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The *Liber Belial* in Europe in the 15th and 16th centuries: comparison of legal citations*

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Abstract

The bishop and canonist Iacopo da Teramo was active in Italy between the 14th and 15th century. In 1382, he wrote the *Liber Belial de consolatione peccatorum*. The work reconstructs the imaginary trial brought by Satan against Jesus for the latter's appropriation of the souls imprisoned in Hell. Due to the variety of topics covered, the *Liber Belial* is a work with many possible interpretations. The *Belial*, however, is first and foremost an agile 'manual' of the Roman-canonical procedural discipline established in the late Middle Ages. The work had a European circulation and with the introduction of movable type was printed dozens of times in Italy, France, Germany and Holland. For this reason, the thesis that the *Belial* was manipulated and systematically adapted to the procedure in force in the place where it was printed was consolidated in the 19th century. Through a comparison of the apparatus of legal citations found in four 'versions' of the *Liber Belial* (two Italian, one French and one German,) this contribution aims to verify the thesis of the existence of different versions of the work and, incidentally, seeks to offer a tool for the reconstruction of the dissemination of the Roman-Canonical process in Europe.

Keywords

Liber Belial, Citations, German, Editio, Italian

Summary: 1. Iacopo da Teramo's *Liber Belial*: a publishing success between the 15th and 16th centuries 2. The apparatus of legal citations and the usefulness of a comparative analysis between different editions 3. The object of the comparison 4. The *modus citandi* 5. Comparison of legal citations. The Italian editions 6. The French edition 7. The German edition 8. Conclusions.

1. Iacopo da Teramo's *Liber Belial*: a publishing success between the 15th and 16th centuries

Historiography attributes a number of writings to the bishop and canonist Iacopo Paladini da Teramo, active in Italy between the 14th and 15th centuries, although such attributions are not always sufficiently documented¹. Paladini's best known and most

* In the light of the data that emerged on Iacopo da Teramo's *Liber Belial* and published in Pepe, M., *Iacopo da Teramo e il De Monarchia mundi. Una costruzione teocratica negli anni dello Scisma*, Naples, Editoriale scientifica, 2020, it was deemed useful to re-propose the contribution "Il *Liber Belial* in Europa: analisi comparativa delle citazioni giuridiche" that had already appeared in Mastroberti, F., Vinci, S., Pepe, M., *Il Liber Belial e il processo romano canonico in Europa tra XV e XVI secolo*, Bari, Cacucci Editore, 2012, of which the present pages constitute a corrected, expanded and updated English version.

¹ For a biographical profile of Iacopo da Teramo and on the reliability of the attributions consolidated over the centuries, please refer to Pepe, M., *Iacopo da Teramo e il De Monarchia mundi. Una costruzione teocratica negli anni dello Scisma*, Naples, Editoriale scientifica, 2020, pp. 9-53. As an augmentation to

successful work is certainly *Liber Belial de consolatione peccatorum* or also, more simply *Consolatio peccatorum* or *Liber Belial*. Paladini completed his work in 1382, in Aversa, near Naples².

The content of the scripture is quite well known: the work recounts how Christ, after his resurrection, descended to the underworld to free the souls held captive by Satan. Satan, in Iacopus' tale, does not accept the 'rapture' and, through the demon Belial who has meanwhile been appointed procurator of Hell, sues the usurper, Jesus, who, for the occasion is defended by Moses. A trial is set up that is reconstructed in detail by Paladini. The author describes the first instance of the trial – presided over by King Solomon – and the second, which is held before the patriarch Joseph. The dispute ultimately ends with the pronouncement of an award by a panel of arbitrators. The panel consists of Aristotle, Octavian Augustus, and the prophets Jeremiah and Isaiah³.

what has been reconstructed in the volume just mentioned, we point out Lodone, M., "Review of Iacopo da Teramo e il De Monarchia mundi", in *Rivista di storia del cristianesimo*, 18 (2021), p. 274 in which the existence of a further work by Iacopo, at the moment unpublished, entitled *De proprio et communi Christi et apostolorum* kept at the Biblioteca Nazionale Vittorio Emanuele III in Naples is reported.

² The bibliography on the *Liber Belial* is extensive and has its roots as far back as the 16th century. Only a few titles are suggested here that are useful in reconstructing the history, fortune and content of the writing: Gesner, K., *Bibliotheca instituta et collecta, primum a Conrado Gesnero: deinde in epitomen redacta, et nouorum librorum accessione locupletata, tertio recognita, et in duplum post priores editiones aucta, per Iosiam Simlerum*, Zürich, excudebat Christophorus Froschouerus, 1583, p. 386; Grancolas, J., *La critique abrégée des ouvrages des auteurs ecclésiastiques par M. J. G. docteur en théologie de la faculté de Paris*, Paris, chez Laurent Le Conte, 1716, vol. II, p. 409; Fabricius, J. A., *Jo. Alberti Fabricii Lipsiensis [...] Bibliotheca Latina mediae et infimae aetatis cum supplemento Christiani Schoettgenii [...] Accedunt in fine vetera plura monumenta tum a Fabricio olim tradita, cum hic primo adjecta*, Pavia, ex Typographia Seminarii. Apud Joannem Manfrè, 1754, vol. IV, pp. 3, 19; Ladvoat, J. B., *Dictionnaire historique et bibliographique portatif, contenant l'histoire des patriarches, des princes hebreux, des empereurs, des rois et des grands capitaines, des dieux & des heros de l'antiquité*, Paris, de l'Imprimerie de P. Fr. Gueffier, imprimeur-libraire, au bas de la rue de la Harpe, 1777, vol. III, p. 46; Tiraboschi, G., *Storia della letteratura italiana del cavaliere abate Girolamo Tiraboschi*, Venezia, Antonio Fortunato Stella, 1795, vol. VI, pp. 247-248; Dupin, A. M. J. J., *Notices historiques, critiques et bibliographiques sur plusieurs livres de jurisprudence française remarquables par leur antiquité ou leur originalité*, Paris, chez B. Warée, oncle, libraire de la Cour Royale, au Palais de Justice, 1820, pp. 78-80; Palma, N., *Storia ecclesiastica e civile della regione più settentrionale del Regno di Napoli oggi città e diocesi di Teramo*, Teramo, Ubaldo Angeletti, 1835-36, vol. V, pp. 42-47; Von Stintzing, J. A. R., *Geschichte der popularen Literatur des romisch-kanonischen Rechts in Deutschland am Ende des funfzehnten und im Anfang des sechszehnten Jahrhunderts*, Leipzig, S. Hirzel, 1867, pp. 271-279; Von Schulte, J. F., *Die Geschichte der Quellen und Literatur des canonischen Rechts von Papst Gregor 9. bis zum Concil von Trient*, Stuttgart, Enke, 1877, vol. II, pp. 377-378; Crugnola, G. "Belial o Consolatio Peccatorum di Giacomo Paladini", in *La Rivista Abruzzese di scienze lettere ed arti di Teramo*, n. 12.11 (1897), pp. 499-501; Heubach, D., *Der Belial: kolorierte federzeichnungen aus einer handschrift des XV jahrhunderts*, Strasbourg, J. H. E. Heitzl, 1927; Salmon, P. B., "Jacobus de Theramo and Belial", in *London mediaeval studies*, n. II-1 (1951) pp. 101-116; Hagemann, H. R., "Processus Belial", in *Basler Studien zur Rechtswissenschaft*, Basilea, n. 55, 1960, pp. 55-83; Ott, N., *Rechtsspraxis und Heilsgeschichte: zu Überlieferung, Ikonographie und Gebrauchssituation des deutschen "Belial"*, München, Artemis Verlag, 1983; Lettieri A., *Belial: incunabula der Staats- und Stadtbibliothek Augsburg*, Teramo, Ente provinciale del turismo, 1983, pp. V-XXI; Cardelle de Hartmann, C., "Die Processus Satanae und die Tradition der Satansprozesse", in *Mittellateinisches Jahrbuch*, 39 (2004), pp. 417-430; Lefebvre-Teillard, A., "L'arbitrage en droit canonique", in *Revue de l'arbitrage*, 1 (2006), pp. 5-34; Müller, J., "Belial", in *Handwörterbuch zur deutschen Rechtsgeschichte*, n. 1.2 (2008), pp. 519-520; Shoemaker, K., "The devil at law in the middle ages" in *Revue de l'histoire des religions*, 228 (2011/4), pp. 567-586; Mastroberti, F., - Vinci, S., - Pepe, M., *Il Liber Belial e il processo romano-canonico in Europa tra XVe XVI secolo: con l'edizione in volgare italiano (Venezia 1544) trascritta ed annotata*, Bari, Cacucci editore, 2012.

³ See Pepe, *Iacopo da Teramo e il De Monarchia mundi*, pp. 42-43.

Liber Belial deals with many different topics. For this reason, it is a work that cannot be easily defined and can be approached from different viewpoints⁴. It can be said, however, that Paladini's writing derives most of its fortune from its ability to present itself as an agile 'handbook' of procedural discipline. Specifically to constitute a true 'handbook' of Roman-canonical procedure established with the revival of legal studies in the late Middle Age⁵.

In terms of the aspects of regularity and objectivity, the Roman-canonical procedure constituted an enormous advance over the early medieval procedure, which was much more rudimentary. The complexity of its structure meant that along with the works explaining the new procedure to the more learned jurists⁶, writings of the most original form were produced, probably designed for a non-specialist audience and in which, "per meglio chiarire il meccanismo [processuale], si finsero perfino liti giudiziarie fra la Madonna e Satana, contestate con tutte le eccezioni delle parti e decise con sentenza del tribunale divino"⁷.

With these words Giuseppe Salvioli, in the early twentieth century, referred to a work that in structure and content can be compared without difficulty to the *Liber Belial: the Processus iudiciarius inter Mariam et Diabolum* attributed to Bartolo da Sassoferrato, probably the most illustrious and representative among the jurists of the *Ius commune*. We will return in a moment to this writing, which has recently been studied and republished by Beatrice Pasciuta⁸. For the time being, we would like to emphasize how Salvioli's words also fit perfectly with the *Liber Belial*, which Salvioli himself includes among "le opere principali di procedura composte in Italia nel XIV secolo"⁹ since he considers it a valuable means of knowledge of all stages of the civil process and, (we would add), probably not surprisingly of the procedure concerning the protection of possession¹⁰.

⁴ In particular, for a 'political' reading of *Liber Belial* and its place in the literature developed in defence of the Roman See during the Great Western Schism, see *ibid.*, pp. 57-58.

⁵ On this point see Mastroberti, F., "Il Liber Belial di Giacomo Palladino", in Mastroberti - Vinci - Pepe, *Il Liber Belial*, pp. 38-43 and the bibliography cited therein.

⁶ Among them the *Speculum iudiciale* by Guglielmo Durante, the *Summa de ordine iudiciario* by Riccardo Anglico, the *Ordo iudiciarius* by Tancredo, the *Summa aurea* by Guglielmo da Drogheda. On this point see *ibid.*, p. 41.

⁷ Salvioli, G., *Storia della procedura civile e criminale*, in Del Giudice, P., (Ed.), *Storia del diritto italiano*, Milano, Hoepli, 1925, vol. III.1., p. 158.

⁸ Pasciuta, B., *Il diavolo in Paradiso. Diritto, teologia e letteratura nel Processus Satane (sec. XIV)*, Roma, Viella, 2015. Reaching partially divergent conclusions, Quagliani has recently written on the work. See Quagliani, D., *La vergine e il diavolo. Letteratura e diritto, letteratura come diritto*, in *Scritti scelti e raccolti da L. Bianchin, G. Marchetto, C. Natalini, C. Zendri, il Formichiere*, Perugia, Il Formichiere, 2022, v. 1, pp. 609-626.

⁹ Salvioli, *Storia della procedura civile*, p. 162. The *Liber Belial*'s ability to illustrate the phases and course of the Roman-Canonical civil trial was, moreover, well understood by the editors who, in some cases, inserted special warnings ad lectorem in order to emphasise the work's validity not only for the young and inexperienced, but also for experts. See, for example, the two Italian editions of *Belial* printed in Latin: de Theramo, I., *Liber Belial de consolatione peccatorum noviter impressus*, Vicenza, mira arte et diligentia magistri Henrici de Sancto Ursio, 1506, [p. 88v] and *Liber Belial de consolatione peccatorum noviter impressus*, Venezia, per Io. Anto. Nicolini de Sabio, sumptu et requisitione d. Melchioris Sesse, 1533, p. 166r. In both editions, on the indicated pages, we read: "Perlege ergo, lector, iudiciorum namque ordinem modumque procedendi optime nosces. Hoc enim in libro civilis, atque pontificii iuris aperitur scientia. Que quidem res, non tam iunioribus, quam etiam peritis, valde proficiet. Posthec autem in libri fine de universali tractatur iudicio".

¹⁰ Possession was a dimension of great vitality throughout the Middle Ages. The extreme interest in the procedural sphere, considered in all its possible declinations, persisted uninterruptedly throughout the

The *Liber Belial* was a significant publishing phenomenon in the first decades following the introduction of movable type printing. As many as thirty-eight editions printed between 1464 and 1500 are documented¹¹; ten of them published in Latin: the first printed in Augsburg in 1472; the last in Strasbourg, now in France, in 1494. Twenty-eight are printed in national languages: one in Flemish in 1484; eight in French, all published in Lyon between 1481 and 1494; as many as nineteen in German including the oldest edition ever, printed in Bamberg in 1464¹². Some sources, then, also mention an edition in Danish and one in Spanish, of which, however, no trace has been found at present¹³.

In the sixteenth century the number of editions decreases, but it is still noteworthy. We do not have a complete list of editions in this period, however, a consultation of the catalogs of some of the major European libraries, has made it possible to identify, at present, twelve editions printed in the sixteenth century. The location of publications in this century changes: there is a noticeable decrease in editions in Germany, an increase in impressions in the Flemish area, and the printing of the *Belial* in Italy, which, during the fifteenth century, had never been printed. In detail, for the sixteenth century we have identified: three editions printed in Italy between 1506 and 1544 (the first two in Latin and the third in the Italian vernacular)¹⁴; one in Germany, in 1500, printed in German¹⁵; four in France, all in French, (except one in German published in Strasbourg in 1508)

Middle Ages, and possessory actions proved to be one of the fields of choice for the development of early medieval procedure. On this point see Conte, E., *Diritto Comune: storia e storiografia di un sistema dinamico*, Bologna, Il Mulino, 2009, pp. 85-111.

¹¹ The figure is particularly significant, especially when compared to the number of editions obtained in the same period of time by other canonists, even better known and more authoritative than Paladini: sixty-three editions were obtained in the 15th century by Panormitano's *Apparatus in Clementinas*; fifty-five editions, in the same period, were obtained by Guglielmo Durante's *Speculum iuris*; twenty impressions, divided among all his works, were obtained by Giovanni da Imola, eight by Alberico da Rosciate and only seven by Cardinal Ostiense. The number of editions of canon law works is also approximately in line with the number of documented *Belial* impressions: fifty-two were editions of Gregory IX's *Decretales*; the *Sextus Liber Decretalium* of Boniface VIII was printed fifty-seven times; forty-one were the editions of the *Decretum Gratiani* and forty those of the *Clementinae*. See Mattone, A., - Olivari, T., "Dal manoscritto alla stampa: il libro universitario italiano nel XV secolo" in Ascheri, M., - Colli, G., - Maffei, P., *Manoscritti, editoria e biblioteche dal Medioevo all'età contemporanea. Studi offerti a Domenico Maffei per il suo ottantesimo compleanno*, Roma, Roma nel rinascimento, 2006, vol. II, pp. 678-730.

¹² See Mastroberti, *Il Liber Belial di Giacomo Palladino*, p. 19.

¹³ *Nuovo dizionario storico: ovvero, Istoria in compendio di tutti gli uomini, che si sono renduti celebri per talenti, virtù, sceleratezze, errori, et c. dal principio del mondo sino ai nostri giorni*, Napoli, 1791, vol. XX, p. 44: "Ne fu impressa nel 1589 una traduzione in lingua danese. L'indice dei libri proibiti della Spagna ne condanna una versione spagnuola [...]"

¹⁴ De Theramo, *Liber Belial*, Vicenza, 1506; Id., *Liber Belial*, Venezia, 1533, Id., *Beliale volgare intitolato consolazione de peccatori [...] nuovamente corretto tradotto et diligentemente stampato*, Venezia, per Bartholomeo detto l'Imperador e Francesco suo genero, 1544.

¹⁵ Id., *Consolatio peccatorum, seu Processus Belial*, per Johann Schönsperger, Augsburg, 1500.

between 1502 and 1513¹⁶; three in Belgium (in Flemish) between 1512 and 1551¹⁷ and one, finally, in present-day Holland, in 1545¹⁸.

Twelve editions, then, mostly concentrated in the first fifty years of the century. This seems to demonstrate a waning interest in the work, but, probably, it is also the result of the ecclesiastical condemnation in which the writing incurs precisely in the mid-sixteenth century. In fact, *Liber Belial* was already included in the first edition of the *Index librorum prohibitorum* published in 1559¹⁹. In this edition of the *Index*, for each letter of the alphabet there is prepared a list of authors whose writings are forbidden; one in which forbidden books by known authors are listed; and one of forbidden works *incertorum auctorum*. It is in this section, under the letter “B,” that the *Belial* is included under the title *Belial sive de consolatione peccatorum*²⁰. Under this designation the work will be referred to in the various editions of the *Index* until that of 1744²¹. From the following edition, printed in 1758, the *Belial* is found under the letter “L” with the designation *Liber Belial de consolatione peccatorum*, thus with the print title of the two Italian editions in latin²². From this time, moreover, the title is flanked by the indication *Index Tridentinus* testifying to the condemnation suffered by the work.

In the seventeenth century interest in the *Consolatio peccatorum* diminished although, in this century, there is an interesting collected work, printed in Hannover, in which the *Belial* is published together with two other writings that can be approached to Iacopo's work: the *Processus Sathanae contra divam Virginem coram iudice Jesu* by Bartolo da Sassoferrato (which we have mentioned) and the *Aresta Amorum sive*

¹⁶ Id., *Belial en francoys tresutile et proufitable a tous praticiens et consolatif aux pauvres pecheurs*, Lyon, Mathieu Huss, 1502; Id., *Belial en francoys*, Paris, Michel le Noir, 1503; Id., *Belial zu teutsch. Eyn geruhtz Handel zwischen Beleal hellschem Verweser und Jesu Cristo*, Strasbourg, Johann Prüss, 1508; Id., *Cy commence le proces de Belial a lencontre de Ihesus*, Paris, Michel le Noir, 1513.

¹⁷ Id., *Een rechtelick ghedinghe tusschen Belyal den helschen procureur als claghere ende Jesu Cristo hemelschen God*, Antwerpen, Henrick Eckert van Homberch, 1512; Id., *Een rechtelick ghedinghe tusschen Belyal den helschen procureur als claghere ende Jesu Cristo hemelschen God*, Antwerpen, Henrick Eskert, 1516; Id., *Een rechtelick ghedinghe tusschen Belyal den helschen procureur als claghere ende Jesu Cristo hemelschen God*, Antwerpen, Symon Cock, 1551.

¹⁸ Id., *Der sondaren troost is dit boecxken ghenaeamt*, J. van Turnout, 's-Hertogenbosch, 1545.

¹⁹ On the *Index of Forbidden Books* see, among the most recent, Frangito, G., “Le ‘lettura sospette’: prospettive di ricerca sui controlli ecclesiastici”, in Nakládlová, I., Vega Ramos, M. J., (Eds.), *Lectura y Culpa en el siglo XVI*, Universitat Autònoma de Barcelona, Barcelona, Servei de Publicacions, 2012, pp. 19-44; Wolf, H., *Storia dell’Indice. Il Vaticano e i libri proibiti*, Roma, Donzelli editore, 2006; Frajese, V., *Nascita dell’Indice. La censura ecclesiastica dal Rinascimento alla Controriforma*, Brescia, Morcelliana, 2004; Simoncelli, P., “Censura e proscrizioni. La lunga durata dell’Indice dei libri proibiti”, in *Nuova Storia contemporanea*, 2 (2004), pp. 149-154; Barbierato, F., *Libro e censure*, Milano, Sylvestre Bonnard, 2002. To be considered, also, the classic Casati, G., *L’indice dei libri proibiti. Saggi e commenti*, Milano, Casa ed. pro familia, 1936-1939, voll. I-III. In particular, on the subject of ecclesiastical censorship exercised on legal texts, see Savelli, R., “Allo scrittoio del censore. Fonti a stampa per la storia dell’espurgazione dei libri di diritto in Italia tra cinque e seicento”, in *Società e storia*, XXVI (2003), pp. 293 -330 and Id., *La censura dei libri di diritto nella seconda metà del Cinquecento*, in Maffei, D., Birocchi, I., (Eds.), *A Ennio Cortese, scritti promossi da D. Maffei e raccolti da I. Birocchi*, Roma, Il Cigno Galileo Galilei, 2001, vol. III, pp. 226-250.

²⁰ See *Index auctorum et Librorum, qui ab Officio Sanctae Romanae et Universalis Inquisitionis caveri ab omnibus et fingulis in universa Christiana Republica mandantur, sub censuris contra legentes, vel tenentes libros prohibitos in Bulla, quae lecta est in Cæna Domini, expressis et sub aliis pænis in Decreto eiusdem Sacri officii contentis*, Roma, per Antonio Blado, 1559.

²¹ See *Index librorum prohibitorum, usque ad diem 4 Junii 1744 regnante Benedicto XIV*, Roma, 1744, p. 51.

²² See *Index librorum prohibitorum, sanctissimi domini nostri Benedicti XIV Pontificis maximi*, Roma, 1758, p. 158.

*Processus inter Amantes by Martial d'Auvergne*²³. The publisher who printed the volume chose the title *Processus iuris ioco-serius* for its publication, calling the writings received in the volume useful and necessary *ad usum fori*. Despite the choice of the title, which was perhaps not too generous to the published works, the printer must nevertheless be credited with having sensed and signaled, with the coinage of the definition of *processus ioco-serius*, the existence of a kind of legal-literary *genre*. *Genre* in which authors, by reconstructing the course of imaginary trials, managed to provide agile and accessible cognitive tools of judicial procedure²⁴.

The history of this particular divulgative genre will deserve, in the future, a specific examination. For the time being, we limit ourselves to listing those writings that it is possible to include in the category and that indicate how this category had a certain vitality between the Middle Ages and the Modern age. There are, first of all, those works that constitute a kind of 'subset' in the *genre* of mock trials: that of the so-called *Processus Sathanae*²⁵. The writings of this 'subset', in fact, possess certain common traits including that of having the Devil as an acting party in the trial.

Among the oldest *Processus Diaboli* we count the *Litigatio Sathanae contra genus humanum* attributed to Innocent III²⁶. The *Litigatio*, not included among the *Processus ioco-serius* of Hannover, was first printed in Lyon in 1473 in a volume containing five Innocentian writings²⁷.

Also from the 13th century is a little-known anonymous booklet that remained unpublished until the second half of the 19th century. Only at the end of the 19th century, in fact, did Francesco Roediger make a critical edition of it-using ten different manuscripts-published in the *volume Contrasti antichi: Cristo e Satana*²⁸. The work is notable for being written in the Italian vernacular; on the basis of this element the editor, after careful philological investigation, dated *Piato ch'ebbe Dio col nemico* (this is the title given to the work in most manuscripts) to the first half of the thirteenth century. It is believed to corroborate Roediger's dating on the basis of the antiquity of the legal sources cited in the work. The *Piato* contains several citations, both civilistic and canonistic. The latter, confirming Roediger's conclusions, never concern papal collections subsequent to the *Liber Extra* (1234): neither the *Liber Sextus* (1298) nor the *Clementinae* (1317) are referred to, therefore.

²³ See de Theramo, I., - a Saxoferrato, B., - Arverni, M., *Processus iuris ioco-serius, tam lectu festivus et iucundus, quam ad usum fori et praxeos moralis cognitionem utilis ac necessarius*, Hannover, Typis Villerianis, 1611.

²⁴ See Picardi, N., *La giurisdizione all'alba del terzo millennio*, Milano, Giuffrè, 2007, p. 203. In the broader genus of *ordines iudicarii*, Picardi identifies a didactic literature "centrata su finte liti giudiziarie avanti al Tribunale divino" and puts the *Belial* in the thread.

²⁵ On this point see Cardelle de Hartmann, *Die "Processus Satanae"*, pp. 417 - 430 in which the most significant distinguishing features of the works attributable to the strand are indicated.

²⁶ Attribute the writing to Innocent III, among others, Brunet J. C., *Manuel du Libraire et de l'amateur de livres*, Paris, Libraire de Firmin Didot freres, fils et co., 1862, vol. III, p. 180; Murray, D., *Lawyer's merriments*, Glasgow, James Mac Lehosé, 1912, p. 153.

²⁷ Innocentius pp. III, *Reverendissimi Lotharii dyaconi cardinalis sanctorum Sergii et Racchi qui postea Innocentius III papa appellatus est, Compendium breve feliciter incipit quinque continens libros. Primus tractat de superna altisonantis Trinitate, secundus de miseria conditionis vitae humanae, tertius de Antichristo et ejus adventu, quartus de vitiis fugiendis, quintus et ultimus de spurcissimi Sathanae litigacione contra genus humanum*, Lyon, per Guillelmum Regis, 1473.

²⁸ Roediger, F., *Contrasti antichi: Cristo e Satana*, Firenze, alla libreria Dante in Firenze, 1887, pp. 5-48.

In terms of number of surviving manuscript copies and frequency of printed editions, after the *Belial* comes the *Processus Sathanae*, which was included among the *Processus ioco-serius* of Hanover. The short treatise (to which we have already alluded) would seem to have come down to us in two different texts: the first, attributed to Bartolo da Sassoferrato²⁹, was published in the *corpus* of Bartolian treatises printed in Venice in 1472 under the title *Tractatus questionis ventilate coram domino nostro Iesu Christo inter virginem Mariam ex una parte et diabolum ex altera parte*³⁰. This 'version' is characterized by the presence of numerous legal allegations; the second, more concise, is characterized by a greater attention to theological issues³¹.

The treatise, in its 'Bartolian version', shows its nature as an *ordo iudiciarius*³² and, for this reason, stands alongside the *Liber Belial*. Than the latter, however, it is characterized by a much simpler structure: the *Processus Sathanae*, for example, ends with an unappealable judgment³³. In the *Belial*, on the other hand, we anticipated, two levels of judgment are described as well as the discipline of arbitration³⁴.

Besides the trials of Satan, among the 'mock trials' we can point out at least two other writings.

First of all, let us recall the *Aresta amorum* which we have already mentioned in connection with the edition of Hannover. This is the first work by the jurist Martial d'Auvergne active in the 15th century. D'Auvergne had served as a procurator in the Parisian Parliament³⁵ and, in his work, imagined a "court of love" composed of allegorical figures. They were to judge on a series of gallant and amorous situations. Each of the fifty-one judgments handed down by the tribunal is inspired by the *modus procedendi* of the Paris Parliament³⁶.

²⁹ In favour of attributing the treatise to Bartolo, Calasso, F., "Bartolo da Sassoferrato", in *Dizionario biografico degli italiani* (= DBI), vol. VI, 1964, p. 658. Recently, the same opinion was convincingly expressed by Quagliani, "La vergine e il diavolo. Letteratura e diritto, letteratura come diritto", pp. 609-626.

³⁰ Bartolus (a Saxoferrato), *Tractatus varii*, Venezia, Wendelinus de Spira, 1472.

³¹ This reconstruction is by Pasciuta, *Il diavolo in Paradiso*, p. 51.

³² See Ead., "Il diavolo e il diritto: il Processus Satane (XIV sec)", in *Il diavolo nel Medioevo, Atti del XLIX Convegno storico internazionale*, Spoleto, 2013, p. 430 who writes: "Introdotta da un preambolo di carattere storico-teologico, affidato ad una voce narrante, il *Processus Satane* si sviluppa in forma dialogica fra le tre figure che la dottrina giuridica aveva posto a base del rito processuale - il giudice, l'attore e il convenuto -; il dialogo è commentato dalle chiose del narratore che rivolgendosi ad un ipotetico pubblico spiega e descrive i passi salienti dell'azione. L'attore è il Diavolo [...] che agisce attraverso un Diavolo nella veste di procuratore, il convenuto è il genere umano, difeso dalla Vergine Maria, nel suo ruolo di avvocatessa, e il giudice è Cristo".

³³ See Ead., *Il diavolo in Paradiso* cit., p. 97.

³⁴ Among the many passages that can be pointed out for their expository and reconstructive effectiveness, the one describing the referral of the dispute to the decision of an arbitration board is particularly significant. On this point, quite recently, Lefebvre-Teillard, *L'arbitrage en droit canonique*, from p. 8, who highlights the value of the *Liber Belial* as a tool for understanding the discipline of arbitration and identifying among the reference sources Paladini uses to illustrate "les pouvoirs des arbitres, l'objet du compromis, l'engagement de respecter la décision des arbitres, les renonciations, les garanties", the *Speculum iudiciale* of Guglielmo Durante.

³⁵ Beth Winn, M., "(Re)sonner les Matines: Martial d'Auvergne's Text in Book of Hours", in *Book and Text in France, 1400-1600: Poetry on the Page*, Aldershot, Routledge, 2007, p. 72.

³⁶ Pierdominici, L., *Prose francesi del 15 secolo: Antoine de La Sale, Martial d'Auvergne, le Quinze joies de mariage, le Nouvelles de sens*, Macerata, Ist. Editoriali e poligrafici, 2002, p. 139.

We have, then, the work of Antonius Cornelius³⁷ entitled *Exactissima infantium in Limbo clausorum querela adversus divinum iudicium apud aequum iudicem proposita*³⁸. This is a less successful work than its predecessors: at the moment we have traces of only one edition printed in Paris in 1531. The title describes the content of the writing: it reconstructs the judgment proposed by the souls of the unbaptized infants against the divine decision that condemned them to Limbo: the trial has, in a not too coherent way, Mary and Jesus as defendants and Christ and Solomon – recognized as symbols of equity – as judges; seeking justice are the unbaptized infants³⁹. The work is presented in four parts, corresponding to the stages of the 'debate': *Querela, Apologia, Responsio, Sententia*. As for the nature of the writing, “la *Querela infantium*, lontana dalle forme del libello teologico, è in primo luogo un'esercitazione giuridica sul tema dell'usufrutto e dell'eredità”⁴⁰.

2. The apparatus of legal citations and the usefulness of a comparative analysis between different editions

The large number of editions of the *Liber Belial* imprinted in the hundred years following the invention of printing and the wide of the geographical area within which these editions were produced meant that, during the nineteenth century, a part of the historiography repeatedly asserted the existence of different 'versions' of the *Liber Belial*. 'Versions' developed in order to adapt the Paladini's work to the different processual traditions consolidated in the places where the work was published. The *Enciclopedia Popolare Italiana*, under the entry on Iacopo da Teramo and referring to the *Liber Belial*, for example, writes:

“Il *Processus Luciferi contra Iesum*, od anche *Belial*, o *Consolatio Peccatorum* [...] doveva servire, nell'idea dell'autore, a far conoscere, sotto una forma meno arida dell'usato, i segreti della procedura; fu perciò generalmente modificato secondo le forme giudiziarie del paese e del tempo in cui si stampava”⁴¹.

We find similar considerations in an article published by Gaetano Crugnola in 1897: the *Liber Belial*, in Crugnola's opinion,

“è un vero trattato di procedura [...] Il pubblico di allora comprese benissimo [il suo] scopo, e su ciò noi non possiamo conservare dubbio alcuno poiché, in tutte le traduzioni eseguite, esso venne accomodato alla procedura giudiziaria del paese rispettivo”⁴².

³⁷ In Bayle, P., *Dictionnaire critique et historique*, Parigi, Desoires Libraire, 1820, Vol. V, p. 300. Cornelio, from the town of Billy in France, is said to be a learned magistrate “utriusque iuris licentiatum”.

³⁸ Cornelius, A., *Exactissima infantium in Limbo clausorum querela adversus divinum iudicium apud aequum iudicem proposita*, Paris, Christianum Wechelum, 1531.

³⁹ See Terracciano, P., “Pierre Bayle e la Querela Infantium: rovistare in un cassetto dimenticato del Dictionnaire” in *Rinascimento*, L (2010), p. 153.

⁴⁰ *Ibid.*, p. 134. A schematic and precise summary of the work confirms this conclusion in Clement, D., *Bibliothèque curieuse historique et critique*, Leipzig, Schmid, 1757, vol. VII, pp. 302-310.

⁴¹ “Teramo” in *Nuova Enciclopedia Popolare italiana, ovvero dizionario generale di scienze, lettere, arti, storia, geografia*, Torino, Dalla società l'Unione tipografico-editrice, 1866, vol. XXIII.

⁴² Crugnola, *Belial o Consolatio Peccatorum*, p. 499.

Historian Nicola Palma also suspected alterations from the original: he believes he should

“scusare [...] Giacomo per ragione della rozzezza dei tempi, dell’età giovanile, e per la probabilità che quanto nell’opera di lui vi ha di ridicolo, e forse di empio, sia stato aggiunto da qualche maligno impostore”⁴³.

One of the most relevant questions that arise when approaching Paladini's work concerns precisely the hypothesis that the *Liber Belial* may have been manipulated by editors and translators to adapt it to the legal context for which the editions were intended. Precisely in order to answer this question, a comparative investigation of the legal citations found in various 'versions' of the writing was conducted⁴⁴.

With regard to the identification of the 'versions' to be compared, it was chosen to focus on the printed editions and not on the wide and varied manuscript tradition of the work. This was in the belief that, with the help of print, the work had become more uniformly established in the respective geographical areas of reference.

Among the many available editions, prevalence was also given to editions published in vernacular languages that were more likely to have undergone adaptations to local legal customs. Among the many available editions, four different editions were identified to represent the three geographical areas most significant for the spread of *Belial*: (current Italy, France and Germany). The date of the editions also helped determine which 'versions' to compare: four editions were chosen that could document the life of the work throughout the hundred or so years in which it was most regularly printed. To the mid-15th century is ascribed the first edition identified and to the mid-16th century the last. Specifically, the editions worked on are two for Italy, one for Germany and one for France:

1) *Liber Belial de consolatione peccatorum noviter impressus*, mira arte et diligentia magistri Henrici de Sancto Ursio, Vicenza 1506 (= BLat);

2) *Beliale volgare intitolato Consolatione de Peccatori, quale narra la quistione in forma di lite mossa al nostro Signor Messer Giesu Christo dal Dimonio infernale circa la salute de gl'huomeni, tutto ciò approvando, et riprovando cò detti della Sacra scrittura*, per Bartholomeo detto l'Imperador, et Franceso suo genero, Venezia 1544 (=BV);

⁴³ Palma, *Storia della città e diocesi di Teramo*, p. 45.

⁴⁴ On the normative sources used by Iacopo da Teramo in the *Belial*, Stefano Vinci has written in the cited volume edited by Francesco Mastroberti. Vinci's rigorous work, carried out on the entire opera, delivers fairly clear-cut results. In the *Liber Belial* – Italian vernacular edition of 1544 – 462 references to legal sources are recorded. Of these, 381 are to canon law sources: clearly prevalent is the *Liber Extra*, which is cited 220 times; this is followed by the *Decretum Gratiani* cited in 104 cases; the *Liber Sextus*, of which 44 references are recorded, and the *Clementinae*, which is referred to only 13 times. Of the remaining 81 citations, 69 are to Justinian compilations – 32 to the *Digestum*, 28 to the *Codex*, 4 to the *Authenticum* and one to the *Institutiones* –; 12 to doctrinal sources: there are 4 citations of the *Glossa* to the *Liber Extra*, 4 of the *Glossa* to the *Clementinae*, 2 of the *Glossa* to the *Liber Sextus*, one to Giovanni d'Andrea's *Novella ad Sextum* and one to Guglielmo Durante's *Speculum iudiciale*. On this point see Vinci, S., “Le citazioni delle fonti giuridiche nella Consolatione de peccatori” in Mastroberti, - Vinci - Pepe, *Il Liber Belial*, pp. 61-64.

3) *Cy commence le Procès de Belial à l'encontre de Jhésus compilé par Jaques de Ancharano et translaté de latin en françoys par Pierre Ferget*, Mathias Huss, Lyon 1482 (= BF);

4) *Von der Zeit der gedonten Urteil*, Albrecht Pfister, Bamberg 1464 (= BG).

3. The object of the comparison

The publishing history of *Liber Belial* in Italy is rather limited: three editions were printed in a span of about forty years. The first edition was printed in Vicenza under the title *Liber Belial de consolatione peccatorum* by the printer Enrico Ca' Zeno da Santorso⁴⁵ and bears the date October 17, 1506. The text, in Latin, is arranged in two columns and printed in Gothic characters on eighty-eight unnumbered papers. The subdivision into paragraphs is achieved by the use of a system of indents in the text. Some small engravings, with floral or zoomorphic figures, enrich the initial letters on the *recto* of the first paper and the last three.

About thirty years later (in October 1533 to be precise) the *Liber Belial* was published again, this time in Venice, under the same title⁴⁶. It was printed on behalf of the publisher Melchiorre Sessa⁴⁷ by the printer Giovanni Antonio Nicolini da Sabbio⁴⁸. In this edition the text is not in columns, but is arranged full-page in one hundred and sixty-six numbered papers. Again the text has no internal subdivisions. Larger initial letters are, however, used to identify the different phases of the narrative.

The last printed edition in Italy was stamped in the Italian vernacular and published in Venice in 1544 by the printing company of “Bartolomeo detto l’Imperadore e suo genero Francesco”⁴⁹ with the long and detailed title of “Beliale volgare intitolato Consolatione de peccatori, quale narra la quistione in forma di lite mossa al nostro signor messer Giesu Christo dal Dimonio infernale”⁵⁰. Also in this edition, the text is laid out

⁴⁵ Enrico Ca' Zeno, known as de Sancto Ursio because he came from Santorso, in the present-day province of Vicenza, printed both alone and in partnership with his son Giovanni Maria. The typographic mark most frequently found on his publications consists of a double cross on a double circle inscribed with the initials R. V. On Enrico Ca' Zeno, see Mantese, G., “Le origini della stampa a Vicenza” in *1474. Le origini della stampa a Vicenza*, Vicenza, Neri Pozza ed., 1975, pp. 33-70.

⁴⁶ De Theramo, *Liber Belial*, Venezia, 1533. Of the edition printed in 1533 is the reprint edited by Lettieri, (Ed.), *Incunabula der Staats*.

⁴⁷ A typographer, bookseller and publisher active in Venice, Melchiorre Sessa worked predominantly alone, although for a period of about ten years he was associated with Pietro Ravani. As a publisher, he often used smaller typographies, including De Sabio's and Imperatore's, which printed the last two Italian editions of *Belial* respectively. His editions were mostly marked with pictures, variously decorated, of a cat with a mouse clamped in its mouth. See Pignatti, F., “Sessa Melchiorre”, in DBI vol. XCII, 2018. On Melchiorre Sessa, more extensively, see Curi Nicolardi, S., *Melchiorre Sessa tipografo ed editore*, Milano-Udine, Mimesis Edizioni, 2009.

⁴⁸ Giovanni Antonio Nicolini or de Nicolinis had his workshop in San Fantino. He worked alone or in association with his brothers. The most frequently used typographic mark consists of a double cross placed on a circle in which the initials I A S stand out. See Carnelos, L. “Nicolini da Sabbio, Giovanni Antonio”, in DBI, vol. LXXVIII (2013).

⁴⁹ Ascarelli, F. - Menato, M., *La tipografia del '500 in Italia*, Firenze, L.S. Olschki, 1989, vol. VIII, p. 265.

⁵⁰ de Theramo, I., *Beliale volgare intitolato Consolatione de Peccatori, quale narra la quistione in forma di lite mossa al nostro Signor Messer Giesu Christo dal Dimonio infernale circa la salute de*

full-page on one hundred and seventy-seven numbered papers and is divided into seventy-five chapters. At the beginning of each of these is a brief summary of the contents. The *Belial* is preceded by an index and a dedication to the Duchess of Urbino Eleonora Gonzaga by the Venetian friar Cristoforo Dolfino. In the dedication Dolfino clarifies the reasons why a new Italian vernacular edition of the *Belial* was useful:

“Pare Illustrissima Signora, che oltre à tutte l’opere, che volgari si fanno, sieno le spirituali quelle, che debbano essere et volgarizzate, et per modo poste in luce, che da tutti parimente si possano et intendere et apparare [...] Quest’opera intitolata Consolazione de peccatori la quale con assai vago et dilettevole modo esplicandoci le cose del Nuovo Testamento, et dicchiarendoci molti dubii et profetie del Vecchio, mi ha condotto à doverla mandare in luce”⁵¹.

There are, therefore, three editions in total. If we consider, however, that the Vicenza edition and the Venezia edition (1533) are almost identical to each other – the only distinguishing feature is the presence in the latter of a short passage that serves as a prologue – our field of investigation narrows to only two 'versions': one Latin (BLat) and one in the Italian vernacular (BV). A number of differences exists between BV and BLat.

We have instances where passages of non-judicial content present, on the other hand, in BLat are omitted in BV or vice versa. For example, a passage is omitted in BV that is at papers 15v-18r of BLat in which we find a reconstruction of the story of Abraham and his descendants, culminating in the annunciation made to the Virgin by the Archangel Gabriel. Also omitted is the passage in BLat papers 21v-23r that retells the murder of Abel by Cain.

There are also instances where BV reports more succinctly passages that in BLat have greater extent. Such is the case with the passage that deals with a reflection on some Old Testament passages that reveal the divinity of Jesus. The reflection in the short form is at papers 58v-59v of BV; in the more extended form at papers 27v-28r of BLat. The same 'summary' procedure is used for papers 108r-v of BV in which a comparison is made between the Avignon Captivity suffered by the Church and the captivity in Egypt of the Jewish people. The passage, in complete form, is at papers 50v-51r of BLat.

We then have instances of passages present in BV and omitted in BLat. This particular situation can be observed, for example, at papers 115v-116r of BV in which there is a passage omitted in BLat and containing an allegorical interpretation of some Old Testament passages. The same is true for a fragment explaining the discipline related to the presentation of the appeal and containing a reference to X.2.28.62 – a decretal of Honorius III on how to propose the appeal – which is paper 79v of BV and is not included in BLat⁵².

Another element that distinguishes BV from BLat consists in the greater number of references to sacred Scripture present in the Latin 'version' and omitted in the vernacular

gl’huomeni, tutto ciò approvando, et riprovando cò detti della Sacra scrittura, per Bartholomeo detto l’Imperador, et Francesco suo genero, Venezia 1544 (=BV).

⁵¹ *Ibid.*, p. iir.

⁵² See BV, c. 79v: “Item nota chel giudice ne gl’apostoli, cioè scritte qual per l’appellationi si dimanda, sempre dee contradir all’appellatione dalla sententia diffinitiva, nellaquale non si dee esprimere la cagione per laqual si appella. Basta assai all’appellante dire; io appello da tal iniqua sententia. *come si nota. de appella. cum causa* [X.2.28.62]”.

'version'. In this respect, the comparison of papers 90v-91r of BV with paper 42r of BLat is interesting: of the fourteen references of biblical texts present in BLat, only four are also found in BV. Similar conclusions arise from comparing papers 147r-148r of BV with 69r of BLat: of the nine references in BLat, only five are also offered in BV.

In sum, there is substantial uniformity of form and content between BV and BLat. Uniformity that is broken only in fairly rare cases and rarely involving legal aspects of the work.

The spread of Paladini's work was not limited to Italy. The regions where it was most abundant were the south-eastern part of France and on the central-southern part of Germany. From the years immediately following the invention of printing, there were dozens of Latin and national language editions that followed one another in those areas with great frequency.

Regarding editions from the German area, we considered the first edition of the *Belial* in Germany, which turns out to be the oldest edition of the *Belial* ever. Our reference edition (BG) was printed in the city of Bamberg by the printer Albrecht Pfister in 1464⁵³. The text, in German, is arranged on ninety-five numbered papers. The typeface used is Gothic, impressed in black ink. The volume is divided into twenty-four unnumbered chapters of varying length. This length ranges from twenty-six papers in the fifth chapter to a few lines in the eighteenth. Comparison with the other 'versions' examined shows that the German edition has the most differences.

First of all, we have the presence in BG of some papers – to be precise, the first three – which we find only in BG and which have a premise function. They provide some suggestions for decoding the abbreviations with which legal sources are cited.

There are, then, some consistent differences in passages found in BG and omitted in BV. Thus, for example, that of papers 33r-34r in BG, which has no equivalent in BV. Conversely, sometimes one observes the omission in BG of passages present in BV and BLat. In this regard we point out the series of omissions of passages present in the Italian editions, leading to condensing a large section – corresponding to about twenty-four papers (52r-76r) of BV – into less than two papers (53v-54v) of BG. Being removed from BG is a passage corresponding to BV chapters 36-45. The drastically summarized passage is devoted to mainly theological issues. The only legally relevant chapters that are drastically summarized in BG are chapters 40 and 44⁵⁴. As for the contents of the two chapters, it is useful to point out that, as far as chapter 40 is concerned, it is not procedural indications that are sacrificed. Instead, what is eliminated is a complex discourse by *Belial*

⁵³ Secretary to the bishop of Bamberg who converted to the art of printing, Pfister, who worked as a printer in Bamberg between 1460 and 1464, is considered the first typographer to have printed an illustrated volume. This was the storybook entitled *Edelstein*, by Ulrich Boner, published in Bamberg in 1461. See Barbier, F., *Storia del libro dall'antichità al XX secolo*, Italian tras., Bari, Dedalo, 2004, p. 174.

⁵⁴ Chapters 40 and 44 are respectively headed, in BV: “Cauta et cavillosa risposta di *Belial* alle parole proferite per Moise del tempo della natività di Giesu, et ecceptione del detto *Belial*, dicendo che Giesu non fu vero Messia, promesso nella legge. Et risposta et assoluzione di Moise alle opposizioni, et dicerie di *Beliale*” and “Moise dimanda che nella causa sia concluso, et *Belial* nò. Ma dimanda *Belial* per lo giudice esser dato termine arbitrario à proponere la ecceptione ad allegare, et à produrre difensione competente; et che passato il termine non allegate le predette difensioni, over dispregiate habbinsi per rinunciate, et che per lo giudice nella causa sia concluso. Et del termine statuito per lo giudice, et del comparere et delle sue allegationi”.

concerning the relationship between crime, punishment and expiation. The passage is built around some decretals and *regulae* from the *Liber Extra* and *Liber Sextus* and some canons from the *Decretum*. In particular, Paladini seems to focus on the problem of the 'proportionality' of punishment; he first states that each individual crime should be matched by a single punishment:

“Impero per questo esso Dio per i nuovi peccati impose à i predetti nuove pene in maladettione di dolori, et di fatiche, perche se per lo primo peccato havesse imposto quelle maladettioni di pene seguiteria che Iddio fusse ingiusto, perche haveria imposto due pene ad uno peccato, laqual cosa seria contra quel *ca. de poeniten. dist. iii. §. his auctoritatibus* [D.3 de poen.c.39 d.p.] Imperò è necessario dire che i suoi furon diversi delitti, et fugli imposto diverse pene. Et se la pena della morte non fusse stata sufficiente per quel peccato. Iddio gli poteva dare due pene, *come si nota. xxi. q. i. cap. si quis. Cuiuslibet* [C.21q.5c.3] *de rapto. In archiepiscopatu* [X.5.17.4] *de calunnia. Cum fortius* [X.5.2.1]”⁵⁵.

Then he considers it necessary that the punishment imposed should be as mild as possible and in any case appropriate to the crime committed, and that it should not exceed in severity the seriousness of the crime itself:

“Anzi dico che se molte volte fussero imposte per quel peccato, et espresse la pena piu leggiera si doveva eleggere, *come si nota. li. dist. Eos* [D.50c.42]. *et. xxiii. q. i. si quis aderit* [C.24q.1c.41]. Perche ne le pene si deè eleggere la piu legiera, *come si nota. ii. q. vi. Notandum* [C.2q.6c.32d.p.]. *Et ad regulis iur. In poenis. lib. Vi* [VI.R.J.49]. Et massimamente perche la pena non deè trappassar il proprio caso, *come si nota de poenis. dist. Poenae* [D.1 de poen.c.8]. *Et de poenis felicis. lib. Vi* [VI.5.9.5]”⁵⁶.

The last 'version' we examine is the French language 'version' (= BF). For our investigation we chose the edition published in Lyon in January 1482⁵⁷. This is a reprint that conforms perfectly to the first edition of *Belial* in French that had been printed a year earlier (in 1481) by the same publisher. The text is printed full-page in one hundred forty-nine total and unnumbered papers. The last card states that the translation from Latin is the work of “venerable et discrete frere Pierre Ferget docteur en theologie de l'ordre de S. Augustins”. BF is divided into ninety-nine unnumbered chapters. In most cases the *incipit* of the chapter is accompanied by an engraving that has the merit of visually representing what will be narrated in the chapter itself. The first engraving (p. 1r), for example, introduces the reader to the protagonists of the story. In a country landscape to the left of the field we have Jesus, wearing a halo, wrapped in a broad mantle, with the signs of crucifixion evident in his hands and feet. On the right is Belial. Unlike the other monstrous demons depicted in later scenes he is depicted with human appearance. He has, however, hooves instead of feet and long donkey ears. They are perhaps meant to mockingly foretell the judicial failure of the “procuratore infernale”. The illustrations introducing the reconstruction of stages of the trial are very interesting. For example, the image on paper 76v. The engraving depicts Belial and Moses as they swear to trust in everything to the decision of the panel of arbitrators they have elected: in front to the judge a valet holds the Gospel on which the two procurators solemnly place their hands while swearing. Or

⁵⁵ BV. p. 61r-v.

⁵⁶ *Ibidem*.

⁵⁷ De Theramo, I., *Cy commence le Procès de Belial à l'encontre de Jhésus [compilé par Jaques de Ancharano et translaté de latin en françoys par Pierre Ferget]*, Lyon, Mathias Huss, 1482 (= BF).

the one on paper 65v: in the presence of Moses, Belial hands the judge the three *libelli* that initiate the second degree of judgment: they are depicted as small parcels from which ribbons with seals hang; seated next to the judge, but lower down, is the notary who notes the unfolding of events on a large rolled sheet. As for the relationship between BF and BV, it should be noted how the differences between the 'versions' are insignificant. What distinguishes the two editions are a few short passages found in BF that are not matched in BV. For example, a fragment at paper 37v. of BF in which chapter 54 of the *Book of Isaiah* the prophet is quoted. Precisely with regard to the amount of biblical citations BF stands in an 'intermediate' position between BV and BLat: in fact, the number of references is lower than in BLat and higher than in BV.

4. The *modus citandi*

The method of illustrating the procedural steps is unchanged in the four 'versions' examined: the procedure, manner, form and time required to validly carry out the acts of the process is first minutely described; then the legal source(s) under which the discipline is determined is cited. By way of example, let us observe what happens with the first citation of the work. The author explains the necessity (for what in modern language we may call legal persons), to stand trial by means of a procurator. Paladini writes: “Percioche alla università, et collegio necessariamente appartiene difendere per Sindico, overo procuratore. *Come si nota in ragione de calumnia. cap. Impetrandum* [X.2.7.3]. *Et cap. Impetratorum* [X.2.7.4]. Il che notasi *capitolo de Iudiciis. lib. Vi.* [VI.2.1.1]⁵⁸”. The pattern is typical: first the rule is explained, then the sources on which the rule is determined are cited. In some cases the author refers to only one source, with a 'simple' citation. In other cases the author refers to several sources in a single 'complex' citation. This is the case, for example, in BV reference number two in which the author describes the powers given to the procurator and refers to all three major collections of decretals in a single citation:

“[...] Dando à lui la predetta università Infernale special potestà di impetrare, fare, e difendere colpe, e difetti opponere, giurare di calumnia, e di dire la verita. Et generalmente à fare ogni cosa à praticare, convenire, citare, comparere, sostituire, et destituir procuratori uno e piu. Promettendo haver fermo, e rato per se, e suoi heredi, et successori ogni cosa fatta per il detto suo procuratore, et Sindico con obligatione di tutti e suò beni presenti, et futuri. [...] *Come appare della procura. cap. primo* [X.1.38.1]. *Et dell' officio del dellegato. Coram* [X.1.29.34]. *de scriptis. cap. Et doceri* [X.1.3.21]. *del procuratore. que ad agendum. lib. vi* [VI.1.19.4]. *Et cap. t. non potest. Nella clementina* [Clem.1.10.2]⁵⁹.”

Regarding the accuracy of the citations we observe a different degree of reliability among the different 'versions' examined. Each of them uses a slightly different system: different is the way the words are abbreviated, different, sometimes, is the order in which the elements of the citation are reported. In most cases, however, the citation contains the factors necessary for the identification of the norm referred to. Let us observe, for example, what happens with citation 126 of BV in which Paladini recalls a decretal of Innocent III addressed to the bishop of Vercelli and containing some indications concerning the behavior of inquisitors. The decretal is located in X.5.1.17.

⁵⁸ BV, p. 5r.

⁵⁹ *Ibid.*, p. 5v.

BV	BLat	BG	BF
<i>Et notasi nello cap. de accusation. qualiter.</i> (p. 30v.)	<i>C. de accu. qualiter.</i> (p. 11r.)	<i>C. de accusa. qualiter et quando.</i> (p. 26v.)	<i>De actu qualiter.</i> (p. 35r.)

All 'versions' omit reference to the work cited. This indicates in *Liber Belial* that the main collection of *Decretales* is being cited: the *Liber Extra*. This is followed by an indication of the title: *De accusationibus, inquisitionibus et denunciationibus*. It is abbreviated differently, but still understandable: *de accusation.* in BV; *de accu.* in BLat; less clearly, *de actu.* in BG and *de accusa.* in BF. The indication of the chapter follows. The 'versions' examined, which cite sources *more antiquo*, rarely indicate the number of the chapter referred to. More often they give its *incipit*: in the case under review, *qualiter* in BV, BLat and BG; more precisely, *qualiter et quando* in BF.

There are cases, by contrast, in which the citation is not complete with all the elements necessary for its decoding. The 'version' that contains the greatest number of deficient citations is BG whose indications, in some circumstances, are even misleading; a less significant number of 'incomplete' citations are found in BV; even less significant is the number that characterizes the other 'versions'. Emblematic in this regard is the example of citation 131 in BV. Being quoted is a canon from the Council of Trebur in which the possibility of purging oneself of infamy by taking an oath is recognized. The canon is found in X.5.34.11.

BV	BLat	BG	BF
<i>Come di questo si nota nel cap. cum dilectus.</i> (p. 31v.)	<i>Ut de procur. cano. cum dilectus.</i> (p. 11v.)	<i>Ut proverbiorum.</i> (p. 36r.)	<i>Ut de pur. cano. c. cum dilectus.</i> (p. 26v.)

In the four citations, the source is missing: thus, we refer to the *Liber Extra*. BLat and BF follow the pattern already seen. They first indicate the title *De purgatione canonica*. Then the *incipit* of the chapter with the words *Cum dilectus*. The BV citation, on the other hand, is incomplete: the chapter is indicated, but nothing is given about the title. As it is, the citation is thus insufficient to identify the decretal referred to. In the *Liber Extra*, in fact, as many as fourteen chapters share the *incipit* *Cum dilectus*. The only way to locate the recalled passage is to proceed *per argumentum*. Impossible, finally, to arrive at the recalled norm using BG's citation. The expression *ut proverbiorum*, in fact, not only does not provide any useful element to locate the cited source, but it could be misleading because of an indication that seems to suggest the biblical nature of the reference.

5. Comparison of legal citations. The Italian editions

Also with regard to the quantity and species of the cited norms we observe some variations between the different 'versions' examined⁶⁰.

With regard to BV we say, to begin with, that in the 'version' there is only one case of 'exclusive' citation. Of citation, that is, found exclusively in BV. This is the citation *Come si nota nel ca. de defensions, lib. vi. Et nel Digesto de iureiurando. Eum qui*⁶¹ referring to two different sources: the first is the *Codex Iustiniani*⁶²; the second is the *Digestum*⁶³. The identification of the *Digestum* passage poses no particular problems: the citation contains the reference to the work, the title and the fragment. More complex is the decoding of the *Codex* citation. It has elements that on the surface would seem to indicate the first chapter of a hypothetical title *De defensionibus* of the *Liber Sextus*. The fact that there is no title *De defensionibus* in Pope Boniface VIII's compilation suggested that a different source is actually being referred to in the *Belial*. We can conclude that the expression “*in ca*” should not be read as “*in capitulo*,” but as “*in Codex*”; even the indication *de defensionibus*, does not help since not even in the *Codex* do we find a title rubricated in this way. We are referred, therefore, to the title *de dilationibus*; at the end is the reference “*lib. vi*” which, at this point, we are certain we must interpret as *lege sexta* and not as *Liber Sextus*. Here, then, is the identification of the norm cited in CI.3.11.6. The citation is placed at the end of a short passage. It too is only found in BV: we are in the initial stages of the first instance, in chapter XXIII of BV entitled “Positioni, et articoli prodotti per Belial procuratore dell'Inferno contra Moise procuratore di Giesu.” The passage emphasizes the need for the judge to require Moise to respond to Belial's “positioni” under oath.

“Positioni, et articoli prodotti infra il termine dato per Belial procuratore dell'inferno per probatione del suo termine, et suoi testimoni, et sue ragioni qual dè produrre contra le positioni di Moise procuratore di Giesu. Sopra lequali secondo ragione dimandò Belial per nome dell'Inferno che per Salomone giudice delegato fusse comandato à Moise procuratore di Giesu che sotto sacramento dovesse rispondere accioche la confessione del detto Moise si potesse relevare in publica forma. *come si nota nel ca. delle defensioni, lib. vi. [CI.3.11.6] Et nel digesto de iureiurando. Eum qui [D.12.2.30]*”⁶⁴.

We have, then, a number of citations, simple and complex, which, present in the other 'versions', are omitted in BV. Some of them are shared, in multiple 'versions' and omitted only in BV. These are omissions, however, which are not particularly significant: in four of the six cases identified, in fact, BV reports the full the passage in which the citation, in the other 'versions', is placed. While lacking a direct normative reference, therefore, no variation in procedure is observed.

This is the case, for example, for a citation absent in BV and present in the other 'versions' in support of the discipline of *restitutio spoliatorum*. We read the BV 'version': “Et dimandato per Moise il giuramento de calumnia esser fatto per Belial, come vuol ragione”⁶⁵. Rather than basing the rule enunciated on a precise normative reference, in

⁶⁰ For a more comprehensive view of the relationship between the legal quotations in the various versions of the *Liber Belial* see *Tavola sinottica delle citazioni giuridiche (app. II)* in Mastroberti -Vinci - Pepe, *Il Liber Belial*, pp. 335-387.

⁶¹ BV, p. 25v.

⁶² CI.3.11.6.

⁶³ D.12.2.30.

⁶⁴ BV, p. 25v.

⁶⁵ BV, p. 14v.

BV we simply invoke in a more generic way the requirements of “ragione” and that is, we may say, of law. In other 'versions', after the generic reference to “reason”, that is, to law, the citation is placed. Indeed, we read in BLat: “Et iurato de calumnia per Moysen sicut est de iure. *Ut de resti. spolia. litteras in fi*⁶⁶. The citation refers to the *Liber Extra*. The title “De restitutione spoliatorum” and the *incipit* of the chapter “*Litteras*” are given in order: being referred to is the ending of a long decretal of Innocent III addressed to the archdeacon of Bourges, located in X.2.13.13 and concerning the restitution of property taken from persons with whom one has a kinship.

A very similar situation occurs just before. Again in BV we record the omission of the reference, but we entirely find the passage in which the citation, in the other 'versions' is inserted. It relates to the slander oath that the parties are required to take “a solenne conferma della loro buona fede nell'affrontare la causa”⁶⁷. We read in BV: “fatta la contestatione della lite, e notata appresso gli atti giudicarij, il giudice di presente fece dare alle parti il giuramento di calunnia”⁶⁸. In the other 'versions', immediately after the passage just quoted, the citation is found although, this time, in a slightly different form in the different editions. In all cases, however, to be recalled is a decretal of Honorius II concerning precisely the manner of taking the *iuramentum calumniae*. BF directly recalls X.2.7.1⁶⁹; BLat recalls the gloss to the same decretal⁷⁰; BG cites both X.2.7.1 and the gloss⁷¹.

We then have cases – two in all – in which the omission of the reference, also corresponds in BV to a 'cut' of the text. Also for this option, an example. We are in the context of the regulation of appeals in the first instance of the trial and Moses presents an exception; Solomon accepts it and orders that it be included in the trial record, but Belial objects and threatens to appeal the judge's decision⁷². Let us read the passage as it appears in BV. In round brackets we find, in the form contained in BLat, the passage omitted in BV:

“Noi [Salomone] veramente havuto il consiglio de' savii presente le parti predette sedendo per tribunale parlando pronunciamo la ecceptione predetta di Moise deversu ricevere [...] Et cosi fu scritta in negli atti per lo notaro, per laqual terminatione gridando Belial disse. Io mi gravo, et gravo di questo. Salomon disse. Non ti aggravare. (Consule peritos et si gravaris interlocutoriam revocabo ut *de ap. cum cessante* [X.2.28.60]⁷³. I ho dato termine à Moise perentorio infin à dì cinque Aprile à deponere, articolare, et provare, et à procedere”⁷⁴.

⁶⁶ See BLat, p. 5v. The citation is also in BF: *Ut de resti. spo. licteras circa finem*. (p. 13r) and in BD: *Ut deiuri. tal. ii. c. de restitu. spo circa fi*. (p. 17v.).

⁶⁷ So in Padoa Schioppa, A., *Storia del diritto in Europa*, Bologna, Il Mulino, 2016, p. 139. An extensive reconstruction of the origins and discipline of the libel oath is in Sarti, N., *Maximum dirimendarum causarum remedium. Il giuramento di calunnia nella dottrina civilistica dei secoli XI-XIII*, Milano, Giuffrè, 1995.

⁶⁸ See BV, p. 24v. The passage faithfully translates the corresponding Latin text that we read, by way of example, in BLat: “Facta litis contestatione et ea apud acta scripta iudex fecit incontinenti a partibus iuramentum calumniae prestari sub hec forma notata”. See BLat, p. 9r.

⁶⁹ See BF, p. 21v. “Selon la forme qui est notee in. c. i. de iura. calum”.

⁷⁰ “Hec forma notata de iura calum. c. i. in glo”. See BLat, p. 9r.

⁷¹ “C. i. deiuri. c. iii. in glo. et notatur hiis versib. illud nitetur”. Cfr. BG, p. 29v.

⁷² In Roman-Canonical procedure “tutte le questioni, anche quelle meramente formali, incidentali o preliminari, erano decise con sentenza motivata che doveva essere immediatamente impugnata”. See Cappelletti, M., *Processo e ideologie*, Bologna, il Mulino, 1969, pp. 307-308.

⁷³ BLat, p. 6r.

⁷⁴ BV, p. 16r.

The integration found in 'versions' other than BV does not involve a substantial change. Rather, it is intended to illustrate some consequences caused by Belial's possible appeal. The source recalled is once again the *Liber Extra*⁷⁵. The text, by Pope Innocent III, concerns the possibility for the judge to revoke *sententiae interlocutoriae*.

It does not remain, at this point, to give an account of the instances of 'exclusive' citations found in the other 'versions' and any omissions in order to determine whether, in these 'versions', actual variations in the description of the procedure can be found.

Let us begin with BLat. Here we find an 'exclusive' citation inserted in the context of the appellate discipline. We read in the Latin edition of *Belial*:

“Quem tamen fieri non deberet nisi citatis partibus, ut in. c. romana §. fi. verbo citat. de ap. li. vi. [VI.2.15.3] et vide ibi quando et qualiter fieri potest, de iure prout a iure requiretur instabat Belial ut fieret citatio sui adversarii in causa appellationis”⁷⁶.

Other 'versions' report the passage differently and without the citation. We read by way of example in BV:

“Laqual causa proseguita come vuol la ragione instava Belial che il suo avversario fusse citato nella causa della appellatione della sententia ventillata fra il ditto Belial, ut supra da una parte, et Giesu preditto da l'altra parte”⁷⁷.

The identification of the cited reference does not present particular difficulties. The source is the *Liber Sextus*, indicated at the end of the citation by the expression “li vi.”. The title is the fifteenth – *De appellationibus* – of the second Book; the chapter is the third and is identified by the *incipit* “Romana”. Recalled is the final part of a decretal of Innocent IV concerning the remission of appellate judgments.

As for the omissions, only in two instances in BLat is there an absence of citations that, on the other hand, are present in the other 'versions'.

The first of the omitted citations says *Come si nota. de appella. cum causa*⁷⁸. We are in the course of describing the discipline of appeal, and to be omitted is the reference to a decretal of Honorius III addressed to some English prelates of the Diocese of Lincoln to put an end to a dispute concerning some rights concerning the Church of Holiseth. Omitted in BLat is a short passage that complements the immediately preceding passage. We read, this time, from BLat with, in round brackets, the short passage omitted in the 'Latin version' and present in the other 'versions':

“Item nota quod iudex in apostolis dimissoriis semper debet differre a diffinitiva, quia causa non exprimitur in ea (Basta assai all'appellante dire; io appello da tal iniqua sententia. *come si nota. de appella. cum causa*” [X.2.28.62]).

⁷⁵ It is, to be precise, X.2.28.60.

⁷⁶ BLat, p. 38r.

⁷⁷ BV, pp. 81v-82r. The passage is given in the same form in BV, BF and BD.

⁷⁸ X.2.28.62. The reference is present in both BV (see p. 79v) and BF (see p. 62v).

The second citation omitted in BLat and found in both BV and BF relates to a *dictum* of Gratian found in the *Tractatus de poenitentia*⁷⁹ and says: “De peni. dist. i. §. his intransibus”⁸⁰.

The reference finds its place in one of the passages of the *Liber Belial* in which certain aspects related to the administration of justice in general are analyzed. Although the reference to the rule is missing in BLat, the corresponding passage is instead included. Let us compare the 'Latin' and vernacular 'versions'. We read in the former: “Nunquid dicendum David post mortem eius pro illo peccato sic purgato aliam penitentiam passum fuisse? Certe non. Quia non iudicat bis in idipsum”⁸¹. We then read in BV “non fece lui gran penitentia? Certo no. Perche Iddio non giudica due volte un peccato medesimo. *come si nota in Naum propheta. cap. i. et de peni. dist. i. §. his intransibus*” [D.3 de poen. c.39 d.p.]⁸². One immediately notices how the only element of difference between the two 'versions' is precisely the presence of the citations. In BV, at the close of the passage, first the book of the prophet Naum is referred to, then the *Decretum*.

6. The French edition

BF also possesses an 'exclusive' citation. It is a citation that recalls a Romanist source, to be precise Inst.1.1.1⁸³.

The passage in which the reference is placed is not closely related to the facts of the trial between Christ and Satan: it is, in fact, devoted to the illustration of certain aspects relating to the ways and times of imposing punishments. In the other 'versions', too, the same passage from the *Institutiones* is recalled, however without resorting to the usual *modus citandi* and inserting directly into the text some words from the Justinian fragment. We read in BV: “et se [l'uomo] fu dannato giustamente adunque egli fu dannato perpetualmente, perche la giustitia non è altro che constante et perpetua volontà” The correspondence with the passage from the *Institutiones* is absolutely evident. For here we read, “Iustitia est costans et perpetua voluntas suum cuique tribuens”⁸⁴.

Let us now turn to the citations – six in all – omitted in BF and present in the other 'versions'. We can examine some examples. The, first, inserted in all 'versions' except the French 'version', says – in the form adopted by BV – “cone si nota nel ditto §. In la glosa. Olim” and recalls what the Glossa says about the *Liber Sextus* decretal recalled by Paladini in the immediately preceding citation⁸⁵. Although direct reference to the Glossa is missing in BF, the passage preceding the citation, which concerns the discipline of the defendant's citation, is quoted in its entirety in the French 'version'.

⁷⁹ D.3 de poen. c.39 d.p.

⁸⁰ BV, p. 123r.

⁸¹ BLat, p. 59v.

⁸² BV, c. 123r.

⁸³ The passage from Justinian's *Institutiones* is referred to in BF as *Ut instituta de iusticia et iure. in prin.* See BF, p. 68r.

⁸⁴ See BV, p. 86r.

⁸⁵ *Come si nota de rescriptis. Statutum. paragrapho. Cum autem. Libro vi.* The reference recalls VI.1.3.11 §2. See BV, p. 6v.

Also omitted is the citation that says “come si nota nel cap. Se’l reo, over attore sera morto. Lege. Ultra. Et quello che si nota di clerici, maritati. Quid ad te”⁸⁶. It contains two different references: one to the *Codex*⁸⁷ and one to the *Liber Extra*⁸⁸. In this case, the omission of the citation is matched by a partial omission of the preceding passage concerning the different profiles of the discipline of possession and property.

BF also omits the citation that recalls X2.27.4 and that BV reports in the form “as noted. de reg. iur. Iudicatam causam”⁸⁹. Once again the omission, which we also record in BG, does not produce very significant results: although the direct reference to the rule is missing, the corresponding passage is quoted identically.

The last citation omitted in BF – the omission is again in common with BG – does not concern the description of the process, but again pertains to the analysis of some profiles of the relationship between guilt and punishment. BF omits the citation, which recalls “D.1 *de pen.* C.51”, but inserts the passage preceding the normative reference.⁹⁰

7. The German edition

We come, finally, to BG. In this edition we find the largest number of 'exclusive' citations. There are thirteen normative references in the German edition that are not matched in the other 'versions' examined. By way of example, we point out a few that can be considered most typical. The first 'exclusive' BG citation is found at paper 25v, in the form *Ut in. c. p.ntis*. The passage in which it is inserted concerns the discipline of testimony. The norm recalled is taken from the *Liber Extra*; to be precise to be cited is a decretal of Innocent III which is in X.2.20.31.

Compared to the other 'versions' BG adds, then, a citation of the *Glossa Ordinaria* to the *Liber Extra*. To be precise, this is the gloss to X.2.18.15⁹¹. Still 'exclusive' to BG are some citations inserted in that part of the *Belial* in which the discipline of appeal is explained⁹². For our purposes it is important to point out that the passage in question does not propose a different procedure: rather, it seems to respond to the need to reiterate certain concepts already expressed. In particular BG shows significant attention to the discipline concerning those introductory acts of the second instance judgment called *litterae dimissoriae* or *apostoli*. It is precisely on this specific topic that BG's two 'exclusive' citations insist, recalling VI.2.15.6 and C.2q.6c.31, respectively.

⁸⁶ *Ibid.*, p. 20v.

⁸⁷ CI.9.6.6

⁸⁸ X3.3.3

⁸⁹ BV, p. 73v.

⁹⁰ See BV, p. 134v

⁹¹ The form of the quotation is *Ut de confes. c. in glosa*. See BD, p. 31v. The lack of indication of the work being referred to takes us back to the *Liber Extra*. In the quotation, however, after the title *de confessis*, we do not find the usual indication of the chapter. This, too, is typical, though not too common, of the *Liber Belial* way of quoting: when the reference states “in ca.” or “in cap.” or “in capitulo”, the reference must be considered to relate to the first chapter of the title indicated. This is the case, for example, with the citation that reads “Et nel cap. de confessionibus. lib. vi” that recalls VI 2. 9. 1. See BV, p. 27r.

⁹² BG, p. 57v.

'Exclusive' of BG are then five consecutive citations that are included in an equally peculiar passage in the German edition⁹³. The passage does not supplement the procedural discipline. It deals with a reflection concerning the relationship between sin and penance. We have first of all the citation *Ut. xviii. q. ii. ep.* It immediately refers back to the *Decretum Gratiani*, more specifically to C.18 q.2. As for the identification of the recalled canon, the only element offered is the particle “ep” which we can probably interpret as the abbreviation of *episcopus, episcopatus, episcopalis* etc. None of the thirty-one canons of the *Quaestio secunda* and none of the *dicta Gratiani* of the same *Questio* have, however, for *incipit* a word beginning with the letters “ep”. Thus, we have no way of determining with certainty which canon was actually intended to be referred to in the edition. The next, *Ut. xxx. di. et alit. et c. qualis hic.*, contains two distinct references, again to the *Decretum*. First, the entire *Distinctio 30* of *Pars prima* is cited⁹⁴. This is followed, introduced by the conjunction “*et aliter*”, by a reference to canon 4 of *Distinctio 25*, also in *Pars prima* of the *Decretum*. This is followed by the citation *Ut de pe de. vii. c. Si et. xxv. de. c. Qualis*. It too is a 'complex' citation. The source referred to is again the *Decretum*. More precisely, in the first part of the reference *Ut de pe de. vii. c. Si*, the seventh *Distinctio* of the *Tractatus de poenitentia* in C.33 q.3 is cited. The identification of the exact canon presents considerable difficulty: it can only be done by the particle “*Si*” placed immediately after the indication of the *Distinctio*. There are, however, two canons that in begin with the conjunction “*Si*” in the *Distinctio* identified: canon 2, *Si quis positus* and canon 4, *Si quis autem*. Both passages are from St. Augustine and have comparable tenor so that it is difficult to identify the one actually referred to in BG. In the second part of this citation – *et. xxv. de. c. Qualis* – the *Decretum Gratiani*, and in particular D.25 c.4, is still recalled, it has been said.

Let us mention, finally, the legal citations omitted in BG. Eighty-eight 'simple' and 'complex' normative references are eliminated in the German edition. The significant datum for our reconstruction seems to consist in this: of the eighty-eight citations, as many as fifty-four are not included in the work in support of situations directly related to the 'facts' of the trial described by Paladini. Instead, they are placed in those passages of the *Liber Belial* in which 'penal' aspects are addressed. These are passages dense with normative references, though not particularly extensive, in which aspects related to the concepts of crime and punishment, sin and penance are discussed, which find in the *Decretum Gratiani* the main source of reference and for which the German 'version' shows a less pronounced attention. The passages in question are not necessarily omitted; rather, in most cases, they appear as summaries without the normative references. Rather, the remaining thirty-four citations can be traced to situations that directly or indirectly relate to the conduct of the trial. Despite the not insignificant number of omitted references, again no variations in the procedure are produced that are relevant. In most cases this is not distorted: rather, it is simplified.

8. Conclusions

At the end of the comparison, it is possible to draw some conclusions to answer the original question and to determine whether, in truth, the *Liber Belial*, in the different

⁹³ BG, p. 75r-75v.

⁹⁴ La *Distinctio 30* è composta da diciassette brevi canoni, tutti di analogo argomento. I primi sedici riproducono alcuni dei canoni (cc. 16, 17, 14, 10, 9, 13, 18, 19, 20, 3, 6, 1, 2, 15, 12, ult.) del Concilio di Gangra.

geographical areas where it had its fortune, was subject to manipulations aimed at obtaining 'versions' adapted to a hypothetical and differentiated Roman-Canonical procedural discipline, or whether it remained roughly in accordance with the original. The comparison returned fairly unambiguous results. First, substantial uniformity emerged between the first and last Italian editions in order of time. Then, it was recorded how the French 'version', although with some peculiarities characterizing it, can also be considered substantially uniform to the Italian ones. No omissions and no additions in this 'version' seem to suggest that the usefulness of preparing a French 'version' of the *Liber Belial* was felt. Partially different is the discourse concerning the German 'version' which, as mentioned in the preceding pages, presents peculiar features. First of all, on a strictly formal level, the repeated imprecision with which the legal sources are cited. This has already been mentioned in the preceding pages, lingering in a few instances on the process by which the citation is dissolved precisely to highlight the imprecision of the citations. On the substantial level, despite the presence of peculiar elements in this 'version' there was no evidence on the basis of which to suppose that the work had been manipulated in order to adapt it to a different *modus procedendi* in court. Rather than a 'differentiated version', the German 'version' would seem more like a 'simplified version'. Indeed, as has been attempted to be described in the preceding pages, the more concise form in which some passages are proposed in BG only sporadically concerns procedural aspects and, in any case, when even this happens, they never propose real 'procedural variants'. More frequently – this was also said about the eighty-eight citations omitted in BG – to be sacrificed are passages that are not strictly pertinent to the procedural affair and concerning, instead, aspects of a nature that today we would define as 'criminalistic'. A confirmation of the hypothesis that BG would represent a 'simplified' and not a 'differentiated version' could be found, in the end, in the greater conciseness of BG where some passages of a strictly narrative tenor and in the omission of a large number of scriptural citations not instrumental to the reconstruction of the trial.

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