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language and the territorial state**

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## The emergence of the duchy of Milan: language and the territorial state

di Jane Black

The map that appears opposite page one of Bueno de Mesquita's biography of Giangaleazzo Visconti is labelled *Northern and Central Italy, showing the territories of Giangaleazzo Visconti in 1402*; no area on the map is identified as the Duchy of Milan<sup>1</sup>. The titles bestowed on Giangaleazzo by Wenceslas, king of the Romans, in 1395 and 1396 had raised Milan initially, and then the other Visconti territories in Lombardy, to the status of duchy<sup>2</sup>. Giangaleazzo himself alluded to his cities collectively as such: in the testament of 1397, produced in the first flush of his acquisition of the second diploma, he appointed his son Giovanni Maria heir to two areas – «the duchy, or rather the city and diocese of Milan», and «the duchy of the cities of Brescia, Cremona, Bergamo, Como, Lodi, Piacenza, Parma, Reggio and Bobbio»<sup>3</sup>. The duke would surely have been disappointed that his greatest achievement was not recognized on Bueno de Mesquita's map. And yet the author's terminology was more realistic than Giangaleazzo's: it would take more than a dazzling diploma to create a new territory with a name and a recognized identity. The processes which eventually converted Visconti lands into a territorial state have been minutely investigated<sup>4</sup>. The mechanisms have proved

<sup>1</sup> *Giangaleazzo Visconti, Duke of Milan (1351-1402): A Study in the Political Career of an Italian Despot*, Cambridge 1941.

<sup>2</sup> The diplomas are published in J. Dumont, *Corps universel diplomatique du droit des gens*, 16 vols, Amsterdam 1726-1731, 2, pt 1, pp. 236-237; and in J.C. Lünig, *Codex Italiae diplomaticus*, 4 vols, Amsterdam 1725-1735, 1, cols. 425-432, respectively.

<sup>3</sup> L. Osio, *Documenti diplomatici tratti dagli archivi milanesi*, 3 vols, Milano 1864-1877, 1, p. 320: «instituit sibi heredem universalem (...) dominum Johannem Mariam Anglum (...) in ducatu et seu civitate Mediolani eiusque diocesi, nec non in ducatu infrascriptarum civitatum et in ipsis civitatibus Brixie, Cremone, Bergami, Cumarum, Laude, Placentie, Parme, Regii et Bobii».

<sup>4</sup> The evolution of a territorial state has stimulated a number of different approaches, summarized

difficult to pin down, leaving few obvious milestones. However, one piece of evidence not so far considered is the vocabulary used at the time to identify the area over which the dukes ruled. The dukes' possessions, constantly changing as they were, were not same as the duchy created in 1396; as a result, it was long before either the dukes or their subjects showed, at least in their terminology, that they recognized the existence of a territorial unit.

### 1. *The duchy of the city of Milan*

Terminology in relation to ducal lands was a particular problem. When in 1498 Ludovico il Moro, duke of Milan, authorized the revised *Leges et statuta ducatus Mediolanensis*, it was made clear that the laws were to apply only in the duchy of Milan. The duchy was defined as not extending beyond «the lands and communities that used to form the contado of Milan before it had the title of duchy»<sup>5</sup>. That, roughly, consisted of the districts of Martesana, Seprio,

recently by F. Del Tredici, *Lombardy under the Visconti and the Sforza*, in *The Italian Renaissance State*, ed. A. Gamberini and I. Lazzarini, Cambridge 2012, pp. 156-176; there are the classic works by G. Chittolini: *La formazione dello stato regionale e le istituzioni del contado secoli XIV e XV*, Torino 1979, and his later collection, *Città, comunità e feudi negli stati dell'Italia centro-settentrionale*, Milan 1996; see also G. Chittolini, *Cities, 'city-states', and regional states in north-central Italy*, in «Theory and Society», 18 (1989), pp. 689-706. There is also F. Somaini, *Processi costitutivi, dinamiche politiche e strutture istituzionali dello stato visconteo-sforzesco*, in *Storia d'Italia*, directed by G. Galasso, 6, *Comuni e signorie nell'Italia settentrionale. La Lombardia*, ed. G. Andenna, A. Ceresatto, A. Cellerino, and M. Fossati, Torino 1998, pp. 681-825, especially pp. 720ff. The role of aristocratic houses has been highlighted by M. Gentile, *Aristocrazia signorile e costituzione del ducato visconteo-sforzesco. Appunti e problemi di ricerca*, in *Noblesse et états princiers en Italie et en France au XV<sup>e</sup> siècle*, ed. M. Gentile and P. Savy, Rome 2009, pp. 125-155. For the Visconti period in particular see A. Gamberini, *Istituzioni e scritture di governo nella formazione dello stato visconteo*, in *Lo stato visconteo. Linguaggi politici e dinamiche costituzionali*, Milano 2005, pp. 35-67; and A. Gamberini, *Oltre le città: Assetti territoriali e culture aristocratiche nella Lombardia del tardo medioevo*, Roma 2009. For a survey of the issues see G. Soldi Rondinini, *Visconti e Sforza nelle terre padane: origine e sviluppo di uno stato regionale*, in *La Lombardia delle signorie*, Milano 1986, pp. 7-26, esp. pp. 12ff. With their lands often straddling borders, it was the personal ties of petty signori with local «potenze grosse» which dictated their allegiance; on this theme see L. Arca ngeli, *Piccoli signori lombardi e potenze grosse*, in *Medioevo dei poteri. Studi di storia per Giorgio Chittolini*, eds. M.N. Covini, M. Della Misericordia, A. Gamberini, and F. Somaini, Roma 2012, pp. 409-443. Language has been analysed as evidence of political realities, for example, by G. Albini, «*Civitas tunc quiescit et fulget cum virtutibus pollentium numero decoratur*». *Le concessioni di cittadinanza in età viscontea tra pratiche e linguaggi politici*, in *The languages of political society. Western Europe, 14<sup>th</sup>-17<sup>th</sup> Centuries*, ed. A. Gamberini, J.-P. Genet, and A. Zorzi, Rome 2011, pp. 97-146; there is also the collection, *Linguaggi politici nell'Italia del Rinascimento*, ed. A. Gamberini and G. Petralia, Rome 2007. D.M. Bueno de Mesquita examined in particular the use of the word 'stato' in connection with the Sforza regime in *The Sforza Prince and his State*, in *Florence and Italy: Renaissance Studies in Honour of Nicolai Rubinstein*, London 1988, pp. 161-172.

<sup>5</sup> Orazio Carpani, *Leges et Statuta ducatus Mediolanensis*, 2 vols, Milano 1616, 1, Cap. 130, p. 271: «Ubiunque in praesentibus statutis sit mentio de ducatus Mediolani, intelligitur de locis et terris quae alias erant de comitatu Mediolani ante habitum titulum ducatus, et ulterius non extendatur».

Bulgaria and Bazzano, where the city had jurisdiction i.e. the area between the Adda and Ticino rivers<sup>6</sup>. In contrast, few months later, in January 1499, the Venetian diarist Girolamo Priuli wrote that the king of France, Louis XII, intended «to come to Italy to conquer the duchy of Milan», meaning all of Ludovico's dominions<sup>7</sup>. For Priuli the duchy of Milan was the entirety of ducal possessions; for those who drew up the statutes it was only Milan and its *contado*. The contrast highlights the extent to which ducal territories were considered by contemporaries to constitute a coherent entity.

The ducal diploma of 1395 had contained two distinct acts, the conversion of the city of Milan and its *contado* into a duchy, and the promotion of Giangaleazzo and his successors to the rank of dukes<sup>8</sup>. From that moment Milan's territorial hinterland was no longer known as the *contado* but the *ducato*. It was a designation that stuck: once Milanese territory had been promoted to its new status, it was evidently considered inaccurate or demeaning to refer to it in the old way. When the dukes referred to «the duchy», they meant only Milan and its *contado*. To pick a few random examples: Filippo Maria's decree of December 1418 suppressed certain immunities claimed in «our duchy of Milan» in respect of taxes «imposed by us or by our commune of Milan»; regulations were introduced in 1434 to guarantee higher revenues «from the city of Milan and its territory or duchy»; Francesco Sforza complained of wolves attacking people «in the duchy of this city of ours»; Galeazzo Maria decreed a tax cut to celebrate the birth of his son with the people «of the renowned city of Milan and its duchy»<sup>9</sup>. Ludovico il Moro brought in new rules to cover delays exceeding «four days in a row in the city of Milan and the duchy, and from four to twelve days outside the duchy»<sup>10</sup>. Even under the Ambrosian Republic of 1447-1450 the city and its *contado* continued to be known as «the duchy»: anyone arriving from the plague-ridden cities of the Marche was not to enter «the city, suburbs or surrounding territory of the duchy of Milan»<sup>11</sup>.

It is hardly surprising to find the Milanese clinging so tenaciously to a term that enhanced their city's status and preserved its historic links to the surrounding

<sup>6</sup> See A. Gamberini, *Il contado di Milano nel Trecento. Aspetti politici e giurisdizionali*, in *Lo stato visconteo* cit., pp. 153-199; here pp. 173, 185.

<sup>7</sup> For Ludovico's rule in contemporary historiography see G. Soldi Rondinini, *Ludovico il Moro nella storiografia coeva*, in G. Soldi Rondinini, *Saggi di storia e storiografia visconteo-sforzesche*, Bologna 1984, pp. 159-203.

<sup>8</sup> «Hodie (...) in ducem civitatis et diocesis Mediolani (...) sublimamus (...). Terras quoque tuas (...) in verum principatum et ducatum ereximus (...) tibi illustri Johanni Galeas duci Mediolanensi ducatum (...) de benignitate regia conferentes» (Dumont, *Corps cit.*, 2, pt 1, p. 237).

<sup>9</sup> C. Morbio, *Codice visconteo-sforzesco*, Milano 1846, pp. 195, 265, 361, and 396 respectively.

<sup>10</sup> *Antiqua ducum Mediolani decreta*, Mediolani 1664, p. 418: «quae excedat quatrimum continuum in civitate Mediolani vel in ducatu, et extra ducatum a quatruiduo usque ad dies duodecim» (10 March 1494).

<sup>11</sup> *Acta libertatis Mediolani. I Registri n. 5 e 6 dell'Ufficio degli Statuti di Milano (Repubblica Ambrosiana 1447-1450)*, ed. A.R. Natale, Milano 1987, p. 378 (3 July 1448).

area. But its survival of also appealed to the duke's other cities. Since the duchy of Milan excluded places such as Parma and Piacenza, those cities were not made to feel in any way subject to Milan's suzerainty. The advantage was appreciated in Piacenza where the Milanese were particularly resented. The siege of the city by Francesco Sforza, as *condottiere* in the pay of Milan, had been a horrific experience. The *Annales placentini*, by local chroniclers Antonio and Alberto da Ripalta<sup>12</sup>, includes an account of events in harrowing detail, Antonio and his son both having been captured and imprisoned. And yet, less than a year after the bloodbath, Francesco Sforza was welcomed as signore, having broken his contract with Milan. The reason Francesco was so readily accepted, according to Antonio da Ripalta, was that he «promised to lift the vile yoke of the Insubrians [the Milanese] from the city of Piacenza»<sup>13</sup>. The people of Piacenza were willing to accept Sforza rule just as they had accepted that of the Visconti since 1336; but they did not welcome subordination to the city of Milan. The word "duchy" in the *Annales* therefore never denotes anything other than Milan and its *contado*. Describing Francesco's campaign following Piacenza's submission, for example, Antonio described how «he led his entire army into the duchy of Milan, setting up camp outside of Abiate», a small town in the Milanese *contado*<sup>14</sup>.

The definition given in the statutes of 1498, noted above, demonstrates the vitality of the city's status as head of its own duchy. Demotion appears not to have been contemplated: the French continued to accept that Milan had its own duchy. In his treaty with Venice of 15 April 1499 Louis XII was described as planning «to recover the duchy of Milan, the county of Pavia and the other cities, lands and dominions now occupied by signor Ludovico Sforza»<sup>15</sup>. Having conquered the whole area, the king reiterated Ludovico's regulations for the speedy administration of justice, prohibiting delays of more than four days «in the city of Milan and its duchy» with twelve days acceptable «outside the city and its duchy»<sup>16</sup>. Milan was to keep its duchy: the new law code issued in 1541 by Charles V, who had assumed control of Sforza possessions, was careful to save «duchy» for the capital and surrounding jurisdiction: mention was made of «cargo collected in the duchy of Milan for transport to Lecco, the Gera d'Adda or other areas outside the duchy»; and of «goods picked up either outside the duchy,

<sup>12</sup> *Annales placentini ab anno MCCC I usque ad annum MCCCCLXIII*, published in L.A. Muratori, *Rerum italicarum scriptores* (henceforth *RIS*), 20, Mediolani 1731, cols. 869-978. Alberto's contribution begins in 1465.

<sup>13</sup> *Ibidem*, col. 898: «pollicens Civibus a tetro Insubrum jugo urbem Placentinam (...) relevare». The Insubrians were the ancient tribe to whom Livy attributed the foundation of Milan (V, 34); Insubria could also refer to the whole north of Italy.

<sup>14</sup> *Ibidem*, col. 898: «qui iam omnem exercitum traduxerat in ducatu Mediolani, et castra posuerat contra locum Abiate».

<sup>15</sup> Dumont, *Corps cit.*, 3, pt 2, p. 407.

<sup>16</sup> L.-G. Pélissier, *Documents pour l'histoire de la domination Française dans le Milanais (1499-1513)*, Toulouse 1891, p. 57 (17 September, 1500); see also p. 63 (23 December 1501).

or, if for transport to Milan, inside the duchy»<sup>17</sup>. Two centuries later official documents still referred to the district surrounding Milan as its duchy<sup>18</sup>.

## 2. *The wider duchy*

The duchy of Milan as understood by Priuli, in the sense of the whole area ruled by the duke, had a more chequered history. It had been Giangaleazzo's dream to have his family's conquests legitimized as elements of a greater entity. Hence the imperial diploma of 1396 transforming a long list of Visconti possessions into another duchy<sup>19</sup>. But, in contrast to the first investiture, the second duchy began life less as a reality than an aspiration.

Giangaleazzo's usage, referring in his will to «the duchy of the cities of Brescia, Cremona...» turned out to be wholly exceptional: his successors dropped the habit of styling their territories a duchy, adopting instead a variety of alternative expressions, «dominion» being the most common. Filippo Maria prohibited the unauthorized sale of fortified places «situated in any part of our territory or dominion»<sup>20</sup>. When the government of the Ambrosian Republic wanted to establish Milan's rights over all Visconti dominions, they petitioned the emperor to recognize their rule over the city and duchy of Milan «and elsewhere»<sup>21</sup>. Francesco Sforza instructed his officials to proceed with the collection of a subsidy not just in Novara but «in all the lands of our dominion»<sup>22</sup>. Galeazzo Maria referred to «all the communities and parts of our ducal dominion»<sup>23</sup>. The dukes also had a habit of describing their possessions as «Lombardy»: writing to pope Nicholas V in the early months after coming to power in Milan, Francesco described how he had acquired «questo stato de Lombardia»<sup>24</sup>; he threatened abusive soldiers with punishment that would be «an example to the whole of Lombardy»<sup>25</sup>; he sometimes referred to his lands as «provincia nostra de Lombar-

<sup>17</sup> *Constitutiones domini mediolanensis*, ed. G. Verri, Mediolani 1747, Bk 4, *De publicanis et vectigalibus*, p. 306: «Res, quae acceptae erunt in ducatu Mediolani gratia conducendi ad oppidum Leuci, aut ad terras Glareae Abduae, vel ad alias terras extra ducatum ita demum conduci possunt».

<sup>18</sup> See, for example, *Ordines Senatus Mediolani*, in *Constitutiones domini mediolanensis* cit., p. 194: «causa (...) circa ius cogendi consules terrarum ducatus Mediolani...» (27 July 1741).

<sup>19</sup> On the second duchy see J. Black, *Double duchy: the Sforza dukes and the other Lombard title*, in *Europa e Italia. Studi in onore di Giorgio Chittolini*, eds. P. Guglielmotti, I. Lazzarini, G.M. Varanini, Firenze 2011 (Reti Medievali Ebook, 15; [www.ebook.retimedievali.it](http://www.ebook.retimedievali.it)), pp. 15-27.

<sup>20</sup> *Antiqua ducum Mediolani decreta* cit., p. 314: «in quavis parte territorij et dominij nostri existentia» (5 July 1445).

<sup>21</sup> The issue of Milan's rights over Visconti possessions is discussed by M. Spinelli, *La repubblica ambrosiana (1447-1450): aspetti e problemi*, Tesi di dottorato di ricerca in storia medievale. Università degli studi di Milano (academic years 1985/1986 - 1987/1988), Milano 1990, pp. 37ff; here p. 37.

<sup>22</sup> Archivio di Stato di Milano [henceforth ASMi], *Missive*, Reg. 2, 81 (14 August 1450).

<sup>23</sup> *Antiqua ducum Mediolani decreta* cit., p. 374 (2 October 1473).

<sup>24</sup> ASMi, *Missive*, Reg. 1, 93 (18 June 1450).

<sup>25</sup> ASMi, *Missive*, Reg. 2, 1592 (13 February 1451); he had a habit of making such threats: see for

dia»<sup>26</sup>. There were other similar circumlocutions. Giangaleazzo himself referred variously to «all our lands and cities», to «our whole territory», to taxes owed «in any of the cities, lands and communities subject to our dominion»<sup>27</sup>; Filippo Maria writes of «property situated anywhere in our dominion and territory, whether [ruled] indirectly or directly»<sup>28</sup>. Sometimes the two are cited together, as for example when Giovanni Maria referred to the towns and villages «in our duchy of Milan and in the other area of our dominion which is outside the duchy of Milan»<sup>29</sup>; Filippo Maria ordered a new *estimo* «in our renowned city [of Milan] and its duchy, as well as in all the cities, lands and communities of our dominion»<sup>30</sup>. On the day of Galeazzo Maria's assassination his widow Bona made tax concessions «in the city and duchy and throughout the rest of the dominion»<sup>31</sup>.

Literary sources were just as slow to recognize ducal possessions as a duchy. In his *De laudibus Mediolanensium urbis panegyricus*, written in 1436, Pier Candido Decembrio styled Filippo Maria «duke of the Ligurians»<sup>32</sup>. As has been pointed out, the da Ripalta of Piacenza did not like to think of themselves as subject to Milan; to avoid confusion the wider duchy is never mentioned: Piacenza was ruled by a duke but was not part of a duchy. The *Annales placentini* includes the statement that by the time he died Francesco Sforza had «for sixteen years and twelve days» ruled, not the duchy, but «the cities of Lombardy»<sup>33</sup>. When Galeazzo Maria stopped off in Piacenza on his way to Florence in 1471, the chronicle describes how he was accompanied by «numerous noblemen and high-ranking women from *his cities*»<sup>34</sup>. Sometimes the *Annales* refers to the ducal dominions as Liguria («O honourable prince! O happy country! O well governed Liguria!»)<sup>35</sup>, sometimes as Insubria<sup>36</sup>. Most often the work uses «Lombardy»

example *Missive*, Reg. 5, 198 (18 July 1451); Reg. 6, 211 (17 July 1451); Reg. 16, 1370 (10 May 1454).

<sup>26</sup> ASMi, *Missive*, Reg. 16, 618 (5 December 1453).

<sup>27</sup> *Antiqua ducum Mediolani decreta* cit., p. 228: «in omnibus civitatibus et terris nostris» (2 October 1399); p. 229: «in universo territorio nostro» (2 February 1400); p. 235: «in aliqua ex civitatibus, terris, vel locis nostro dominio suppositis» (20 May 1401).

<sup>28</sup> *Ibidem*, p. 315: «bona (...) ubique sita vel reperta in dominio et territorio nostro tam mediato quam immediato».

<sup>29</sup> Osio, *Documenti diplomatici* cit., 1, 409: «nostri ducatus Mediolani sive alterius territorii domini nostri extra dictum ducatum» (15 February 1409).

<sup>30</sup> *Stilus cancellariae: formulario visconteo-sforzesco*, ed. A.R. Natale, Milano 1979, p. 147: «in hac inclita urbe nostra, eiusque Ducatu ac etiam in universis civitatibus, terris et locis nostri Domini, fiat novum estimum» (12 August 1443).

<sup>31</sup> *Antiqua ducum Mediolani decreta* cit., p. 384: «Item che'l sij levato et tolto via in tutto lo incantamento delli datij della città et ducato et per tutto il resto del dominio» (26 December 1476).

<sup>32</sup> The work is published in *Opuscula historica*, ed. A. Butti, F. Fossati, G. Petraglione, *RIS*<sup>2</sup>, 20, pt 1, Bologna 1925-1958, pp. 1010-1025; here p. 1023.

<sup>33</sup> *Annales placentini* cit., col. 916: «cum imperasset civitatibus Lombardiae et Januae annis 16 et diebus 12».

<sup>34</sup> *Ibidem*, col. 929: «quamplures nobiles et foeminas primarias Civitatum suarum».

<sup>35</sup> *Ibidem*, col. 919: «O dignum principem! O felicem statum! O Liguriam bene gubernatam!».

<sup>36</sup> See above note 12.

rather than duchy. On hearing of Filippo Maria's death, Francesco Sforza «flew straight from the Marche to the region of Lombardy and got to Pavia»<sup>37</sup>; over the proposal that he and the Venetians should carve up the Filippo Maria's dominions, they agree «to split Lombardy between them»<sup>38</sup>.

«Ducal dominions» was another expression that allowed a writer to avoid reference to the wider duchy. The author from Parma of the so-called *Diarium parmense* covering the years 1477 to 1482<sup>39</sup> finds it remarkable that on the accession of Giangaleazzo Maria «not one city, castello or village in the whole ducal dominion caused trouble»<sup>40</sup>. There was a decree, he writes, ordering that «all outlaws, murderers, thieves and rebels should absent themselves from the ducal dominion»<sup>41</sup>; on 1 May 1480 celebrations were to be held to mark the betrothal of Giangaleazzo Maria and Isabella of Aragon «in Parma and the whole ducal dominion»; elsewhere he describes orders sent to «all the duke's soldiers who had been stationed in Parma and similarly to those in the entire ducal dominion»<sup>42</sup>.

But it was not just provincial authors who shunned the word duchy when referring to the duke's holdings. The same phenomenon is found in Francesco Sforza's biography, *De rebus gestis Francisci Sfortiae commentarii*, produced in the mid 1470s by Giovanni Simonetta<sup>43</sup>. As ducal chancellor and secretary, Simonetta belonged to the inner circle, but he too avoids all reference to Sforza possessions as a duchy. Instead the duke rules a collection of lands and cities. Simonetta refers to «the lands which duke Filippo possessed at his death»<sup>44</sup>. He quotes Francesco's claim that «all the towns and cities over which Filippo ruled belonged to him, his wife Bianca, and his children by right of endowment and inheritance»<sup>45</sup>; in the winter of 1450 Francesco «distributed his army through-

<sup>37</sup> *Ibidem*, col. 893: «Audita morte Philippi Mariae ejus soceri ad partes Lombardiae ex Marchia transvolavit, et Papiam cepit».

<sup>38</sup> *Ibidem*, col. 898: «inter se Lombardiam (...) diviserunt».

<sup>39</sup> The work is known as the *Cronica gestorum (...) in partibus Lombardie et reliquis Italie*, in the edition by G. Bonazzi, *RIS*<sup>2</sup>, 22, pt 3, Città di Castello 1904.

<sup>40</sup> *Ibidem*, p. 4: «Mirum fuit quod in toto dominio ducali nulla civitas, castrum sive villa fecerit novitatem».

<sup>41</sup> *Ibidem*, p. 71: «Quodque omnes banniti, homicidiarum, robatores, et rebeles se absentent a dominio ducali».

<sup>42</sup> *Ibidem*, p. 70: «Per litteras ducales facte sunt solemnes festivitates in Parma et tutto dominio ducali»; p. 38: «Mandatum fuit omnibus armigeris de familia ducali in Parmensi alloggiatis et similiter in toto dominio ducali».

<sup>43</sup> Ed. Giovanni Soranzo, *RIS*<sup>2</sup>, 21, pt 2, Bologna, 1932-59; on the dating see G. Ianziti, *Humanistic Historiography under the Sforzas: Politics and Propaganda in Fifteenth-Century Milan*, Oxford 1988, pp. 139-142. For more insights into Simonetta's relationship with the Sforza see N. Covini, *La fortuna e i fatti dei condottieri «con veritate, ordine e bono inchiostro narrati»*. Antonio Minuti e Giovanni Simonetta, in *Medioevo dei poteri* cit., pp. 215-244; here pp. 238ff.

<sup>44</sup> *Commentarii* cit., p. 262: «quas Philippus Dux in ipso ejus obitu possidebat».

<sup>45</sup> *Ibidem*, pp. 21-22: «Addiditque praeterea oppida atque urbes universas quibus imperasset Philippus, tum donationis tum hereditario jure, ad sese conjugemque Blancam et liberos suos nec ad alios spectare».



out his cities' territories»<sup>46</sup>. Simonetta too favoured Lombardy (or in his case *Longobardia*) over ducatus, describing how in 1450, «Francesco accepted the submission of the people of Monza, Como and Bellinzona, who alone of all the cities of Lombardy, had continued to support the Milanese»<sup>47</sup>; Francesco is quoted complaining to the pope in 1453 about Venetian aggression: «they will aim for new dominions, and in particular have been trying for this region of the Lombards»<sup>48</sup>.

Another revealing source is Bernardino Corio's *Storia di Milano* (or as he called it the *Patria historia*), tracing events in Milan from its origins to 1499, when Ludovico il Moro was forced out by the French. Corio too avoids the term ducatus with reference to the duke's lands as a whole<sup>49</sup>. Like Simonetta, whose *Commentaria* was his chief source on Francesco Sforza<sup>50</sup>, he uses the term *impero* rather than «duchy»: the Venetians would help Francesco «recover the *impero* which Filippo held at his death». In fact he uses Simonetta's word for all the Sforza years: Galeazzo Maria sent the bishop of Como «to the borders of his *impero*» to meet the visiting Cardinal, Pietro Riario<sup>51</sup>. Corio's focus was on ducal possessions: he frequently refers to the «*impero ducale*», or the «*paterno impero*». Including as it did Genoa and its colonies, *impero* did not mean a territorial unit but the possessions of the duke<sup>52</sup>.

Lack of a clear boundary between private and public when it came to ducal lands was typical of the period<sup>53</sup>. But the reluctance of the dukes and their inner circle to refer to ducal possessions as a duchy seems at first sight inexplicable: the construction of a body of cities and territories that could be seen as an identifiable unit had been the aim of both Visconti and Sforza. Having eliminated his uncle Bernabò, Giangaleazzo had even toyed with the idea of establishing a Visconti kingdom in order to bring all his possessions under one overarching title<sup>54</sup>. That purpose was finally achieved with the second ducal

<sup>46</sup> *Ibidem*, p. 342: «exercitum (...) in omnes civitatum fines distribuit».

<sup>47</sup> *Ibidem*, p. 342: «Moguntinos, Comenses atque Bellincionenses, quos ex omni Longobardia dumtaxat in fide Mediolanenses continuerant, in deditionem accepit».

<sup>48</sup> *Ibidem*, p. 379: «novis etiam imperiis studebunt et in hanc maxime Longobardorum provinciam conabantur».

<sup>49</sup> On Corio's perspective see G. Soldi Rondinini, *Spunti per un'interpretazione della «Storia di Milano» di Bernardino Corio*, in Soldi Rondinini, *Saggi di storia e storiografia* cit., pp. 205-220, esp. pp. 215ff.

<sup>50</sup> S. Meschini, *Bernardino Corio storico del Medioevo e del Rinascimento Milanese*, in *Le cronache medievali di Milano*, ed. P. Chiesa, Milano 2001, pp. 101-173; here p. 117.

<sup>51</sup> *Storia di Milano* cit., 2, p. 1252.

<sup>52</sup> See, for example, *ibidem*, 2, p. 1606.

<sup>53</sup> See G. Chittolini's discussion of the issue in *The Private, the Public, the State*, in *The Origins of the State in Italy, 1300-1600*, in «The Journal of Modern History», 67 (1995), Supplement, pp. 34-61; see also the comments of M. Gentile, *Leviatano regionale o forma-stato composita? Sugli usi possibili di idee vecchie e nuove*, in «Società e Storia», 23 (2000), 89, pp. 561-567; here p. 571.

<sup>54</sup> Giangaleazzo made this statement to the Florentine ambassadors in 1387, at that stage hoping for the title of king of the Lombards: «avea usato di dire ch'egli volea prendere nome di Re de' Lombardi» (*Cronica volgare di Anonimo Fiorentino dall'anno 1385 al 1409, già attribuita a Piero di Giovanni Minerbetti*, ed. E. Bellondi, *RIS*<sup>2</sup>, 27, pt 2, Città di Castello 1915, p. 48).

investiture<sup>55</sup>. Filippo Maria Visconti was equally keen to acquire both titles, spending fourteen years campaigning before confirmation of the two diplomas was granted by emperor Sigismund in 1426<sup>56</sup>. Francesco Sforza in turn explained to Emperor Frederick III that he wanted to be invested with «the duchy, or rather the duchies» as granted to Giangaleazzo in 1395 and 1396<sup>57</sup>. Francesco and his sons lobbied for decades thereafter for an imperial investiture, always stressing their desire for both diplomas<sup>58</sup>. It seems odd, therefore, that the dukes did not make more use of the term «duchy» for their collected possessions.

The continuing existence of the duchy of Milan proper was part of the problem, complicating the issue of a name for the whole area. Moreover, the second duchy was constantly changing shape. Among the cities listed in the investiture of 1396, many escaped ducal rule never to return: in 1404 Vicenza was taken by Venice, followed by Verona in 1405; in that year Reggio was seized by Ottobuono Terzi to become subject definitively to the Este in 1409, Brescia and Bergamo being taken by Venetian forces in 1426 and 1428 respectively. Equally important was the fact that the duchy of 1396 proved a fragile invention. Whatever cohesion there was under Giangaleazzo disappeared on his death in 1402 when local signori reasserted control; in 1412, after Giovanni Maria's assassination, even Milan itself reverted to its loyalty to Bernabò's family. Again after Filippo Maria's death the cities went their own way. Such cataclysmic episodes revealed the shallow roots of Wenceslas's creation, and the tenacity of local loyalties. Lombard cities were more than capable of sustaining economic and political independence and even of forging their own external relations<sup>59</sup>. Sforza rule did not see the large duchy gain credibility. Quite the reverse, in fact: unlike the original duchy of Milan, the second title was not resurrected following the interlude of the Ambrosian Republic. Lacking imperial recognition, Francesco Sforza had been acclaimed duke by the Milanese people in a procedure that made him duke of the original duchy. But, apart from Pavia, which had its own title to confer, there was no similar process in other cities: popular election to the wider duchy would not have been practicable given the number of separate cities and territories involved. In those places Francesco was ac-

<sup>55</sup> See J. Black, *Giangaleazzo and the Ducal Title*, in *Communes and Despots in Medieval and Renaissance Italy*, ed. J.E. Law and B. Paton, Surrey 2010, pp. 119-130; here pp. 121-125.

<sup>56</sup> The confirmation is published in two versions in G. Giulini, *Memorie spettanti alla storia, al governo ed alla descrizione della città e campagna di Milano*, 7 vols, Milano 1854-1857, 7, pp. 292-293 and 293-296.

<sup>57</sup> ASMi, *Sforzesco*, Alemagna 569; the three possible versions of the diploma Francesco sought, in all of which both duchies are mentioned, are found on pp. 42-79; F. Cusin, *L'impero e la successione degli Sforza ai Visconti*, in «Archivio storico lombardo», n.s., 1 (1936), pp. 3-115 publishes parts of the suggested diplomas on pp. 104-106.

<sup>58</sup> See Black, *Double duchy* cit., pp. 18-20.

<sup>59</sup> M. Della Misericordia, *La Lombardia composita. Pluralismo politico-istituzionale e gruppi sociali nei secoli X-XVI (a proposito di una pubblicazione recente)*, in «Archivio storico lombardo», 124-125 (1998-1999), pp. 601-647 and 643-644; here p. 639.

cepted as ruler simply by mutual agreement<sup>60</sup>. In the week after his formal election Francesco referred to himself as duke of Milan, count of Pavia and Angera, but simply signore of Parma, Piacenza, Novara, Lodi and Como<sup>61</sup>. The cities themselves were conscious of the fact that they had a one-to-one relationship with the duke as their elected signore<sup>62</sup>. Doubtless they had little option but to accept Sforza rule, but in formal terms their submission was voluntary<sup>63</sup>. Feudatories too considered themselves subject to the duke personally: when Pietro Dal Verme assured Giangaleazzo Maria's government that his lands remained «sotto la ducale obedientia», he meant that he obeyed the duke, not that his fief was part of a territorial unit<sup>64</sup>.

Back in the fourteenth century, as the Visconti took over their territories, each city had had its own agreement with the *signore*. It proved impossible for Wenceslas to create a unit out of these places at the stroke of a pen. The dukes themselves demonstrated through their language that they appreciated that an imperial title was not enough to bind their possessions together. Aspects of central government can be seen to reflect the composite nature of the dominion: members of Galeazzo Maria's Consiglio Segreto, for example, represented the main subject cities<sup>65</sup>. The dukes therefore continued to refer to their territories as the «ducal dominion» or «the lands and cities of our dominion» rather than «our duchy». In contrast, Milan's links to its *contado* had a venerable history going back more than two hundred years to the Peace of Constance. That area, with its own long-established administrative and judicial systems, was a familiar geographical unit, not fundamentally affected by promotion to the status of duchy.

<sup>60</sup> On these issues see Black, *Double duchy* cit.; G. Chittolini, *I capitoli di dedizione delle comunità lombarde a Francesco Sforza*, in *Città, comunità e feudi* cit., pp. 39-60; and G. Chittolini, *Models of Government 'from below' in fifteenth-century Lombardy. The 'Capitoli di Dedizione' to Francesco Sforza, 1447-1450*, in *Empowering Interactions. Political Cultures and the Emergence of the State in Europe 1300-1900*, Farnham (Surrey) 2009, pp. 51-63.

<sup>61</sup> On the special status of Angera as the original centre of Visconti lands and source of their mythical Trojan ancestry see G. Chittolini, *Note su gli «spazi lacuali» nell'organizzazione territoriale lombarda alla fine del Medioevo*, in *Città e territori nell'Italia del Medioevo. Studi in onore di Gabriella Rossetti*, ed. G. Chittolini, G. Petti Balbi, and G. Vitolo, Napoli 2007, pp. 75-94.

<sup>62</sup> Even small communities made it clear that they wanted to deal with the duke personally, not through any intermediary officials: see M. Della Misericordia, «*Como se tuta questa universitate parlasse*». *La rappresentanza politica delle comunità nello stato di Milano (XV secolo)*, in *Avant le contrat social: le contrat politique dans l'Occident médiéval (XIII<sup>e</sup>-XV<sup>e</sup> siècle)*, ed. F. Foronda, Paris 2011, pp. 117-170 (a longer digital version is published on line by *Ad fontes*, Morbegno, 2010 [<http://www.adfontes.it/biblioteca/scaffale/mdm-mixv/principi.pdf>]). Many of the numerous petitions received by the Sforza referred to the terms of submission agreed with individual communities.

<sup>63</sup> It was in that spirit that they made frequent reference to their *capitoli*, or terms of submission, in negotiations with the duke: see Black, *Double duchy* cit., pp. 20ff.

<sup>64</sup> Quoted by P. Savy, *Les feudataires et le contrôle territorial dans le duché de Milan à l'époque des Sforza*, in *Noblesse et états princiers* cit., pp. 173-190; here p. 178.

<sup>65</sup> F.M. Vaglianti, «*Fidelissimi servitori de Consilio suo secreto*». *Struttura e organizzazione del Consiglio segreto nei primi anni del ducato di Galeazzo Maria Sforza*, in «*Nuova rivista storica*», 76 (1992), 2, pp. 645-708; here p. 656ff.

As noted above, Lombardy was an alternative name for the territories found in both literary and official contexts, but unlike the Milanese *contado* its demarcation was never precisely determined<sup>66</sup>. Writing in the mid-fourteenth century the historian Pietro Azario, in his *Liber gestorum in Lombardia*, defined it as the area from the Alps to the Po containing thirty cities<sup>67</sup>. For the anonymous fourteenth-century author of a description of Lombardy, the *Descriptio situs Lombardia et omnium regionum eiusdem*, it included the whole of Liguria, Emilia and the Veneto, as well as the Cottian Alps straddling the French border with Piedmont<sup>68</sup>. Lombardy did not traditionally denote an area under one ruler: Giangaleazzo's attempt to turn it into a defined duchy for himself in the forged diploma of 1397 failed<sup>69</sup>. Nevertheless, as a term that was both familiar and yet undefined, Lombardy served as an appropriate name for the duke's territories.

Things began to change in the 1490s when there were new attempts to define these lands. Ludovico il Moro had witnessed the futile efforts of his father and brother to achieve imperial recognition and was determined to win the support of the new emperor Maximilian for a proper investiture. By the time Giangaleazzo Maria died on 21 October 1494 Ludovico was already in possession of the longed-for diploma. That document purported to create «a true principality and duchy» of all the lands and cities mentioned in Wenceslas's investitures, not only the genuine acts of 1395 and 1396, but also the forged instrument creating the duchy of Lombardy, dated 1397. In accordance with those original investitures Ludovico's dominions were to be known as «the duchy of Milan and of Lombardy and of all the other cities, and the countships of Pavia and Angera»<sup>70</sup>: the old concept of the duchy of Milan and the second duchy of «all the other cities» was still lurking. On Maximilian's orders that document was to remain secret (for fear of a hostile reaction on the part of the German electors). The version that was finally disclosed to the public on 5 April 1495 was very different<sup>71</sup>. The first diploma reveals the hand of the Milanese chancery, containing as it did lengthy encomiums to Ludovico, exuberant powers, and rights over all the

<sup>66</sup> On this theme see G. Andenna, *Il concetto geografico-politico di Lombardia nel Medioevo*, in *Comuni e signorie nell'Italia settentrionale: la Lombardia* cit., pp. 3-19.

<sup>67</sup> *Liber gestorum in Lombardia*, ed. F. Cognasso, *RIS*<sup>2</sup>, 16, pt 4, Bologna 1939, p. 8.

<sup>68</sup> The work is published as Appendix 4 in the anonymous *Liber de laudibus civitatis Ticinensis*, ed. R. Maiocchi and F. Quintavalle, *RIS*<sup>2</sup>, 11, pt 1, Città di Castello 1903, p. 64; for an account of the work see V. Bellio, *Un'antica descrizione della Lombardia*, in «Bollettino della Società pavese di storia patria», 1 (1901), pp. 75-83.

<sup>69</sup> The diploma purporting to grant Giangaleazzo the title of duke of Lombardy is published in Lünig, *Codex* cit., 3, cols. 385-390. For a discussion of its dubious provenance see T. Lindner, *Geschichte Des Deutschen Reiches Unter König Wenzel*, 2 vols, Braunschweig 1875-1880, 2, p. 491. The title was never used.

<sup>70</sup> The diploma is published in Lünig, *Codex* cit., 1, cols. 483-494; here cols. 487-488.

<sup>71</sup> For this version see Lünig, *Codex* cit., 1, cols. 493-498; events surrounding Ludovico's diploma are examined in P.L. Mulas, *L'effimero e la memoria. L'investitura ducale*, in *Ludovicus Dux*, ed. L. Giordano, Vigevano 1995, pp. 172-177.

areas that had been part of the duchy of 1396 at its creation. The second was a much more matter-of-fact affair: it gave Ludovico specifically «the duchy of Milan and the countships of Pavia and Angera with their remaining cities and lands». This was a much more restricted area than that covered by Giangaleazzo's three diplomas as cited in the first version: Ludovico was now invested only with the cities that had not submitted to other powers since Giangaleazzo's day. But here at last the duchy of Milan covered all the duke's territories (outside of Pavia and Angera) under a single title. Maximilian's diploma had gone far towards a new definition.

The precedent established in 1495 was followed in the investiture granted to Louis XII in 1505. That diploma gave him «the duchy of Milan and the countships of Pavia and Angera, which Louis king of France himself at present holds and possesses, and with which the dukes of Milan, the predecessors from whom he descends, were invested»<sup>72</sup>. Again there is mention of only one ducal title. Louis' predecessors had styled themselves «dukes of Milan etc.»: meaning that they were dukes not just of the original duchy but of the places listed in the second investiture. It was an acknowledgement that their lands were not a single entity. Louis XII, on the other hand, moving on to a more integrated vision, would refer to himself simply as king of France and duke of Milan: «Rex Duxque Mediolani»<sup>73</sup>.

The *ducato* had always been a topographical term or place-name when it referred to the Milanese *contado*. But the broader duchy was now emerging as a geographical expression in its own right. Maximilian's insistence that the diploma of 1494 remain under wraps led to weeks of negotiation with Ludovico, who had been desperate for recognition since the day Giangaleazzo Maria died. In his instructions to envoys and letters to Maximilian, there was no reference to the duchy of Milan in its narrower sense. The new duke pleaded for two separate entitlements, explaining to the emperor that the *ducato* encompassed both the title and all the territories: he wanted an investiture as well as «corporeal possession of the duchy, for without both those things everything achieved here will be worth nothing»<sup>74</sup>. It was in the latter sense that Girolamo Priuli had spoken of the French king coming to conquer the duchy of Milan in the passage quoted above. Louis XII was more circumspect. In the edict of Vigevano of 1499, which set out the mechanisms by which his new lands were to be administered, the king decreed that there was to be a single governor «in the duchy and do-

<sup>72</sup> Dumont, *Corps cit.*, 4, pt 1, pp. 60-61; here p. 61: «investiturae de ducatu Mediolanensi, et comitatus Papiæ et Angleriae, quos ipse Ludovicus Francorum Rex ad presens tenet ac possidet, ac etiam de quibus praedecessores sui duces Mediolani, a quibus originem traxit, per Romanos imperatores aut reges investiti fuerunt, et quae ipsi tenuerunt et possederunt». In Louis' eyes the duchy had been under the rule of usurpers: he believed that, as Giangaleazzo's heir, he himself had been duke since his own father's death in 1465, having been wrongly deprived of his territories by the Sforza.

<sup>73</sup> See, for example, Pélissier, *Documents cit.*, pp. 11, 114, 146.

<sup>74</sup> F. Calvi, *Bianca Maria Sforza-Visconti: regina dei romani, imperatrice germanica, e gli ambasciatori di Lodovico il Moro alla corte cesarea*, Milano 1888, p. 73 (23 October 1494).

minion of Milan»<sup>75</sup>; he referred elsewhere to the «conquest and subjugation of our duchy and dominion of Milan [*notre duché et estat de Millan*]». There is still the suggestion here of Milan's duchy and the other areas; but Louis also refers in the latter document to «rebels in our duchy [*rebelles de notre dite duchié*]», meaning the whole area<sup>76</sup>.

It is no coincidence that reference to the duchy as a territory emerged in the context of external relations: Ludovico was negotiating with the emperor, and Louis XII claiming his inheritance as an outsider. Such a context did not demand recognition of the status of the individual cities under ducal rule. The same was true of diplomatic documents dating from the early years of the new century. In the treaty of Viterbo, agreed with Francis I in October 1515, the pope promised «to defend the duchy of Milan on behalf of the most Christian king, along with the lands and powers which he now holds in the duchy»<sup>77</sup>. The treaty of 3 December 1516, whereby Charles V ceded Verona to the French, referred to the existence of French troops «nella ducheia di Milano» meaning the wider area.

By the 1530s use of the term duchy to mean what we understand as the duchy of Milan was fully accepted. In his *History of Italy* written towards the end of the decade Guicciardini consistently uses *ducato* in this sense. He describes how after the withdrawal of the Venetians in 1512, «the Swiss were left on their own in the duchy of Milan»; Novara and Como were «the only cities held by Massimiliano Sforza in the duchy of Milan»; in 1513 Louis XII was «eager to make war against the duchy of Milan»; abandoning the idea of regaining Genoa, «he put all his efforts into preparations for the assault on the duchy of Milan»<sup>78</sup>. The years leading up to Guicciardini's *History* had seen these lands change hands at least five times: Louis XII had taken the area in 1499 and again in 1500; in 1512 Massimiliano Sforza had won it back with the help of the Swiss; Francis I became ruler in 1515 following his victory at Marignano; during the period of conflict from 1521 to 1525 Francesco Sforza II was able gradually to assume control with the help of Emperor Charles V, who took over himself when the title devolved to the empire on the former's death. Repeated transfer from ruler to ruler had served to provide the area with a separate identity. The process whereby Visconti and Sforza conquests assumed an independent existence appeared complete. Once they had been taken over by Charles V, the integrity of the ter-

<sup>75</sup> The edict is published in Pélissier, *Documents* cit., pp. 17ff.

<sup>76</sup> Pélissier, *Documents* cit., p. 34 («Liste de donations faites sur les biens de rebelles confisqués», 10 July 1500).

<sup>77</sup> Dumont, *Corps* cit., 4, pt 1, 214: «Nos (...) promittimus (...) ad tuendum et defendendum sibi Ducatus Mediolani, necnon terras et potentatus quos ipse Christianissimus Rex in dicto ducatu de praesenti tenet et possidet».

<sup>78</sup> *Storia d'Italia*, Bk 11, 1: «I Svizzeri rimasti soli nel ducato di Milano»; Bk 11, 12: «Novara e Como, le quali due città sole si tenevano ancora in nome di Massimiliano Sforza in tutto il ducato di Milano»; Bk 12, 7: «espedito quel re a muovere la guerra contro al ducato di Milano»; Bk 12, 7: «si voltò tutto alle preparazioni di assaltare il ducato di Milano».

ritories no longer depended on the person of the duke because there was no more duke: the title had been subsumed into the long list of others belonging to the emperor.

But where Guicciardini was content to call the area the duchy of Milan, the Milanese themselves were happier with «dominio Milanese». The new code issued under Charles V's auspices in 1541 was called the *Constitutiones dominii mediolanensis*, with «dominium Mediolani» recurring throughout the text as the preferred title of the duchy. From now on the duchy was associated not with its ruling head but with the city of Milan: «dominium Mediolani» took the place of «dominium ducale». Egidio Bossi, one of the lawyers involved in the production of the *Constitutiones*, referred, for example, to practices prevalent «in this city of Milan and its dominion [*in hac civitate Mediolani et eius dominio*]»<sup>79</sup>. The contemporary Piedmontese jurist, Aimone Cravetta, referred to the new code simply as the Milanese Constitutions, blurring the distinction between the city and the duchy. For these lawyers the duchy was not just a collection of towns and cities under a common ruler, but a geographical entity with a capital city. The various centres that had surrendered to the Visconti over the years had not acquired a common identity overnight as a result of Giangaleazzo's investitures: judging from the terminology, it took the best part of a hundred and fifty years for the area to become a territorial unit.

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<sup>79</sup> *Tractatus de Poenis*, in *Practica et tractatus varii*, Basle 1580, par. 86, p. 539.