

Dante on Trial

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Reviewed:

Dante and the Limits of the Law

by Justin Steinberg
University of Chicago Press, 231 pp., \$40.00

Reading Dante: From Here to Eternity

by Prue Shaw
Liveright, 318 pp., \$28.95



Dante recognizing his former teacher Brunetto Latini among the damned; engraving by Gustave Doré for Canto 15 of Dante's *Inferno*

When the Black Guelfs seized power in Florence in November 1301 through a coup d'état backed by Pope Boniface VIII, their first order of business was to liquidate their political enemies among the White Guelfs.¹ Dante Alighieri, who was away on a diplomatic mission at the time, was one of them. On January 27, 1302, he was found guilty of corruption, extortion, and misuse of public funds during his two-month term as city prior (the highest office in Florentine government) in 1300. After failing to challenge the court order against him, Dante was condemned in absentia to permanent exile.

The transcripts of his sentence state that Dante had been prosecuted *per inquisitionem*, or according to inquisitorial procedures, after “public reports” about his crimes had “reached the ears and notice of the court.” The proceedings were politically motivated, without doubt,

yet the court that sentenced him had followed legal protocol; and in Dante's time criminal convictions were far more difficult to nullify than political banishments. He never set foot in Florence again.

For Dante the injury of exile went deeper than the hardships of poverty, homelessness, and loss of social status, about which he complained bitterly in his letters and the works he wrote after being exiled.² It also went deeper than the loss of citizenship, which he cherished more than any other earthly blessing (see *Paradiso* 8: 115–117). What hurt Dante the most was the “infamy” of his conviction, based as it was on hearsay evidence that resulted in a permanent defamation of his character. Alluding to the way many Florentines simply assumed he was guilty as charged and unleashed a public outcry against him, Dante would later write about wandering all around Italy “displaying against my will the wound of fortune for which the wounded one is often unjustly accustomed to be held accountable.”

The shame and indignation Dante felt at being chased from his nest by his fellow citizens never diminished with time. At the end of his life the wound remained as raw in his psyche as when disaster first struck in 1301. *The Divine Comedy* was conceived and completed within the dark, lacerated depths of a pain that Dante transmuted into a poetic rage against the machine—the defective machine of earthly justice that had unjustly condemned him and that he believed stood in desperate need of rescue, the way his pilgrim needed rescue in the dark wood of *Inferno* 1. (Dante soon became convinced that only a sovereign emperor who was above partisan politics and did not share temporal power with the church could administer justice properly throughout Europe).

In the best book on Dante to appear in years, Justin Steinberg shows how many of the *Commedia*'s major elements—the punitive system of *Inferno*, the mystery of grace in *Purgatorio*, the central doctrine of free will, and the wayfarer's privileged status in the otherworld, to mention only a few—have direct correlations with medieval law. A good book is one whose lessons seem obvious in retrospect. Only after reading *Dante and the Limits of the Law* does it become clear that, if we don't know much about medieval laws of infamy (“infamy of fact,” “infamy of law,” and “infamy of punishment”), we will not fully understand what Dante means by the “law of counter-suffering” (*la legge del contrapasso*) that governs the forms of punishment in *Inferno*.

Likewise, if we don't know much about the discretionary power of judges in Dante's time (*arbitrium*), we will not fully understand what Virgil means at the top of the mountain of Purgatory when he declares to Dante that his will (*arbitrio*) is now “free, straight, and sound.” If we don't know much about *privilegium*, or legal privilege, as it was practiced in imperial rescripts and papal dispensations, we will not fully understand the rare privilege Dante enjoys as he travels alive and

unharméd through the otherworld. Finally, if we don't not know much about "naked pacts" in the Middle Ages, i.e., pacts between individuals or parties that were not covered by law, we will not fully understand the dynamics of the deals Dante makes with the souls in Hell, getting them to tell him their stories in exchange for promised rewards. With great clarity and succinctness Steinberg provides us with a whole new context for reading the *Commedia*.

Steinberg claims that, to a great extent, the *Commedia*'s "poetics are meant to rectify [Dante's] damaged reputation." One of the ways it does this is by dramatizing how wrong public opinion can be when it comes to a person's moral character. Dante shocked his contemporary readers time and again by placing some of the most respected citizens of Florence in Hell (Farinata degli Uberti, Tegghiaio Aldobrandini, Arrigo di Cascia, Iacopo Rusticucci, Mosca de' Lamberti, to name a few that Dante himself considered among the most "worthy"). By the same token he saves various souls who had been publicly condemned or excommunicated—people who, as Steinberg writes, "would have been considered infamous 'instantaneously,' *ipso jure*, without a trial or sentence."

By revealing this chasm between earthly and divine justice, or between public reputation and posthumous fate, Dante implicitly casts doubt on the accepted legal practice of using public opinion as a basis for legal judgments. As Steinberg reminds us, when Dante's wayfarer expresses amazement that the pagan Ripheus—a minor character in Virgil's *Aeneid*—is in Heaven, the great eagle in *Paradiso* 20 declares: "And you mortals, hold back from judging, for we, who see God, do not yet know all the elect."

Hold back from judging. Fair enough. But where does that leave the *Commedia*? Either we believe that the poem had a superhuman authorship (that Heaven set its hand on it, as Dante claims in *Paradiso* 25), in which case we are free to believe that its vision represents God's true moral order; or else we believe that it had a strictly human authorship—that Dante Alighieri, the historical individual, created its poetry of Hell, Purgatory, and Heaven—in which case we must assume that Dante was the arbiter who saved or damned the souls his wayfarer meets on the journey.

If we believe the latter, then a question arises as to whether Dante was guilty, and egregiously so, of the partial, prejudicial, or precipitous judgments that, according to Steinberg, he censures in his *Commedia*. After all, not all of his damnations flew in the face of public opinion, by any means. Many were based on the prevalent perceptions, reputations, or rumors surrounding the historical characters in question. How much hard forensic evidence did Dante have for his damnations? Precious little. How much did he have, for that matter, in

the case of late repentants like Manfred or Buonconte da Montefeltro who, by his account, repented of their sins silently just instants before they died?

Unless we believe God had a hand in writing the poem, the sentences Dante doled out to his fellow men and women in the *Commedia* presumably had no bearing on their spiritual afterlives, since only God can judge a person's worthiness for salvation. The same cannot be said, however, of those individuals' *secular* afterlives. By that I mean that Dante's poem has undeniably had an impact on the historical reputations—the fame or infamy—of the characters he meets in the otherworld.

Consider a famous scene in *Inferno* 15. The wayfarer and Virgil arrive at the third sub-ring of the circle of violence, where the sodomites are punished by running endlessly around in a large pit as fire rains down on them from above. As Dante walks along the top of the pit's ledge, protected from the fire, a sinner with a baked appearance squints up at him "as people gaze at one another under the new moon." Seizing Dante's hem, the shade stretches his arm out and cries, "What a marvel!" Recognizing with dismay his much-beloved former teacher, Dante reaches his hand down to the sinner's scorched face and, in a line that T.S. Eliot reprises in "Little Gidding," asks in disbelief: "Are you here, Ser Brunetto?"

We can be sure that Dante's contemporary readers were flabbergasted by this allocation. Brunetto Latini was not only a lofty humanist of the thirteenth century, he was also a great civic hero and one of Florence's honored citizens. Scholars have searched long and hard for any evidence that Brunetto—the father of several children—was homosexual. They have come up empty-handed. Some have speculated absurdly that Brunetto had made passes at Dante in real life. This is belied by the wayfarer's shock at finding his teacher in this zone of Hell. Others have speculated, even more absurdly, that Dante put him among the sodomites because he had written his book *Le Livre du Trésor* in French. In sum, we remain in a realm of pure speculation.

Dante's damnation of Brunetto is exacerbated by the fact that three other so-called "noble citizens" of Florence—citizens Dante admired and whom he treats with the same reverence as he treats Brunetto—are also among the sodomites. Steinberg's argument is altogether convincing that Dante's primary aim here is "to demonstrate that the verisimilar picture constructed around an individual is unreliable as forensic proof." The problem is that, without any forensic evidence of his own, Dante besmirches his teacher's reputation for centuries to come. To this day, thanks to Dante, Brunetto Latini is remembered more as a sodomite than as a great humanist. In my view, this violent hijacking of a person's posthumous reputation constitutes a crime, especially in the case of a man like Brunetto who spent most of his life

forging and curating his future fame. Steinberg's excellent book would carry more punch had its author been willing to indict Dante on this score rather than remain neutral about his defamatory poetics.

Dante scholars almost never denounce Dante. His *Commedia* is so remarkable that we tend to bow down before it in reverence and awe. It always seems beyond us. Take the sin of sodomy. How are we to understand it? No one really knows. In *Inferno* sodomy is punished in lower Hell as a form of "violence against nature," but in *Purgatorio* fully half of the penitents on the terrace of lust, which is the least grave of the deadly sins, are sodomites. (As Dante puts it, they "committed the offense for which Caesar, in his triumph, once heard himself reproached as 'Queen'; therefore they depart crying, 'Sodom!'"")

To make matters even more perplexing, in *Inferno* 16 Dante seems to reveal that he himself had homosexual leanings, and that it was only fear of damnation that prevented him from acting on them. "If I had been protected from the fire, I would have thrown myself down there among them," he declares in reference to three "noble Florentines" in the pit, adding, "but because I would have burned and cooked myself, fear vanquished the good will that made me greedy to embrace them."

If sodomy is merely a term for homosexuality, why is it a form of violence in one case and incontinence in another? I believe the answer lies with another defamatory gesture on Dante's part. In *Inferno* 15, Brunetto remarks in passing that Priscian is also in the pit. Priscian? Dante knew virtually nothing about the sexual proclivities of this grammarian of the sixth century. What he *did* know was that Priscian's *Institutiones grammaticae* was the standard textbook in medieval schools, and that those schools were hotbeds of what we today would call child abuse, or sexual violence against boys. The only reason I can think of why Dante would place Priscian among the sodomites is to indict by association the whole institution of medieval pedagogy, which gave teachers an absolute power over their students that they systematically abused (*pedagogus ergo sodomiticus*, to quote a maxim of the time). We may applaud that indictment, yet on no account can it justify Dante's damnation of Brunetto or Priscian.

Dante was virtually certain that upon his death he would be going to Purgatory and not to Hell. In *Purgatorio* he predicts that he will be spending significant time on the terrace of pride, but not much time on the terrace of envy, before ascending into Heaven to join the saints. If I were Dante, I would not have been so sanguine about my prospects. No one could write a canticle like *Inferno* without possessing a great deal of infernal powers, and considerable malice.

Readings Dante: From Here to Eternity, by the distinguished Dante scholar Prue Shaw, aims at a more general audience than Steinberg does in his specialized, albeit eminently readable and eloquent disquisition. Shaw deploys her in-depth knowledge of

Dante's world and poem to introduce the *Commedia* to readers who have either never read it before or have read it only superficially. Such books are not easy to write when one knows what one is talking about. They entail a constant negotiation between the demands of the text and the need for context.³ Without recourse to a single footnote, Shaw does a fine job of embedding Dante's personal story in Florentine social, economic, and political history; and she renders the *Commedia* more reader-friendly for the noninitiate, which is her objective.

Condensing much of the essential background information in the first part of her book, Shaw concentrates in the second part on the *Commedia*, bringing to light, through analyses of select passages, its poetic reach and fascination. Her decision to organize her book around seven major topics—friendship, power, life, love, time, numbers, and words—allows her to convey in an effective manner the multi-dimensionality and amazing prosody of Dante's artifact.

Shaw begins by asking why this quintessentially medieval poem, whose worldview remains wholly alien to our modern sensibilities and ways of thinking, still has the power to enthrall. She claims it is the transhistorical “human” aspects of the poem, as well as its scintillating poetic élan, that account for its staying power. This is no doubt true, yet I am not convinced, as Shaw seems to be, that we respond primarily to those aspects of the *Commedia* that are “independent” of its Catholic dogma, its obsolete scientific theories, its hierarchical thinking, its theological arcana, etc. Many of Dante's readers take special pleasure in reconstructing and familiarizing themselves with these dated aspects of the poem. Undergraduates tend overwhelmingly to get fascinated by the sheer gothic otherness of Dante's world.

For those of us who belong to a modern age where all is relative, where one hand always comes with the other, and where uncertainty is our only certainty, there is something both captivating and liberating about the unconditional moral clarity of Dante's vision, especially for younger students. Dante may have overstepped himself when he presumed to save or damn certain individuals, yet in the final analysis it is difficult not to be moved by the *Commedia*'s cry. It is the cry of a forlorn, disempowered individual who is outraged at the moral turpitude and political corruption of a world where popes were scoundrels, power was unscrupulous, and the laws of justice that should have governed society were traduced, abused, or ignored.

I borrow the term “cry” from Dante's ancestor Cacciaguida, whom the wayfarer meets in the central cantos of *Paradiso* and who foretells the exile that awaits his descendant shortly after his return to earth. (Dante wrote the *Commedia* in exile, yet the journey is set in the year 1300, two years before his banishment.) In his speech Cacciaguida uses the word *grido*, or cry, twice: once in reference to the public outcry against Dante after his conviction (“the cry of blame will follow the party harmed,” he warns), and then in reference to the *Commedia*

itself, which Cacciaguida instructs Dante to write, even though the high and mighty will take umbrage at his denunciations: “This cry of yours will be like a wind that strikes hardest the highest peaks, and this is no small claim to honor.”

Again, every reader of the *Commedia*, however naive or learned, hears the cry of this poem loudly and clearly. Its idiom may be medieval and alien, yet its clamor has the universal accent of a wronged individual shouting back at the world—a world that has the power to crush him but not to silence him. There is in each of us a stifled, potential, or inarticulate cry of this sort. The reason we read the *Commedia* is because no one in the history of literature has given it such a cosmic reach and sublime form.

The cry moves us to the degree that it comes from a flawed and, yes, a very “human” individual, as Shaw calls him. Dante may have judged others harshly, and in a few cases unjustly, yet his *Inferno* also tells the story of his recognition of an inner disposition toward many of the sins punished there. The *Commedia* would be unreadable if Dante presumed even the slightest moral superiority over his readers. The only virtue he claims for himself in abundance is hope. Indeed, the reason Dante remained certain that he was destined for Heaven was not because of self-righteousness but because he had a profusion of hope.

That hope was theological, not secular, in nature. In *Paradiso* especially, it is clear that Dante had given up hope that the earthly world could be saved from its descending, darkening destiny. A decade after his exile, he had placed all his hopes for the temporal world in Henry VII of Germany, who became Holy Roman Emperor in 1312 and in whom Dante saw the incarnation of the great secular savior he had been hoping for. But Henry’s campaigns in Italy did not fare well. Pope Clement V, successor to Boniface VIII, undermined him, while Florence put up a fierce and successful resistance against him. Contracting malaria in Rome, Henry died in untimely fashion in August 1313.

When Dante and Beatrice finally reach the abode of the blessed at the end of *Paradiso*, she shows the wayfarer how almost all the seats of the great Empyrean are filled (not much hope for the earthly world in that image). Then she points out the empty throne that awaits the soul of Henry VII, “who will come to set Italy straight before she is ready.” This is the tragedy at the heart of the comedy: Dante’s conviction that the secular world had a chance to set itself straight, but that “we”—the human agents of history—could not get our act together to take advantage of the opportunity.

Beatrice goes on to rail against “the blind cupidity which bewitches you,” where “you” means those of us on earth. She then she foretells the damnation of Pope Clement V, who “shall make him of Alagna go

deeper still.” The reference is to the mode of punishment reserved for corrupt popes in *Inferno* 19. In a parody of apostolic succession, they are planted upside down with burning soles in a hole in the rock of the eighth circle of Hell. Each new arrival pushes his predecessor farther down into the hole. Thus when he dies, Clement will thrust Dante’s arch-enemy Pope Boniface VIII—“him of Alagna”—deeper into the rock.

No matter how often one reads or teaches the *Paradiso*, these words of Beatrice—her very last words in the poem—never cease to shock. They are wholly incongruent with the poem’s ecstatic vision of the Empyrean. As the great Dante scholar Charles Singleton wrote in his commentary, with obvious exasperation: “Has the wayfarer learned no lesson of Christian charity in the long journey to God, and does he, being now so near to God, not love his fellowman, not forgive?” The answer is no.

It is standard dogma in Dante studies to insist that the *Commedia* is a story of transformation. Prue Shaw reiterates it when she writes that Dante’s journey was an “experience that profoundly changed him,” yet Singleton is right to insist that “Dante the character who returns [to earth] to be Dante the poet is finally quite unchanged by his experience.” Such is the nature of a wound that never heals, and of a poet who could not forgive his age its folly.

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1. The Guelfs, who were supporters of the pope, split into two factions, black and white, after the defeat in the late thirteenth century of the Ghibellines, who supported the Holy Roman Emperor. ↵
2. *The Paradiso*, written toward the end of Dante’s life, speaks of coming to know how “salty” tastes the bread of others (*come sa di sale lo pane altrui*)—“salty” because of the bitterness of having to ask for it, and because of the tears that drench it. “Salty” also because, in Dante’s time as in ours, Tuscany was one of the only places in Italy that did not salt its bread. In the same passage Dante also refers to the indignity of having to “descend and mount by another’s stairs,” where “descend” implies that one’s request for hospitality has been denied. ↵
3. The gold standard for this genre of book, in my view, is Barbara Reynolds’s *Dante: The Poet, the Political Thinker, the Man* (Shoemaker and Hoard, 2006). ↵