirds its social legitimacy, its moral power to preserve honor and community values. For the protagonist in Kadar's novel, Gjorg Berisha the young Albanian "justicer," the term for the person who kills to avenge the dead, timing is everything, and his delay in avenging his brother's murder threatened his family's honor. His brother's bloody shirt hanging outside the house becomes a kind of death clock prodding him to spill blood before the limited timespan of honorable revenge runs out. In committing his revenge murder, Gjorg acts out the social script of the Kanun and

afterwards lingers in a kind of living death waiting for the end of his *bessa*, the temporary truce that gives him one month to live before he either faces his enemies who try to kill him or locks himself in a tower for safety. The novel, however, is an extended essay on the apparent contradictions and imponderables of the feuding code that reputedly maintains complete control over the social consequences of feuding violence. For the Berisha family the Kanun represents immutable law. For the prince of Orosh, who collects the blood tax, it is a source of income. For the prince's "steward of the blood," who presides over the rules of the Kanun, it is a profound mystery. For an unnamed Marxist writer referred to in the novel, it is crude class exploitation. After Gjorg commits his murder and pays the blood tax, he wanders the roads of the High Plateau. At the same time roaming around the plateau in a fancy carriage is a writer and his beautiful bride from Tirana. The urban intellectual, who finds the Kanun "terrible and beautiful," romanticizes the highlands and its blood feuds (Kadare, 1993, 63–68). The book debates the Kanun: was it a rigid system of honor that encompassed all of society, making blood revenge integral to everything else—plowing the fields, paying taxes, maintaining the public roads—or was it merely a blood accounting, a system of gain and loss that benefited the aristocracy?

The reality of the Kanun is harder to pin down than the theory, and Azeta Kola will be able to say something far more definitive about it than I may here. On the feuding spectrum, however, the Kanun might define the most thoroughly elaborated customary code. According to one legal historian, the Kanun "*era una speciale mentalità etica, fondata sul sentimento d'onore, di fedeltà di libertà non priva di senso di responsabilità.*" (Vilari, 1940 as summarized in Martucci, 2010, 63). The legal code itself, which expresses itself as eternal and immutable does not actually tell us anything about practice, which often was accidental and changeable. The cultural anthropologist, Donato Martucci of the University of Salento, has analyzed the multiple versions of the Kanun and investigated what happens in practice. The theory is grounded on a moral principle of *birrnijs* – the attributes of a virtuous man including prudence, justice, and temperance – an ethic similar to the Sicilian *omertà*. The theoretical system includes the notion of a promise in the sense of a treaty between feuding parties (the *bessa*), of personal liberty, of equality among honorable men (the principle of blood for blood), and of shame for those who fail to shed the blood of an enemy. Ancillary to the system of personal relations among feuding families are the broader social ramifications, especially the sacred obligations of hospitality toward a guest:

La dimensione divina appare ancora più autentica quando si considera che la si acquisisce d'improvviso una sera, soltanto per alcuni colpi battuti a una porta [...] Qualsiasi uomo comune, in qualsiasi note o in qualsiasi giorno, può essere elevato alla sublime dignità di ospite. Quindi la via di questa divinizzazione temporanea è aperta a chiunque, e in ogni momento [...] E questa trasformazione inattesa è appunto partecipe della natura divina (Kadare, 1993, 63–68).

The actual moment of the taking of blood involved elaborate rules of when and where to shoot, how to arrange the body properly, how to notify the community, and who was

exempt from violence – children, women, priests. In the Albanian mountains where the Kanun was followed, resorting to the law of the state never seems to have been an option except perhaps under the Communist regime. The community elders might have a role, but disputes about the provisions of the Kanun were appealed to informal experts rather than the courts.

In contrast to Albania, an intermediary place on the feuding spectrum began to appear in other parts of Europe during the late medieval and early modern period when pursuing blood feud or resorting to the legal system became a choice. In this intermediary place, the micro-geographies of family property, public roads, and community lands yielded to the legal territorial boundaries asserted by the nascent states.

Some years ago my own research on feuding in Friuli led me to a remarkable document about choosing between the codes of the vendetta and the laws of the state: The chronicle of the Friulan aristocrat, Soldoniero di Strassoldo, who inserted his own family's experiences into a record of the endemic violence that plagued Friuli in the sixteenth century (di Strassoldo, 1895, 30–55).² The case is one about inherited obligations of revenge, property conflicts within a lineage, family strategies to preserve patrimony, jurisdictional boundaries, shopping for sympathetic courts, and fear of the consequences of a revenge killing, in other words all the considerations required of participants in a feud. The story involves a dispute between, on the one side, the author Soldoniero and his brother Federico di Strassoldo, and on the other, their first cousins, the brothers Zuan Iosefo and Bernardino di Strassoldo. Here was a classic example of how property held *in fraterna* by brothers and agnatic cousins could become the grounds for a feud among kinsmen.

Soldoniero and Federico filed a legal suit against their cousin Zuan Iosefo for usurping more than his share of the income from properties held *in fraterna* by their respective fathers. On October 4, 1561, Federico was returning from the market town of Belgrado to the family villa for the beginning of the grape harvest. The road passed through one of the several small jurisdictional enclaves that belonged to the Holy Roman Empire in Friuli, which was in most places subject to the authority of the Venetian republic. Accompanied by three *bravi*, Zuan Iosefo hid beside the road in a ditch that divided two fields of sorghum and that formed the border between Venetian and imperial territories. As Federico rode by, the assassins rushed out, shot him with a pistol, and finished him off with blows to the head. One of Federico's servants escaped into a nearby field, from which he watched the killers drag the body across the ditch into imperial territory to make certain the case would not go to the Venetian authorities. The assassins then escaped into the Venetian jurisdiction where they could not be arrested without creating a diplomatic incident between the republic and the emperor, who was particularly touchy about even the appearance of Venetian violations of his jurisdictional rights in the disputed border region.

The problem then became two-fold: who had the obligation to avenge Federico's death and what role might the courts have in prosecuting the murderers? Federico's orphaned son was just ten years old. That left as the obvious avenger Federico's brother

2 I have previously discussed the case in Muir, 1994, 72–76.

Soldoniero, the author of the chronicle, but he ducked the obligation by appealing to the legal authorities. But to which courts should he appeal, the imperial captain in Gradisca or the Venetian luogotenente in Udine? The imperial captain had formal jurisdiction, and Soldoniero first went to him, who after a two-week delay banished the killers from imperial territory and confiscated their property. However, Zuan Iosefo and his *bravi* had already found refuge in Venetian territory, and the Venetian luogotenente in Udine refused to act because he lacked jurisdiction in the matter. Soldoniero appealed to Venice where his case was kicked around from the Consiglio dei Dieci, to the Collegio of the Senato, to the Avvogadori di Comun, to the Quarantia, all of which refused to issue an indictment because of the lack of jurisdiction and the danger of a diplomatic dispute with the emperor. As a result of his efforts to have the Venetians hear the case, a frustrated Soldoniero now found himself under indictment in the imperial courts for *lèse-majesté*. If we are to believe Soldoniero's account, here is an example of someone who wanted to avoid a feud and who wanted to rely on the legal system for redress but who was thwarted by the inefficiencies of the law courts, political considerations, and diplomatic sensitivities. After many months pleading in Venice and Vienna, Soldoniero managed to have the assassins banished from Venetian and imperial territories and all their properties confiscated. As one of his dead brother's heirs, Soldoniero received one-quarter of Zuan Iosefo's property, but it was heavily encumbered by unpaid taxes. The lesson Soldoniero wanted to impart to his readers was that his acceptance of the authority of the law had enmeshed him in an impossible situation from which he extricated himself only with great difficulty and expense. The problem of competing jurisdictions may have been particularly acute in Friuli, but it was not unusual in early modern Europe where almost anyone who chose to avoid personal or familial revenge by relying on the courts opened himself to an experience of justice denied. Stuart Carroll, for example, has shown that in France most lawsuits were abandoned before sentencing, and even when sentences were issued, they were seldom carried out (Carroll, 2015).

Zuan Iosefo's conviction, however, did not pay what Soldoniero still saw as a debt of blood. He just refused to collect it himself even though it was his brother who had been killed. Instead he passed on the responsibility to his nephew, Federico's son Zuan Francesco, who would be unable to avoid a "vendetta onorabile" for the murder of his father. At this stage, Soldoniero's reasoning became remarkably self-serving. The boy, he wrote, would eventually be obliged to collect the debt of blood, but as the only heir to the joint property of Soldoniero and Federico, he might place the entire family patrimony in jeopardy. If he killed Zuan Iosefo, Zuan Francesco would certainly be exiled and have his property confiscated. Moreover, Soldoniero had no son of his own since he was a bachelor. Soldoniero, therefore, decided to marry in order to produce a male heir who could inherit the entire patrimony no matter what Zuan Francesco did.

In Soldoniero's calculations reliance on the official legal system, preservation of family property, and the maintenance of personal honor constituted variables in a family economy of exchanges in which any action in one of the three areas of interest had implications for the others. Serious contradictions among the imperatives produced by these interests put Soldoniero into a series of double binds. After the murder of Federico,

Soldoniero faced a dilemma: if he resorted to the judicial system for redress he would be seen as lacking courage, but if he pursued revenge through an act of violence he might lose his property and be forced into exile. If he did nothing he would lack the courage of an honorable gentleman. Even when he attempted to rely on the courts, he was stymied by jurisdictional conflicts and international politics. In fact, what Soldoniero predicted is exactly what happened fourteen years after the initial murder. Zuan Francesco surprised Zuan Iosefo while he was holed up in his rural castle and beheaded him. The Venetian courts exiled Zuan Francesco and confiscated his property. Young Zuan Francesco maintained the family honor, but in the ensuing legal proceedings, his uncle Soldoniero lost some of the family lands. Thus, Soldoniero's elaborate strategy of delay and transference of the obligation to avenge failed, at least in part, and in many respects he was bound to fail. By attempting to engage in a feud and at the same time to respect the law, he set himself on an impossible course along the feuding spectrum, one fraught with perils at every turn. The double-binding imperatives of sustaining an honorable feud and respecting the law made every choice seemingly one of loss rather than gain.

At the opposite end of the feuding spectrum from the mountains of Albania might be the seat of the ultimate source of law in western Europe, the throne of the Holy Roman Emperor, and no late medieval or early modern emperor exercised greater legitimate sovereign authority than Charles V Habsburg. It may seem an oxymoron to depict the emperor as taking the law into his own hands to pursue a private feud, but Stefano Dall'Aglio has recently demonstrated just that (Dall'Aglio, 2011; 2015). The case of what Dall'Aglio calls "the Emperor's revenge" concerned the retaliatory murder of Lorenzino de' Medici in 1548, who eleven years before had assassinated his own cousin, the first Duke of Florence, Alessandro de' Medici. Alessandro was the emperor's son-in-law and ally who had sworn obedience to Charles when appointed duke. Instead of restoring Florentine liberty, which might have been Lorenzino's motive in the assassination, another Medici, Duke Cosimo succeeded Alessandro, solidifying the Medici hold on Florence and confirming the Habsburg domination of the peninsula. The obligation to avenge Alessandro's death should have fallen to his political heir Cosimo. Contemporaries and subsequent historians have assumed that was exactly what happened, but Dall'Aglio demonstrates that Cosimo remained passive in pursuit of Lorenzino. In contrast, the emperor's men plotted for eleven years against Lorenzino, and "*it was Charles V who expressly requested the planning and execution of the murder and gave the permit to go ahead, and that it was three representatives of imperial authority in Italy ... who translated into action his orders from Bavaria*" (Dall'Aglio, 2015, 178). "*Contrary to traditional historiography, which has always spoken exclusively of a 'Medici vendetta' and of the paid killers sent by Cosimo, it seems to me,*" Dall'Aglio concludes, "*that we ought to speak of the revenge of Charles V*" (Dall'Aglio, 2015, 179). Lorenzino, in fact, was not the only case of Charles's engineering the assassination of an enemy in Italy. The list of those killed through his surrogate, the governor of Milan Ferrante Gonzaga, included Pier Luigi Farnese, duke of Parma, Piacenza, and Castro who was viciously stabbed to death and hung from a window of his palace in Piacenza; Francesco Burlamacchi, decapitated in Milan for his anti-imperial activities; and Giulio Cibo Malaspina, executed for a pro-French plot. Lorenzino fell for

the same reasons as these others—he had dared to challenge Charles V—but Lorenzino had also attacked the emperor’s family by murdering his son-in-law. The emperor ensured that the official rationale for the murder remained *ragion dello stato* rather than private vendetta, and for this reason he sought “*to attribute to the irresolute Florentine duke all the ‘merit’ for having brought justice to the assassin of his predecessor,*” a cover-up that has distorted the historical record (Dall’Aglia, 2015, 182).

Thus, even the emperor was capable of engaging in a blood feud, though his august position obliged him to mask his motives, his thirst for revenge, and his willingness to employ assassins for personal ends. It may be artificial, of course, to separate too radically the political from the personal in Charles’s case since his ability to command derived not just from the law but from his personal reputation, as contemporary political theorists, Machiavelli in the forefront, would have recognized. The rustic Albanian from the High Plateau, the Friulan aristocrat, and the Holy Roman Emperor all faced a similar cultural construct of the feud: a murder of a family member required a response in kind, the timing and character of the response determined the honor of the avenger and his family, and that honor became a form of social and political capital for sustaining social position. However, all across the feuding spectrum actors made choices, even if some choices were more constrained than others. Gjorg Berisha the young Albanian justicer in Kadar’s novel saw no way out of the destiny prescribed for him by the Kanun, even as he exercised his own agency by delaying the killing as long as possible. Soldoniero di Strassoldo, in contrast, desperately tried to make choices by resorting to the judicial procedures that attempted to make the feud obsolete, but jurisprudence ultimately failed him and his nephew, who once he gained maturity assassinated his father’s slayer. One would assume that no one had more freedom to choose a course of action during the sixteenth century than the emperor, but even he felt constrained to conduct a private, clandestine vendetta against his son-in-law’s assassin, and Lorenzino’s murder in 1548 did not end the matter. A feud among the pro- and anti-Medici partisans continued in a series of retaliatory attacks for decades.

No matter where they fit on the spectrum all of these feuds were sustained by narratives, by exemplary tales about past events that framed the moral alternatives. We might, in sum, reformulate Max Gluckman’s famous phrase of the “peace in the feud” into the “feud in the story” – those stories that kept a feud alive, including even those stories recorded in judicial documents that stigmatized the cultural value of revenge. Such stories have had great power. They can evoke strong emotions and motivate action long after the specific historical conditions that produced the feud. The Jacobites’ cause in the Highlands of Scotland was a dead letter after their defeat at the Battle of Colloden in 1746, but my otherwise kindly Scots grandmother who never even visited the Highlands until late in her life raised me with tales of “Bonny Prince Charlie” and the fierce warning, “never trust a Campbell.” And I never have.

MAŠČEVALNI SPEKTER: OD ALBANSKIH GORA DO SODIŠČ KARLA V.

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POVZETEK

Ob zaključku interdisciplinarne konference o “Maščevanju v srednjeveški in zgodnji novoveški Evropi”, ki je leta 2003 potekala v kraju Aarhus na Danskem, smo sodelujoči prišli do ugotovitve, da ne moremo priti do enotne definicije maščevanja (fajde) in smo torej ostali v nekem “definijskem neskladju“. V upanju, da bo znanost napredovala, je namen tega članka graditi na zaključkih konference na Danskem. Članek predlaga, da mora biti maščevanje razumljeno kot spekter vedenja in vrednot. Del izziva je v tem, da se definirajo meje maščevalnega spektra tako, da ne bodo vsi akti povračilnega nasilja padli v ta okvir. Na enem koncu spektra so tako tista dejanja, ki so najbolj oddaljena od državne moči, torej tista, ki jih ponazarja običajno pravo Kanuna v albanskih gorah. Na drugem koncu pa so primeri maščevanj, skriti pod okriljem ragione dello stato in zakonskega prava, primeri v katerih so zakoni monarha zavrnilo zasebno pravičnost v korist javnih norm, vendar so v praksi nekaterim privilegiranim osebam omogočali, da nadaljujejo z maščevanjem. Članek obravnava vlogo cesarja Karla V. pri atentatu na Lorenzina de’ Medici, pri čemer je slednji umoril vojvodo Aleksandra de’ Medici, cesarjevega zeta. Med tema dvema ekstremoma obstajajo številni primeri izvajalcev nasilja, ki so se pogajali znotraj tega spektra, da bi si povečali možnosti uspeha v obdobju globokih družbenih konfliktov glede častnega in pravnega načina za odpravo krivic. Znotraj moje teze obstaja določen paradoks: čeprav so običajni postopki maščevanja vsebovali stroge obveznosti glede ohranjanja časti, so stranke v sporu izbirale kje se bodo znotraj spektra nahajale.

Ključne besede: Maščevanje, albanski Kanun, cesar Karel V., atentat

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