Let us now examine developments in the administration of justice. So far, we have considered how *ius commune* became firmly established, and the extent to which during the same period, university doctors and legislators were engaged in an ongoing and mutually advantageous dialogue, following continual work on one and the same system. It is appropriate at this juncture to consider how such a paradigm of societal justice, in the broad sense indicated above, translated into practice. How much of that learned law – by now more or less incorporated into local legislation – was actually adopted? The justice that we will refer to is that associated with *cordia*. This is the virtue that in the Sienese fresco of *Good Government* links all the city’s governors together with a single length of cord. Concord thus automatically acts as a unifying agent within the society. But this is also the biblical justice we have already mentioned: *Diligite iustitiam, vos qui iudicatis terram* (the opening passage of the Book of Wisdom).

10.1. **Preliminary Distinctions: Rural Areas**

The city constituted the centre of efficient judicial service, so far as that was possible in this period, because it had available funds and appropriate institutional organizations. In the countryside, whether in those areas that were strictly seigniorial or feudal, or in territory surrounding individual cities that was under the control of citizens who had invested in farms, estates, villas, etc., justice was less predictable. In general, when

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justice was administered, and when it was not resolved in the enforcement _de facto_ of more or less official penalties, that is those fixed by law, it was often intermittent and approximate, carried out under the auspices of often poorly paid vicars with no professional qualifications, or simple notaries. Normally, such individuals were responsible for the initial, relatively insignificant, proceedings of penal and civil justice, or else concerning minor crimes, and needed to supplement their existing salaries with fines or taxes for different deeds. Where they existed, the fragmentary statutes of the countryside and of individual castles left the way open for abuses and arbitrations of every kind, including (where possible) direct negotiation with the guilty party or members of his family, in order to settle the matter privately.

It was inevitable, for example, that rural areas would give shelter to bandits – the _banniti_, or banished – whose juridical treatment was the subject of a number of treatises under _ius commune_. There must have been even less policing in the countryside than in cities, and who knows how many individuals were merely names in the papers of communal provisions. Much depended on the forced collaboration of individual village communities. This was a simple and efficient expedient. In certain cases, if the culprit was not found, the community was deemed jointly and severally responsible for the crime committed. Information was forced, rather than elicited, from the people. Nevertheless, a _sindicus_, a local representative, was always provided, and it was his duty to report more serious crimes uncovered in the village, in order to set in motion the necessary repressions or the collective liability.

It is not worth listing the nature and number of violations of the law that such a system must have engendered. But in the case of some forms of legislation, such as that protecting land cultivation, it seems more than likely that denunciations concerning damage (_danno dato_) were directly associated with the interests of individual cultivators. Special officers called _camparii_ or _campieri_ took turns to keep watch, with the brief to denounce any malpractice. Part of the ensuing fine was specifically reserved for them, the other part going to the commune and to the judge, once the land worker had been compensated for the damage. Another aspect of this minor area of justice was that it prompted private initiatives, even of an anonymous nature (so as to avoid retaliation). This form of justice usually resulted in monetary fines rather than prison sentences, since the latter required the provision of cell space, if possible in such a way as to separate the women from the men and the nobles from the wretched poor. There was also the matter of providing prisoners with food.