
Brands of Piety

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The marketing of perfume should be an excellent case study for a discussion of branding. What, after all, is marketed in ads for perfume? The liquid product itself, composed of mysterious combinations of fragrant oils and solvents, suggests results that are ineffable, intangible, and difficult to describe in words. Unlike the evocative vocabulary of wine-tasters, the jargon for discussing fragrances can be disappointingly chemical. And yet magazines are full of perfume ads, none of which describe the smell of the product, but almost all of which feature an image of its packaging — traditionally a distinctively shaped bottle — and often include a scenario performed by actors that the scent promises to put into play.

The most familiar entry in this field is Chanel N° 5. The classic fragrance, which famously represented the entirety of Marilyn Monroe's sleepwear, was recently the subject of a long film ad starring Audrey Tautou. On a night train for exotic Istanbul, the actress fantasizes about an absent lover to the sound of Billie Holiday's honey-

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soaked voice.¹ The amber liquid in its glass flask, with an increasingly prominent rectangular stopper over the years, resembles nothing so much as a miniature decanter of expensive whiskey. With its business-like black and white tax-stamp of a label, the iconic flask usually floats against a white background in ads, eliding the difference in size between it and the bottle of uninhibiting spirits it mimics. As a pocket-flask for women, it connotes the heady, sensual release promised by that other alcohol-based product. It is a balm for the anxieties of too-much world.

At the beginning of the fifteenth century, a balm of another sort was signified by the jar of perfumed oil the penitent prostitute Mary Magdalen used to anoint the feet of Christ before his death, bathing them first with her tears and drying them after with her hair. The jar became her identifying attribute, the sign by which she was recognized in religious paintings like the one by the painter Spinello Aretino, in Figure 1. In a different sort of sensory sublimation, this bottle of perfume was associated with saintly penance and mortification of the body to achieve the remission of sins, rather than a promise to facilitate the willful commission of sins. The perfume in the Magdalen's jar promised salvation to the souls of sinners, made efficacious by charitable works and scenarios of corporal penance that were acted out publicly and privately by confraternities. These lay organizations were dedicated to performing such acts for the spiritual salvation of their own members and for cleansing the sins of the community.

Aretino renders the Magdalen's gilded container with its cross-shaped stopper in a linear way so as to appear as clearly as possible, without any modeling; only the black outlined curves suggest its cylindrical volume. Its shape, clearly visible in the hand of the composition's central figure, not only confirms the woman holding it as Saint Mary Magdalen, but also declares the identity of its patrons: a group represented by the four tiny men who flank the enthroned saint on either side. Through the insignia stitched onto their sack-like robes ("sacchi"), contemporaries would have immediately recognized these men as belonging to a particular confraternity. Members of these

¹ Deviantval, *Audrey Tautou Chanel No. 5 Commercial*, YOUTUBE (May 5, 2009), <http://www.youtube.com/watch?v=p-ngh-9eeMo>. We would include a picture of it in our paper, but Chanel, a privately owned company, flatly does not allow any use of photographs of its products except by themselves. The bottle we have in mind may be seen at: *Product Description for Chanel No. 5*, CHANEL.COM, http://www.chanel.com/en_US/fragrance-beauty/Fragrance-N%C2%B05-N%C2%B05-88173 (last visited Sept. 11, 2013).

brotherhoods were required to perform acts of charity with an anonymity that was assured by wearing hooded gowns of a particular color that covered their bodies and faces.² The schematic rendering of the Magdalen's cylindrical pot (or "pyx") stitched on their shoulders is an essential detail of their attire: as a graphic sign, it evokes the group's fealty to their patron saint, and also, as in this case, may speak to the nature of the work the group performs.³ Although these insignia look like trademarks in the present day, in the Renaissance these marks meant more than the identification of a single group or organization, as we shall see below.

This paper describes the use of graphic signs in the Renaissance, reflecting on how an insignia may be understood to represent a constellation of acts, goods, exchanges, and reputation more closely approaching a brand rather than a trademark. We focus on how confraternities laid claim to a product as ineffable as perfume: in this case, the local, and especially celestial, credit for the good works they performed publicly, but anonymously, on behalf of their own souls and for the good of their communities. While marks such as the one representing the Magdalen's ointment jar may seem spare and schematic, they carried a deep emotional charge through a variety of cultural associations with a particular kind of pious act. This reassured the community of the effectiveness of the powerful work performed under that sign, while also conveying essential information about the services the confraternities offered.

I. INSIGNIA, TRADEMARKS, AND GRAPHIC SIGNS

The graphic pyx on the confraternal robes in Aretino's painting was part of the realm of signs that dominated the visual landscape of late medieval and renaissance Europe. The modern English word "insignia," comes to us from the medieval Latin *insignum/insignia*,

² Ellen Schiferl, *Corporate Identity and Equality: Confraternity Members in Italian Paintings, c. 1340-1510*, SOURCE, Winter 1989, at 12, 13; see Roisin Cossar, *The Quality of Mercy: Confraternities and Public Power in Medieval Bergamo*, 27 J. MEDIEVAL HIST. 139, 140, 145-46, 151 (2001); Barbara Wisch & Diane Cole Ahl, *Introduction*, in CONFRATERNITIES AND THE VISUAL ARTS IN RENAISSANCE ITALY 1, 2 (Barbara Wisch & Diane Cole Ahl eds., 2000). For a fourteenth century description of origins of the robes and their function to unify and hide the faces of the confraternity members, see RONALD F.E. WEISSMAN, RITUAL BROTHERHOOD IN RENAISSANCE FLORENCE 51, 82-83 (1982), and JOHN HENDERSON, PIETY AND CHARITY IN LATE MEDIEVAL FLORENCE 153-154 (1994).

³ For the mandate to wear insignia on the shoulder of a confraternity gown, see the example cited in KONRAD EISENBICHLER, THE BOYS OF THE ARCHANGEL RAPHAEL: A YOUTH CONFRATERNITY IN FLORENCE, 1411-1785, at 167 (1998).

which was a version of the classical *signum/signia*; then, as now, it referred primarily — but not only, as we will see — to marks of corporate or individual identity. Jurists wrote treatises about them in an attempt to regulate their proper usage, building on Bartolo da Sassoferrato's authoritative *De insigniis et armis* of the late 1350s that circulated in multiple manuscript copies until it was printed, in numerous editions, from 1472 into the sixteenth century.⁴ For Bartolo, insignia were arbitrary signs designed to distinguish between persons, whatever their status in society. Such marks could be used by persons in civic or ecclesiastical offices, by aristocratic or plebeian families, by artisans or merchants. In this way, coats of arms were freely assumed by any individual who desired to use one. They were also adopted by cities, merchants, public officials, and even peasants. By the fifteenth century, however, such signs became reserved to the nobility, and ostentatiously proclaimed the antiquity of families and military honor, thereby conferring social status. Coats of arms eventually became freighted with a complex visual vocabulary of heraldry adapted to the need of imparting genealogical information. However, their counterpart for non-nobles was the insignia that could stand either for a whole workshop, or an individual producer's professional mark; marks that looked much like these were also used for confraternities.⁵ The proliferation of armorial bearings and confraternal or professional emblems made graphic signs ubiquitous — decorating clothing, domestic or ecclesiastical furnishings, architecture, and all sorts of wares.⁶

The graphic rendition of the Magdalen's pot stitched onto the robes of the confraternity shown in Figure 1 closely resembles the abstract shape of notarial and merchants' marks.⁷ It thereby rendered the saint's traditional attribute in the manner of symbols of authentication that were used by merchants to protect consumers from deception by signaling the origin and the quality of their products, and by notaries to endow their handwritten documents with legal authority, like a seal

⁴ OSVALDO CAVALLAR ET AL., *A GRAMMAR OF SIGNS: BARTOLO DA SASSOFERRATO'S TRACT ON INSIGNIA AND COATS OF ARMS (STUDIES IN COMPARATIVE LEGAL HISTORY)* 1-3 (1994).

⁵ See *id.* at 67-68. For insignia of confraternities, see Schiferl, *supra* note 2, at 13, 15-17.

⁶ For professional trademarks, see Pascale Rihouet, *The Unifying Power of Moving Pictures in Late Medieval and Renaissance Umbria* 82-89 (May 2008) [hereinafter *Unifying Power*] (unpublished Ph.D. dissertation, Brown University).

⁷ ANTONINO SANTANGELO, *TESSUTI D'ARTE ITALIANI DAL XII. AL XVIII. SECOLO* 53 (1959).

or stamp (Figure 2).⁸ The strict regulation of each trade, and the discussions among jurists about prohibiting imitation, falsification, or illicit appropriation, testify to the seriousness with which these signs were treated.⁹

Trademarks also had an economic and legal value as they could be passed down from father to son, or be purposefully disposed of. A graphic sign such as the perfume pot, signaling confraternal identity, thus connoted tradition, respectability, and authority. Confraternal charitable acts and public rituals established and reconfirmed this impression continually in the public eye. Such an aura was reinforced when artisans and merchants used their professional devices to mark flags, houses, gravestones, or the works of art that they commissioned, as in the case of one merchant who included both his armorial bearing and the graphic sign of his warehouse in a painting he commissioned of the Virgin Mary.¹⁰ Similarly, a confraternity's sign not only appeared on the clothing of individual members, but was dispersed throughout the city, on a variety of surfaces and in many locations. In this way the confraternal emblem became a marker of civic unity through the actions of the identified group. This diffusion of the confraternity's brand through the repetition of their sign everywhere in local civic consciousness is the subject of this paper.

II. SAINTS AND SYMBOLS IN THE COMMUNITY

In the painting of the Magdalen and her faithful confraternity members, we see the image of the perfume pot repeated three times: once as the historical central golden object, and twice as a simple graphic sign. On one level, it signified perfume. A luxury product, perfume was a costly man-made preservative as well as a cosmetic. But it could also be a natural by-product, signifying internal purity. The odor of sanctity that was noted as clinging to the bodies of saints, even long after their deaths (or in their lifetimes, as in the case of Padre

⁸ See ROBERTO ABBONDANZA, *IL NOTARIATO A PERUGIA 15-16, 30-32, 44-55, 324-28*, figs.5, 8, 9 (1973) (It.) (providing examples of notarial signs). See generally Pascale Rihouet, *Societas Anuntiate Fecit Feri hoc Opus: The Gonfalone dell'Annunziata (1466) in Perugia and its Patrons*, 103 *BOLLETTINO DELLA DEPUTAZIONE DI STORIA PATRIA PER L'UMBRIA* 303 (2006) (It.) (discussing the status of notaries and lawyers in Renaissance Italy).

⁹ CAVALLAR ET AL., *supra* note 4, at 67-74.

¹⁰ See *The Virgin and Child with Angels*, V & A MUSEUM COLLECTIONS DATABASE, <http://collections.vam.ac.uk/item/O118803/the-virgin-and-child-with-tempera-painting-pellegrino-di-giovanni/> (last visited Sept. 12, 2013).

Pio),¹¹ and that was variously described as a delicious scent of lilies, roses, or violets, was attributed to their spiritual perfection.¹² Few could aspire to this state, and those who did were rewarded with sainthood posthumously. But in life, the goal was to try to achieve inner cleanliness, for the person and for the sake of the community, insofar as possible. For the community, the point was to protect against the vindictive acts of an irascible God who might send plagues and other natural disasters if measures were not taken towards proper spiritual conduct. Groups competed both for the honor of performing such purification, and for the financial means to do it, so there was a fine line between personal anonymity and corporate presence.

On another level, the subject of the painting in Figure 1 is not, in fact, Mary Magdalen, any more than Audrey Tautou is the subject of the Chanel ads in which she stars. Although the Magdalen is the largest figure in the composition and the center of attention by men and angels, this was understood by everyone who saw it at the time as a painting of and for a flagellant confraternity devoted to that saint (the *Compagnia di Santa Maria Maddalena*, or “Brotherhood of Saint Mary Magdalen”) in the Tuscan town of Borgo San Sepolcro, painted in about 1400.¹³ Then as now, confraternities were voluntary groups of laymen who came together to provide an outlet for the important performance of good works on behalf of the community, apart from the organized church. Their members took no religious vows. Instead, organizations like these offered a way for everyone to participate in the work of communal purification.¹⁴ Historian Nicholas Terpstra defines

¹¹ ENRICO MALATESTA, *LA VERA STORIA DI PADRE PIO* 508-09 (1999) (describing the perfumed scent emanating from Padre Pio).

¹² FRANK GRAZIANO, *WOUNDS OF LOVE: THE MYSTICAL MARRIAGE OF SAINT ROSE OF LIMA* 80-84 (2004); ANDRÉ VAUCHEZ, *SAINTHOOD IN THE LATER MIDDLE AGES* 427-28, 513, 529 (Jean Birrell trans., 1997).

¹³ The banner is dated variously between 1375–1410. ANDREAS DEHMER, *ITALIENISCHE BRUDERSCHAFTSBANNER DES MITTELALTERS UND DER RENAISSANCE* 112, 180, 202-03 n.304, 225, 240, 324, cat. no. 62 (2004) (It.); FEDERICO ZERI & ELIZABETH E. GARDNER, *ITALIAN PAINTINGS: A CATALOGUE OF THE COLLECTION OF THE METROPOLITAN MUSEUM OF ART, FLORENTINE SCHOOL* 43-46 (1971); Alan Burroughs, *The Flagellation by Spinello Aretino Revealed by the X-Ray*, 23 *METROPOLITAN MUSEUM OF ART BULL.* 274, 278 (1928). The banner was originally framed by a painted architectural border containing medallion shapes with pictures of saints. See ELIZABETH E. GARDNER, *DIPINTI RINASCIMENTALI DEL METROPOLITAN MUSEUM NELLE CARTE DI G. B. CAVALCASELLE* 72 (1972) (It.). For the confraternity, see generally JAMES R. BANKER, *THE CULTURE OF SAN SEPOLCRO DURING THE YOUTH OF PIERO DELLA FRANCESCA* 41 (2006) [hereinafter *CULTURE*]; JAMES R. BANKER, *DEATH IN THE COMMUNITY, MEMORIALIZATION AND CONFRATERNITIES IN AN ITALIAN COMMUNE IN THE LATE MIDDLE AGES* 30, 151, 263 (1988) [hereinafter *DEATH IN THE COMMUNITY*].

¹⁴ For a concise definition of the legal structures, functions, and organizations of

them as “organic societies made up of the people of a particular place, such as a city or parish, gathering at regular intervals for spiritual worship, and governed by their own officials under their own statutes.”¹⁵ Belonging to a confraternity was a mark of social status, and individual confraternity members often expanded their social networks through membership in prestigious confraternal organizations.¹⁶ Some of them eventually became powerful political actors through holding civic office.¹⁷ Confraternities also tended to replicate the hierarchies of civic government in their own administrative structures.¹⁸

III. COMMUNITY IDENTITY THROUGH CHARITY AND SPECTACLE

Like uniformed soldiers at attention, the confraternity members in Figure 1 kneel at the feet of their oversized patron with flails in hand, ready to spring into civic action. The tiny figures at the bottom of the painting seem ostentatiously humble, but their placement in the foreground and close to the Magdalen's side also indicate their importance as upstanding people with the means to commission a fine painting from a good master. Traditionally, the inclusion in expensive altarpieces and other religious pictures of figures in modern uniform, or with recognizable portrait faces, points to the presence of donors

confraternities of this era, see Andrew Martini, *Origine e sviluppo delle confraternite* 52 LA RICERCA FOLKLORICA 5 (2005) (It.), and CHRISTOPHER F. BLACK, EARLY MODERN CONFRATERNITIES IN EUROPE AND THE AMERICAS: INTERNATIONAL AND INTERDISCIPLINARY PERSPECTIVES 6-23 (Pamela Gravestock ed., 2006). There are many more detailed discussions of the phenomenon. See generally CHRISTOPHER F. BLACK, ITALIAN CONFRATERNITIES IN THE SIXTEENTH CENTURY (1989) [hereinafter ITALIAN CONFRATERNITIES] (providing an authoritative and detailed discussion of this phenomenon in the 16th century); HENDERSON, *supra* note 2 (examining the same phenomenon during an earlier period). For the structures of office within Florentine confraternities, see WEISSMAN, *supra* note 2, at 58-80.

¹⁵ Nicholas Terpstra, *Confraternities and Mendicant Orders: The Dynamics of Lay and Clerical Brotherhoods in Renaissance Bologna*, 82 CATHOLIC HIST. REV. 1, 5 (1996). See generally GILLES GÉRARD MEERSSEMAN, ORDO FRATERNITATIS: CONFRATERNITE E PIETÀ DEI LAICI NEL MEDIOEVO (1977) (It.) (representing the standard complete study of Italian confraternities).

¹⁶ See BANKER, CULTURE, *supra* note 13, at 43; WEISSMAN, *supra* note 2, at 24, 80, 118-20; James R. Banker, *Lay Male Identity in a Tuscan Town*, in SOCIETY AND INDIVIDUAL IN RENAISSANCE FLORENCE 315, 326-27 (William J. Connell ed., 2002); Cossar, *supra* note 2, at 148 (providing an example of the increasing convergence over the fourteenth century of a Bergamesque confraternity's membership and civic government).

¹⁷ See BANKER, CULTURE, *supra* note 13, at 42-43.

¹⁸ See Cossar, *supra* note 2, at 140.

and commissioners: those who paid for the painting and who were also in a financial position to donate money to the confraternity through testamentary bequests or other means.¹⁹ The choice of an eminent painter like Aretino, the work's brilliant colors, and especially the gilded areas also advertised the confraternity's wealth and funding potential.

In paintings made for public view, like Aretino's, the faces of individual donors were often concealed, but the confraternity's identifying sign was embroidered onto their robes, usually over the right breast or on the sleeve — although in paintings artists included them wherever the viewer could best see them. Any contemporary viewer would have noticed the combination of insignia and hooded robe as signifying a confraternity, but for local viewers, who were in the know, it would have proclaimed a specific and familiar group.²⁰ Such signs have other associations as well. They often evoked the allegiance or charitable specialty of the group — in this case, sheltering indigent women and helping to reform penitent prostitutes. The confraternity members who designed the insignia and commissioned the painting relied on the viewers' propensity to look out for it, and their ability to understand the associations of the saint's perfumed oil with prostitution as well as with the Holy Sepulchre.

The Holy Sepulchre (in medieval Tuscan, *San Sepolcro*), was the tomb of Christ in Jerusalem, and was also the name of the Tuscan town in which this confraternity was situated. Legend has it that the town was founded by tenth-century pilgrims from the Holy Land who arrived in Tuscany bringing relics from Christ's tomb, from which the town took its name. The Holy Sepulchre itself was evocative of the legend of the Magdalen. In the Gospels, Mary Magdalen, who was herself a penitent prostitute, approached Jesus at a dinner in Bethany with "a pound of very costly ointment, pure nard, and with it anointed the feet of Jesus, wiping them with her hair."²¹ Judas Iscariot complained about her use of a luxury product to salve the feet of an ostensible ascetic, and demanded of Jesus why the expensive perfume was not sold, instead, and the money given to the poor. The famous answer was: "Leave her alone, she had to keep this scent for the day of my burial. You have the poor with you always, you will not always have me."²² In this way the ointment pot was an evocative threefold

¹⁹ BANKER, *DEATH IN THE COMMUNITY*, *supra* note 13, at 172-73 (noting testamentary bequests by confraternity members of Santa Maria Maddalena).

²⁰ Rihouet, *Unifying Power*, *supra* note 6, at 92-94.

²¹ *John* 12:3 (New Jerusalem).

²² *John* 12:3-8 (New Jerusalem).

symbol: it brought to mind the confraternity's charitable specialty of rehabilitating fallen women; the story of the Magdalen included a reference to the tomb of Christ and therefore the city's name and most important relic; and since the Magdalen was always associated with penance, she was an appropriate symbol for a flagellant fraternity, whose members performed penitential discipline.²³

The largely undocumented *Compagnia di Santa Maria Maddalena* seems to have dedicated itself to the rehabilitation of prostitutes and sheltering other indigent women since its founding at the beginning of the fourteenth century.²⁴ The earliest surviving statement of the mission of the confraternity to arrange for prostitutes to be married or enter convents is stated in a sixteenth-century document. Historian James Banker carefully notes that it is unclear that this was also its mission in the fourteenth century; however, the dedication to a penitent prostitute would infer that such a charitable specialization was intended from the outset.²⁵ Since after the "Fall of Man" everyone was considered to be a sinner, men like these confraternity members who volunteered to do penance anonymously were discharging a universal debt. The almost invisible cords that they hold between their clasped hands, which end in three glittery metal barbs, were the instruments of this performance. The openings at the back of their robes not only allowed unmediated contact between their flesh and their penitential instruments, but also displayed reassuring proof of this aspect of their work to anyone who saw them. Communal prayer and penance was judged at this time to be more effective than individual prayer, and the identical covering robes and their insignia, like any uniform, also created a sense of well-choreographed communal action.

All robed confraternity members made a striking show when they processed through the streets with their lit tapers, colorful flags and gilded processional crosses, chanting and singing as they went. But the flagellants were a more exclusive group, whose individual members were prominent in the community and who often took part in civic government. Their processions promoted great social cohesion — and

²³ Susan Steer, *Tota Pulchra, et Formosa est Maria et Macula Originalis non est in te: The Congregation of Clergy at Santa Maria Formosa, Venice, and Their Altar of the Immaculate Conception*, 27 No. 53 ARTIBUS ET HISTORIAE 111, 117 (2006) (describing a confraternity's consistency in the use of their emblems in different contexts). For the history of the Magdalen, see KATHERINE LUDWIG JANSEN, *THE MAKING OF THE MAGDALEN: PREACHING AND POPULAR DEVOTION IN THE LATER MIDDLE AGES 179-80*, 226-28 (2001).

²⁴ BANKER, *CULTURE*, *supra* note 13, at 41.

²⁵ See BANKER, *DEATH IN THE COMMUNITY*, *supra* note 13, at 263-64 n.25.

they were spectacles that stood out. In larger processions they were often placed at the lead, and their unique costumes provoked much curiosity.²⁶ While the flagellants were most common in the late Middle Ages, in France they had become, by the middle of the seventeenth century, a “definitive expression of masculine piety.”²⁷ Along with their praying and wounding hands, and in some cases unshod feet, their bare backs were the only part of the individual’s body that was on display in public processions. The rest was identified only by the color of and signs on the concealing robe.

The charitable subspecialty of each confraternity further knit its members to the rest of the community. Confraternities specialized in such canonical good deeds as feeding the poor, keeping hospitals for travelers and the sick, maintaining orphans, ransoming Christian slaves from Muslim captors, providing Christian burial for the indigent or criminals, or singing prayers incessantly in front of paintings of the Virgin.²⁸ The Florentine Confraternity of Mercy (*Confraternita della Misericordia*), was famous for burying the dead — good for the souls of the dead, but also for those of the living, who accrued credit toward their own salvation and that of their community in the performance of such good deeds.²⁹ In Figure 3, we see that confraternity at work in their identical black robes embroidered with their red insignia. It paid for a grave, and hired the priests on the right to hear the man’s last confession and to say mass after his death. All of

²⁶ There is a wealth of literature about the flagellant confraternities. See, e.g., BLACK, ITALIAN CONFRATERNITIES, *supra* note 14, at 100-07 (discussing the use of flagellants in public processions and other events); John Henderson, *The Flagellant Movement and Flagellant Confraternities in Central Italy, 1260–1400*, in RELIGIOUS MOTIVATION: BIOGRAPHICAL AND SOCIOLOGICAL PROBLEMS FOR THE CHURCH HISTORIAN (Derek Baker ed., 1978) (discussing widespread growth of flagellation in confraternities in central Italy); Catherine Vincent, *Discipline du corps et de l’esprit chez les Flagellants au Moyen Âge*, 302 No. 3 REVUE HISTORIQUE 593 (2000) (Fr.) (discussing the status of flagellants in society); see also Andrew E. Barnes, *The Wars of Religion and the Origins of Reformed Confraternities of Penitents: A Theoretical Approach*, 64 ARCHIVES DE SCIENCES SOCIALES DES RELIGIONS 117, 117-36 (1987); Terpstra, *supra* note 15, at 16.

²⁷ Barnes, *supra* note 26, at 118.

²⁸ See BANKER, DEATH IN THE COMMUNITY, *supra* note 13, at 111-15, 145-73; NICHOLAS TERPSTRA, LAY CONFRATERNITIES AND CIVIC RELIGION IN RENAISSANCE BOLOGNA 14-38 (1995). See generally *Matthew 25:34-40* (New Jerusalem) (assigning “The Corporal Works of Mercy,” including to feed the hungry, give drink to the thirsty, clothe the naked, etc.).

²⁹ BLACK, ITALIAN CONFRATERNITIES, *supra* note 14, at 15 (describing charitable works undertaken towards “the salvation of the giver, and possibly that of the recipient”); WILLIAM R. LEVIN, THE ALLEGORY OF MERCY AT THE MISERICORDIA IN FLORENCE 74 (2004); Barnes, *supra* note 26, at 117.

this cost money, as did the altarpiece the members commissioned for their private chapel from the artist Santi di Tito, of which this picture is one panel.

The insignia stitched onto the *sacchi* are the briefest, most hieroglyphic indication of the confraternal organization. They were elaborated on in other related visual cues displayed by confraternity members and, as we will see, inscribed into the urban fabric. Figure 4 shows a line of flagellants (in Italian *battuti* or *disciplinati*) painted at the bottom of the vellum cover page of their book of statutes, on which all the confraternity members are listed by name. There is little detail in the image, which shows the individuals out in public as a group of shapeless forms directing their attention toward twisting to elicit blood from their backs with flails made of metal chains. Two members at the center shuffle forward on their knees supporting the confraternity's standard, a brilliantly colored painting of the Flagellation of Christ. Christ undertook this act of suffering for the salvation of man — the flagellants are imitating this now for the salvation of the well-dressed burghers on the sidelines who, according to the instructions in the manual, are to recite the Pater Noster or Ave Maria in the presence of the line of flagellants in order to participate in the penance.³⁰ By helping through their own prayers to direct all this good work to heaven, these men and women, too, participate in the general doing of good. In other words, the well-off kneeling burghers in the miniature invoked a threefold possible identity. They might not only represent the most prominent confraternity officials, but they could also be seen as stand-ins for the townsmen who benefited from the confraternity's penitential acts. They also offer an image of a prosperous confraternal membership who, when not dressed for group activities, might have looked like this.

IV. GRAPHIC SIGNS WITH AND WITHOUT THE SIGNIFIED

The painting commissioned by the Confraternity of the Magdalene is also, in fact, just such a double-sided processional banner as the one in the miniature, with a painting of Christ at the column on the other

³⁰ Bartolomeo Veratti, *Monumenti Antichi di Dialetti Volgari: Capitoli de' Battuti di Modena*, in 4 OPUSCOLI RELIGIOSI LETTERARI E MORALI 366, 379 (1858) (It.) (transcribing the statutes of the confraternity, which state: "E quili che no se vorano disciplinare si dibiano stare apresso de quili. e dire *Paltri nostril et Ave Marie* in remissione di soi peccati," which means: "And those who do not want to do discipline should stand by saying Pater Nostri and Ave Marie in remission of their sins" (author's translation)).

side, and it was carried in similar processions (Figure 5).³¹ In the Renaissance painted banners like these were common — most confraternities commissioned at least one, and the more wealthy ones commissioned several, paying to have them repainted whenever they showed signs of wear.³² With paintings on both sides, it presents an image to bystanders and to each other as the confraternity processed through the city on important holy days. One can imagine it approaching, and then moving past viewers, accompanied by the rhythmic sounds of the flails and the prayers of both actors and viewers.³³ Singing and praying from their windows and doorsteps, viewers participated in the general purification, feeling themselves protected in the public demonstration of piety attested to by the sight of the blood that coursed down the flagellants' backs and, according to one particularly satisfied sixteenth-century account, made the streets of Rome run red.³⁴ The sign of the ointment pot, in tandem with the men processing the standard and flailing themselves, in this way becomes an animated logo for the confraternity on feast days and other special occasions.

In public, then, the group's only identifying signs were versions of their special symbol, animated into an iconic figural image on their processional banners. But through their unifying signs, credit also accrued to the individual who indulged in private penance and prayer in a communal setting.³⁵ In the privacy of their own oratories, the men were free to go without their hoods when they prayed together in the company of their patron saint. Banners often portray them with their

³¹ See Sue Ann Chui, *Lorenzo d'Alessandro da Sanseverino's "Crucifixion: St. Michael": Art Historical Context and Technical Analysis of an Italian Fifteenth-Century Double-Sided Processional Standard*, 63 *J. WALTERS ART MUSEUM* 41, 41-43 (2005) (discussing other double-sided standards as confraternal signs).

³² Rihouet, *Unifying Power*, *supra* note 6, at 18-19, 94-96, 117.

³³ See generally Victor Michael Schmidt, *Gli stendardi processionali su tavola nelle Marche del Quattrocento*, in *I DA VARANO E LE ARTI* 551 (Andrea G. de Marchi & Pier Luigi Falaschi eds., 2003) (providing a thorough discussion and background of the use of banners as constituting confraternal and communal identity).

³⁴ BARBARA WISCH & NERIDA NEWBIGIN, *ACTING ON FAITH: THE CONFRATERNITY OF THE GONFALONE IN RENAISSANCE ROME* 397 (2013); Barbara W. Wisch, *Spettacolo Appassionante e Dramma Sacro: Celebrazioni della Settimana Santa della Confraternita Romana del Gonfalone*, in *CONFRATERNITE, CHIESE E SOCIETÀ: ASPETTI E PROBLEMI DELL'ASSOCIAZIONISMO LAICALE EUROPEO IN ETÀ MODERNA E CONTEMPORANEA* 807, 816 (L. Bertoldi Lenoci ed., 1994); Barbara W. Wisch, *The Archiconfraternita del Gonfalone and Its Oratory in Rome: Art and Counter-Reformation Spiritual Values* 23-24 (1985) (unpublished Ph.D. dissertation, University of California, Berkeley) (on file with University of California, Berkeley).

³⁵ See Terpstra, *supra* note 15, at 5.

faces bared in this way, although typically showing them outdoors or in a generic location, even though, in actuality, they would never appear in public without their hoods.

In Perugino's painting of 1498 (Figure 6), that was used both as a small altarpiece and as a processional object, the Virgin Mary has materialized in the center of the composition with her Child, as if from a vision, a magnificent image of the confraternal patrons' object of dedication. Mary also appears with baby Jesus in their insignia, a colorful oval badge prominently displayed on their white gowns. Their badges act as a visual *mise-en-abîme* of their spiritual preoccupation, suggesting the Virgin's infinite approval of her devotees' actions, as well as their undying devotion. The painting commissioned by the confraternity members focuses public and private veneration of their patron saint, and they in turn wear her image, operating under her aegis. The exchange of the sign, materialized as a devotional image in the center and given to the confraternity members as a graphic symbol, promises Marian intercession and protection to these individual men and through their acts, to their larger community.

Another processional banner, made in 1500 for the flagellant Confraternity of Saint Augustine in Perugia by the highly reputed master Pintoricchio, shows three unhooded flagellant members modeling proper forms of devotion (Figure 7). The immaculately robed men, humbled in size as well as in posture, kneel at the feet of the much larger figurehead of their confraternity, Saint Augustine, identified as a bishop by his attributes: the crozier he holds, the cope he wears, and the miter on his head. The book propped open for us acts as a legible signboard, addressing the viewer in the most familiar and patriarchal terms: "*Figlioli state intende amare iddio / che avete inante lo exenplo mio*" ("My sons, concentrate on loving God / that you have before you in my example"). The uncovered faces of the brethren suggest that we are seeing them in a moment of private prayer inside their confraternal premises. The portrait faces also endow the painting with a temporal specificity. One brother, turned toward the viewer, displays on his robe the embroidered emblem of the confraternity, a crozier flanked by two flagella made of branches. This insignia was also embroidered on the vestments of a priest hired by the confraternity to perform mass in their oratory.³⁶ Next to the kneeling figure, by the saint's left foot, this sign is also displayed on an oval shield. The insignia of the flails refers to the confraternity's physical

³⁶ See Rihouet, *Unifying Power*, *supra* note 6, at 94. See generally Terpstra, *supra* note 15, at 6 (discussing the relationship between mendicant orders and confraternities).

pious exercises while the crozier refers to their particular devotion: their affiliation with the Augustinian order. A noteworthy feature of this emblem is the equal size of the scourges and what would in reality have been the much larger crozier. Such an adjustment claims a kind of parity between the instrument of the holy shepherd and that of the *disciplinati* in tending to the good of the people.

A more familiar confraternity today, the modern Ku Klux Klan, also modified the look of their insignia in the 1920s, sewing the sign of the cross onto their robes at an angle to make it resemble a swastika, signing on to another ominous aura for their deeds (Figure 8). In this way, insignia can also visually document ties between two organizations. Mirroring that of the Perugian flagellants, the oval shield at Augustine's right foot (Figure 7) bears the arms of the Roman Confraternity of the Gonfalone, the most famous charitable society in the papal city.³⁷ The banner itself went on to establish and perpetuate binding connections between the confraternities. Thus, on the occasion of their pilgrimage to Rome on jubilee years, the Perugian Confraternity of Saint Augustine left its banner to the company of the Gonfalone, in thanks for hosting them.³⁸ Since the exact nature of the Perugian organization's ties with their Roman counterpart is unexplored, the double insignia on their 1500 banner remains the most concrete testimony of the relationship between those sodalities.

As important as the insignia on the robes were when confraternity members met as a group, they wore regular clothing befitting their class and occupations the rest of the time. Although there were some confraternities that welcomed poorer members, most of the prestigious and successful ones drew their members from the upper levels of the professional classes: bankers, merchants, professors, lawyers, goldsmiths, or notaries.³⁹ Towards the end of the fourteenth

³⁷ This emblem consists of a cross with funnel-shaped arms, a red vertical one and a white horizontal one, on a blue ground. The main visual symbol of this confraternity was the Virgin of Mercy, but its coat of arms was included in engravings or in the fresco cycle of the Passion of Christ (1569–1576). The banner dates this affiliation to 1500 at the latest, when Pintoricchio made this painting. See Rihouet, *Unifying Power*, *supra* note 6, at 100-01 & n.294.

³⁸ See Archivio Braccio Fortebraccio (Perugia), Confraternita di Sant'Agostino, Acta 1599-1614 A-IV-no. 415, f. 17v-18r. (detailing the gifting of the Perugian banner during the jubilee of 1600). See generally ANGELO PIENTINI, *LE PIE NARRATIONI DELL'OPERE PIÙ MEMORABILIA FATTE IN ROMA L'ANNO DEL GIUBILEO MDLXXV 371* (1577) (evidencing the start of the practice of giving the processional banner to a Roman church or hosting association may have started in 1575 for all confraternities visiting Rome).

³⁹ For the identities of confraternity members of Borgo San Sepolcro and flagellation in the Compagnia della Misericordia, see BANKER, *DEATH IN THE*

century and increasingly into the sixteenth century, enrollment in the most noteworthy confraternities was reserved for those who could afford their high dues. These would allow the organization to pay for impressive paintings by well-known artists, as well as the processional accoutrements necessary for impressive processions — most notably wax for tapers, painted banners, and architecture and decoration for their meeting houses (churches or oratories). There was also the matter of the payment necessary to perform the charitable acts that took them out among the community, including hiring priests, dowering virgins, buying gravesites, and subsidizing orphans. Membership in an important confraternity that demanded such dues soon became a prestigious feature of early modern identity. While it was necessary to conceal one's identity in order to perform acts of charity with the appropriate selflessness, and on behalf of the community, it was also necessary to credit those acts to the sponsoring confraternity.

Such representations meant that the identity of the flagellant was formed in terms of the larger context, for example, in a famous mid-fifteenth-century altarpiece by Piero della Francesca for the chapel of the Compagnia di Santa Maria della Misericordia, one of the city's wealthiest confraternities, whose members were pillars of the community in Borgo San Sepolcro (Figure 9).⁴⁰ The confraternity engaged in a variety of activities meant to ease the suffering of their neighbors: they cared for the sick and the dying through a hospital that they administered, they maintained at least one orphan at all times, and participated publicly as a costumed group in all the important civic and religious festivals of their town. They practiced collective discipline privately, in their oratory, but not in public. In this painting that they commissioned for the use of the confraternity, and placed on the high altar of their own church, we see a black-hooded confraternity member kneeling among other men and women of the town whose dress locates them at the top of the social hierarchy, thereby expanding on the identity of the robed penitent by telling us about what sort of people other members of the confraternity were.⁴¹

COMMUNITY, *supra* note 13, at 113, 153; Banker, *supra* note 16, at 328-29; Terpstra, *supra* note 15, at 134-71 (discussing the increasing wealth of the memberships of prestigious confraternities).

⁴⁰ BANKER, CULTURE, *supra* note 13, at 43-44.

⁴¹ Steer, *supra* note 23, at 117 (discussing interpretations of the "socially diverse lay group" as portraits of donors or an allegory of universal protection).

In Piero's painting the Virgin honors the confraternity members by wearing a belt made of a leather flagellum, each tendril of which ends in a knot, the whole decoratively tied in a cross-shaped emblem around her holy waist, emphasizing the site of the conception of the savior of the world. Her golden beauty and her size in comparison to those she protects, and the visual reminder of the promise of salvation, tell the viewer that discipline was not the purpose of the confraternity, but, as always, was a means by which each member would achieve the most urgent and personal sense of devotion, from which would proceed the impetus to take part in charitable works for the greater good, and with attention to alleviating the suffering of the poor and sick.⁴² The small painted panels at the bottom of the painting (predella panels), closest to the height of a praying member of the faithful, expand on themes raised by the images above. Below the image of the confraternity member, a rectangular panel identifies his mission with a vivid scene of the flagellation of Christ, as we have seen on the reverse side of processional banners.

While the identifying sign that decorated the robe of each confraternity member linked him to his organization, declaring his identity as a member of a group, figural representations of these groups also seemed to insist on the voluntary nature of the scars they inflicted on their flesh and the insignia they chose to display on their clothing.⁴³ One of the developing roles of the *battuti* was to agitate for the reform of the church, a powerful adversary to take on in its own realm.⁴⁴ By the late fifteenth century, such confraternities were eager to proclaim their independence as charitable organizations and models of piety, whose place among the people of the city was trusted and respected. In this, they were aided by the system of signs that regulated ownership of real estate in Renaissance cities.

From the medieval period on, private palaces traditionally bore the coat of arms of their aristocratic occupants, the size and condition of the house, and its defensive tower proclaiming the state of dynastic health of the occupants. Citizens were adept at interpreting the

⁴² See Vincent, *supra* note 26, at 594.

⁴³ Much has been written on identity and confraternities. See MARVIN B. BECKER, *Aspects of Lay Piety in Early Renaissance Florence*, in FLORENTINE ESSAYS: SELECTED WRITINGS OF MARVIN B. BECKER 285, 288 (James R. Banker & Carol Lansing eds., 2002); DEHMER, *supra* note 13, at 118-22; Wisch & Ahl, *supra* note 2, at 2, 5; see also Banker, *supra* note 16, at 316; Stanley Chojnacki, *Social Identity in Renaissance Venice: The Second Serrata*, 8 RENAISSANCE STUD. 342-43 (1994) (detailing the use of the term "social identity").

⁴⁴ See Vincent, *supra* note 26, at 598.

heraldry of the wealthiest nobility and, later, the banking class.⁴⁵ But confraternities received property by charitable bequest, especially during plague years, and they also acted as bankers and invested in property as a group.⁴⁶ The rents they collected from properties augmented their income from dues and bequests, and landowning also magnified their reputations. Somewhere prominent on confraternity-owned buildings, usually near the door, the insignia that appeared on the sacchi of anonymity was also inscribed into the stucco or stone of the façades, and also on the accoutrements that the organization would use in its charitable work.⁴⁷ In this way people became used to seeing the same signs as images of power and respectability that they also saw as expressions of “masculine piety” for citizens of even middling economic status. James Banker found that in Sansepolcro a large proportion of adult male heads of household belonged to a flagellant confraternity in the fourteenth and fifteenth centuries, and that this had become a “necessary component of social and religious life.”⁴⁸

With this we return to the seemingly feminine symbol of the Magdalen’s pot of perfumed oil. To us, it looks like a tattoo, and it was indeed very much like one. It spoke of initiation rites and secret meetings, loyalty to the group, and time-consuming commitment above everything else. At their worst, these groups could function like gangs with their intransigent rules and punishments for transgressors. The sign of the perfume pot spoke of sin and of penance, the exclusive heterosexual (if chaste) affection between Christ and the Magdalen, and of the special regard in which the city held its *disciplinati*. It referenced the important act of protecting the morals of the city, as well as binding an appropriate penitent saint particularly loved by Christ to the city itself, embedding the confraternity in age-old rituals that also indebted the community to the group. The symbol was never a part of the quotidian dress of the members, but when the confraternity turned out in public, their sign visible among others through its explication on their majestic banner and symbolic compression on the sleeves of their robes, it set them apart as a single, powerful, unified group. And even when they were not processing through the city, the density of their signs, dispersed throughout the

⁴⁵ See Rihouet, *Unifying Power*, *supra* note 6, at 45-46, 81-82, 135-36, 144-45, 150.

⁴⁶ BANKER, *DEATH IN THE COMMUNITY*, *supra* note 13, at 83-94.

⁴⁷ Notable examples of the phenomenon would be confraternal oratories, such as that of San Giovanni Decollato in Rome. Photographs of many facades with such signs can be found in *SCUOLE DI ARTI, DEVOZIONE E MESTIERI A VENEZIA* (Silvia Gramina et al. eds., 1981).

⁴⁸ BANKER, *DEATH IN THE COMMUNITY*, *supra* note 13, at 173.

urban fabric to become activated on feast days, kept their wealth in the public consciousness as proof of the success of their salvific acts.

The aura of the confraternity's brand, one could say, exceeded the ointment pot as a spare graphic insignia, or trademark, in several ways: First, through its resemblance to authoritative, truth-claiming notarial or professional signs, the mark made the confraternity members the sanctioned executors of the Magdalen's penance. Second, the insignia was particular and odd, and while including a cross did not need to include generic flagella like the insignia of the Augustinian confraternity, penance was already included in the very notion of the Magdalen. As such, the mark did a good job of differentiating this confraternity from others in Perugia and elsewhere, while associating it directly with both sin and penance. Third, through the association of Christ's claim that the poor are always with us, and with his statement about the perfume being reserved for his imminent death, the insignia reminded viewers of the confraternity's mission to fulfill the general Christian mandate to take care of the poor, which they did through sheltering indigent women. Fourth, Christ's dismissal of Judas' assertion that the luxurious oil was being squandered — a statement that he was worth the indulgence, was probably folded into explanations about why a confraternity could exhibit so much wealth in the city as avatars of work on behalf of the poor. As wealthy bankers and merchants, they were also able to continue to enjoy the benefits of being the "One Percent."

The mini-film starring Audrey Tautou on the night train to Istanbul, and the actor Brad Pitt, who is currently the newer face of Chanel N° 5, cash in on the seductive fantasies that have accumulated around that iconic brand, played out by actors who are themselves associated with narratives and fantasies that can be assumed to be part of a collective imagination. Just so, the emblematic ointment pot engraved onto the doorways of city properties, or worn on robes, would always be inflected, as a mental construct, with the somatic memories of the confraternity out in force on the most emotionally charged holy days, bearing their evocative insignia.

Figure 1. Spinello Aretino (c. 1332-1410), *Saint Mary Magdalen and members of the Compagnia della Maddalena of Borgo San Sepolcro*. Processional Banner, tempera on canvas, gold ground, ca. 1395-1400 (recto). © The Metropolitan Museum of Art. Gift of the family of Francis M. Bacon, 1914. Image source: Art Resource, NY. (176.5 x 120 cm).



Figure 6. Pietro Perugino (1448-1523). *Madonna of the Consolation*, 1496/1498, Galleria Nazionale dell'Umbria, Perugia, Italy. © Scala/Ministero per I Beni e le Attività culturali/Art Resource, NY.



Figure 7. Pintoricchio (Bernardino di Betto, 1454-1513), Banner of Saint Augustine, 1500, Galleria Nazionale dell'Umbria, Perugia, Italy.
© Ministero per I Beni e le Attività culturali.



Figure 2. Notarial mark of Victor de Righis, Archivio di Stato di Roma, Not. RCA.1233.

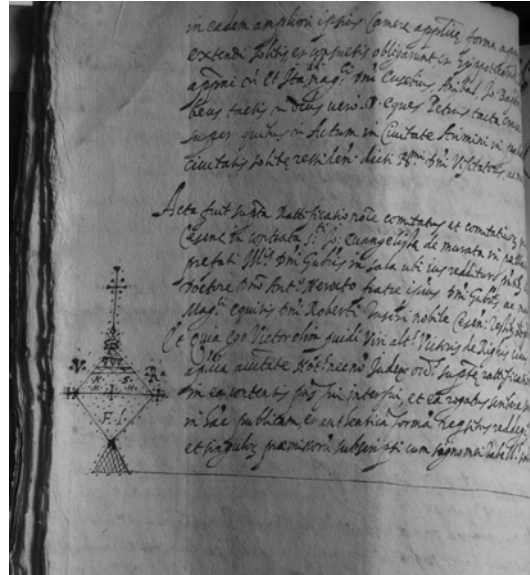


Figure 3. Santi di Tito (1536-1603). Works of Mercy: Burying the Dead (Compagnia della Misericordia, Florence), © Scala/Art Resource, NY.



Figure 5. Spinello Aretino (c. 1332-1410), *The Flagellation of Christ*, verso of Figure 1. Processional Banner, tempera on canvas, gold ground, ca. 1395-1400 (recto). © The Metropolitan Museum of Art, Gift of the family of Francis M. Bacon, 1914. Art Resource, NY. (176.5 x 120 cm).

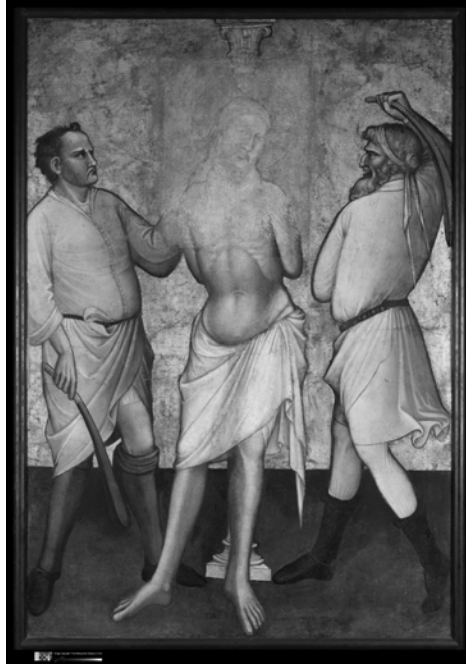


Figure 8. 18 March 1922. Ku Klux Klan parade in Virginia and Washington DC. © Snark/Art Resource, NY.

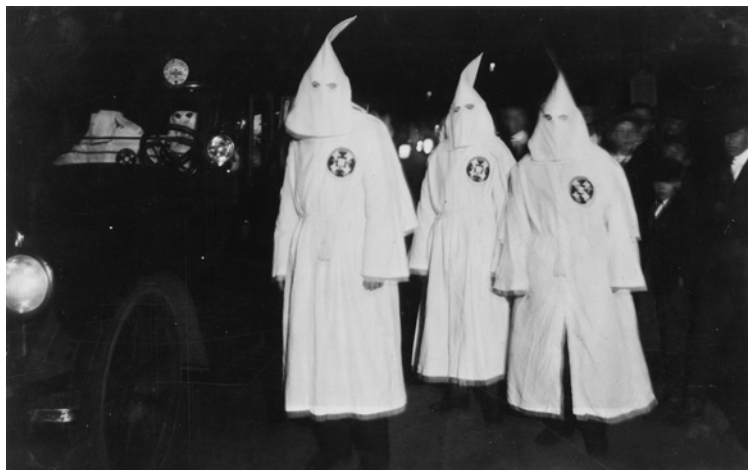


Figure 9. Piero della Francesca (1410/20-1492), *Madonna della Misericordia*, central panel of *Polyptych della Misericordia*, Museo Civico Sansepolcro, © Alfredo Dagli Orti/The Art Archive at Art Resource, NY.

