

F. Mastroberti – S. Vinci – M. Pepe, *Il Liber Belial e il processo romano-canonico in Europa tra XV e XVI secolo, con l'edizione in volgare italiano (Venezia 1544) trascritta e annotata*, Bari: Cacucci, 2012, 387 pp. [ISBN: 9788866111900]

Devil vs Christ

Sometimes major works in the history of law fall into oblivion because they are eclipsed by other major works of the same literary genre that happened to appear in the same age. For a long time, this has been the fate of the *Liber Belial*, alias *Consolatio Peccatorum*, written in 1382 by Giacomo Palladino, alias Jacopo da Teramo (1349-1417). Through the example of a fictitious legal action brought by Belial – Satan's proxy – against Jesus Christ, the aim of this work was to illustrate the basic principles of Roman canon legal procedure in a way that appealed to the cultural reference points within late medieval and early modern Christian societies. However, a similar work with the title *Processus Satanae contra D. Virginem coram iudice Jesu* had been published by Bartolus a Saxoferrato (1313-1357) half a century before. Friedrich Carl von Savigny resumed the common opinion in considering the *Liber Belial* as a weak imitation of the great civilian's witty introduction to the principles of Roman canon procedural law. Therefore, it is to the credit of the authors of the book under review to have brought Palladino's *Liber Belial* back into the spotlight.

The approach presented in this book is mainly of a philological nature, analyzing the different manuscript traditions and editions of the *Liber Belial*. That does not mean that it is irrelevant to legal historians. On the contrary, the comparison of different editions of the work in different times and areas across Europe is meant to increase our understanding of the chronological and regional developments in Roman canon legal procedure. In addition, the references to the *ius commune* tradition in the *Liber Belial* have been carefully analyzed, also in comparative perspective by looking at the Lateran manuscript (=BMs), the German *editio princeps* of 1464 (=BD), the French edition of 1482 (=BF), the Italian *editio princeps* of 1506 (=BLat) and the so-called *vulgar Belial* of 1544 (=BV). The results of this comparative philological work are included in a table at the end of the book after an extended appendix that includes the edited version of the 1544 vulgar, Italian edition of the *Liber Belial*.

The authors conclude that most omissions of references to learned legal literature appear in the German version of 1464 in comparison with the *vulgar Belial* of 1544. Particularly, this is to do with the limited attention which the German version pays to general concepts of delict, crime, sin and penance from the *Decretum Gratiani*. Also, the treatment of the different stages of the Roman canon legal procedure is less extended in BD. This is an interesting insight, but the reader keeps on wondering why that could have been the case. It would have been helpful if at least some suggestions had been made by the authors, certainly considering their extraordinary expertise on the *Liber Belial* and its reception. Sometimes the reader even wonders why no reference is being made to relevant secondary literature, e.g. Eltjo Schrage's contribution on the *Liber Belial* in J.W. Cairns et al. (eds.), *Critical Studies in Ancient Law, Comparative Law and Legal History*, Oxford: Hart, 2001), 353-364.

Yet, all in all, this reviewer would be happy to see the publication in English of the first three chapters of the book (p. 17-133) – they would prove to be very useful as essential reading material in a course on the history of procedural law in a European perspective.

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