



EDITED BY
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VENICE AND THE VENETO DURING THE RENAISSANCE

THE LEGACY OF BENJAMIN KOHL



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**Venice and the Veneto during the
Renaissance: the Legacy of Benjamin Kohl**

edited by
Michael Knapton, John E. Law, Alison A. Smith

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The Serrata of the Greater Council of Venice, 1282-1323: the documents*

by Benjamin G. Kohl
edited by Reinhold C. Mueller

1. *Editor's note*

This contribution was intended to be the documentary appendix to Ben Kohl's planned article on the closing of Venice's Great Council, a theme on which he had invested a great deal of thought and planning. The study was meant to be also the first chapter of his proposed book, *The Governance of Late Medieval Venice*, of which, in the summer of 2008, he sent me the following table of contents:

The Governance of Late Medieval Venice
by B.G. Kohl

Chapter 1. The Formation of an Aristocratic Polity: The Meaning of the Serrata

Part I. *The Governance of the City and Dogado*

Chapter 2. The Ducal Palace: The Doge and Councils, Justice and Security

Chapter 3. The Rialto: The Regulation of Taxes, Finance and Commerce

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Part II. *Venice's Stato da Mar in the Trecento*

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Part III. *Changes in the Quattrocento State*

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Chapter 8. Changes in the Stato da Mar

Chapter 9. Staffing the Government of Venice at Home

Conclusion

Following the publication in 1998 of his book *Padua under the Carrara*, Ben devoted himself full-time to Venice and to the daily nitty-gritty of

* I would like to thank heartily Dieter Girgensohn and Bianca Lanfranchi Strina for their careful reading of this text and for their suggestions for improvement.

governance, beginning with his funding and leading the compilation of the large and important databank *Rulers of Venice*¹. The book would have been the culmination of his study of the tools of government and of the men who used them.

In 2009 and 2010 Ben sent me various files and various versions of the documents he meant to publish as *pièces justificatives* of his first chapter. One file arrived with the filename “Serrata, essay, text”; in fact, it was another file of documents, with the addition of one of 1282. It begins optimistically as follows: “In all of Venetian historiography there is no more vexed issue than the meaning and development of the so-called Closing, or *Serrata*, of the *Maggior Consiglio*”. But then continues, more down-to-earth, with the note: “This file is mainly translations of docs. at present, March 2010”, immediately prior, that is, to Ben’s last visit to Venice and shortly before his death. We talked about his point of view several times, but not enough that I would be able to reproduce it here. He was convinced of two things: firstly, that the long constitutional reform known as the *Serrata del Maggior Consiglio*, 1282-1323, contained all the elements necessary for the restriction of the definition of membership, along with the contemporaneous enlargement of membership à la Frederic C. Lane, making unnecessary the discovery of subsequent *serrate*, no matter what fine tuning was considered necessary decades and centuries later; secondly, that the only way to approach the issue was via critical editions of *all* the extant documents, with complete translations that would help himself in writing the chapter as well as English-speaking students in understanding the historical process. While the first point is historiographical, the second is practical: historians, even specialists of the *Serrata*, have indeed discussed it on the basis of surprisingly partial and sometimes quite poor and hasty transcriptions, often made from copies rather than from original entries in the official registers of the competent organs of state and never critically edited. It is my desire, as editor, to contribute to this volume in Ben Kohl’s memory with critical transcriptions of the documents he selected, plus summaries and translations based largely on his, on a topic on which he felt so strongly. Naturally, I have added one or the other document, adjusted translations, but especially I sought out the original manuscript versions in order to offer the correct reading of each text. What follows, then, is Ben contributing to the next phase of the historical debate on the *Serrata*. May it be a help and a stimulus to young scholars to take up the subject of governance, where Ben left off.

I do not mean to enter into the historiographical debate. Some practical points that derive directly from the documents, however, are worth making here separately, so as to avoid burdening with commentary the *regesti* or summaries that precede each law. The first regards record-keeping. The reader will discover below repeated mention of record-keeping by the staffs of the

¹ Mueller, 2010a. *Rulers of Venice* can now be consulted in a revised, more user-friendly, form. See also Kohl, 2008.

Council of Forty (the *Quarantia*, rendered in the transcriptions simply as *XL*) and of the Avogaria di Comun concerning persons at various stages during the procedures involved in approval of their candidacy for membership in the *Maggior Consiglio*. Some of the documents edited mention specifically *quaterni* and *libri* (see, below, documents 22 of 1315, 26 of 1319 and 28 of the crucial year 1323); in brief, records of the members of the Council, eligible and confirmed, were kept and updated; there is no need to await later years or centuries in order to find mention of record books of members, even though they have not survived. One or the other of these was obviously consulted by the compiler of the “*Proles nobilium Venetorum*” and of the “*Regimina*”, perhaps around 1358, at the conclusion of the *Venetiarum historia*, a chronicle which ends in that year².

The second point concerns the criteria for evaluation of persons seeking to prove their eligibility for membership in the *Maggior Consiglio*. The first criterion, that of the law of 1297, was simple enough to prove, namely that the candidate himself had been a member of the Council during the previous four years, after which he needed twelve votes of the Forty for approval. Another was the matter of legitimate birth. Victor Crescenzi discusses the question in depth, taking off from the inclusion of the formulation of Justinian’s *Codex* in the Venetian statutes of 1242, with the criteria of a free mother and a legitimate matrimony, and he points out that legitimate birth was a *sine qua non* for membership in the Greater Council beginning at least from 1277³. It goes without saying that reaffirmation of criteria and principles would be considered necessary years and even centuries after the conclusion in 1323 of the reform known as the *Serrata*, with the final formulation of the hereditary principle, but the bases for inclusion and exclusion had already been clearly laid out⁴.

It might be suggested, thirdly, that in those *anni movimentati*, when status and rank as well as civic and political rights were being decided at Venice, the concept of inherited civic status, that of original citizenship, deriving from the *origo* of one’s father and grandfather, explained by jurists such as Iacopo d’Arena, perhaps educated at Padua (d. ca. 1296), could easily have been borrowed by the reformers to help them define above all the top level of citizenship, that with political rights. At the same time, in 1305 the other category of citizens, those immigrants who had to await a legislative act in

² Cessi and Bennato, 255-322.

³ Crescenzi, 340-45; also Rösch, 2001, 76-77, 86n45.

⁴ The scholar most skeptical, from the very beginning of his researches, of the efficacy of the constitutional reforms, 1282-1323, known as the *Serrata*, and of the self-consciousness of the reformers, is Stanley Chojnacki. See Chojnacki, 1973, a provocative early article but with problems of dating and use of sources, especially late copies of the *estimo* of 1379 (on the use of that document, see Mueller, 1997, 488-90), a study criticised by Ruggiero, 56-58. He continued his “search” and discovered later *serrate*; on the third, see Chojnacki, 2001, which provides the bibliography, including his own (see esp. notes 8 and 46).

order to attain a given kind of citizenship privilege, were finally satisfied with a basic law valid thereafter, however often it was amended, for centuries. Birth and the paternal line would then in the course of the succeeding decades become vital also for the definition of the status of original citizenship of persons in the second rank⁵.

Fourthly, a monetary point might not be out of place here: beginning in 1317 a fine of 300 *lire* was to be exacted from persons applying for membership in the Greater Council without having the right to sit on that council. Was that much or little, enough to inhibit someone from trying, to make him or his family think twice about proceeding with the application? Three hundred *lire di piccoli* in those years of the constitutional reform were the equivalent of some 90 to 94 gold ducats, quite a lot of money for most people, although the gold value of the fine would decrease steadily in the course of the century, as a result of continual devaluation of the silver coinage on which the *lira di piccoli* was based.

Lastly, a word about lists of names. If the *Serrata* is considered a process of constitutional reform lasting a generation, as appears to be the case on the strength of the documents here edited, the matter of time-spans reveals itself as more crucial than ever. In a nutshell, lists of members of the Maggior Consiglio should not terminate in 1297 (G. Rösch), nor embrace the whole Trecento (S. Chojnacki). Membership should be studied with 1323 as the watershed. I discussed this conviction often with Ben and brought to his attention a list that no participant in the debate about the *Serrata*, to my knowledge, has exploited, namely that published by G. Monticolo for the officials of the Giustizia, later called the Giustizia vecchia. A rapid perusal of the list going from 1261 to 1330 reveals names of officials – generally one of three – from small, lesser known families, perhaps genealogically weak and destined to extinction, till 1317; after 1323 only one such surname appears, the others being just the names one would expect to find⁶.

2. *Critical criteria*

Each document will be presented in critical transcription, with the archival reference, the critical date in italics, and references to previously published versions of the same, whatever their degree of trustworthiness. Where possible I have tried to find in the copies of the deliberations of the Greater Council made by the Avogaria di Comun, in the digitalizations funded by Ben Kohl's Hedgelawn Foundation, copies of excellent quality currently consultable on-line in the reading room of the Archivio di Stato di Venezia; this was rendered difficult by the fact that the deliberations recorded in the early registers are

⁵ Kirshner, 700-01 (my thanks to the author for his suggestions). Mueller, 2010b, 22-23, 42-49.

⁶ Monticolo, LXII-LXXX.

divided under subject headings, rather than appearing in simple chronological order, as they mostly are in the registers of the Maggior Consiglio itself. I have kept the labels chosen by Ben – Greater, not Great Council, Council of the Pregadi, not Senate – although I might have decided differently myself. I have not added reference to cancellations of the provisions, most of which are dated between 1349 and 1375. I have kept Ben’s wide use of capital letters for titles of deliberative organs and magistracies. As is the usage in the series *Senato misti*, I have rendered all Latin forms of *comune* with a single *m*. The summaries preceding each text and the sources of the text are given in italics. The reference to “Divenire frame” followed by a number is to the digitalized photograph of the relative folio in the Progetto Divenire of the Archivio di Stato di Venezia, available on-line; the number, referring to the specific register, permits the researcher to identify readily the manuscript source of the transcription; the same was done with the registers kept in the Avogaria di Comun, digitalized thanks to the Hedgelawn Foundation, where I noted the image number of the register available on-line in the reading room. Note, finally, that the numbering of the registers is that provided by the Progetto Divenire, which diverges from that provided by the older inventories; in order to avoid ambiguity, the register’s original name (e.g. *Liber Presbiter*) has been indicated as well.

The translations by Ben and myself are of course extremely delicate and will be open to criticism and rectification. So be it. Ben tried to keep to as literal a translation as possible, even of verb tense, while preserving coherence. I have avoided Ben’s use of the term *statute*, which in Latin and Italian usage has another meaning and could lead to ambiguities, preferring *law*, *deliberation*, and the like. Other terms, such as *rulebook* for *capitolare*, I have kept as both well-chosen and characteristically ‘Ben-ian’. The knottiest problem is how to render *eligere*, *electio*, *electores*. In many of the documents a literal translation is impossible, as Lane and Crescenzi, among others, underscored; Lane distinguished between *nomination* and *election*⁷, whereas Crescenzi, who studied carefully the role of the *electores* and the complex system set in place well before 1297 “to control the paths to admission to the Council”, preferred *designare*, *scegliere*, *selezionare*, *identificare*, while he renders *aprobare*, *approbatio*, the task of the Council of Forty, as *scrutinize*, *scrutiny*, where Lane wrote of *approval* or *testing*. We have made an effort to exploit such suggestions as called for⁸.

⁷ Lane, 1971, 249.

⁸ Crescenzi, 1996, quotations from pp. 300, 304, 314, 319, 321, 320-24, where the author has studied the problem in depth.

3. *The documents*

Document 1: 26 September 1282 – 1 October 1282

Selection of a board of four nominators, two resident on one side of the grand canal, two on the opposite side. Initially eight persons were chosen by lot, then their number was reduced to four, perhaps by putting pairs to the vote of the assembly. The final four were to nominate the one hundred ordinary members of the Greater Council and the members of the Pregadi before they left the Ducal Palace. The boards were to serve for that election only. This reflects the traditional pre-Serrata procedure⁹.

Deliberazioni, 3:9, n° 39.

Die vigesimo sexto septembris [1282]

Capta fuit pars quod fiant quattuor electores dupli per rodulos in Maiori Consilio, silicet duo de ultra canale et duo de citra, et illi qui erunt electi debeant esse sub pena ordinata, qui debeant facere centum de Maiori Consilio et de Consilio Rogatorum, antequam descendant de pallatio, et postea, facta predicta ellectione, non sint amplius electores quantum pro ista vice. Et si consilium est contra, sit revocatum quantum in hoc.

26 September 1282

The law was enacted that, from a slate of eight, four nominators be created, two from this side of the canal, two from the further side, and those who will be selected, under pain of fine if they refuse, must nominate one hundred members of the Greater Council and the members of the Council of Pregadi, before they leave the Ducal Palace. And thereafter, having made the aforesaid nominations, they are no longer nominators, but only for this time. And if there is a law to the contrary, it is herewith revoked.

Ed.'s note. This deliberation was in ASVe, Maggior Consiglio, *Deliberazioni*, reg. 5, Liber Luna, where Roberto Cessi was able to read and transcribe it in the 1920s and 1930s; probably in the course of rebinding the register at some point, the first gathering, fols. 1-16, was lost; the register as it now stands begins on fol. 17r (fol. 1r in pencil), in the year 1283. Consequently, I was not able to check the transcription. I tried to find the nearly contemporary copy in ASVe, Avogaria di comun, reg. 18, *Deliberazioni del Maggior consiglio*, Liber Bifrons, but was unable to; the register is arranged by topic, not chronologically, and the extensive collection with the relevant heading *Rubrica consiliorum ad electores, electiones et electos pertinentium*, fols. 17r and following, does not contain the text.

It is to be noted, furthermore, that part of this deliberation was cancelled by mistake, the part that ruled that the sixty members of the Rogati (later called the Senate) were to be *ex officio* members of the Greater Council for their annual term of office. Here are the lines recuperated a week later:

⁹ While the first mention of a board of nominators dates from 1207 (Crescenzi, 1996, 295-97), and the nature of the board or boards of electors was debated and modified already in the 1270s (*ibid.*, 303-05), this law, with which Ben Kohl wanted to begin, continues somewhat of a controversy about their composition and selection.

Die primo octubris [1282]

Capta fuit pars quod illi qui sunt hoc anno electi de Consilio Rogatorum sint hoc anno de Maiori Consilio, cum inveniatur cancellatum consilium per quod Rogati erant de Maiori Consilio (*Deliberazioni*, 3:9, n° 41).

The provision was repeated in the following year, 1283 (see Doc. 2, below).

From that point on, the naming of a board of four nominators became practically a fixture in the procedures followed by the Greater Council in the days immediately preceding Michaelmas (29 September), the day of the elections, or the day the procedure began. In 1284, renewal involved a one-liner (*Deliberazioni*, 3:84, n° 142, 24 September). In 1285, on 15 September, a small revision (“per alium modum quam nunc fiant”) was attempted, namely to elect six, of which only two would remain, but the proposal failed in the face of another proposal “de stare firmi”. Much was afoot in 1286, so further renewals and revisions will be discussed below.

Document 2: 26 September 1283

Election, according to the procedure in Doc. 1, of a board of four nominators, two from each side of the Grand Canal, who were to select the one hundred ordinary members of the Greater Council and the members of the Pregadi before they left the Ducal Palace. As in the previous year, the members of the Pregadi elected for one year were to be contemporaneously members of the Greater Council for that year. The board was to serve for that election only.

ASVe, Maggior Consiglio, *Deliberazioni*, reg. 5, Liber Luna, fol. 10r, 26r original numbering; Divenire frame 19; *Deliberazioni*, 3:51, n° 173.

[MCCLXXXIII, XII inditione, die XXVI septembris]

Item quod eligantur IIII electores duppli, silicet II de citra canale et duo de ultra canale, etiam possint accipi de omni loco, et aproventur secundum consuetudinem et illi qui erunt electi debeant esse sub pena librarum L; et statim quando erunt aprobati ducantur in palacium, qui debeant, antequam descendant de palacio, eligere C de Maiori Consilio et illos de Consilio Rogatorum qui debeant esse a sancto Michaele usque ad aliud sanctum Michaelem, et postea sint extra officium. Et illi qui erunt electi de Consilio Rogatorum debeant etiam esse de Consilio Maiori pro isto anno. Et si consilium est contra, sit revocatum quantum in hoc.

26 September 1283

The law was enacted that, from a slate of eight, four nominators be selected, two from this side of the canal, two from the further side, who can be taken from any office in which they now are and approved in the usual manner, and those who will be selected are under pain of fine of £ 50; and as soon as they will be approved, they will be conducted to [a chamber in] the Palace and they must, before leaving the Palace, nominate one hundred members of the Greater Council and those members of the Council of Pregadi who will be in office from this Michaelmas to next Michaelmas [29 September 1283 – 29 September 1284], after which their office is terminated. And those who are elected to the Council of the Pregadi are also to be in the Greater Council for this year. And if there is a law to the contrary, it is herewith revoked.

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Document 3: 24 September 1286

Creation of a board of four electors as the normal way of nominating the 100 regular members of the Greater Council, that is, those who were not already members ex officio, and the members of the Pregadi.

ASVe, Maggior Consiglio, Deliberazioni, reg. 5, Liber Zaneta, fol. 16v, 86v (80v in pencil); Divenire frame 162; *Deliberazioni*, 3:156, n° 117.

Die XXIII septembris [1286]

Capta fuit pars quod eligantur IIII electores duppli per rodulum, duo de citra et duo de ultra canale, et approbentur ad unum ad unum, qui debeant eligere, antequam de palatio descendant, C de Maiori Consilio et Consilium Rogatorum, et postea sint extra electoriam.

24 September 1286

The law was enacted that, from a slate of eight, four nominators be elected, two from this side of the canal, two from the further side, and let them be voted on one by one. Before they leave the Ducal Palace, these men must nominate one hundred members of the Greater Council, and the members of the Council of Pregadi, and afterwards they are outside the electoral process.

Document 4: 3 October 1286

On 3 October 1286 two acts were passed back to back. The first seems to have been practically an enabling act for the second; it said, in fact, that anyone who is or will be a member of the Consiglio dei Rogati and the Greater Council could vote on bills concerning recent nominations to the two councils, regardless of kinship bonds or other liabilities. The second was a deliberation regarding precisely the elections to the Pregadi and Greater Council, saying each nominee was to be approved, one by one, by a majority of the Council of Forty.

Ed.'s note. I have decided to edit also the first of the two, contained in one of Ben's files, since upon re-reading it might very well mirror a situation in which a party interested in restricting membership was unable at the moment to get a majority and wanted the support of those most recently nominated. Whether the measure actually passed is in doubt. Frederic Lane, as cited immediately below, held – against Cracco's interpretation – that this law was actually abrogated by laws passed immediately following those passed on the 3rd, namely on 5 and 17 October, "to stand by customary procedure" and notes that approval one by one is not mentioned in the laws of 1287, 1293, 1294, and 1296. Rösch, 2001, 73, suggests it did not pass in the first place.

ASVe, Maggior Consiglio, Deliberazioni, reg. 5, Liber Zaneta, fol. 17, 87r (81r in pencil); Divenire frame 163; *Deliberazioni*, 3:156, n° 119; Rösch, 1989, 172n20. Cfr. Crescenzi, 1996, 324; Cracco, 332; Lane, 1971, 271n73.

Die III octubris [1286]

Cum debeant poni partes in hoc Consilio super electionibus factis nuper de

illis tam de Consilio Rogatorum et de Maiori Consilio, captum fuit quod omnes illi qui sunt et erunt ad consilia que fient super hoc facto possint capere partem in consiliis que fient de ipsis et non teneantur exire de ipsis consiliis pro parentella vel pro alio.

3 October 1286

Since bills must be proposed in this Council concerning nominations made recently for both the Council of Pregadi and the Greater Council, it was enacted that all those who are or will be in these councils, when they made rules concerning this matter, can vote on bills in the councils, which they usually do, and they are not obliged to leave these councils due to kinship or for any other [reason].

Die III octubris [1286]

Item quod omnes illi qui sunt electi, tam de Consilio Rogatorum quam de Maiori Consilio, debeant ire circum in Consilio de XL ad unum ad unum, et illi qui habebunt maiorem partem dicti Consilii sint firmi et alii, qui non haberent maiorem partem consilii, debeant esse cassi. Et si consilium est contra, sit revocatum quantum in hoc.

3 October 1286

Furthermore, that all those who are nominated both for the Council of Pregadi and the Greater Council are to be confirmed in the Council of Forty, one by one, and those who have a majority of the votes in that Council are confirmed, and the others, who do not have a majority in the Council, are to be rejected. And if there is a law to the contrary, it is herewith revoked.

Document 5: 5 October 1286

A bill proposed by the Heads of the Forty that membership in the Greater Council should be based on hereditary right was rejected, while one in favor of continuation of the usual method of annual election, with no mention of heredity, proposed by Doge Giovanni Dandolo, passed.

ASVe, Maggior Consiglio, Deliberazioni, reg. 5, Liber Zaneta, fol. 17r, 87r (81r in pencil); Divenire frame 163; *Deliberazioni*, 3:156-57, n° 120; Romanin, 2:342-43; Maranini, 1:335n; Rösch, 1989, 172-73; Crescenzi, 1996, 323.

Die V octubris [1286]

Cum per Capita de XL poneretur pars una talis quod aliquis vel aliqui non possint esse de aliquo consilio si ipse vel pater aut progenitores sui a patre supra, unde traxerint originem ex parte patris, non fuerit vel fuerint de consiliis Veneciarum, salvo si aliquis qui non esset de conditione predicta eligeretur de aliquo consilio, non possit esse nisi primo captum fuerit per maiorem partem domini Ducis et Consiliariorum et maiorem partem Maioris Consilii, et alia pars erat domini Ducis de stare firmi ad morem consuetum, capta fuit pars de stare firmi. Et fuerunt X non sinceri, XLVIII de parte de XL, et LXXXII de stare firmi.

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5 October 1286

A bill has been proposed by the Heads of the Forty that no one can be a member of any council, unless he himself or his father or his father's ancestors, whence he has derived his origins on his father's side, have been members of the councils of Venice. But if there is anyone who does not meet that condition, he cannot be elected to any council, unless he shall first be approved by the majority of the Doge and his Councilors, and the majority of the Greater Council. And the other bill proposed by the Lord Doge was to keep to the usual custom, and the bill to stand firm was passed. And there were ten abstentions, 48 votes for the Forty's bill, and 82 votes to stand firm.

Document 6: 17 October 1286

Proposal of another method for approving members of the Greater Council: nomination by three electors, and approval by the Ducal Council, the Pregadi and the Forty, which failed, instead of the usual method of annual election which Doge Giovanni Dandolo backed, namely, to 'stare firmi,' which passed.

ASVe, Maggior Consiglio, Deliberazioni, reg. 5, Liber Zaneta, fol. 17v, 87v (81v pencil); Divenire frame 164; *Deliberazioni*, 3:157, n° 123. Cfr. Maranini, 1:338n and Cracco, 333-35.

Die XVII octubris [1286]

Cum poneretur pars super eligendis illis de Maiori Consilio que inferius continetur et pars alia de stare firmi, capta fuit pars de stare firmum. Pars autem que ponebatur erat hec: "Quod eligantur tres electores dupli per rodulum in Maiori Consilio et illi qui eligentur modo sint usque ad kallendas aprilis, et qui eligentur per eos de Maiori Consilio debeant approbari ad unum ad unum cum domino Duce et consiliariis in Consilio Rogatorum et XL per maiorem partem eorum qui ad hoc fuerint congregati; et post kallendas aprilis eligantur alii tres eodem modo et forma, qui sint usque ad festum sancti Michaelis; et quando dicti electores fecerint electionem de Maiori Consilio, et cetera".

17 October 1286

When a bill was proposed concerning those to be elected to the Greater Council, which is quoted below, and another bill was to stand firm, the bill to stand firm was adopted. The bill that was proposed, however, was this: "That there be named, from a slate of six, three nominators from the list of eligibles in the Greater Council, and those who are elected are to serve until the first of April [1287], and those who are nominated by them for membership in the Greater Council are to be voted on, one by one, by the Doge and his Council, by the Pregadi, and by the Forty, with a majority in each, which will have been assembled for this purpose. And after the first of April, let there be nominated three other nominators, by the same method, who are to serve until the feast of St. Michael [29 September 1287], and when the said nominators make nominations to the Greater Council, etc."

Ed's note. Ben left a hole between 1289 and 1296, on the eve of the law of the *Serrata* in 1297 regarding the board of four nominators, but upon closer inspection a few more or less slight revisions were occasionally attempted in the meantime on the occasion of renewals. On 27 September 1287 the usual proposal was set forth, with minor differences: first, that the board could make decisions "per omnes vel maiorem partem", probably reflecting rising levels of disagreement regarding inclusion and exclusion, even at this early date; second, that the four

would themselves be part of both the Greater Council and the Rogati, and, third, that failure to proceed with the nominations upon convocation would subject each member to a fine of 40 soldi di grossi (that is, 20 ducats, only recently minted). (See *Deliberazioni*, 3:184, n° 121, from Liber Zaneta). Renewal seems to have been taken for granted in 1288, except for the significant amendment that from that time onward nominations for the Rogati were to be approved by the Forty (ibid., 3:221, n° 144, 3 October). In 1289 the only mention of the board is the convocation of its members to the Ducal Palace (ibid., 3:245, n° 103, 22 September). From 1290-1292 no innovation was made, or none was recorded. In 1293, while past usage had always held that nominators could be elected from any office, it was now specified that they could be chosen also from among the ducal Councilors; when then in fact only three persons accepted the election, it was stated that three could decide the nominations as though the board had been complete (ibid., 3:349-50, nos. 111-12, 27 September). The text approved on Michaelmas in 1294 was practically the same as that passed in 1293 (ibid., 3:365, n° 56). On 2 October 1295 some tension stemming from the prolonged process seems to be revealed by the order given to the board that it was to turn over the names of those nominated to the Doge in a sealed envelope and to keep their decisions secret, under pain of fine; this was then repealed three weeks later, as the procedure seems to have dragged on longer than usual (ibid., 3:388, n° 82). 1296 produced no novelty, due perhaps to the on-going war with Genoa and to some kind of expectation of reform in early 1297.

Document 7: 3 November 1289

Attempt made on the day after the death of doge Giovanni Dandolo to augment the number of persons present at the Greater Council by ordering persons active in many named offices to appear, along with those already members ex officio, precisely at the time of the formulation of amendments to the election capitulation or promissio and the election of the new Doge. The bill was voted down.

Ed's note. One of Kohl's files included this document, which does not directly relate to the manner of electing members of the Greater Council, but Ben was right in seeing in it a reflection of discontent with the "governance" of the state under doge Giovanni Dandolo on the very day after his death.

ASVe, Maggiore Consiglio, *Deliberazioni*, reg. 5, Liber Zaneta, fol. 65r, (129r in pencil); Divenire frame 259; *Deliberazioni*, 3:248-49, n° 122.

Die III novembris [1289]

Item quod omnibus diebus et horis quibus fient Magna Consilia occasione correctionis capitularis seu electionis domini Ducis debeant venire ad ipsa Consilia Procuratores Sancti Marci et Procuratores Sancti Marci super commissariis, Patroni arsane, omnes officiales qui sunt de Consilio Maiori et Vicedomini et illi de Tarnaria et Vicedomini fontici, Salinarii maris et illi qui sunt super Frumento, Iusticiarii novi et veteres et illi qui sunt super Datio vini et illi qui sunt super Drappis ad aurum et illi qui sunt super Rivoalto et Extimatores auri et illi qui consueverunt clamari ad facta Romanie debeant venire et esse ad dicta Consilia et capere partem sicut alii de Maiori Consilio. Et si consilia vel capitularia sunt contra, sint revocata quantum in hoc.
nel margine sinistro: Non fuit capta.

3 November 1289

[It is proposed] that on all days and times on which meetings of the Greater Council are held for the correction of the *promissio* or for the election of a [new] Doge, to these council meetings ought to come the Procurators of San Marco, both [those who administer the church] and those who administer legacies, the patrons of the Arsenal, all officials who are *ex officio* members of the Greater Council, the Visdomini, including those of Ternaria, and the Visdomini of the Fondaco [dei Tedeschi], Salineri del mare, the officials of the Grain office, the new and old Giustizieri, the officials of the wine tax, those over cloth-of-gold, those over the Rialto, the Assayers of gold, those summoned [to meetings] on matters in Romania, and all these ought to attend the said meetings of the Council; and they should vote, just as other members of the Greater Council. And if a law on the books contradicts this, let it be revoked in this respect.

] The bill was not passed.

Document 8: 6 March 1296

A new attempt by the three Heads of the Quarantia to introduce a new but unspecified method for selecting members of the Maggior Consiglio is rejected, and the decision is made to stand by the traditional procedure (“stand firm”).

ASVe, Maggior Consiglio, Deliberazioni, reg. 5, Liber Pilosus, fol. 59r, (203r in pencil); Divenire frame 409; *Deliberazioni*, 3:396, n° 6.

Die VI marcii [1296]

Cum per Capita de XL poneretur pars una super electione fienda de Maiori Consilio et alia de stare firmi, capta fuit pars de stare firmi.

6 March 1296

When a bill was presented by the Heads of the Forty regarding the [procedure to be followed in the] pending election of the Greater Council, another bill was presented to stay with existing procedure, it was passed to stand firm.

Ed.’s note. Seeing this entry again after so many years I cannot refrain from adding a personal note here. In 1968, when Frederic Lane was also in the Archivio, doing the research for his article *The Enlargement of the Great Council of Venice*, he called me over at various times to look at his register and see just how haphazardly this one-liner, and others like it, of crucial importance for the constitutional history of Venice, were registered. Was this one the result of a heated debate, or had it been an attempt, made in the midst of handling the most diverse business of the day, as in this case, to pass a reform on the sly? Whatever, the upshot was formulated in three words: *de stare firmi*. A first memorable lesson *in loco* for a graduate student; a second was to learn that the version of this deliberation published by Maranini (1: 345n) was actually a fabrication, conceivably produced from memory (cfr. Lane, 1972, 271-72, n76).

Document 9: 28 February 1297

Law on eligibility to sit in the Greater Council, determined by membership during the previous four years, after which was required the approval of at least twelve members of the Quarantia; others who were not members in those years, could be nominated by three electors. Considered the law of the Serrata, in the longer term a closing out, initially also a closing in. Actually the law inaugurated a process of reform. Reconfirmed on 11 September 1298.

ASVe, Maggior Consiglio, Deliberazioni, reg. 5, Liber Pilosus, fol. 67v, (211v in pencil); Divenire frame 426; *Deliberazioni*, 3:417-18, n° 104, 418n; Romanin, 2:343-44; Maranini, 1:346-47n; Rösch, 1989, 173-74. Cfr. Crescenzi, 1996, 327-29; Lane, 1971, 272, n81.

Die ultimo februarii [1296]

Capta fuit pars quod electio Maioris Consilii, que fiet amodo usque ad sanctum Michaellem et inde ad unum annum, fiat hoc modo, quod omnes illi qui fuerunt de Maiori Consilio a quatuor annis infra ponantur in XL ad unum ad unum et quicumque habuerit XII ballotas et abinde supra sit de Maiori Consilio usque ad festum sancti Michaelis et a festo sancti Michaelis usque ad unum annum, approbando eos ad unum ad unum in dicto festo sancti Michaelis per modum istum. Et si aliquis perderet Consilium pro exire extra terram, quando redibit possit requirere Capita de XL quod ponant partem inter XL utrum videatur quod debeat esse de Maiori Consilio vel non. Et Capita de XL teneantur ponere ipsam partem et, si habebit XII ballotas et inde supra, sit de Maiori Consilio. Et insuper eligantur tres electores qui possint eligere de aliis qui non fuissent de Maiori Consilio, sicut per dominum Ducem et suum Consilium erit eis impositum, ita quod illi quos ipsi elegerint ponantur inter XL ad unum ad unum et quicumque habebit XII ballotas et abinde supra sit de Maiori Consilio. Et predicti tres electores sint de Maiori Consilio usque ad festum sancti Michaelis. Et alii tres, qui eligentur in festo sancti Michaelis, debeant esse per unum annum et sint de Maiori Consilio. Et hec non possint revocari nisi per quinque Consiliarios et XXV de XL et duas partes Maioris Consilii.

Et in capite anni per quindecim dies ante ponatur ad Maius Consilium utrum videatur quod hec pars debeat amplius durare vel non, et sicut captum erit in Maiori Consilio sic debeat esse firmum. Et iniungatur in capitulari Consiliariorum quod ipsam partem debeant ponere ad Maius Consilium, ut predictum est, sub pena librarum decem pro quolibet et Advocatores Communis teneantur excutere dictam penam. Et non intelligantur per hoc quod debeant esse de Maiori Consilio illi qui sunt prohibiti per consilia ordinata. Et iniungatur Capitibus de XL quod, quando debuerint probari aliquem de Maiori Consilio, debeant id notificare inter XL per tres dies ante; et quod non facient approbationem aliquam de Maiori Consilio nisi fuerint congregati XXX de XL vel inde supra. Et hoc addatur in capitulari. Et si consilium vel capitulare est contra, sit revocatum. Pars de XL.

Added at the bottom of the page: Die XI septembris MCCLXXXVIII. Capta fuit pars quod consilium continens de Consilio Maiori fiendo sit deinceps sicut est modo.

28 February 1297

The law was passed that the election [of members of] the Greater Council, which is done usually up to Michaelmas [29 September] and thence for one year, should be done in this way: all those who have served [in the Greater Council] during the past four years should be proposed one by one to the Forty, and whoever shall have twelve or more votes shall be a member of the Greater Council until the Michaelmas [29 September] and thence for one year, approving them one by one at Michaelmas in that way. And if anyone shall lose [his place on] the [Greater] Council to travel outside Venice, when he returns, he can require the Heads of the Forty to propose a bill within the Forty to determine whether he ought to be a member of the Greater Council, or not. And the Heads of the Forty are required to hold this vote and if he shall have twelve or more votes, he is a member of the Greater Council.

And, in addition, let there be chosen three nominators, who can nominate any others, who have not been members of the Greater Council, whenever they will be called upon to do so by the Lord Doge and his Councilors, so that those whom the three will nominate will be proposed in the Forty, one by one, and whoever shall have twelve or more votes is a member of the Greater Council. And the aforesaid three nominators shall be members of the Greater Council until Michaelmas [29 September]. And the next three, who are chosen on Michaelmas are elected for one year and are members of the Greater Council. And this cannot be revoked except by [vote of] five of the [six ducal] Councilors, twenty-five of the Forty, and two-thirds of the Greater Council.

And fifteen days before the beginning of the new year [i.e. 1 March 1298], it should be proposed before the Greater Council whether this law should be renewed or not, and if it is passed in the Greater Council, it remains in force. And let it be added to the rulebook of the [ducal] Councilors that this same law must be placed before the Greater Council, as has already been stated, under penalty of ten *lire* for each offender, and the Avogadori di Comun are held to exact the said penalty. And it is not to be understood by this [law] that those who are prohibited from membership in the Greater Council by established law can now be members of the Greater Council. And it is ordered to the Heads of the Forty that if they themselves will wish to elect anyone to the Greater Council they should notify the other members of the Forty three days before the vote [is to be taken], and they cannot approve anyone for membership in the Greater Council unless at least thirty members are in attendance at the Forty. And this is to be added in the [Forty's] rulebook. And if a law or rule is contrary, let it be revoked. The law [came] from the Forty.

Added at the bottom of the page: 11 September 1298. A law was enacted that the statute governing the membership in the Greater Council is to be thereafter continued, as is proper.

Document 10: 17 October 1297

Those approved by the Forty for membership on the Greater Council before or after the usual election of Michaelmas, 29 September, are understood to be members of the Greater Council just the same, a provision which ended the necessity of annual elections on a fixed date.

ASV, Maggior Consiglio, Deliberazioni, reg. 5, Liber Pilosus, fol. 72r, (216r in pencil); Divenire frame 435; *Deliberazioni*, 3:430, n° 52.

Die XVII octubris [1297]

Capta fuit pars quod illi qui non fuerint approbati in die sancti Michaelis per

XL de isto Maiori Consilio, sed fuerunt per dictos XL approbati vel ante vel post ipsum festum, sint de Maiori Consilio, sicut si fuissent approbati in dicta die sancti Michaelis.

17 October 1297

The law was enacted that those who were not approved by the Forty to be members of the Greater Council on Michaelmas but were approved by the Forty before or after that feast are [members] the Greater Council, just as if they had been elected on Michaelmas.

Document 11: 15 December 1298

No one may be elected to the Forty, unless he, or his father or grandfather or beyond had been a member of the Greater Council.

ASVe, Maggior Consiglio, Deliberazioni, reg. 5, Liber Pilosus, fol. 78v, (222v in pencil); Divenire frame 448; *Deliberazioni*, 3:446, n° 43; Rösch, 1989, 176. Cfr. Crescenzi, 1996, 325-27.

Die XV decembris [1298]

Capta fuit pars quod nullus de cetero possit eligi ad Consilium de XL qui per se vel per patrem aut avum et abinde supra non fuerit de Magno Consilio. Et si consilium est contra, sit revocatum.

15 December 1298

A law was enacted that henceforth no one can be elected to the Council of Forty who was not himself and through his father or grandfather, and above, been a member of the Great Council. And if there exists a law in contradiction to this, it is revoked.

Document 12: 22 March 1300

New men to be considered for election to the Greater Council only with prior approval of a majority of the Forty, with a minimum of twenty members in attendance.

ASVe, Maggior Consiglio, Deliberazioni, reg. 8, Liber Magnus, fol. 6r (also in pencil); Divenire frame 11; also in Avogaria di Comun, reg. 20, Deliberazioni del Maggior Consiglio, Liber Magnus, fol. 3v, with the rubric “Quod non detur homo novus de Consilio”; Rösch, 1989, 176; Merores, 77.

Die XXII martii [1300]

Capta fuit pars quod iniungatur in capitulari consiliariorum quod de cetero non debeant dare aliquem hominem novum ad faciendum ipsum eligi de Maiori Consilio nisi primo captum fuerit per maiorem partem de XL, existentibus XL congregatis de viginti sursum. Et si consilium est contra, sit revocatum quantum in hoc.

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22 March 1300

A law was enacted that it be recorded in the rulebook of the [ducal] Councilors that henceforth they must not propose any new man to be elected to the Greater Council unless that he shall have been approved by a majority vote of the Forty, with a minimum of twenty members assembled. And if there exists a law in contradiction to this, it is herewith revoked.

Document 13: 15 October 1300

A law dated 15 October 1300, in two versions, stated that approval given by the Forty to members of the Greater Council after the usual Michaelmas election was as valid as that made before Michaelmas. The effect was to permit “rolling” election to the Greater Council.

ASVe, Maggior Consiglio, Deliberazioni, reg. 8, Liber Magnus, fol. 11r (same in pencil); Divenire frame 21; Avogaria di Comun, reg. 20, Deliberazioni del Maggior Consiglio, Liber Magnus, fol. 15r (17r pencil), with the rubric “Proba illorum de Maiori Consilio sit firma”.

Note that the first formulation is found in both registers; the second, of the same date and very similar in formulation, certainly of the same intent, is found only in the Avogaria register, complete with its rubric.

Die XV octubris [1300].

Capta fuit pars quod proba facta de illis de Maiori Consilio inter XL sit firma, sicut si facta fuisset ad terminum statutum per consilium ante sanctum Michaellem.

15 October 1300

A law was enacted to the effect that the vote taken in the Forty concerning approval of members of the Greater Council was valid, just as though that vote had been taken prior to Michaelmas, as established by current law.

Quod illi qui sunt approbati de Maiori Consilio sint firmi, et cetera.

Eodem millesimo [1300], die XV octubris.

Capta fuit pars quod illi qui approbati sunt de Maiori Consilio et illi qui approbabuntur pro isto anno sint firmi, sicut probati essent in festo sancti Michaelis. Et si consilium est contra et cetera.

A law was enacted to the effect that those who were approved as members of the Greater Council and those who will be approved for this year are valid [members] just as if they had been approved on Michaelmas.

Document 14: 20 September 1302

Election to the Greater Council can now take place at other times than only on Michaelmas.

ASVe, Maggior Consiglio, Deliberazioni, reg. 8, Liber Magnus, fol. 34v (35v in pencil); Divenire frame 70. Also in Avogaria di Comun, reg. 20, Deliberazioni del Maggior Consiglio, Liber Magnus, fol. 17r, complete with the rubric “Quod illi de Maiori Consilio possint approbari ante et post festum sancti Michaelis”.

Millesimo trecentesimo secundo, indictione prima, die XX [septembris].
Vadit pars [...]. Item quod, sicut illi de Maiori Consilio debent approbari in festo sancti Michaelis, ita de cetero possint approbari ante et post festum dictum sancti Michaelis, sicut videbitur capitibus vel maiori parti qui erunt per tempora, et sint ita firmi, sicut essent si essent aprobat in ipso festo. Et si consilium vel capitulare est contra, sit revocatum quantum in hoc. Et fuit captum per V consiliarios et XXV de XL.

20 September 1302

A law was enacted that just as those who are of the Greater Council are to be confirmed on Michaelmas, henceforth they can be confirmed both before and after the said feast of St. Michael, at the discrecion of the Heads <of the Forty> or the majority <of them>, who will be in office at the time, and their <election> is valid, just as though it had taken place on the feast day itself. And if there is any law or rulebook to the contrary, it is herewith revoked, and the proposal was approved by 5 Councilors and 25 members of the Forty.

Document 15: 28 December 1307

No one may be considered for election to the Greater Council for the first time (de novo), without prior approval of five ducal Councilors and twenty-five members of the Council of Forty.

ASVe, Maggior Consiglio, Deliberazioni, reg. 8, Liber Capricornus, fol. 60r (165r pencil); Divenire frame 329.

Die eodem [XXVIII decembris 1307]

Quod, sicut usque nunc illi qui dabantur ad eligendum de novo de Maiori Consilio dabantur per IIII Consiliarios et maiorem partem de XL, congregatis XX de XL vel inde supra, ita de cetero aliquis non possit dari ad eligendum de novo de Maiori Consilio, nisi prius captum fuerit per V Consiliarios, XXV de XL. Et si consilium vel capitulare est contra, sit revocatum.

28 December 1307

[It was passed] that, as up to now those who have been nominated to be elected to the Greater Council for the first time were to be nominated by four ducal Councilors and by a majority of the Forty, with at least twenty or more members of the Forty in attendance, so henceforth no one can be nominated for election to the Greater Council for the first time unless he shall have been already approved by five Councilors [and] twenty-five of the Forty. And if a previous law or rule is to the contrary, it is herewith revoked.

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Document 16: 7 September 1308

No one nominated for any office that entitles him to membership ex officio in the Greater Council is automatically member of the Greater Council unless he is already eligible to be a member of the same.

ASVe, Maggior Consiglio, Deliberazioni, Reg. 10, Liber Presbiter, fol. 1v (the same in pencil); Divenire frame 4; Besta, 220 (taken from ASVe, Avogaria di Comun, Capitolare, fol. 67r).

VII septembris [1308]

Captum fuit quod, si aliquis fuerit electus ad aliquod officium per quod esset de Maiori Consilio, non sit propter hoc de Maiori Consilio nisi esset talis qui eligi possit de Maiori Consilio. Et hec <pars> non possit revocari nisi per quinque Consiliarios, tria capita de XL, XXX de XL et duas partes Maioris Consilii. Et si consilium et cetera.

7 September 1308

It was decided that if anyone be elected to any office for which he is [member *ex officio*] of the Greater Council, that person is not *ipso facto* a member of the Greater Council unless he is one who is eligible to [be a member of] the Greater Council. And this law cannot be overturned except by five Councilors, the three Heads of the Forty, thirty of the Forty, and two-thirds of the Greater Council. And if any law, etc.

Document 17: 22 March 1310

Henceforth no one may be considered for election to the Greater Council for the first time (de novo) without prior approval of five ducal Councilors, thirty members of the Forty and a simple majority of the Greater Council, a restrictive amendment to the deliberation of 28 December 1307 (above, doc. 15).

ASVe, Maggior Consiglio, Deliberazioni, reg. 10, Liber Presbiter, fol. 15v; Divenire frame 32.

Die XXII [marcii 1310]

Sicut sit quoddam consilium continens inter cetera quod aliquis non possit dari ad eligendum de novo de Maiori Consilio nisi prius captum fuerit per V Consiliarios, XXV de XL, capta fuit pars quod addatur dicto consilio quod ubi dicitur per XXV de XL, dicatur per XXX de XL et per maiorem partem Maioris Consilii. Et hoc non intelligatur de illis de quibus consultum est hucusque. Et hec pars non possit revocari nisi per V consiliarios, tria Capita de XL, XXX de XL et tres partes Maioris Consilii.

22 March 1310

Since there is a law which reads, among other things, that no one may be nominated for the first time as member of the Greater Council unless previously approved by five Councilors [and] 25 members of the Forty, it was herewith decided to amend that law as follows: where it says "25 of

the Forty” it should read “30 of the Forty and a majority of the Greater Council”. Persons previously approved are not understood under this provision. The present provision may not be revoked except by five Councilors, the three Heads of the Forty, thirty of the Forty, and three-quarters of the Greater Council.

Document 18: 17 June 1310

Law following the Tiepolo-Querini conspiracy which provides for different kinds of penalties for nobles and non-nobles. It foresaw exile for nobles, who are or can be members of the Greater Council (to be sent ad confinem if they agreed, or be exiled and considered rebels if not), and non-nobles who cannot be members, whose crime was to be judged by the Doge with “mercy”.

ASVe, Maggior Consiglio, Deliberazioni, reg. 10, Liber Presbiter, fol. 20v; Divenire frame 42; *Consiglio dei Dieci*, 1:243-24; the essential part in Ruggiero, 195n11.

Contra Baiamontem proditorem et sequaces eius

Die XVII iunii [1310]

[...] Primo quod ipse Baiamons et predicti sui sequaces et participes debeant de presenti exire Venecias et districtum et ipse Baiamons debeat ire et stare per quatuor annos completos ad confines et ad mandata domini ducis in partibus Slavonie ultra Iadram, exceptis terris et locis nostris et terris nostrorum inimicorum. Reliqui vero nobiles, qui erant de Maiori <Consilio> vel esse poterant, debeant ire et stare ad confines [...]. Ceteri vero, qui non erant de Maiori <Consilio> nec esse poterant, si venerint ad mercedem domini ducis, dominus dux faciet eis misericordiam, sicut conveniet, ad largum modum. [...]

Against the traitor Baiamonte and his followers

17 June 1310

[...] First, that Baiamonte [Tiepolo] himself and his followers and adherents must at present leave Venice and the Dogado, and that Baiamonte himself must go and remain “ad confines” for four whole years beyond our borders and, on orders from the Lord Doge, in the regions of Slavonia, beyond Zara, but not in our own lands and territories nor in those of our enemies. Other nobles, members of the Greater Council or who could be such, should be exiled “ad confines” [...]. Indeed, others, who were not nor could not be members of the Greater Council, if they will have come before the Lord Doge, let the Lord Doge bestow mercy on them broadly, as it would be proper to grant.

Ed.'s note. Ben Kohl introduced this law that came out of the Tiepolo-Querini conspiracy in 1310, even though not strictly a law concerning the *Serrata*, because it so neatly distinguished between noble adherents of the conspiracy, to be sent into exile, and non-noble conspirators who were to be treated with “mercy”. The *Serrata* reform was not yet complete, but the law defined the former as men who actually were members of the Greater Council or who potentially could still be approved for membership, whereas the latter were people who were not members nor could they be.

In the years around that date, it is worth looking at the situation across the Adriatic in Istria and in the Stato da Mar, which reflected and even anticipated Venice’s reform *in fieri*, namely, the closing of its major deliberative organ. Angelo Ventura noted that the statutes approved in 1307

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in Pirano, which had become part of the Venetian state in 1283, already defined membership in the local Great Council as hereditary, but, interestingly enough, on the part either of the father or of the mother: no one could become a member “si hinc retro avus tam ex parte patris quam ex parte matris vel pater eius non extiterit de consilio” (Ventura, 117). In another case it is the situation in Venice that is reflected in an accord with the most important city-colony in Dalmatia. In 1313 it was stated in the *Pacta* negotiated with Zara that the Zaratini could elect as rector or *comes* a Venetian nobleman, one who already sat on the Greater Council, but that he would have to be approved by the Doge and the commune, who would designate him to the post: “Iadratini elligere debeant unum comitem de nobilibus Venetiarum de civitate Rivoalti, qui sit de Maiori Consilio Venetiarum, quem dominus dux et comune Venetiarum confirmare et dare teneantur in comitem ipsis Jadratinis”. Such formulations, which imposed the parallel condition – nobility and membership in the Greater Council – were still a novelty. (Mueller, 1992, 54-55; see also the contemporary redaction of a list of Venetian *comites* of Zara, 1313-1345, in Cessi and Bennato, 279.)

Document 19: 29 September 1311

No one may be elected to the Pregadi unless he already is or was a member of the Greater Council.

ASVe, Maggior Consiglio, Deliberazioni, Reg. 10, Liber Presbiter, fol. 55r (56r pencil); Divenire frame 111.

Die penultime septembris [1311]

Quod de cetero non possit eligi aliquis de Consilio Rogatorum nisi sit vel fuerit de Maiori Consilio.

29 September 1311.

That no one may henceforth be elected to the Council of the Rogati unless he is or has been [a member] of the Greater Council.

Document 20: 30 November 1311.

Reform of the procedures for election to the Greater Council formulated with the aim of prohibiting contact, oral or written, with outsiders. Included, almost as an afterthought, was the requirement that candidates be at least eighteen years of age.

ASVe, Maggior Consiglio, Deliberazioni, reg. 10, Liber Presbiter, fol. 61r (also in pencil); Divenire frame 121.

Die ultimo [novembris, 1311]

Cum de consuetudine observetur quod, facta electione electorum qui debent eligere de Maiori Consilio, non statim, sed per alicuius temporis spacium dominus dux et sui Consiliarii mandant ipsis electoribus quod faciant electionem, pro qua temporis dillactione possent accidere, et iam advenerunt

multa inconueniencia, ut satis manifestum est, capta fuit pars quod ad hoc ut talia inconueniencia evite<n>tur, quod addatur in capitulari consiliariorum presentium et futurorum quod, antequam fiat electio electorum qui debent eligere de Maiori Consilio, ipsi Consilarii debeant determinare quot ipsi electores debeant eligere de Maiori Consilio et faciant dici in preposta, antequam fiat electio. Et facta electione electorum, statim habeantur qui fuerint electi secundum consuetudinem electorum qui debent eligere de Rogatis. Qui electores congregati ponantur in una camera palatii, de qua non exeant nisi primo fecerint electionem eis commissam, nec possit aliquis alicui illorum electorum loqui nec ab aliquo recipere aliquod scriptum sub pena librarum X tam illi qui alicui illorum loqueretur vel scriptum daret quam alicui electorum qui loqueretur alicui vel scriptum reciperet donec electio sua fuerit completa et data in manibus domini Ducis, quam penam Advocatores Communis excutere teneantur et habeant talem partem qualem habent de aliis penis, et accusator, si per eius accusationem veritas habeatur, habeat medium pene et tenebitur de credentia. Et assignata electione in manibus domini Ducis, sit expiratum eorum officium. Et possint accipi de omni loco, non perdendo propterea sua officia. Et non possit per dictos electores eligi aliquis qui sit minor decem et octo annorum. Et hic ordo observetur quociens domino et consiliariis videbitur fieri facere de Maiori Consilio. Et si consilium et cetera.

30 November 1311.

Since it has been observed in the past that, following selection of the nominators who are to nominate [members] to the Greater Council, the Lord Doge and his Councilors did not order them immediately to make the nominations but allowed a space of some time to pass, which results in great inconveniences as is very manifest, it has thus been determined regarding this matter, in order that such inconveniences be eliminated, that it be added to the rulebook of the Councilors, present and future, that before the selection of the electors who are to make nomination to the Greater Council, the ducal Councilors must determine how many men the electors are to nominate to the Greater Council, and let this be announced before the election is held. And when the election of the electors is held, they should be elected according to the procedure of electors who choose those nominated for the Pregadi, according to which the nominators are assembled and placed in a chamber of the [Ducal] Palace which they cannot leave until they have completed the nominations assigned to them. Nor can anyone speak with any of those electors nor can they receive a written note from anyone under pain of fine of ten *lire*, which is also applied to any of the electors who would speak with anyone or would receive a written note, until the nominations are completed and the list given into the hands of the Lord Doge. And the Avogadori di Comun are bound to impose this penalty and they are to receive the same portion as they would receive from other fines. And if the truth is had by an accusation, the accuser should receive one half of the fine, and it will be kept secret. When the results of the nominations are consigned into the hands of the Lord Doge, their [the nominators'] duties are completed. And the electors can be chosen from any position without their losing their current office as a result. And no one under eighteen years of age can be nominated to the [Greater] Council by the said electors. And this rule shall be observed as long as the Lord Doge and his Councilors deem this to be the [proper] method for electing members of the Greater Council. And if any law, etc.

Ed.'s note: That fixing the age limit was truly important was indicated in the Chancery by a sign on the parchment folio preceding the frase "Et non possit per dictos electores eligi aliquis qui sit minor decem et octo annorum".

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Document 21: 29 June 1315

The requirement for first-time election (de novo) to the Greater Council of prior approval by five of the ducal Councilors, thirty of the Forty, and a simple majority of the Greater Council is amended to read two-thirds of the Greater Council. This is a further restriction to the law already amended on 22 March 1310 (see above, doc. 17).

ASVe, Maggior Consiglio, Deliberazioni, reg. 12, Liber Clericus civicus, fol. 7v (55v pencil); Divenire frame 110.

[*rubric at the beginning of the register:*] De Consilio Maiori nemo eligi possit nisi prius captum erit per V Consiliarios et XXX de Quadraginta et per duas partes Maioris Consilii eiusdem.

[Die penultima iunii, 1315]

Item cum sit quoddam consilium continens quod aliquis non possit dari eligendus de novo de Maiori Consilio nisi captum fuerit prius per V consiliarios et XXX de Quadraginta et per maiorem partem Maioris Consilii, capta fuit pars quod addatur ipsi parti hoc modo quod ubi dicitur per maiorem partem Maioris Consilii, dicatur per duas partes Maioris Consilii. Et quod non possit hoc revocari nisi per modum contentum in dicto consilio.

Rubric: No one may be elected to the Greater Council except with prior approval of five of the Councilors, thirty of Forty, and two-thirds of the Greater Council itself.

29 June 1315

Item since there is a certain law stating that no one can be granted the right of election for the first time (*de novo*) to the Greater Council without the prior approval of five of the Councilors, thirty of the Forty, and the majority of Greater Council, a law has been enacted concerning this statute as follows: where it now reads “by majority of the Greater Council”, it will now read “by two-thirds of the Greater Council”. And this cannot be revoked except by the procedure contained in the said law.

Document 22: 19 July 1315

Rule that the names of those who swore, with collaboration of father, brother and other kin, that they were eighteen and eligible to be elected to the Greater Council, are to be inscribed in a book kept by the Forty, which will be made available to those charged with making nominations to the Greater Council. (For the ruling of 30 November 1311 regarding minimum age, see above, doc. 20.)

ASVe, Maggior Consiglio, Deliberazioni, reg. 12, Liber Clericus civicus, fol. 10r (58r in pencil); Divenire frame 115; Meroces, 78; Rösch, 1989, 178; Crescenzi, 1996, 333n.

Die XVIII iulii [1315]

Item cum electores qui fiunt et eliguntur ad eligendum de Maiori Consilio,

incontinenti quando sunt electi, detinentur et ponuntur in camera, ne aliquis possit eis loqui, et illi qui approbati sunt postea remanent ad eligendum, non possunt tam subito habere in memoria illos quos debent eligere, de quo Comune nostrum defectum patitur, eo quod multociens propter oblivionem aliorum meliores remanent et non eliguntur, capta fuit pars quod de cetero omnes illi qui possunt eligi de Maiori Consilio debeant venire ad presbiteros de XL et facere se scribi, afidantes quod sint annorum XVIII iuxta formam consilii capti in millesimo III^CXI, mense novembris, infra quod possint eligi, et hoc etiam possit adimpleri per patres, fratres et consanguineos et alios suos propinquos. Et isti sic scripti legantur in presentia ipsorum electorum et nichilominus dimittatur sibi quaternus in quo fuerint scripti, antequam incipiant suas electiones facere, ad hoc ut ipsi electores sint previsi de illis qui possunt eligi et possint meliores facere electiones. Et si consilium vel capitulare est contra, sit revocatum quantum in hoc.

19 July 1315

Item since the nominators, selected to nominate those who are to be members of the Greater Council, immediately, as soon as they are chosen, are to be detained and sent to a chamber, so that no one is able to speak with them, and let those who have been approved remain afterwards to be elected, but the nominators cannot so quickly recall those whom they ought to chose, as a result of which our commune suffers harm, because many times due to the forgetfulness of others, the best candidates are left out and not chosen, thus a law was enacted that henceforth all who are eligible for election to the Greater Council ought to come before the priest [-notaries] of the Forty and have themselves inscribed, swearing that they are eighteen years of age, as contained in the law passed in 1311 in November, by which they can be elected [to the Greater Council] and have this affirmed by fathers, brothers, blood relatives and other kin. And the names of those thus inscribed are to be read in the presence of the same said nominators, and in any case the register in which the names will have been inscribed is to be handed to them before they will begin to make their nominations, whereby the said electors will be provided with the names of those who can be elected, so that they can hold better elections. And if a previous law or rule is to the contrary, it is herewith revoked.

Document 23: 8 January 1317 (1316 *more veneto*)

Those who have fraudulently had themselves approved for membership in the Greater Council are to be removed subject to a penalty of 300 lire, after investigation by the Avogadori di Comun.

ASVe, Maggior Consiglio, Deliberazioni, Reg. 12, Liber Clericus civicus, fol. 73v (121v in pencil); Divenire frame 242; Merores, 78; Rösch, 1989, 179; Crescenzi, 1996, 333.

Die VIII ianuarii [1316, *more veneto*]

Cum nobilis vir ser Thomas Dandulo existens Caput de XL posuerit partem in XL et in Maiori Consilio quod omnes illi qui possunt eligi de Maiori Consilio debeant venire ad presbiteros de XL et facere se scribi et plures veniant ad faciendum se scribi qui non possunt eligi, capta fuit pars quod, si de cetero aliquis faciet se scribi qui non possit eligi de Maiori Consilio, cadat in penam librarum CCC, et si quis fecisset se scribi actenus seu si quis factus esset olim

per aliquod tempus de Maiori Consilio qui eligi non potuisset, exceptis illis qui per gratiam potuerunt eligi, debeat infra unum mensem postquam hec pars capta fuerit fecisse se cancellari sub pena predicta librarum CCC. Et qui accusabunt aliquem, si per eius accusationem veritas habebitur, habeant quartum dicte pene et teneantur de credentia. Et iniungatur in capitulari Advocatorum Communis quod teneantur predicta inquirere diligenter et placitare contrafacientes, sicut placitant alias offensas Communis, et excutere penas a contrafacientibus et habeant talem partem qualem habent de aliis rebus quas placitant. De quibus penis nec de parte ipsarum non possit fieri gratia nec remissio seu ulla provisio nisi per V Consiliarios, XXX de XL et duas partes Maioris Consilii. Et si consilium et cetera.

8 January 1317

When Tommaso Dandolo was a Head of the Forty, he proposed a bill in the Forty and in the Greater Council that all who can be elected to the Greater Council should come before the priest-notaries of the Forty and have themselves enrolled, [but] many came to have themselves enrolled who cannot be elected, so a law was herewith enacted that henceforth, if anyone would have himself enrolled who cannot be a member of the Greater Council, he should be fined 300 *lire*; and if anyone had had himself enrolled thus far, or anyone was [actually] enrolled in the Greater Council in the past who cannot be elected to the Greater Council, except those who could be elected by special exception (*per gratiam*), they must, within one month after the enactment this law, have themselves stricken from the list of enrolled under the aforesaid penalty of 300 *lire*. And those who will accuse someone, if by their accusation the truth will be had, will have a quarter of the said fine and it will be kept secret. And it is ordered in the rulebook of the Avogadori di Comun that they are bound to investigate the aforesaid and bring suit against wrongdoers, just as they bring suit in other offenses against the Commune, and to exact the fines from the wrongdoers and have the same cut [of the fines] as they have in other cases that they plead. And no pardon or remission or other provision concerning these penalties, in whole or in part, can be granted except by vote of five Councilors, thirty of the Forty, and two-thirds of the Greater Council. And if a law, etc.

Document 24: 29 September 1319

No one may serve as nominator for election to the Council of the Pregadi (or Senate) except those who are members of the Greater Council.

ASVe, Maggior Consiglio, Deliberazioni, reg. 15, Liber Fronesis, fol. 25v (also in pencil); Divenire frame 52; Avogaria di Comun, reg. 21, Deliberazioni del Maggior Consiglio, Liber Neptunus, fol. 99v (86v in pencil); the Avogaria version ends with the words “qui sit in Consilio”. Kohl digitalization image 176, with the following rubric, which is a mere copy of the first lines of the deliberation: “Quod isti electores qui nunc eligentur statim cum electi fuerint ponantur in camera et si aliquis eligetur qui non esset ad consilium”. The edition in Merores, 79, contains the erroneous interpolation of a non-existent reference to the Rogati: “Quod isti electores rogatorum qui nunc eligentur...”.

Die penultimo septembris [1319]

Quod isti electores qui nunc eligentur statim cum electi fuerint ponantur in camera, et si aliquis eligetur qui non esset ad Consilium, statim dicatur

electoribus quod eligant unum alium qui sit in Consilio. Et non exeant electores nisi facta electione de omnibus quatuor, et postquam sic electi fuerint et positi in camera secundum usum, approbentur, sicut est solitum. Et si consilium est contra, sit revocatum quantum in hoc.

29 September 1319

That the same electors who are now to be elected, as soon as they will have been elected are to be placed in a chamber, and if anyone is elected who is not a member of the [Greater] Council, the electors are to be informed immediately so that they can elect another who is a member of the Council; and the electors may not leave until all four have been chosen and have been accomodated in the chamber according to standing practice and approved in the usual manner. And if there is any law that contradicts this, it is herewith revoked.

Document 25: 25 November 1319

In order to give “teeth” to the law of 8 January 1316 (above, doc. 23) which instituted the fine of 300 lire for persons making application for membership in the Greater Council without having the prerequisites, the Avogadori di Comun are charged with examining all those who register to that end with the Forty. The Avogadori have one month to examine persons registered up to that point; from the present law onward, the notary of the Forty has two days to report to the Avogadori persons having registered with the Forty, after which the Avogadori have 15 days (misread as “40” by Merores, 79) to examine the case or cases.

ASVe, Maggior Consiglio, Deliberazioni, reg. 15, Liber Fronesis, fol. 27v (also in pencil); Divenire frame 56; Avogaria di Comun, Reg. 21, Deliberazioni del Maggior Consiglio, Liber Neptunus, fol. 104v (91v in pencil); Kohl digitalization image 183, with this rubric: “Quod Advocatores Communis teneantur examinare omnes illos qui se scribi fecerunt ad Quarantiam pro esse de Maiori Consilio”.

Die XXV novembris [MCCCXVIII]

Cum sit unum consilium quod illi qui facerent se scribi ad Quarantiam pro esse de Maiori Consilio, si inveniatur quod esse non possint, incurrant penam librarum III^C, quam Advocatores debeant exigere, et in ipso consilio non dicatur quod aliqui examinent eos et propterea non timeatur pena, postquam non inquiritur, capta fuit pars quod committatur Advocatoribus Communis quod, infra unum mensem postquam hec pars capta fuerit debeant videre et sibi legi facere omnes illos qui hucusque se scribi fecerunt ad Quarantiam pro possendo esse de Maiori Consilio. Et si eis vel maiori parti eorum videbitur dubium de aliquo ibi scripto, teneantur per sacramentum diligenter inquirere et examinare infra dictum mensem veritatem, si ille de quo dubitaverint poterit esse de Maiori Consilio vel non. Et sicut invenerint ita faciant secundum quod ad suum officium viderint pertinere secundum ordines terre. Et de cetero omnes illos qui facient se scribi debeat et teneatur notarius de XL dare in scriptis Advocatoribus Communis ipso die quo scripti erunt vel altera. Et Advocatores faciant examinationem et inquisitionem infra XV dies postquam

sibi datus fuerit in scriptis per modum superius annotatum. Et si consilium vel capitulare et cetera.

25 November 1319

Since there is a law regarding those having themselves inscribed with the Forty in order to be members of the Greater Council, if it is found that [some] cannot be members of the Great Council, they incur a penalty of 300 *lire* which the Avogadori di Comun must exact, and in the same law it is not stated that there be anyone who ought to examine them, on account of which [the wrongdoer] does not fear the penalty because there is no inquiry, a law was therefore enacted that committed the Avogadori di Comun, within one month after this law was passed, to view and read for themselves the names of all those who to that point had had themselves enrolled with the Forty in order to be members of the Greater Council. And if it seems to them or a majority of them that there exists any doubt concerning a person inscribed there, they are bound – within one month – under oath to inquire diligently and examine the truth, if he concerning whom they had doubts can be of the Greater Council or not. And whatever will be discovered, they should act according to what they will view as pertaining to their office according to the laws of Venice. And henceforth all those who have themselves inscribed by the notaries of the Forty ought and are required to give their names in writing to the Avogadori di Comun, on that same day or the next. And the Avogadori di Comun are obliged to make inquiry and examinations within fifteen days after they will have been given the list of names, as outlined in the above procedure. And if a law or rule, etc.

Document 26: 25 November 1319

The creation of the Barbarella and other ways of entering the Greater Council, prior to the age of 25, on 4th December, the feast of St. Barbara, via a procedure of the chance pairing of a golden ball with a ballot bearing the name of an eligible person. Provision is also made for the losers: over the following two years losers who reached the age of 25 were automatically to be members of the Greater Council.

ASVe, Maggior Consiglio, Deliberazioni, reg. 15, Liber Fronesis, fol. 28r (98r in pencil); Divenire frames 56-57; Avogaria di Comun, reg. 21, Deliberazioni del Maggior Consiglio, Liber Neptunus, fol. 104v-05r (91v-92r in pencil); Kohl digitalization images 183-84, rubric on fol. 91v: “Modus eligendus de Maiori Consilio secundum partem captam ut superius continetur”; Besta, 221 (from ASVe, Avogaria di Comun, Capitolare, fol. 81r); Merore, 79-80; Crescenzi, 1996, 335. Cfr. Romanin 2:348-49.

Die XXV novembris [1319]

Quia modus qui est de eligendis electoribus qui eligunt de Maiori Consilio non videtur bene conveniens nec honestus propter subiectiones multas et ineptas quas homines faciunt, ut sint electi, nec sepe fiat factum ita convenienter ut deberet, capta fuit pars, ut hoc factum melius et honestius fiat, ponantur in uno capello tot ballote quot erunt illi qui scripti fuerint ad Quarantiam quod possunt eligi de Maiori Consilio, inter quas ballotas sint tot ballote deaurate quot erunt illi qui dabuntur eligi de Maiori Consilio. Et vocetur unus puer XII annorum vel inde infra qui accipiat ballotas de capello ad unam ad unam pro omnibus qui scripti erunt in libro Quarantie, incipiendo a primo et sic sequendo per ordinem, legendo nomen cuiuslibet quando accipietur pro

ipso ballota. Et quicumque habuerit ballotam deauratam habeatur pro electo et illi qui sic electi erunt approbabitur inter XL secundum usum illorum qui eliguntur per electores. Et ista electio fieri debeat, ita quod sit facta infra quartum diem intrante mense decembris. Et hic ordo servari debeat de cetero singulis annis et tantum plus quod omni anno ab isto inantea prohibeantur texere inter scriptos pro quo debeat accipi primo ballota et pro quo secundo et sic de aliis, quia de istis qui modo scripti sunt non potest esse fraus. Et quia aliqui possent etiam nimis induciare per hanc viam de Maiori Consilio, qui non possent habere ballotam deauratam, volumus quod nichilominus a duobus annis in antea, capta ista parte, quotiens aliquis habuerit XXV annos completos, probando hoc sufficienter coram domino duce, Consiliariis et Capitibus de XL, ita quod eis vel maiori parti eorum videatur sufficienter probatum, habeatur pro electo et sit de Maiori Consilio, facta prius probatione de eo inter XL, sicut solitum est fieri de aliis qui eliguntur. Verum in hoc quantum de favore XXV annorum non intelligatur de illis quibus concessum esset de gratia vel concederetur quod possent eligi de Maiori Consilio. Et non possit hec pars revocari nisi per V Consiliarios, XXV de XL et duas partes Maioris Consilii. Et si consilium vel capitulare et cetera. Et revocatum est consilium dicens quod fiant electores.

Et fuerunt inter XL de parte: I de non, III non sinceri, XXV de sic; et in Maiori Consilio: LX non sinceri, de non LXXXIII, de sic V^cVI.

25 November 1319

Since the method of electing the nominators who choose members of the Greater Council does not seem very proper nor honorable because of the many and inappropriate false representations men made so that they can be elected, nor is it always done as properly as it should be, a law has been enacted so that this procedure will be better and more honest: let there be placed in an urn as many ballots as those whose names have been registered by the Forty that they can be nominated to the Greater Council, and among these ballots let there be as many golden balls as there will be those who are to be admitted to the Greater Council. And let there be selected a boy of twelve years of age or less who will draw the ballots with the names one by one for all those who will have been registered in the book of the Forty, beginning with the first and following thus in order, reading the name of each whose ballot has been drawn, and whoever will have [drawn] the golden ballot is designated as chosen and those who are thus chosen will be approved in the [Council of] Forty, according to the procedure that is observed for those who are chosen by the nominators, and the election is to be carried out in time, so that it is accomplished by the fourth day of December. And this procedure is to be observed henceforth every year, and moreover every year from now on dice should be cast among those registered [in the book of the Forty] to determine for whom the first ballot ought to be drawn, for whom the second, and so on for the others so that there can be no fraud among those registered. And because there are some who cannot be inducted in this manner into the Greater Council, who will not be able to draw the golden ballot, we wish that nevertheless for two years after passage of this law, any of those who will have completed twenty-five years of age, proving this sufficiently before the Lord Doge, his Councilors, and the Heads of the Forty, in such manner that it will seem sufficiently proved to them or a majority of them, this man will be considered as elected and a member of the Greater Council, having first been approved by the Forty, just as it is customary to have done for others who are elected. Indeed this procedure favoring those who reach the age of twenty-five is not to be understood to apply to those who are conceded election *de gratia* nor is it to be conceded that these can be elected to the Greater Council. And this law cannot be revoked except by [vote of] five Councilors, twenty-five of the Forty, and two-thirds of the Greater Council. And if there is a law or rule to the contrary, etc. And the [clause of

the] law regarding the election of nominators is herewith revoked.

It was voted in the Forty: one nay, three not certain, 25 yeas, and in the Greater Council: 60 not certain, 83 nays, and 506 yeas.

Ed.'s note. On the basis of later practice, inscription of candidates in the registers of the Avogaria involved youths of age 18, or in any case men younger than the canonical age of 25, whose age had been proved by their fathers or, in their absence, by other close relatives. Very likely the fathers were already members of the Greater Council, and to that extent the hereditary principle made explicit in 1323 with the words “de suis” was already taken for granted in the context of the Barbarella. Cfr. Crescenzi, 1996, 416.

Document 27: 14 February 1320

Election of those to be elected for the first time (de novo) to the Greater Council to be held at the same session as election to rectors of the Twelve Regimes, that is, of most of the important overseas posts.

ASVe, Maggior Consiglio, Deliberazioni, reg. 15, Liber Fronesis, fol. 31v (also in pencil); Divenire frame 64; Avogaria di Comun, reg. 21, Deliberazioni del Maggior Consiglio, Liber Neptunus, fol. 112r (99r in pencil); Kohl digitalization image 196.

Die XIII februarii [1319].

Quia dignum et congruum est quod gratia fienda alicui quod possit de novo elligi de Maiori Consilio ponatur et fiat in Maiori Consilio quod sit bene congregatum, cum talis et tanta gratia non sit ponenda cum parvo numero, eo quod melius discerni poterit in maiori numero si facienda erit vel non, capta fuit pars quod de cetero omnis talis gratia, postquam completa erit in XL, debeat poni in primo Maiori Consilio in quo fiet aliqua electio de XII regiminibus et sic ulterius servetur, si opus fuerit, in aliis maioribus consiliis que proxime fient de XII regiminibus, si non caperetur in primo, ita quod non possit poni ullo modo nisi in consilio XII electionum, et dicatur in aliquo consilio tribus diebus ante de dicta gratia, sicut est consuetum fieri de dictis regiminibus. Et non preiudicat ipsis graciis dicta de causa terminus quatuor mensium, cum forte sic cito non posset occurrere consilium dictarum electionum. Et si consilium et cetera.

14 February 1320

Because it is worthy and proper that permissions (*gratie*) be granted to anyone who can be elected for the first time (*de novo*) to the Greater Council, proposed and enacted in the Greater Council that it be properly assembled since such important permissions should not be proposed with a small number present, since it is much better that a large number of voters should decide whether the permission ought to be granted or not, a law has been enacted that henceforth all such permissions after they will have been approved in the Forty, must be proposed at the first [meeting of the] Greater Council in which there is to be an election to [one of] the Twelve Regimes, and let it be further observed, if that be necessary, in case the permission is not granted in the first meeting, that it be repropoed in successive [meetings of the] Greater Council when it will hold elections to the Twelve Regimes. Thus, it cannot be proposed in any manner except at a meeting of the Council held for the election of the Twelve [Regimes]. The item should be announced three

days before that meeting held for said permission, just as it is customary to do for the said Twelve Regimes. The vote for said permissions cannot be held before a term of four months, since the law regarding such elections states strongly that they cannot take place any sooner. And if any law, etc.

Document 28: 27 September 1323

Law that makes explicit the hereditary principle that those elected to the Greater Council have to have ancestors (“pro suis”) who were members of the Greater Council and have reached 25 years of age. (Note that even here there is no explicit formulation equating the status of “nobilis vir”, a label nowhere mentioned in these laws, with membership in the Greater Council, although in practice that was the case).

ASVe, Maggior Consiglio, Deliberazioni, reg. 15, Fronesis, fol. 118r-v (119r-v in pencil); Divenire frames 239-40; Avogaria di Comun, reg. 21, Deliberazioni del Maggior Consiglio, Neptunus, fol. 226r (213r in pencil), Kohl digitalization image 428; Merores, 80; Rösch, 1989, 179n; Crescenzi, 1996, 336-37. Cfr. Lane, 1973, 113-14.

Die XXVII septembris [1323]

Cum pars capta de illis qui completis XXV annis possunt esse de Maiori Consilio contineat inter cetera quod ipsi debeant probare sufficienter de etate predicta coram domino duce, Consiliariis et Capitibus de XL et nichil dicat ipsa pars quod ostendant si pro patre vel avo possint esse de Consilio, quod portat defectum, nec est minus necessarium et utile istud scire quam annos, sed multo plus, capta fuit pars quod, sicut dicta examinacio annorum fit coram domino duce, Consiliariis et Capitibus de XL, ita coram eis fieri debeat examinacio et probacio si illi qui petunt possunt esse pro suis de Consilio secundum ordines terre. Que tamen probacio non recipiatur nisi scripti fuerint prius ante ipsam examinacionem in libro Quarantie secundum formam consilii de illis qui se debent facere scribi quantum ad penam librarum CCC et sint presentes dicte examinacioni duo ad minus ex Advocatoribus Comunis, ut, si videbitur eis aliqua obscuritas, quod ipsi possint et teneantur facere suum officium secundum formam sui capitularis et consilii antedicti, addendo quod probacio que fieri debeat, per illos qui dicent posse esse de Consilio fiat per quaternos comunis, et alia probacio nec per breviarum nec per aliam scripturam vel alio modo non recipiatur, intelligendo quando quaterni invenirentur de tempore quod requireretur ad probacionem, et si quaterni de ipso tempore non invenirentur, tunc, si petentes ostendunt ultra ipsum tempus talem probacionem, que videatur domino, Consiliariis et Capitibus sufficiens et plena, expediantur secundum formam huius partis, salvo et reservato semper officio Advocatorum Comunis, ut dictum est supra, dummodo talis probacio non fiat per breviarum vel alias scripturas alibi introductas, que in hoc facto non valeant nec sibi prosint aliquid. Et si accideret quod aliquis minor XXV annis haberet ballotam aureatam, non fiat de eo approbacio inter XL nisi prius fecerit et ostenderit, quomodo possit esse de Consilio per modum dictum

superius de illis de XXV annis et cum condicionibus antedictis. Et si consilium vel capitulare est contra, sit revocatum quantum in hoc. Et hec addantur in capitulari Consiliariorum, Capitum de XL et Avocatorum Comunis.

Ed.'s note: The Avogaria copy regarding passage of the bill reads: “capta fuit pars inter XL et non in Maiori Consilio quod, sicut...”; surprisingly the scribe failed to update the entry. The date of the entry was added later in another, contemporary, hand: “Captum die 27 septembris”, after cancellation of the wrong date, actually that of document no. 26: “in 1319 mensis novembris, die 25”. Perhaps there was some confusion in the Chancery in making the copies of these important laws.

27 September 1323

Since the law stating that those who have completed twenty-five years of age can be members of the Greater Council specifies, among other things, that these persons have to prove their age sufficiently before the Lord Doge, the [ducal] Councilors and the Heads of the Forty, but says nothing about demonstrating their right to be members through the [previous] membership in the Greater Council of their father or grandfather, which is a failing since it is not less necessary and useful to know that fact than the age, but much more, it was herewith enacted that, just as the proof of age be made before the Lord Doge, the Councilors and the Heads of the Forty, so also before those same officials there must be an examination and presentation of evidence (*probacio*) that those seeking admission are entitled to membership on account of their forebears, members of the Council, according to the laws of Venice. But that approval may not be granted unless the candidates were already registered in the book of the Forty before the said inquiry, according to the law in force concerning those who must be registered, subject to a fine of 300 *lire*. And at the said inquiry, there should be present at least two of the Avogadori di Comun so that if it will seem to them that there is any obscurity [in the case], they can and must do their duty, according of the form of their capitulary and the aforesaid law. Furthermore, any proof to be presented by those who claim to be entitled to membership in the Greater Council must be based on the record books of the Commune and other proof, and not by notarial acts (*brevaria*) nor by any other such document or means, which are unacceptable. It is understood that when the registers for the period considered are not to be found, then if the petitioners show such proof from another period that will seem sufficient and complete to the Lord [Doge], the Councilors and the Heads [of the Forty], then let them be admitted according to the form of the present law, always recognizing the prerogatives of the Avogadori di Comun, as stated above, provided that such an inquiry is not based on notarial acts (*brevaria*) or other documents introduced from other places, which in this matter are invalid. Nor can this law benefit anyone, if it were to happen that someone under twenty-five years of age would receive the golden ballot, he may not be approved by the Forty, unless he first show and demonstrate how he can be of the Greater Council, according to the abovesaid procedure for those of twenty-five years of age, and with the aforesaid conditions. And if there is a law or rule to the contrary, it is herewith revoked.

And this law is to be added to the rulebooks of the [ducal] Councilors, the Heads of the Forty, and the Avogadori di Comun.

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Abstract

This study, admittedly *sui generis*, provides for the first time a complete corpus of the laws that constituted the gradual constitutional reform, the so-called *Serrata* or closing of the Greater Council, that lasted over a generation, 1282-1323. It was originally meant by Ben Kohl to be the appendix to the first chapter of his planned book on the governance of Venice. It consists of critical editions of the Latin documents plus a translation in English of each. Each document is introduced by a brief summary in English; a commentary accompanies the text of the laws where necessary. In the past, historians seeking to come to grips with this momentous reform in Venetian history have done so without a complete corpus and with inaccurate transcriptions. Scholars and students alike will hopefully now be able to debate the issues involved on a surer footing.

Keywords

Middle Ages; 13th-14th century; Venice; politics; institutions; Serrata of the Great Council; sources

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