

[p.1] Capitoli: The Voice of an Elite

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The *capitoli* have long been recognised as an essential source of information for late medieval historians whose work relates in any important way to the Kingdom of Sicily.¹ In the fifteenth century the ambassadors of various *universitates* or town councils governing the different localities in the Kingdom presented *capitoli* to the King or his Viceroy every now and then. Each *capitulum* would contain a demand, complaint or some other remark which the particular town council presenting it would have thought fit to make in the circumstances of the time. The Crown's reply to each individual *capitulum* would be noted down at the bottom of every entry, and later on the Royal Chancellery normally issued the official instruction for measures which had met with royal consent to be executed. *Capitoli* became an established form of communication between the municipalities of the royal demesne and the Crown.² Similarly, *universitates* which existed under feudal jurisdiction presented *capitoli* to their feudal lord, and Jewish *universitates* sent their own *capitoli* to the King. The role of the *capitoli* as a major medium of interaction between Crown and community makes them an indispensable source for a thorough examination of this political relationship, as well as of the different aspects of Southern life at ground level.³

[p.2] *Capitoli* were introduced as an official form of communication after 1282 and therefore they were not an institutional innovation of the 1390's. However, it was from the 1390's onwards that they became extremely important. The revolution of 1282 had created a new sociopolitical order in the Kingdom but the first phase of Aragonese rule was dominated by political instability, as well as economic and demographic contraction. In a period of constant Angevin threats to Aragonese rule in Sicily from across the straits, as well as the related warfare between different magnate factions within the island, the feudal strata in Sicily won social pre-eminence. The principal aristocratic families carved the island between themselves. After 1376, with the death of Frederick IV, the Kingdom became kingless. Sicily was divided into four spheres of influence, each ruled by a vicar. It was only in the last decade of the 14th

¹ The present author has had the opportunity to give a more detailed treatment of the *capitoli* in *Maltese Late Medieval Capitoli: A Study*, B.A. Honours Thesis, University of Malta, 1991. The following study inevitably had to focus on general developments.

² Cfr. S.R. Epstein, 'Governo centrale e comunità locali nella Sicilia tardomedievale: le fonti capitolari', in: *Atti e comunicazioni del XIV Congresso di storia della Corona d'Aragona*, v (Cagliari, 1990), 403-38.

³ Basic published collections of *capitoli* include S. Giambruno and L. Genuardi (eds.), *Capitoli inediti delle città demaniali di Sicilia approvati sino al 1458, I. Alcamo-Malta*. Documenti per servire alla storia di Sicilia, ser. 2, X, (Palermo, 1918) [henceforth Giambruno-Genuardi]; C. Giardina (ed), *Capitoli e privilegi di Messina* Memorie e documenti di storia siciliana, ser. 2 (Palermo, 1937) – F. La Mantia (ed.), *Capitoli inediti della città di Sciacca del secolo XV*, (Sciacca, 1908) G. La Mantia (ed.), *I capitoli delle colonie greco-albanesi di Sicilia dei secoli XV e XVI*, (Palermo, 1904). The basic source for *capitoli del regno* is still F. Testa (ed.), *Capitula Regni Siciliae*, 2 vols, (Palermo, 1741-3).

century that the mother country, Catalonia-Aragon, decided upon military intervention to reconquer the island for Barcelona.⁴

It was at this point in time that the *capitoli* acquired an unprecedented importance. This was partly due to the way in which the reconquest was carried out. The two Martins mobilized the support of the different communities which had formed part of the royal demesne precisely to win the demesne back for the Aragonese Crown. But this reflected longer-term developments which had led to the emergence of new urban strata across the length and breadth of the island. It was also related to the constant effort of the reinstated monarchy to use the demanial communities as a political counterweight to the feudal classes, and thus create internal equilibrium. Sicilian parliaments representing the feudal, ecclesiastical and urban strata of society drew up their *capitoli* to the Crown, and local *universitates* were similarly encouraged to make use of this medium for their own needs.⁵

[p.3] The Maltese islands were emerging from a long period of direct feudal rule. In the 1360's the royal kinsman and corsair Giacomo de Peregrino had succeeded in establishing a virtually independent lordship in the islands, and it took a royal expedition, backed by a Genoese squadron, to strip him of his power in 1371. Royal power was however at its lowest ebb and the islands became part of the Chiaramonte's apanage. Those families which had been rewarded by Frederick IV for their support against Peregrino, probably partly staffed the administration of the Chiaramonte here. They were to form the basis of Malta's 15th century elite.⁶ In a related development, the last quarter of the 14th century saw the formation or consolidation of municipal institutions here: the Mdina-based *universitas*, and a similar one for the *terra* of Gozo. It was these municipal bodies, which joined other *universitates* of Sicily and asked the Martins to be reintegrated within the royal demesne. This was accomplished in 1397 and it started an almost uninterrupted period of demanial government which only ended in 1530. During this period Malta and Gozo were administered by their respective town councils, which enjoyed relatively autonomous jurisdiction over local affairs. There were however other contenders for local hegemony: the castellan of the *castrum maris*, the Church and royal vassals who were too powerful to be controlled by the local town council.

The Hypothesis

The *capitoli* had a basic role in the formation of Malta's traditional Middle Ages as a historiographical category.⁷ They provided an image of medieval existence which has only

⁴ The basic framework is given by V. D'Alessandro, *Politica e società nella Sicilia aragonese*, (Palermo, 1963); I. Peri, *La Sicilia dopo il Vespro. Uomini, città e campagne 1282-1376* (Bari, 1982); *idem*, *Restaurazione e pacifico stato in Sicilia 1377-1501* (Bari, 1988).

⁵ For detailed studies of these processes, cfr. S.R. Epstein, *An island for itself : Economic development and social change in late medieval Sicily* (Cambridge, 1992) 314-401; H. Bresc, *Un Monde Méditerranéen. Economie et société en Sicile 1300-1450* Bibliothèque des Ecoles françaises d'Athènes et de Rome, 262, 2 vols. (Rome, 1986), vol. 2.

⁶ H. Bresc, 'Documents on Frederick IV of Sicily's intervention in Malta: 1372', *Papers of the British School at Rome*, n.s., 28(1973)180-200.

⁷ Maltese and Gozitan *capitoli* up to 1466 can be found published in Giambruno-Genuardi, and by R. Valentini, 'Documenti per servire alla Storia di Malta, *Archivio storico di Malta [ASM]* viii (4) (1937) 462-99; ix (1) (1937-8), 97-123; x (1)(1938-9), 58-76; *idem*, 'Gli ultimi Re Aragonesi ed i primi Castigliani in Malta – Documenti', *ASM* viii (1) (1936-7), 73-101. G.

been transformed during the past three or so decades, with the unearthing of new historical sources of information and archival reorganization. In their immediately recognizable form, unlike [p.4] many of the other sources, the *capitoli* remained generally familiar and accessible across the ages. The fact that some form of contact with them never quite disappeared during the following centuries is attributable to a number of factors. These include the fact that the *capitoli* came to be seen as documentary evidence of traditional 'national' rights and privileges, and to enjoy, as such, a lifespan and character of their own.

There are particular dimensions of the *capitoli* as a specific mode of communication which would probably be lost were one to approach them without asking questions about their very nature. Produced as they were in the particular historical context of the fifteenth and early sixteenth centuries, not only did they remain relevant to a later age, they were actually perceived to be politically valuable as evidence of past liberties. Thus the *capitoli* acquired new significance as they were invoked by different Maltese and foreign people to restore an imagined past to a politically constrained present under Hospitaller and British rule.⁸ They had pride of place in a series of manuscript copies of Maltese rights and privileges which were transcribed and reproduced in the sixteenth, seventeenth and eighteenth centuries. One of the first to participate in this political and historiographic effort to recover an autonomous past for pre-1530 Malta was none other than Giovanni Paolo Manduca (1540-1599), Girolamo's father.⁹

It will be argued here that even if the *capitoli* do represent a historical period in the Maltese past in which the islands were municipally autonomous, this should not mislead us into overlooking the circumstances in which they were produced. They were drawn up by a municipal body as an official expression of its state of mind in relation to particular problems and issues of the time. This official character of the [p.5] *capitoli* cannot be underestimated in their evaluation as historical sources and neither can one ignore which sectors of insular society produced them. To put the argument in other words, the hypothesis is that a particular social stratum virtually appropriated the *capitoli* as a medium of communication with the Crown. Since the access to what was included in, or excluded from, the *capitoli* was municipal, the same people who dominated the municipalities naturally used the *capitoli* as their own mouthpiece.

The eloquent language of the *capitoli* frequently masks this fundamental reality behind pretences of universal representation. First of all, the *capitoli* voiced the specific demands of a particular privileged sector or elite. They mentioned problems which related in some way to

La Mantia, 'Capitoli e Statuti Amministrativi dell'Isola di Malta approvati dai Re o Vicere di Sicilia 1130-1530', *ASM* viii (1)(1936-7), provided only a cursory look at them. To facilitate matters, the manuscript and, where it applies, published location of each set of *capitoli* is being given at the end of this work in the form of an appendix.

⁸ These included Girolamo Manduca (cfr. A.T. Luttrell, 'Girolamo Manduca and Gian Francesco Abela: Tradition and Invention in Maltese Historiography', *MH*, vii (2)(1977) 120); Filippo Borgia (cfr. G. Wettinger, 'Early Maltese Popular Attitudes to the Government of the Order of St. John', *MH*, vi (3) (1974), 264-5, 271); Gian Francesco Abela, *Della Descrizione di Malta* (Malta, 1647) Lib. IV, Not. I; William Eton, *Authentic Materials for a History of the People of Malta* Parts I-IV (London, 1802-7); Dominique Miège, *Histoire de Malte*, 3 vols. (Paris, 1840) vol. 2.

⁹ Cfr. NLM, Lib. MS. 494, ff. 3^v, 5^v, 10, 11^v, 16^v; Lib. MS. 737, pp. 2, 6, 14, 32, 48. Cfr. also marginal note on a comment written by Gio. Paolo Manduca himself in Lib. MS. 737, p. 321.

the life of the villages only when these coincided or clashed with the interests or demands of that elite. For instance, the *capitoli* – probably too frequently – lamented about drought and crop failure, but this was a general situation which must have affected most of the inhabitants.¹⁰ Secondly, these petitions became the voice of an elite, rather than the voice of the elite. Ecclesiastics were generally barred from municipal politics even if they came from the upper social strata or ran the Bishop's local curial administration. Moreover, the municipal elite competed with the castellan and his men, as well as with the uppermost stratum of landed families, like the Inguanez, the Guevara and the Nava, for control over local resources. The members of the town council used the *capitoli* to attack the alleged abuses of power of the town mayor, the castellan, the secreto, particular ecclesiastics as well as some of the principal landowners. Even the town council's jurats were sometimes subjected to such attacks. This often gave the *capitoli* an apparent impartiality, but actually they also reflected internal conflicts within the municipal elite itself.

[p.6] A Strategy of Control

At least thirty-one sets of *capitoli* have survived from medieval Malta, and seven from Gozo.¹¹ This compares favourably to Randazzo's thirty-two, Sciacca's twenty-two, Corleone's and Syracuse's eighteen and Licata's ten.¹² Sometimes a considerable number of entries were made in one presentation; thirty-two individual *capitoli* were submitted in 1458, twenty in 1466 and twenty-five in 1507. Moreover, some of the entries are extremely long. If taken individually the *capitoli* form practically the medieval equivalent to a *cahier de doléances* for a particular year. Longstanding grievances would often be included with new ones. If one examines the *capitoli* of a particular place to discover their general function over a long period of time, it follows quite naturally that the notarial and administrative stratum which staffed the municipal offices year after year gave its own version of things. This version often went unchallenged because literacy was, at best, an instrument of social control and, at worst, a weapon against potential enemies.

The *capitoli* reveal in a powerful way a long-term programme of control over different aspects of local political, social and economic life. The basic demand of the *capitoli* remained constantly that of full Maltese integration within the royal demesne. In the post-1390's situation, such integration brought with it not only political benefits, but also economic ones. It entitled the Maltese not only to full municipal administration and representation, but also to the customs franchise which other places in the Kingdom started to enjoy. The Maltese had this 'privilege' of demanial status renewed periodically in the *capitoli* of 1410, 1416, 1427, 1429, 1441, 1460 and 1475. One basic problem the Maltese municipal authorities had to face was that the economic benefits, as well as the defence and security, which such a political status seemed to promise, sometimes did not follow.

¹⁰ Starting off from the very first set of *capitoli* of the Maltese municipality which have survived, dated c.1410: ACM, Misc. 34, ff. 172, 223^v. This problem is mentioned in 1432 and 1439 by the town councils of both islands, in 1443 by the Gozitan town council and yet again in 1452, 1455, 1458 and 1460 by the Maltese Università.

¹¹ G. Wettinger, 'The Archives of Palermo and Maltese Medieval History', in: M. Buhagiar (ed.), *Proceedings of History Week 1982* (Malta, 1983) 63 n.20 gives the Palermo archival references to three sets of Gozitan *capitoli* unknown to previous historians (and still unpublished to date), dated 24 July 1467, 26 June 1479 and 6 April 1521.

¹² Cfr. Epstein, 'Governo Centrale', II sez.

The *capitoli* presented to King Martin the Elder by the Maltese knight Francesco Gatto in 1410 were to serve as a model for later *capitoli*. No less [p.7] than twenty-eight Maltese citizens, including the jurats Johannes de Bileria, Frankinus de Licata, Geraldus de Burdino and Fredericus Bayada, subscribed these *capitoli*. The Maltese municipality rendered its homage and fealty to the King. It demanded ‘that this city and island be always part of the royal demesne and never in future be separated or removed from it’. The Maltese, who qualified to the customs franchise on grain and other essential victuals imported from any place in the Kingdom, were being forced to pay half the customs duties. The town council also protested on the exaction of a fifth of the spoils of corsairing by the Admiralty of the Kingdom, this would harm an activity which, they said, had become vital for the archipelago’s defence and economy: *la audacia di li Sarachini diminuia et di li Siciliani et Maltisi augmentava, et cussi era difisa la patria et offisu lu inimicu*. The *capitoli* reveal above all a frontier society which as a general rule became increasingly exposed and defenceless in the course of the 15th century in spite of political integration in the Kingdom. This eloquent reference to the *patria* in 1410 is extremely interesting; probably the Maltese meant the whole Kingdom, and not just their island. Still, the word reflects the level of identification of the insular society with the Regno.

In 1410 the town council also attacked the actions of the secreto (or administrator of royal property in the islands) as well as particular jurats, in attempting to concede the municipality’s *spacii et loci* to certain influential persons. These same persons were probably the major landowners of later decades, who gradually monopolized royal offices or took royal and municipal officers under their private protection. The town council demanded power for the jurats to be able to force *certi burghisi* who lived in the villages to reside in Mdina. Probably this reflected not only a centrifugal movement of the population from the urban centre to the villages, but also one of the first attempts of the municipal elite, the elite of the *capitoli*, to consolidate its control over the population, because persons living in the villages were presumably less subject to municipal control than town-dwellers.

The royal replies to this first set of *capitoli* have not survived, yet the petitions in themselves reflect the elite’s general objectives in a powerful way. They prove the existence of an urban stratum of notarial and administrative people who were undoubtedly socially distinct even from the wealthy peasant landholders, and whose social pre-eminence depended [p.8] primarily on their ability to secure a tight hold over municipal affairs. This distinguished them both from the huge sector of the population who had no direct access to municipal power, as well as from that core of people who did not really depend on it because they enjoyed direct royal favour. These new arrivals soon formed a distinct, militarized elite which often clashed with the municipal elite.¹³

The members of the municipal bourgeoisie started to style themselves as *nobiles* in the course of the fifteenth century. Their town council had to choose between fighting or accommodating forces much bigger than itself, especially the influx of new families of royal favourites whose power they envied and yet whose protection they wanted to enjoy. Maltese municipal politics were radically influenced by their presence in the islands. They accentuated Maltese consciousness of the frontier nature of the country, and they limited and even replaced the municipal stratum’s hold over its limited resources.

¹³ This point is elaborated by H. Besc, “The ‘Secrezia’ and the Royal Patrimony in Malta: 1240-1450”, in: A.T. Luttrell (ed.), *Medieval Malta, Studies on Malta before the Knights* (London, 1975) 146-7.

The Maltese and Gozitan town councils modelled their privilegial claims on those of Messina and other principal cities of the royal demesne. In fact there was a general tendency for the smaller municipalities to invoke some bigger model to back their demands. In January 1460, two months after the Messinese had just renewed their own privilege of customs franchise, the Maltese nobles went so far as to call Messina their ‘venerable mother’ and to assert: ‘this town and island is part of the Sicilian Kingdom and is reputed to be a street of the most noble city of Messina’. The Maltese were demanding not only a confirmation of their customs franchise, but also a guarantee that Malta-destined merchandise could traffic freely within the Kingdom. Still, the King asked them to specify what privileges they wanted to enjoy. Besides this external influence, one can also detect an amount of mutual influence between the Maltese and Gozitan *capitoli*. For instance, in the Maltese *capitoli* of 30 October 1432, it was demanded that offices should not be filled through personal favour, but according to the *scrutineum* or list drawn up according to the votes. The same *capitulum* was included, word by word, in the *capitoli* of Gozo presented a day later.

[p.9] The Maltese municipal elite embarked on long-term efforts to extend its control over the local distribution and redistribution of resources and to expand its jurisdiction, or to recover what it termed to be ancient rights taken away from it. It was only natural that municipal control could only be extended at the expense of others who wanted a share in Malta’s limited resources. To expand municipal jurisdiction it had likewise to be taken from others. This automatically made the municipal nobility clash with the town mayor, the castellan, the principal landowners, royal *sindicaturi* or commissioners, and powerful members of the ecclesiastical class. From the second decade of the 15th century onwards, it became a fundamental demand of the Maltese municipal elite for local offices to be held annually and by Maltese people, and on 1 April 1435 a royal decree was issued to this effect.¹⁴ However, any person who had resided in Malta for five years qualified as ‘Maltese’, so the elite needed other legal safeguards, and in any case flexibility in the definition favoured the principal landowners who spent a lot of time in Sicily.

In the day-to-day administration of Malta the municipality had its own officers who supervised the markets, organised the annual *collecta* to the Crown, charged municipal taxes on wine and meat, and ensured a sufficient supply of victuals. They also enforced urban discipline and organized the coastal night-watches. The principal limitations to this considerably wide jurisdiction were personified in the captain and the castellan. Both of these royal offices, which carried jurisdictional power and influence with them, were put up for sale in the middle decades of the 15th century together with the *secrezia*, the mayorial judgeship and the remaining chunks of the royal patrimony in Malta.

The captain or town mayor, the Maltese *hakem*, had his own law court and judges, and he was the principal keeper of public peace. In this last role he usually held the separate office of the captaincy-at-arms. He also enjoyed a special and direct jurisdiction over roughly a third of Mdina’s population, the Jewish community. As for the castellany, this had become a favourite seat for established corsairs and royal *familiaries*, and gave its holder jurisdiction over the *castrum maris* as well as the borgo. While the castellan’s jurisdiction could be geographically demarcated behind the **[p.10]** *tagliata* of the borgo, in the mayor’s case, roles and prerogatives, functions and their rewards were entangled in a gordian knot.

¹⁴ Published by Valentini, *ASM*, viii (4) (1937) 469 doc. 6.

The captaincy, purchased by Antoni Desguanes and Franciscus de Platamone in 1437,¹⁵ could serve as an ideal platform for principal landowners who wanted to override municipal decisions. In the *capitoli* of 1449 the town council went so far as to ask for a foreign person to replace Antoni Desguanes as town mayor. Desguanes had encroached on municipal lands and had gone so far as to form an alliance with his kinsman, the castellan and secreto, Iohannes de Guevara. The King effectively replied that they had to redeem the office first. The Guevara-Desguanes alliance expanded its power on the local scene by building patron-client relationships with townsmen, and the castellan's presence in Mdina with his bands of armed men often threatened the public peace with outbreaks of violence. The holder of a redeemed captaincy in 1458 was accused with openly favouring his kinsmen, as well as with cupidity, because he allegedly imprisoned people to squeeze fines out of them. In 1475 the municipal elite obtained an important concession when the captain was made accountable to the jurats for his actions. Following further tension, a demand was made in 1480 for a foreign captain for four years, but this was turned down.

It was only to be expected that the *capitoli* would invariably give an unfavourable image of the castellan. As the administrator of the castle-by-the-sea, which was deemed 'the key to both islands' in the *capitoli* of 1416, the castellan could deal with the municipal elite from a stronger position than the captain. His garrison did not participate in night-watches and related duties, and were immune from municipal taxations. The *capitoli* of 1416 complained that the castellan's word could not replace the normal municipal *affidamentum* or go-ahead to any ship to arm for the corso. The castles tavern once used to yield enough money to support the maintenance of the whole place but since this income had been given to Garau Desguanes, the municipal wine-tax was being channeled for this purpose.

In the *capitoli* of 1458, no less than nine out of thirty-two entries dealt with the castellan. The castellan and his men were to be prohibited from carrying arms with them in the *rabbatu* and the town. The *capitoli* attacked wealthy persons who pretended to live under the castellan's jurisdiction to [p.11] escape municipal control and the royal *collecta*, and restricted the castellan's men to his *famuli et commensales*. The harbours were to revert under municipal jurisdiction, because the castellan did what he liked with ships and their cargoes, flouting municipal tax regulations in the process.

In the second half of the fifteenth century the *capitoli* did not remain the sole channel for the resolution of conflicts. Alfonso's successors, Giovanni II (1458-1479) and especially Ferdinando II of Aragon (1479-1516), developed the *Magna Regia Curia* as an alternative channel.¹⁶ The Maltese town council filed a successful case there against castellan Petrus de Nava in 1503, and in the *capitoli* of that same year they complained against his 'endless calumnies and subterfuges'. In 1507 the municipal officials were still attacking the castellan's pretensions and defending their *merum et mixtum imperium*.

As the wealthier citizens were normally expected to shoulder a bigger share of the tax burden, it was quite common for the royal *sindicaturi* who were sent to collect the royal *collecta* to be portrayed as agents of coercion and oppression by the municipal elite in their *capitoli*. In 1455 they went so far as to accuse the commissioners of causing *multi et diversi gravizi et*

¹⁵ Bresc, 'Secrezia', 147.

¹⁶ Cfr. Epstein, *An island for itself*, 390-401. This was reflected in the increasing bureaucratic importance, after 1458, of the *Conservatoria di Registro*, preserved at the Archivio di Stato, Palermo.

extorsioni indebiti to the town. As royal officials these people were far beyond the control of local municipal councils throughout the Kingdom. The *capitoli* of 1480 attacked the commissioner Rinaldu Ferrano, who had spent six months in Gozo during which, acting *a tortu et a dritt*, he destroyed many *gentilomini*. The petitions of 1520 repeated the old allegation that commissioners were only interested in putting money in their pockets; furthermore, it was stated how they could hardly be of any use to the people 'because they do not understand the language'.

The municipal elite's strategy of control brought it into conflict with the local Church as well. The town council's opposition to the bishop's claims on the property left by deceased ecclesiastics led to the interdiction of the whole population in 1480.¹⁷ In the *capitoli* of April 1481 the bishop was attacked for preventing municipal officials from administering cathedral [p.12] incomes as procurators of that church. It was further alleged that the archdeacon molested citizens on the pretext that they were doing work on feastdays. Shop- and tavern-keepers who opened on Sundays were particularly antagonised, especially since the clergyman's tactic was 'to make them pay mercilessly'. This accusation was repeated in 1492. Beneath these patterns of social and political conflict there were the underlying efforts of civic nobilities throughout the Kingdom in the fifteenth-century to assert their own new role as leading classes. On the first level, the municipal nobles exploited the access of their written word to the King's ears in their struggles with successive captains, castellans, royal commissioners as well as the principal landowners, according to historical circumstances. As part of an even more fundamental effort, they also used the *capitoli* to define and consolidate their own social power and to render municipal posts gradually inaccessible to people outside their civic nobility. This was the same Maltese municipal elite which, according to Bresc, was composed of sixty-eight families in the first half of the 15th century. Fourteen lineages provided 101 out of 145 jurats between 1402-1457 (that is, 70%). The new upcoming families were left the judgeships and other politically less important posts.¹⁸

As it has already been pointed out, the elite hid behind the rhetoric of universal representation. A *capitulum* of 1419 remarked how *quod omnes tangit debet ab omnibus approbari*. During moments of crisis an 'enlarged council' with twelve deputies would meet to give the elite this representative base among the population; this took place, for instance, during the Montesa crisis of 1451-2. But this was only practised in abnormal circumstances. In 1466 the town council, in a direct attack on Engarau Desguanes, obtained that municipal offices should be made inaccessible to persons who had some clash with it, or to their relatives, kinsmen and friends. The town council was unsuccessful, however, in attempting to exclude unmarried men from office. It attacked Maltese individuals who 'enjoy' office here while living abroad, while others stayed on here to live continuously under the Moorish threat. Henceforth [p.13] those who went to live abroad with their family for one whole year lost their right to annual offices.

In 1466, in line with general developments in most municipal bodies in the Kingdom, the Maltese civic nobility excluded craftsmen from office: in the past, *ministrali* such as shoemakers, tailors and other artisans had held office. These must have been already

¹⁷ Cfr. A. Mifsud, 'Sulle Temporalità della Sede Episcopale Maltese', *La Diocesi*, i (1917) 217-223, and 233-4 doc.2.

¹⁸ Bresc, *Un Monde Méditerranéen*, 727; at Termini, over 14 *scrutinia* and five incomplete lists of judges and jurats between 1408 and 1454, one could similarly perceive an elite of thirty-eight families.

exceptions to the norm, but in any case it was now officially forbidden for any *artista di arti meccanica* to enter any office, be it municipal or royal. Tavern-goers were similarly barred from office. This automatic disqualification of people for office because of the manual nature of their work consolidated the nobility's hegemony. Membership into one of the established noble families who owned landed wealth, and perhaps indulged in commerce and corsairing, now became a basic requirement for power.

This crystallization of an elitist pattern of power distribution across the Kingdom cannot be evaluated in isolation, but should be understood within the developing mental climate of decorum and social propriety.¹⁹ The *capitoli* reflect the elite's perception of itself and of the majority of the population which it excluded from political power: the smallholding peasantry and the artisans. Invocations of the town council's maternalistic responsibilities drive this point home. In 1466 they described the *universitas* as a mother, *quilla che divi procurari a lu bonu et quietu viviri di lu so populu et soi figli, cum sit patri matrique pie succurrere natis*. The *capitoli* of 1410 already mentioned *boni homini* who were to see to the organization of the nightwatch. The Gozitan *capitoli* of 1443 complained that *boni homini* and *figloli di boni homini* were being skipped in election to municipal offices in spite of their having been included in the *scrutineum* for a long time, while others were appointed out of favour.

The *capitoli* generally distinguished between *chitatini* and *gentilhomini burghisi* on the one hand, and *habitaturo* on the other. The townsman fitted into a different social category from the peasant or inhabitant of the land. In 1514 these *habitaturo* were referred to by their Maltese name: the captain-at-arms had taken slaves, mules and other things from the *biduini*. In 1494 it was said that the *gentilhomini* and *chitatini* had only falconing as a pastime; since King Ferdinando's falconers had taken all the birds away, the [p.14] town council demanded that these social sectors be allowed to have falcons like the *villani*. Among the *burghisi* or townsmen the town council identified particular wealthy persons or *persuni facultusi* especially for the collection of the royal taxes. In the *capitoli* of 1455 the voice of the landed families became socially explicit: the *merchenarii* or hired labourers took their wages from the landowners but did not honour their terms of work. Consequently, the elite complained that *li coltivacioni di li nostri possessioni non si fannu comu si divi*.

The culture of decorum influenced this categorization of people: this included the prohibition of municipal officers from frequenting taverns or gambling, and the fear that *persuni indigni* would be elected to office. Together with this emphasis on propriety there was also the concern for prestige. In an attempt to increase their own social standing, they depreciated that of their rivals: in 1416 they called the castellan *simplichi castellanu*. Social and political power had to be translated into terms immediately comprehensible to the illiterate public, and ritual often played a leading role in this social discourse. In 1507 the jurats claimed the right to hold the canopy alone in the feast of Corpus Christi, resisting the claims of the captain-at-arms and the secreto. The King told them to increase the number of poles of the canopy!

This politically significant drama reflected the unequal distribution of power in late medieval Maltese society. The *capitoli* bore the same patterns of the inequality which produced them and which their eloquence tried to hide. As official communications to the Crown which purported to articulate the state of mind of the Maltese or Gozitan population on particular issues and problems, the *capitoli* fell considerably short of their objective. They served the

¹⁹ On the culture of decorum in late medieval Sicily cfr. I. Peri, *Restaurazione e pacifico stato*, pp. 157-68.

strategy of a restricted social group which in 1466 could come up with no better metaphor to visualize its political relationship with the rest of the population than that of a mother or father nursing their newborn babies.

One finds hardly anything in the *capitoli* about the free peasant families who suffered from the cycle of *mali staxuni*, the King's *sindicaturi* and the Land's *sterilitas* as much as the town councillors did, even if they formed the absolute majority of the population. They were excluded from the *capitoli* just as they were excluded from active participation in politics. In 1436 the villagers of Casal Targel (Hal Tarxien) complained that the [p.15] uninhabited village of Allun, where they normally took their animals to graze, had been leased out by the secreto's credencier at an annual census to men from the castle-by-the-sea. The villagers had also had their animals confiscated while grazing there.²⁰ The *capitoli* of the Mдина municipality never mentioned such conflicts if they did not involve municipal officers, or common lands which the nobles themselves used. Moreover, there was no endorsement of Targel's grievances by the town council, which claimed jurisdiction over most of Malta. On this occasion the villagers seem to have been successful, obtaining a revocation of the land grant.

Similarly, the inhabitants of Żurrieq had to make their own complaints, some ten years afterwards, on grants of public lands which harmed them, though not, apparently, the civic nobility at Mдина.²¹ A third case is provided by an event which took place in 1466. On 17 January of that year the Mдина *universitas* had presented its own *capitoli* in which it had demanded the licence to impose a tax of 2% on exports and a tax of two *dinari per rotulu* on meat sold in the town market. Cotton producers must have been particularly hit by the first tax, and on 19 June 1466 an 'embassy from the Maltese parishes' went to Palermo to demand fiscal relaxation.²²

A King that Listens

The socio-political bias of the *capitoli* is clearly reflected in the identification of antagonist forces and in the strategy of social differentiation and exclusion. But their incidence as instances of communication with the Crown did not simply reflect a fluctuation between the intensification and resolution or abatement of local conflicts. Rather, they were the local elite's response to periods of royal sensitivity, when it became clear for some period of time or other that the King was ready to lend an attentive ear to complaints from his demanial lands. With the exception of the three sets of *capitoli* which were produced during the Monroy crisis (one of which, dated 20 March 1428, is lost), the *capitoli* [p.16] were generated not simply by the dynamics of local conflict, but also by the knowledge of the Crown's readiness to listen.

It is Stephan Epstein's thesis that the Crown itself, especially under Alfonso the Magnanimous (1416-1458) generally stimulated demands from the periphery to promote a bargaining process which would in the end give it the resources it expected from its lands and

²⁰ The document has been published by A.T. Luttrell, 'A Maltese Casale: 1436', *MH*, vi (3) (1974) 322-4.

²¹ G. Wettinger, 'Agriculture in Malta in the Late Middle Ages', in: M. Buhagiar (ed.), *Proceedings of History Week 1982* (Malta, 1983) 32.

²² H. Bresc, *Un Monde Méditerranéen*, 728 n. 118.

communities.²³ Royal financial pressures on the demesne were especially to be felt in the middle decades of the fifteenth century, when Alfonso embarked on an ambitious foreign policy which had already won him the Kingdom of Naples in 1442. It was not enough for local elites to speak up – there had to be a Crown that wanted, or needed, to listen. In the long run the Aragonese monarchs benefited from their image as political arbiters, distributors of social benefits and guarantors of justice. The King needed this image to penetrate down the demanial levels, to counterpoise the civic nobilities of his demesne against the old feudal strata. This grand project would in the end collapse. In the course of the sixteenth century the demanial nobilities were integrated with the old aristocratic elements to form the ruling baronial class of early modern Sicily.

A very important spin-off from this bargaining process between Crown and community was the evolution of a consciousness of Malta's frontier role. Perhaps the civic nobility of Mdina was not thinking about a separate Maltese identity – at least not in terms put forward by later ages. Poised insecurely in *fronteria barbarorum*, as the *capitoli* of 1458 pointed out, the threat of Saracen attack had become a daily reality which was set to increase and not decline. The Maltese nobles wanted to justify their demands by emphasizing the islands' recent past – Monroy, the invasion by the Moors and the consequent sacrifices of the whole population. The recent past was invoked as proof of loyal service to the Crown. As one historian has put it, aristocratic ethnic cultures persist exactly because their identities form part of their status situation. 'Culture and superiority fuse to create a sense of distinct mission'²⁴ Malta's distinct mission, expressed in the *capitoli* of 1520 to Emperor Charles V, was determined by its geographical frame of [p.17] reference, *esseri ali frunteri di li inimichi di la fidi Catholica*. In their own way, however, the *capitoli* also revealed a very different type of frontier – the social frontier between the nobleman and the peasant, the vociferous and the voiceless.

APPENDIX

CAPITOLI	MANUSCRIPT SOURCES	NOTES
c.1410 ACM	Misc.34, ff.171r-5r.	ASM, viii, 74-9
11.ii.1416		Giam-Gen, 375-82
6.iv.1419	ACM Misc.34, ff.103r-106v	ASM, viii, 80-4
		Giam-Gen, 382-9
13.v.1417	ACM Misc.34, ff.255r-258r	ASM, viii, 289-93
30.xii.1427	ACM Misc.34, ff.87r-89v	ASM, viii, 299-303
iv.1429	ACM Misc.34, ff.261r-262v	ASM viii, 314-6
31.x.1432 [Gozo]		Giam-Gen, 323-6
30.x.1432		Giam-Gen, 389-93
14.viii.1434		Giam-Gen, 393-7
6.viii.1435		Giam-Gen, 397-400
13.v.1437		Giam Gen, 400-7
1438	ACM Misc.34, ff-.223r-224r	ASM, viii, 476-7
19.vii.1439		Giam-Gen, 407-10
20.vii.1439 [Gozo]		Giam-Gen, 329-31

²³ Epstein, 'Governo Centrale'. Cfr. also Pietro Corrao, *Governare un regno. Potere, societa e istituzioni in Sicilia fra Trecento e Quattrocento* (Naples, 1991), which offers an excellent analysis of the mechanisms of central government in the late medieval Sicilian context.

²⁴ A.D. Smith, *The Ethnic Origins of Nations* (Oxford, 1986) 84-5, 100.

12.xi.1439		Giam-Gen, 410-2
5.xi.1443 [Gozo]		Giam-Gen, 332-5
[p.18]		
24.iii.1449	ACM Misc.34, ff.225r-229r	ASM, viii, 489-94
9.vi.1450		Giam-Gen, 412-6
19.xi.1452	ACM Misc.34, f.86r-v only	Giam-Gen, 416-22
ii.1453	ACM Misc.27, p.656	ASM, viii, 416-22
14.v.1453 [Gozo]		Giam-Gen, 335-8
2.xi.1455	NLM Univ.MS.3, doc.9	ASM, ix, 104-8
2.ii.1458	NLM Univ.MS.10	ASM, ix, 110-23
2.i.1460	NLM Univ.MS.3, doc.10	ASM, x, 61-5
17.1.1466	NLM Univ.MS.3, doc.1	ASM, x, 66-76.
6.vi.1475	ACM Misc.34, ff.236r-240r	
27.1.1480	ACM Misc.34, ff.249r-253r	
16.iv.1481	ACM Misc.34, ff. 117r-119r	[parts torn off]
	ACM Misc.27, pp.219-26	
	NLM Lib.MS.737, pp.183-90	
10.v.1492	ACM Misc. 14, ff. 113r-115r	
20.ix.1494	ACM Misc.34, ff 109r-111v	
1503 ACM	Misc.34, ff.211r-215r	
22.v.1507	ACM Misc.34, ff.120r-130r	[parts torn off]
	ACM Misc. 27, pp.290-317	
	NLM Lib.MS.737, pp.247-66	
3.viii.1514	ACM Misc.33, f.61, doc.123	
10.x.1515	ACM Misc.27, pp.359-62	
	NLM Lib.MS.737, pp.303-8	
1.ii.1520	ACM Misc.34, ff.232r-235v	