

# ESSAYS ON LAY AND ECCLESIASTICAL COMMUNITIES IN AND AROUND THE MEDIEVAL URBAN PARISH

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COORD.



**INCLUSION AND EXCLUSION BETWEEN  
CHURCH AND COMMUNITY:  
THE CASE OF THE “LOMBARD” FINANCIERS  
(THIRTEENTH-SEVENTEENTH CENTURIES)**

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**Abstract:** The *lombardi* represent a category of economic operators originating from northern Italy and active throughout Europe between the thirteenth and seventeenth centuries. They were businessmen from inland towns, served by communication routes and located in areas of high agricultural productivity, which provided the surplus needed to carry out financial initiatives. Active in lending and commercial transactions and from the fourteenth century part of an international financial lobby, they were identified by their contemporaries as foreigners devoted to a disreputable profession – at risk of usury – and relegated to a “weak” citizenship. A constant oscillation between exclusion and inclusion characterises the vicissitudes of the subalpine operators. Encoded through canonical languages, this uncertain membership is reflected in the variability of the Lombards’ relations with ecclesiastical institutions both in their places of activity and at home. In this context, the parish is the node of aggregation of different dynamics: ecclesiastical regulatory intervention, in fact, marks the intersection between the concrete needs of the market, the community’s roots and the Church’s regulation of social and

financial relations. The parish is the place of exclusion but at the same time the space for negotiating reintegration and the institution that mediates the conflicting drives that run through the credit market.

**Resumo:** Os *lombardi* representam uma categoria de agentes económicos originários do Norte de Itália e ativos em toda a Europa entre os séculos XIII e XVII. Eram homens de negócios de cidades do interior, servidas por vias de comunicação e situadas em zonas de elevada produtividade agrícola, que proporcionavam os excedentes necessários à realização de iniciativas financeiras. Intervenientes habituais nos empréstimos e nas transações comerciais e fazendo parte, a partir do século XIV, de um lóbi financeiro internacional, foram identificados pelos seus contemporâneos como estrangeiros dedicados a uma profissão de má reputação – de usurários – e relegados para uma cidadania "fraca". Uma oscilação constante entre exclusão e inclusão caracteriza as vicissitudes destes atores subalpinos. Codificada através das línguas canónicas, esta pertença incerta reflete-se na variabilidade das relações dos Lombardos com as instituições eclesiásticas, tanto nos seus locais de atividade como nas localidades da sua residência. Neste contexto, a paróquia era o nó agregador de diferentes dinâmicas: a intervenção reguladora eclesiástica marca, de facto, a intersecção entre as necessidades concretas do mercado, as raízes da comunidade e a regulação eclesiástica das relações sociais e financeiras. A paróquia é o lugar da exclusão, mas, ao mesmo tempo, o espaço de negociação da reintegração e a instituição que medeia as pulsões contraditórias que atravessavam o mercado de crédito.

## 1. Lombards and European credit

The 'Lombards' represent a category of economic operators originating from northern Italy and active throughout Europe between the thirteenth and seventeenth centuries. They were businessmen from inland towns, mainly from Asti and other centres in the sub-

-Alpine region, served by communication routes and located in areas of high agricultural productivity that provided the surplus needed to carry out financial initiatives<sup>1</sup>. They were active in lending and commercial transactions of various sizes – “lombardi et merchatores” is how a 1336 document preserved in Freiburg<sup>2</sup> defines them – and by the fourteenth century they were part of an international financial lobby. Because of the different types of credit in which they were engaged, they were contradictorily identified by their contemporaries as foreigners dedicated to a disreputable profession – at risk of usury – and relegated to a ‘weak’ citizenship, or on the contrary as “viri providi et discreti” for their role in the financial market<sup>3</sup>.

The story of the Lombards that developed over at least four centuries involves the most socially and economically lively areas of Europe, allowing a transversal reading of political and credit dynamics. Indeed, it is an observatory that, thanks to sources that are widespread both in the areas of origin (Piedmont) and in those of operation, makes it possible to investigate the concreteness of economic relations and the discursive practices that defined them. These sources are certainly widespread, even if they are of different scope and systematicity precisely because of the extension and relative mobility of the Lombard banks. It should be noted that the documentation

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<sup>1</sup> Renato Bordone, “I ‘lombardi’ in Europa. Primi risultati e prospettive di ricerca”, *Società e storia* 63 (1994): 1-17; Renato Bordone, “I Lombardi nelle città europee”, in *Spazio urbano e organizzazione economica nell’Europa medievale*, Atti della Sessione C23 dell’XI International Economic History Congress, Milano 12-16 settembre 1994, ed. Alberto Grohmann (Napoli: Esi, 1995), 81-97; Renato Bordone, “Lombardi come ‘usurai manifesti’: un mito storiografico?”, *Società e storia* 100-101 (2003): 255-272; Renato Bordone, “Una Lobby finanziaria internazionale?”, in *Dal banco di pegno all’alta finanza. Lombardi e mercanti-banchieri fra Paesi Bassi e Inghilterra nel Trecento*, ed. Renato Bordone (Asti: Centro Studi sui Lombardi, sul credito e sulla banca, 2007), 9-25; Roberto Sabatino Lopez, *The Commercial Revolution of the Middle Ages, 950-1350* (Englewood Cliffs: Prentice-Hall, 1971); Jacques Le Goff, *Le Moyen Âge et l’argent. Essai d’anthropologie historique* (Paris: Perrin, 2010). The contribution of Renato Bordone (1948-2011) is essential for the renewal of studies about Lombards: to Renato Bordone who initiated me into the study of medieval and credit history, I address a heartfelt and grateful thought.

<sup>2</sup> Archives de l’Etat de Fribourg, *Traités et contrats*, no. 361, 1336.

<sup>3</sup> Giuseppe Rosso, ed., *Documenti sulle relazioni commerciali tra Asti e Genova (1182-1310)* (Pinerolo: [s.n.] – [Asti: Brignolo], 1913), 243-245, doc. 584.



has been the subject of investigations linked to the interests of municipal history in the late nineteenth century – which by their very nature emphasised local reconstructions – and that only in recent years have they been exploited in a broader perspective<sup>4</sup>.

The rather bumpy course of research marks phases of caesura or innovation in studies between the nineteenth and 20th centuries, accompanying the revision of historiographic clichés. As already mentioned, the gradual reconstruction of the extensive system of relations outlined by the Lombards was the result of a nineteenth-  
-twentieth-century historiography very much linked to the ‘new’ great homelands within which municipal particularities were recomposed<sup>5</sup>. As a result, research has long remained tied to a specific area: Asti studied its merchant-bankers and, in turn, researchers in France, Belgium and Germany examined the presence of Lombards in cities or limited regions of those countries<sup>6</sup>. This reduced attention to the general framework was destined to be reproduced a few decades later, due to the increasing rise of nationalism between the two world wars<sup>7</sup>. On a general level, the lesson of Marc Bloch, which implied

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<sup>4</sup> Renato Bordone, ed., *L'uomo del banco dei pegni. "Lombardi" e mercato del denaro nell'Europa medievale* (Torino: Scriptorium, 1994); Bordone, "Lombardi nelle città", 81-97; Ezio Claudio Pia, "Lombardi in Europa: una lettura storiografica", *Rivista Storica Italiana* 125, no. 3 (2013): 817-840.

<sup>5</sup> Gian Maria Varanini, ed., *Storiografia e identità dei centri minori italiani tra la fine del medioevo e l'Ottocento* (Firenze: Firenze University Press, 2013).

<sup>6</sup> Exemplary in terms of systematicity and method is the pioneering study of Quintino Sella, *Del Codice d'Asti detto de Malabayla. Memoria di Quintino Sella* (Roma: Tip. della R. Accademia dei Lincei, 1887), CCXVI-LVII. On Quintino Sella (1827-1884), Minister of State of the Kingdom of Italy and scientist, see Marco Guardo and Alessandro Romanello, eds., *Quintino Sella Linceo* (Roma: Accademia nazionale dei Lincei, 2012). The research start-up phase also includes documented and still useful studies of Joseph Laenen, "Usuriers et Lombards dans le Brabant au XV<sup>e</sup> siècle", *Bulletin de l'Académie royale d'Archéologie de Belgique* (1904): 123-144; Joseph Laenen, "Les Lombards à Malines, 1295-1475", *Bulletin du Cercle archéologique, littéraire et artistique de Malines* 15 (1905): 23-40; Léon Gauthier, *Les lombards dans le Deux-Bourgognes* (Paris: Honoré Champion, 1907); Paul Morel, *Les Lombards dans la Flandre française et l'Hainaut* (Lille: Morel, 1908); Bruno Kuske, "Die Handelsbeziehungen zwischen Köln und Italien im späteren Mittelalter", *Westdeutsche Zeitschrift für Geschichte und Kunst* 27 (1908): 393-441.

<sup>7</sup> Renato Bordone, "Introduzione", in *L'uomo del banco dei pegni. "Lombardi" e mercato del denaro nell'Europa medievale*, ed. Renato Bordone (Torino: Scriptorium, 1994), 33.

a greater focus on socio-economic aspects, led to an evolution in studies that paved the way for a more fruitful interaction between the research of different scholars<sup>8</sup>.

The partial reconstruction was also due to a hierarchical view of credit activity which for a long time favoured the ‘great’ Florentine or Piacentine companies, relegating the Lombards – who were not yet well known – to a sort of enduring minority.

This reductive view depended on three factors:

- on the usurious stigma that indiscriminately identified their operations;
- on the absence of a top-down structure since the *casane*, i.e. the Lombard banks, were in fact autonomous even if interconnected;
- and the late organisation of *nationes* of the Lombards, i.e. structured representations of these operators in the foreign countries where they operated<sup>9</sup>.

It is therefore a rich but not homogeneous overview, with considerable diachronic and diatopic extension, but conditioned by the very nature of the sources. Hence the need for an approach that enhances the systematic attention to the languages of credit, citizenship, inclusion and exclusion developed in more recent historiography<sup>10</sup>. In fact, some questions can allow a more effective evaluation of a

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<sup>8</sup> Bordone, “Introduzione”, 34.

<sup>9</sup> Bordone, “‘Usurai manifesti’”, 264-265.

<sup>10</sup> Giacomo Todeschini, “Fiducia e potere: la cittadinanza difficile”, in *La fiducia secondo i linguaggi del potere*, ed. Paolo Prodi (Bologna: il Mulino, 2007), 15-26; Giacomo Todeschini, *Visibilmente crudeli. Malviventi, persone sospette e gente qualunque dal Medioevo all’età moderna* (Bologna: il Mulino, 2007); Giacomo Todeschini, “Eccezioni e usura nel Duecento. Osservazioni sulla cultura economica medievale”, *Quaderni storici* 131, 44, no 2 (2009): 351-368; Giacomo Todeschini, “The Incivility of Judas: ‘Manifest Usury’ as a Metaphor for the ‘Infamy of Fact’ (*infamia facti*)”, in *Money, Morality and Culture in Late Medieval and Early Modern Europe*, eds. Juliann Vitullo and Diane Wolfthal (Farnham: Ashgate, 2010), 33-52; Giacomo Todeschini, “La ricchezza come forma di inclusione sociale e religiosa in Italia alla fine del Medioevo”, in *Ricos y pobres: opulencia y desarraigo en el occidente medieval*, *Semana de Estudios medievales*, Estella, 20-24 julio 2009 (Navarra: Gobierno de Navarra, 2010), 105-125.

phenomenon that, due to its duration and extension, cannot be relegated to moralistic prejudices or rank visions.

This contribution intends to bring the enduring ‘adventure’ of the Lombards back to the concreteness of the social and political relations of their era, analysing the languages that have contradictorily defined their identity. In particular, the usurious stigma that was the main cause of the Lombards’ delegitimisation and potential exclusion will be examined<sup>11</sup>. In fact, they were accused of unfair credit practices due to excessively high interest rates, even though the rates were set by the local authorities themselves who entrusted the Lombards with the task of financial activity. These accusations, however, allowed the governments to renegotiate the conditions of Lombard credit and sometimes the communities to default on their debts<sup>12</sup>.

It will become clear how a fundamental mediation with respect to these dynamics was exercised by the Church: on the other hand, underlying the accusations of usury and the threats of exclusion was the instrumental use of theological language by the secular authorities. It is precisely the analysis of the role of ecclesiastical institutions, episcopal curias and parishes, that allows us to frame the actual scope of the concept of usury, which appears as a negotiable category, used for its political rather than economic value. Taking this aspect into account, and not forgetting the high political status of the Lombards at home and, in many cases, also in the areas of activity, it is necessary to review the traditional historiographic approach that considered the Lombards only as operators of residual rank and devoted to reprehensible economic practices.

The analysis of sources, particularly those that on a ‘naïve’ reading would seem to support the usurious prejudice, confirms that:

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<sup>11</sup> Rowan William Dorin, “L’expulsion des usuriers hors de France à la fin du XIII<sup>e</sup> siècle”, *Hypothèses* (2013): 157-166; Rowan William Dorin, *No Return: Jews, Christian Usurers, and the Spread of Mass Expulsion in Medieval Europe* (Princeton: Princeton University Press, 2023).

<sup>12</sup> Ezio Claudio Pia, “«Multam pecuniam, multa mala»: i ‘lombardi’ astigiani e il mercato del credito nel basso medioevo”, *Nuova rivista storica* 105, no. 1 (2021): 40, 48.

- usury for Lombards as for other lenders was a possibility but not the rule;
- practices recognised as ‘improper’ were subject to evaluation and mediation by the Church authorities;
- the Church’s intervention marked the limits and conditions of the inclusion of Lombards who, even in the case of morally questionable behaviour, were substantially included or reintegrated into full citizenship.

The revision of traditional historiographical assessments through specific attention to the language of ecclesiastical sources thus makes it possible to interpret the Lombard story by referring to the dynamics of citizenship and credit. A relationship to which more recent historiography has pragmatically referred the social and political relations of the late Middle Ages and Early Modern Age<sup>13</sup>.

## 2. Lombards and Church

The constant oscillation between exclusion and inclusion – negotiated and limited in time depending on the authorisations granted to the Lombards to operate – that characterised the enduring vicissitudes of the subalpine operators, must therefore be deciphered starting with the ecclesiastical languages.

An uncertain belonging that was reflected in the variability of the Lombards’ relations with the ecclesiastical institutions both in their places of activity and at home. The role of the Church was central: the bishop’s curia and the parishes provided structural mediation with regard to the complex relationships of financiers, often stigmatised as usurious. In Liège, at the end of the thirteenth century, the bishop relaxed the rules against usury that he himself had laid down in the 1288 synodal statutes and the city’s parish priests gave

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<sup>13</sup> Clément Lenoble, and Valentina Toneatto, “Les lexiques médiévaux de la pensée économique”, *Annales. Histoire, sciences sociales* 74, no. 1 (2019): 25-41.



the provost of St Lambert the power to manage usury matters<sup>14</sup>. This is a sign of a complex framework that required constant adaptation to actual situations. The fact that the prelate reduced the scope of the statutes he had previously issued and the parishes' attribution of specific competences to the provost of St Lambert's indicate the need to calibrate the evaluation of credit dynamics.

Two centuries later, the bishop of Cambrai, Henri de Bergues, instructed the curates of St Rombaut in Malines and Notre-Dame de la Chapelle in Brussels – towns with a strong Lombard credit base – to administer the sacraments to lenders and their relatives, as well as to the rest of the faithful, without restriction for ten years<sup>15</sup>. In this case too, the bishop's authority moderated the impact of the anti-usury legislation by delegating it to the parish priests, whose ministry was more closely linked to community dynamics. Indeed, the concrete activity of the lenders shows a complex and sometimes contradictory framework. On the one hand, integration was marked by inclusion in church structures, as shown, towards the end of the fifteenth century, by the contribution to the building of Ghent cathedral or the membership of a Lombard family in the prestigious Confraternity of the Holy Cross at the church of St Jacques sur Coudenburg in Brussels<sup>16</sup>. On the other hand, the ecclesiastical institution circumscribed, limited or nullified the social integration of the lenders. In addition, secular and ecclesiastical authorities sometimes used the threat of exclusion from the Christian community against the lenders, preventing them from participating in divine services or from frequenting the population, so as not to 'infect'

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<sup>14</sup> Georges Bigwood, *Le régime juridique et économique du commerce de l'argent dans la Belgique du Moyen Âge*, I (Bruxelles: Lamertin, Hayez, 1921), 580-581.

<sup>15</sup> Bigwood, *Le régime*, 583.

<sup>16</sup> Charles Ruelens, "La confrérie de Sainte-Croix à Bruxelles", *Revue d'histoire et d'archéologie* 2 (1860): 220-224; Ezio Claudio Pia, "Uomini d'affari 'lombardi' nei Paesi Bassi tra radicamento e marginalizzazione (secoli XIV-XVII)", *Bollettino storico-bibliografico subalpino* 117, no. 2 (2019): 385-406.

“les ames de plusieurs inhabitants”<sup>17</sup>. This is demonstrated by a document of 1624 – relating to the sale by Flaminio Pallio of the bank he held in Douay – which refers to a rule of 1545 according to which “les tenans table et y participans ne peuvent se porter pour gens de bien et hanter les Eglises, sans encourir les peines de droict”<sup>18</sup>.

Instead, a conditioned citizenship emerges by the confessions of *usure* and *male ablata* (i.e. the ill-gotten gains), by which Lombards declared illicit earnings to parish priests or curia prelates and, by means of a fine, obtained reintegration within citizenship and the right to religious funerals<sup>19</sup>.

Often the confessions, rather than condemning unfair credit practices, legitimised articulated business relationships, with the supervision and correction of the Church. In this framework, the curia and the parish were the nodes of aggregation of different dynamics: the ecclesiastical regulatory intervention, in fact, marked the intersection between the concrete needs of the market, the community rooting and the regulation by the Church of social and financial relations.

The parish could be the place of exclusion but at the same time it proved to be both the space for negotiating reintegration and the institution that mediated – in relation to society and the bishop’s authority – the conflicting drives that ran through the credit market.

### 3. The usurious prejudice

A historiographical myth that has been profitably revisited in recent years<sup>20</sup> is that of the identification between Lombards and public usurers. Linked to this evaluation was the alleged ‘qualitative’

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<sup>17</sup> Archives générales du Royaume, Bruxelles, 18, § 86 (in Myriam Greilsammer, *L'usurier chrétien, un Juif métaphorique? Histoire de l'exclusion des prêteurs lombards [XIII<sup>e</sup>-XVII<sup>e</sup> siècle]* [Rennes: Presses universitaires de Rennes, 2012], 250).

<sup>18</sup> Morel, *Lombards dans la Flandre*, 65, doc. 318.

<sup>19</sup> Jean Schneider, “Les Lombards en Lorraine”, *Annuaire de la Société d'histoire et d'archéologie de la Lorraine* 79 (1979): 65-98.

<sup>20</sup> Bordone, “ ‘Usurai manifesti’ ”, 255-272.

difference between the activities of the Lombards and the merchant bankers<sup>21</sup>. The fact that the usurious prejudice had to be tempered is demonstrated by a more complete analysis of their high social status in their places of origin, as well as their insertion in the centres where they set up their tables and their sometimes striking political ascents even outside their homeland. Above all the role they played in European high finance, which led to the hypothesis of the existence of a real international economic lobby<sup>22</sup> centred on the Lombards, helped to disprove the historiographic cliché that saw these operators not as businessmen but as an excluded or at least marginalised group.

In this regard, it should be noted that the reconstruction of the areas where Lombards settled in the cities of central and northern Europe has concretely highlighted their high-level insertion in the nerve centres of political and economic power. Indeed, in Ghent, Cologne, Champagne, Switzerland and Lorraine, the lenders' tables were located in the market areas, in the centre of the cities, in buildings belonging to them or granted by the community or the bishop<sup>23</sup>.

Not even the late attestation of a Lombard *natio* is enough to demonstrate a qualitative inferiority in the exercise of credit compared to the companies of the Genoese, Florentines, Luccans and Venetians who were instead early coordinated in similar forms of diplomatic-commercial connection. It should be pointed out that not only from the late fifteenth century did the Lombards establish their own *natio* in the Netherlands which was active until the beginning of the seventeenth century, but previously the businessmen from Siena, Piacenza and Como had also lacked such associative structures and had chosen to gravitate towards other Italian communities<sup>24</sup>.

As we mentioned earlier, the articulated system of relations underlying Lombard credit has been decoded by more recent histo-

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<sup>21</sup> Pia, "Multam pecuniam", 33-61.

<sup>22</sup> Bordone, "Lobby finanziaria", 9-25.

<sup>23</sup> Bordone, "'Usurai manifesti'", 264.

<sup>24</sup> Giovanna Petti Balbi, *Mercanti e nationes nelle Fiandre: i genovesi in età bassomedievale* (Pisa: GISEM-ETS, 1996), 57.

riography on the basis of renewed attention to canonical and theological language. Usury, progressively freed from a purely economic reading, has been reconsidered with greater adherence to contemporary languages as a category with political as well as credit value<sup>25</sup>. Far from constituting an exclusive attribute of Lombard finance, it gradually took shape as a political criterion delimiting the lawfulness of economic practice. In particular, a basic distinction was made in the quality of credit depending on whether it was exercised by *boni mercatores* – attentive to *publica utilitas* and for whom profit was not the main purpose<sup>26</sup> – or by a “negociator qui in negociando intendit lucrum tamquam fine ultimum: et cupit sine labore et sollicitudine ex avaritia divitia congregare” (“a merchant who in trading regards gain as his ultimate objective: and covets to accumulate wealth through avarice without effort and commitment”)<sup>27</sup>. An indication of this distinction, clear in principle but blurred in practice, is the case of the Bolognese merchants and bankers who built their growing political role on the basis of a multi-faceted credit activity. In fact, it should be remembered that between the thirteenth and fourteenth centuries, for example, repentant usurers included exponents of Bologna’s main families such as Pepoli, Baciacomari, Tettalasini and Pizzigotti, lineages destined to give the city’s government radically innovative developments throughout the thirteenth century<sup>28</sup>.

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<sup>25</sup> Giacomo Todeschini, “Usury in Christian Middle Ages. A Reconsideration of the Historiographical Tradition (1949-2010)”, in *Religione e istituzioni religiose nell’economia europea, 1000-1800*, Atti della XLIII settimana di studi della Fondazione istituto internazionale di storia economica F. Datini, Prato, 8-12 maggio 2011, ed. Francesco Ammannati (Firenze: Firenze University Press, 2012), 119-130.

<sup>26</sup> Astesani de Ast, *Summa de casibus* (Lugduni: Stephani Gueynard alias Pinet, 1519), lib. III, tit. VIII, art. X, f. 106a (Giovanni Ceccarelli, “Usura e casistica creditizia nella *Summa Astesana*: un esempio delle concezioni etico-economiche francescane”, in *Ideologia del credito fra Tre e Quattrocento: dall’Astesano ad Angelo da Chivasso*, Atti del convegno internazionale, Asti, 9-10 giugno 2000, eds. Barbara Molina and Giulia Scarcia [Asti: Centro Studi sui Lombardi e sul credito nel Medioevo, 2001], 48).

<sup>27</sup> de Ast, *Summa*, f. 106d.

<sup>28</sup> Massimo Giansante, *Lusuraio onorato. Credito e potere a Bologna in età comunale* (Bologna: il Mulino, 2009), 56; Germana Albertani, *Città, cittadini, denaro. Il prestito cristiano a Bologna tra Due e Trecento* (Bologna: Clueb, 2011).

#### 4. Usury and restitution between the episcopal *curia* and the parish

The concreteness of the relationships reveals that the same operators – whether or not they were Lombard – therefore implemented articulated credit practices, sometimes legitimate, sometimes bordering on or beyond legitimacy. Complex economic behaviour and social relations were thus intertwined and found an arrangement in the regulatory languages mediated by ecclesiastical institutions.

What mechanisms ensured the functioning of this vast work of evaluation, modulation and reorganisation of financial and community relations? As mentioned above, it was around the category of usury that paths of social and economic redefinition were outlined.

The definition of “*carta caucionis usurarum*” identified acts by which lenders acknowledged that they had publicly acted as usurers and ordered the restitution of *male ablata*<sup>29</sup>. In these documents, drawn up in the presence of the bishop’s vicars, parish priests or religious, the lender swore to observe the mandates of the Church and confessed the usurious component of his activity. This was

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<sup>29</sup> The title of the documents, *carta caucionis*, emphasised the forms of guarantee of restitution and, therefore, the registration of the notary of the *curia* was oriented above all to fix the rights that the Church acquired following the confession of usurers: Anna Maria Cotto Meluccio, Pietro Dacquino and Laura Franco, eds., *Carte astigiane del secolo XIV (1303, 1307-1310; 1310-1311)* (Asti: Il Platano, 1992), 179, doc. 271; 210, doc. 309. On legacies for the restitution of *male ablata*: Giovanni Chiodi, “Rolandino e il testamento”, in *Rolandino e l’ars notaria da Bologna all’Europa*, Atti del Convegno internazionale di Studi storici sulla figura e l’opera di Rolandino, Roma, 9-10 ottobre 2000, ed. Giorgio Tamba (Milano: Giuffrè, 2002), 462-496; Rollandini Rodhulphini Bononiensis, *Summa totius artis notarie* (Venetiis: Giunta, 1546, rist. anast. Bologna: Forni, 1977), f. 260-261. As regards the forms used in the acts, please refer to: Giovanni Ceccarelli and Francesca Frigeni, “Un inedito sulle restituzioni di metà Duecento: l’*opusculum* di Manfredi da Tortona”, in *Male ablata. La restitution des biens mal acquis, XII<sup>e</sup>-XV<sup>e</sup> siècles*, eds. Jean-Louis Gaulin and Giacomo Todeschini (Rome: École française de Rome, 2019), 25-50; *Un traité de morale économique au XIV<sup>e</sup> siècle: le Tractatus de usuris de maître Alexandre d’Alexandrie*, ed. Alonzo Mario Hamelin (Louvain: Nauwelaerts; Montréal: Libr. Franciscaine; Lille: Giard, 1962); de Ast, *Summa* (Ceccarelli, “Usura e casistica”, 15-58). On a general level, a useful overview in Rowan William Dorin and Raffaella Bianchi Riva, “Usury and Restitution in Late Medieval Episcopal Statutes. A Case Study in the Local Reception of Conciliar Decrees”, *Bulletin of Medieval Canon Law* 38 (2021): 309-359.



followed by the quantification of the certain and uncertain usury and the commitment to cede to the Church an amount equal to the latter, guaranteed by obliging the usurer's assets or through the surety of third parties, usually family members. Uncertain usuries were entrusted to the ecclesiastics, while certain usuries were managed directly by the lender. The *carte caucionis*, since they were registered as credit titles for the Church, mainly regulated the restitution of uncertain usuries and in a few deeds there was a specification of the amount of certain usuries and the interest applied. In these cases the relations were certified by notarial deeds and there was a commitment to return them to all those who could prove that they had paid them.

Confessions, recorded by the *curia* notary, were made in the presence of clergymen or religious<sup>30</sup>: the usurer was therefore at the centre of a network of relations formed by his clients, the guarantors and the men of the Church present at the confession. The confession was configured as the passage from the usurious management of credit to the virtuous circulation of money, destined “in pios usus et in pauperum erogacionem” for the benefit of the souls of the lender and his debtors: a passage solemnised by the participation of the vicars and exponents of the regular or secular clergy<sup>31</sup>. The confession was structured in such a way as to remedy deplorable behaviour and this overcoming was based both on the economic guarantees that

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<sup>30</sup> Pietro Dacquino and Anna Maria Cotto Meluccio, eds., *Carte astigiane del secolo XIV* (Asti: Cassa di Risparmio di Asti, 1983), 275-276, doc. 165; Cotto Meluccio, Dacquino and Franco, *Carte astigiane* (1992), 160, doc. 248. On the role of the Franciscans: Giacomo Todeschini, *Ricchezza francescana. Dalla povertà volontaria alla società di mercato* (Bologna: il Mulino, 2004); Clément Lenoble, *L'exercice de la pauvreté. Économie et religion chez les franciscains d'Avignon (XIII<sup>e</sup>-XV<sup>e</sup> siècles)* (Rennes: Presses Universitaires de Rennes, 2013); on the use of credit instruments by the Franciscans: Antonio Rigon, “Fratelli minori, inquisizione e comune a Padova nel secondo Duecento”, in *Il Liber contractuum dei frati Minori di Padova e di Vicenza (1263-1302)*, ed. Elisabetta Bonato, con la collaborazione di Elisabetta Bacciga (Roma: Viella, 2002), XXIX.

<sup>31</sup> Anna Maria Cotto Meluccio, Gian Giacomo Fissore and Laura Franco, eds., *Cartulari notarili dell'Archivio Capitolare di Asti* (Torino: Deputazione Subalpina di Storia Patria, 2002), 119.

ensure restitution – quantification of uncertain usury, obligation of the creditor’s assets or surety – and on the social certification of these commitments in which ecclesiastics played an important role.

An example of this is the case of Ranieri Buneo, a Lombard active in Lorraine, who, in his will of 1292, made out to the parish priest of St Amand in Toul, determined the refunds for its customers in Toul, Neufchateau, Ligny and neighbouring localities, as well as indicating bequests in favour of the church in Asti and Toul, respectively his place of origin and activity. His full reintegration into the community is confirmed by the fact that he is mentioned in the obituary of Toul Cathedral<sup>32</sup>.

Confession implied the admission of having acted as a usurer, but did not exclude an evaluation of the financial activity, an evaluation agreed between the penitent and the religious authority. Ranieri Buneo himself declared in his confession that he was not obliged to repay the lord of Neufchateau and the commune of Toul because they had made considerable profits from the loans granted to them<sup>33</sup>.

Similarly, the confession of Boniface of Moncalieri – made in the presence of the bishop’s vicars and the rector of the Asti church of St Michael – was based on a precise evaluation of the economic transactions. He not only excluded the restitution of part of the usury because it had already been recognised and repaid abroad “ad voluntatem suorum confessorum ... in loco de Minfa”, but also specified the different rates applied, recommending that repayment only concern the usurious component of the transaction<sup>34</sup>. The ecclesiastical sanction of the lender’s declarations constituted a *de facto* certification deli-

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<sup>32</sup> Schneider, “Lombards en Lorraine”, 65-98; Winfried Reichert, *Lombarden in der Germania-Romania*, II (Trier: Porta-Alba, 2003), 739-740; Renato Bordone, “I *male ablata* dei Lombardi fra sanzione ecclesiastica e riconoscimento pubblico nei Paesi Bassi”, in *Male ablata. La restituzione des biens mal acquis, XII<sup>e</sup>-XV<sup>e</sup> siècles*, eds. Jean-Louis Gaulin and Giacomo Todeschini (Rome: École française de Rome, 2019), 243-251.

<sup>33</sup> Please refer to the previous footnote.

<sup>34</sup> Cotto Meluccio, Dacquino and Franco, *Carte astigiane* (1992), 285, doc. 439.

miting the scope of usurious practices and – subject to the compensation provided for – readmitting the lender within the community.

The definition of usurious relations through the mediation of the Church was probably not unrelated to the need to dispose efficiently of one's assets. This is suggested by the will of Baldizzone Saracco from Asti in which it was specified that, for *usure* and *male ablata*, the provisions of a previous *instrumentum* stipulated “in manibus vicariorum [episcopi]” should be observed<sup>35</sup>. A complementarity therefore emerges between the definition of certain and uncertain usury and the management of the estate. Moreover, the XXVII constitution of the II Council of Lyons (1274) provided that “testamenta quoque manifestorum usurariorum aliter facta non valeant sed sint irrita ipso iure”<sup>36</sup>. The economic resources destined for heirs or legacies had to be freed, therefore, from any pending issues relating to the solution of usurious relations. Moreover, at the level of social sanction, the inheritance structure of the estate acquired – once the obligations connected with the usurious activity had been exhausted – an obvious legitimacy.

By accepting the delegation of the management of usurious gains, the clergy confirmed their specialisation in regulating economic and social relations. The ecclesiastics, in fact, evaluated the terms of the confession and in some cases quantified a penalty, defined as *taxatio*, to be paid by the usurer. In substance, these formalities legitimised a sort of reintegration of the lender and his family into a community network. The social position of the confessed usurers and their descendants seems to be the criterion on which the Church based the remission of the restitution of the *male ablata*, reduced in some acts to less than 5% of the declared amount. The heirs' poverty, the need to marry off the lender's daughters or granddaughters, or unspecified decisions by the vicars justified the substantial reduction

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<sup>35</sup> Cotto Meluccio, Dacquino and Franco, *Carte astigiane* (1992), 285-287, doc. 440.

<sup>36</sup> Bordone, “Male ablata”, 250.

in the commitments made by the usurers in their confessions<sup>37</sup>. It was a compromise in which the condemnation of economic behaviour was assessed in terms of its consequences on the system of social relations. The result of the Church's intervention was generally not represented by the collection of taxation or large sums of money from usury, but by the control of the placement of the families of the lenders in the network of community relations. This was not a foregone conclusion or a mere formality, but a prerogative that the bishop's representatives reserved for themselves, as demonstrated by some cases brought by vicars against heirs who refused to return usury indicated by their relative<sup>38</sup>. The sanction for such behaviour was excommunication which, as an exclusion from the society of the faithful, was the opposite outcome to the social reintegration of the notorious usurer and his family based on confession and the entrusting of uncertain usury<sup>39</sup>.

The restitution mechanisms were based on a complex system of relations centred on lenders, heirs and their debtors; on the certification of credit relations by means of *instrumenta* involving notaries as depositaries of public faith; and, finally, on representatives of the ecclesiastical authority. This framework testifies, in widespread economic practices, to the complexity of the ties that innervated the

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<sup>37</sup> Cotto Meluccio, Dacquino and Franco, *Carte astigiane* (1992), 184-186, doc. 278; 227-228, doc. 325.

<sup>38</sup> Cotto Meluccio, Dacquino and Franco, *Carte astigiane* (1992), 317-318, doc. 512-513; 376, doc. 627-628.

<sup>39</sup> It is no coincidence that in these documents, in addition to the social practices to which the obligation to avoid the recipients of excommunication refers – “comedendo, bibendo, barbam tondendo, negocia faciendo, participando” – there appear meticulous lists of people who are forbidden to have any contact with the excommunicated persons; in this way, excommunication determined a clear social exclusion that affected not only the family networks, but also the economic relations of the excommunicated persons (Cotto Meluccio, Dacquino and Franco, *Carte astigiane* [1992], 443, doc. 798; 497, doc. 911). On excommunication, the following studies are very useful: Elisabeth Vodola, *Excommunication in the Middle Ages* (Berkeley, Los Angeles, London: University of California Press, 1986); Véronique Beaulande, *Le malheur d'être exclu? Excommunication, reconciliation et société à la fin du Moyen Âge* (Paris: Publications de la Sorbonne, 2006). On the issue of “controversa appartenenza civica”: Todeschini, *Visibilmente crudeli*, 127.

community. These relations accompanied the virtuous circuit of restitution, but – confirming the social rootedness of these relations – also emerged in the deviant behaviour to which the usurer resorted in order not to render the *male ablata*. This is demonstrated by the recommendation to confessors to beware of the danger of misappropriation of the lender's assets:

*Item sunt aliqui usurarii qui dant amicis suis omnia bona sua et per manum notariorum de hoc faciunt occulte fieri publica instrumenta ... et omnia mobilia dant in potestate sacerdotis et de immobilibus suis faciunt breviter omnia quecumque sacerdos sibi voluerit imperare et quando sepultus est in cimiterio post aliquot dies ... veniunt amici et parentes et dicunt sacerdoti: domine, de bonis que dedit vobis ille defunctus non potestis reddere qui[d]cumquam, quia nichil [h]abebat ... omnia donaverat et ecce videte de hoc multa instrumenta<sup>40</sup>. (There are usurers who donate to their friends all their possessions and for this purpose secretly have notarial deeds drawn up [but in confession] they give all their movable property to the priest and as regards immovable property they do whatever the priest orders and when [the usurer] has been buried in the cemetery, after a few days his friends and relatives come and say to the priest: “Sir, with the property which that deceased gave you, you cannot make any restitution, because he [the usurer] had nothing ... he had donated everything and behold you see here many deeds [proving it]”).*

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<sup>40</sup> Giancarlo Andenna, “ ‘Non remittetur peccatum nisi restituatur ablatum’ (c. 1, C. XIV, q. 6). Una inedita lettera pastorale relativa all'usura e alla restituzione dopo il secondo concilio di Lione”, in *Società, istituzioni, spiritualità. Studi in onore di Cinzio Violante* (Spoleto: Cisam, 1994), 106; Mark Koyama, “Evading the ‘Taint of Usury’. The usury prohibition as a barrier to entry”, *Explorations in Economic History* 47, no 4 (2010): 420-442.



It is evident that extensive networks of relationships emerge both from the dynamics of legitimate credit – or in search of *ex post* legitimacy, as in the case of usurers who have embarked on a proper penitential procedure – and from those “de malitia cogitate”, as revealed by the sale of assets to friends and relatives to make restitution impossible<sup>41</sup>.

Structurally embedded in complex community networks, credit could be located inside or outside citizenship<sup>42</sup>, depending on the quality of the operators’ behaviour, on which the Church’s evaluative intervention focused. This evaluation, as we have seen, presided over a process of reintegration through restitution which was configured as a way of inclusion in a system characterised by the convergence of the languages of civil belonging and participation in the *societas christiana*.

From the Lombards’ point of view, what were the strategies used to negotiate their social inclusion? In what way, that is, did this category of operators insert their objectives within the language mediated by the Church authorities and recompose the delegitimising pressure originating from the political authorities? The impression is that Church and government interventions were conditioned by the inescapable need of communities and states to take advantage of the credit of the Lombards. They brought specific technical expertise, significant economic resources and mediation skills that were essential for the functioning of the economy. The accusation of usury constituted a *vulnus*, but financial experience enabled the Lombards to handle even this recurring threat to their operations. If not always deeply rooted in full citizenship, the Lombards by the very nature of their business were certainly rooted in the multiform and pervasive credit

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<sup>41</sup> Andenna, “Non remittetur”, 107.

<sup>42</sup> On citizenship understood as “appartenenza istituzionale, regolata, contrattata, messa per iscritto, a una comunità civica” and on the related bibliography: Giacomo Todeschini, “*Intentio e dominium* come caratteri di cittadinanza”, in *Cittadinanze medievali. Dinamiche di appartenenza a un corpo comunitario*, ed. Sara Menzinger (Roma: Viella, 2017), 229-245.

dynamics that innervated society. Pragmatically, it was with this concrete force that the secular and ecclesiastical powers had to contend, and it was thanks to this role, for a long time ineliminable, that the centuries-old European fortune of the subalpine operators was built.

## Conclusions

The centrality of the guarantor role assumed by the Church – through the evaluative interventions of bishops, vicars, parish priests and religious – in the management and redefinition of economic relations emerges.

The examination, in diachronic and diatopic terms, of the documentation relating to credit relations shows that the parish clergy constituted the most direct reference for the bishop's curia in the management of credit relations of uncertain solution. This function allowed mediation 'from within', that was able to intervene in the actual credit dynamics that innervated society. Moreover, the convergence of the various market players on ecclesiastical staff is precisely the sign of the functionality of this mediation.

This convergence is confirmed by the numerous confessions of usury and *male ablata*; far from the "hypocritical moralisation of speculative practices"<sup>43</sup>, the *confessiones* made it possible to correct economic deviations, 'certifying the balance sheet' of articulated credit networks and legitimising their operation.

The pattern that has been reconstructed can help to restore the relationship between credit and belonging and the pervasiveness of ecclesiastical lexicons in the reorganisation of economic and indeed social relations.

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<sup>43</sup> Giacomo Todeschini, *I mercanti e il tempio. La società cristiana e il circolo virtuoso della ricchezza fra Medioevo ed Età moderna* (Bologna: il Mulino, 2002), 133-185.

Attention to the Church's regulatory interventions therefore allows a more articulated contextualisation of the credit dimension of community relations, as opposed to a vision 'stuck' on the question of usury understood as a limit and deviation, stigmatised by theologians but equally practised by 'unscrupulous' financiers. The centuries-old history of the Lombards thus highlights a relationship that, thanks to the Church's regulatory powers – often delegated to parish priests –, concretely linked ecclesiastical languages to the social impact of credit practices.

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