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# LAW, JUSTICE AND PROVIDENCE IN *PARADISO VI*

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In *De Monarchia*, Dante employs the themes of law, justice, and providence in a syllogistic appeal for a universal emperor whose role it is to lead man via philosophy to the terrestrial paradise. The terrestrial paradise, man's temporal goal, is neatly distinguished by Dante from man's spiritual goal, salvation, the attainment of which is under the guidance of the Pope. Since one of Dante's purposes in *De Monarchia* is to defend the emperor's sovereignty from encroachments by the papacy, the separation of man's secular and spiritual ends is greatly emphasized. Nevertheless, in closing Dante writes:

Yet the truth upon this last issue is not to be narrowly interpreted as excluding the Roman Prince from all subordination to the Roman Pontiff, since in a certain fashion our temporal happiness is subordinate to our eternal happiness. Caesar, therefore, is obliged to observe that reverence towards Peter which a first-born son owes to his father; so that when he is enlightened by the light of paternal grace he may the more powerfully enlighten the world, at the head of which he has been placed by the One who alone is ruler of all things spiritual and temporal.<sup>1</sup>

This acknowledgement of the subordination of temporal happiness to eternal happiness anticipates the *Commedia*, where the supernatural penetrates the terrestrial paradise and where the poet emphasizes the divine sources of terrestrial law, justice, and history.

This is particularly evident in the sixth canto of *Paradiso*.

The theme of law in *Paradiso* VI is immediately suggested by the name of the soul speaking to Dante: Justinian. Justinian's *Corpus Iuris* was the source of practically all knowledge of Roman law in the Middle Ages. In *Paradiso* VI this great codification is introduced in terms of a religious mission: "per voler del primo amor ch'ì sento, / d'entro le leggi trassi il troppo e 'l vano" (vv. 11-12). The "voler del primo amor" which inspires Justinian shows that if the subject matter of the *Corpus Iuris* is a compendium of positive law, its foundation is the divine will. The divine source of positive or promulgated law is a Thomistic idea:

Laws that are humanly imposed are either just or unjust. Now, if they are just, they have the power of binding in conscience as a result of the eternal law from which they are derived, according to the text of Proverbs 8:15: "By Me kings reign and lawmakers decree just things."<sup>2</sup>

To further emphasize the religious importance of his works as Emperor, Justinian reveals that his conversion from Monophysitism to orthodoxy was prerequisite to his codification of laws:

E prima ch'io all'ovra fossi attento,  
 una natura in Cristo esser, non piue,  
 credea, e di tal fede era contento;  
 ma il benedetto Agapito, che fue  
 sommo pastore, alla fede sincera  
 mi dirizzo' con le parole sue.  
 Io li credetti; e cio' che 'n sua fede era,  
 vegg'io or chiaro si', come tu vedi  
 ogni contradizione e falsa e vera.

(*Paradiso* VI, 13-21)

In this passage the word *fede* appears three times in alternate lines with a regular rhythm: *fede era*, *fede sincera*, *fede era*, and with a progression of meaning that expresses Justinian's own spiritual progress (v. 15, *fede*=heresy; v. 17, *fede*=the true faith presented as a goal; v. 19, *fede*=the true faith possessed by Justinian).<sup>3</sup> This rhythm and progression show that Justinian's power to carry out his great secular task is the result of a gradual spiritual transformation. It is significant that in converting from Monophysitism to orthodoxy Justinian accepts the unity of the human and the divine in Christ, a unity that is

relevant to the close connection between Justinian's earthly task and the divine will.

The necessary chronological order of first religious conversion, then *Corpus Iuris* is stressed again in Justinian's phrase "Tosto che con la Chiesa mossi i piedi" (v. 22). At the same time, this image of "walking with the Church" evokes Dante's experience in Eden when he joins Statius and Beatrice in accompanying the "benedetto carco."

La bella donna che mi trasse al varco  
e Stazio e io seguitavan la rota  
che fe' l'orbita sua con minore arco.

(*Purgatorio* XXXII, 28-30)

The presence of the *carro* of the Church in the terrestrial paradise is a notable shift from the separation of the two paradises in *De Monarchia*. Justinian's "Tosto che con la Chiesa mossi i piedi" refers not only to his own conversion but also alludes to the most vivid symbol in the *Commedia* of the interpenetration of eternal and temporal *felicitas*. This interpenetration is essential if Justinian's *Corpus Iuris* is to be seen as a manifestation of divine will.

Terrestrial justice, like positive law, is shown in *Paradiso* VI to have a divine source. Justinian explains to Dante the principle of the organization of Paradise, saying that different souls enjoy different measures of beatitude but that the souls in the "lesser" spheres feel no sense of "nequizia," which would be impossible in Paradise. Justinian employs a musical metaphor:

Diverse voci fanno dolci note;  
così' diversi scanni in nostra vita  
rendon dolce armonia tra queste rote.

(*Paradiso* VI, 124-126)

According to Aristotle,<sup>4</sup> justice is defined as the division of goods according to the nature and merit of the recipients. The division in Paradise is perfect, and celestial justice is "dolce armonia." True terrestrial justice must reflect this harmony. The primary contemporary example of injustice was, for Dante, the Guelph-Ghibelline struggle. If we divide the sixth canto of *Paradiso* into three parts (part one: Justinian identifies himself; part two: the history of the Roman Empire; part three: the introduction of the souls in the heaven of

Mercury), we find that invectives against the Guelphs and Ghibellines serve as transitions between parts one and two and between parts two and three. The transitions themselves are related by the common use of the verbs *appropriare* and *opporre*:

perche' tu veggi con quanta ragione  
 si move contr'al sacrosanto segno  
 e chi 'l s'appropria e chi a lui s'oppone.

(*Paradiso* VI, 31-33)

L'uno al pubblico segno i gigli gialli  
 oppone, e l'altro appropria quello a parte,  
 si' ch'e' forte a veder chi piu' si falli.

(*Paradiso* VI, 100-102)

The verbs *appropriare* and *opporre* indicate how the Ghibellines and the Guelphs violate Aristotle's notion of justice. The Ghibellines are guilty of injustice through lack of measure because they usurp for their own particular faction an imperial power which is meant to be universal. The Guelphs, on the other hand, failing to see that the papacy is not the proper recipient of temporal power, oppose the imperial sovereignty which they should recognize. The injustice of the Ghibellines and Guelphs contrasts not only with the "dolce armonia" of Paradise, but also with the harmony between the Holy Roman Emperor and the Church described by Justinian at the end of his digression on Roman history:

E quando il dente langobardo morse  
 la santa Chiesa, sotto le sue ali  
 Carlo Magno, vincendo, la soccorse.

(vv. 94-96)

Another element that links terrestrial justice to divine justice is the concept of *vendetta*. Here, however, we see how the temporal-eternal connection can elude human understanding:

che' la viva giustizia che mi spira,  
 li concedette, in man a quel ch'i' dico,  
 gloria di far vendetta alla sua ira.  
 Or qui t'ammira in cio' ch'io ti replico:  
 poscia con Tito a far vendetta corse  
 della vendetta del peccato antico.

(*Paradiso* VI, 88-93)

The secular justice of Christ's crucifixion is tied to the cosmic justice of the redemption. (Likewise in *Purgatorio* XXI, 6: "e condoleami alla giusta vendetta.") But how do we explain the third *vendetta*, Titus' destruction of Jerusalem? The problem goes unresolved until the next canto, where Beatrice solves the dilemma by making a distinction between Christ's two natures (which recalls Justinian's heresy and conversion). This is one of those aspects of justice which can only be illuminated by revelation. Justinian himself emphasizes the often enigmatic nature of divine justice when he tells Dante "Or qui t'ammira in cio' ch'io ti replico" (v. 91).

In sum, Justinian in *Paradiso* VI is expressing the necessary connection between temporal and eternal justice. This union is stated by Dante himself in the sphere of Jupiter:

O dolce stella, quali e quante gemme  
mi dimostraro che nostra giustizia  
effetto sia del ciel che tu ingemme.<sup>5</sup>

(*Paradiso* XVIII, 115-117)

The concept of *vendetta* brings us to a third theme: providence. The *giuste vendette* make up the core of Dante's providential view of Roman history. In *De Monarchia* II, xii, 1-5, Dante establishes a connection between Christ's death and resurrection and Roman history in order to prove a political point: that Rome had necessarily to be the center of the Universal Empire. In *Paradiso* VI, however, Dante uses the same connection to celebrate the political-religious harmony that Rome's history exhibits. Dante the "epic poet" takes up where Virgil left off, adding to Roman history the Christian-providential elements that his *maestro* could not know.

With respect to secular history, Justinian's story of the flight of the eagle in *Paradiso* VI completes the geographical progression that begins with Florence (*Inferno* VI), expands to Italy (*Purgatorio* VI), and finally includes the Roman Empire (*Paradiso* VI). But the real progress made in Justinian's presentation of history is not in geography, but in the theme of providence. This is most emphatically expressed when "the will of Rome" is shown to be in conjunction with the divine will:

Poi, presso al tempo che tutto 'l ciel volle  
 redur lo mondo a suo modo sereno,  
 Cesare per voler di Roma il tolle.

(vv. 55-58)

For Caesar as for Justinian, it is the divine will which sets in motion a great secular task. This joining of wills in the providential view of history perfectly expresses Dante's ideal of political-religious harmony. The theme of providence appears in both *De Monarchia* and *Paradiso* VI, but whereas in the former work Dante employs the spiritual element (Christ's entry into history) to justify the temporal (the legitimacy of the Universal Empire), in *Paradiso* VI Dante uses the temporal to glorify the eternal. This concentration on the transcendent is underlined by the constant flight imagery in the canto: "l'aquila," "le sacre penne," "il volo di Cesare," and so on. The Empire's course, because it is in accordance with providence, is indeed "above the earth," and this harmony with providence distinguishes "il volo di Cesare" from the "folle volo" of Ulysses.

Having discussed the themes of law, justice, and providence, we must turn to one of the souls introduced by Justinian in the sphere of Mercury: Romeo da Villanova, the "solitary just man," falsely accused of the mismanagement of court funds. Romeo is presented as a pilgrim: "Romeo, persona umile e peregrina." The lack of appreciation of Romeo's talents, the false accusations and Romeo's subsequent exile, are clear evocations of Dante's own plight. This is not the first autobiographical element in this canto. If Dante resembles Romeo in being a pilgrim and an exile, he also resembles Justinian in having undergone a spiritual transformation. The accomplishments of both Justinian ("E prima ch'io all'ovra fossi attento") and Romeo ("fu l'ovra grande e bella e mal gradita") are referred to as *opere*, which invites comparison with Dante's literary production. By associating both Justinian and Romeo with himself, Dante identifies with the political-religious harmony manifested in Justinian's work while at the same time expressing a lament for his own situation of exile, which shows that the ideal of harmony is not yet realized. As Aristotle said, in a perverse community the just man is a bad citizen. Dante, like Romeo, was in a situation where good citizenship was impossible.

Nevertheless, *Paradiso VI* ends on a hopeful note, revealing even more clearly the importance of Romeo's role in this canto:

e se 'l mondo sapesse il cor ch'elli ebbe  
 mendicando sua vita a frusto a frusto,  
 assai lo loda, e piu' lo loderebbe.

(vv. 140-142)

Here Dante is affirming, through the example of Romeo, the value of individual justice and individual salvation, which can exist even in an unjust society. The affirmation of individual salvation is not simply a desperate response to the failure of the Empire to materialize. For Dante the ideal of the Empire remains, and the addition of the concept of individual salvation is a step forward. That concept was lacking in *De Monarchia*.

From *De Monarchia*, a philosophic tract that neatly distinguishes man's temporal and eternal ends, Dante moves in the *Commedia* to an expression of the divine sources of terrestrial law and justice, and the subordination of human history to providence. The hint of the interpenetration of divine and terrestrial that we find in the closing lines of *De Monarchia* is fully developed in *Paradiso VI*. Just as the sacred chariot enters the earthly paradise, so providence and divine justice and law invest their temporal representatives. At the same time personal salvation is affirmed, regardless of the temporal circumstances. For Dante the concept of the Universal Empire has found its limits, but has become more profound.

## Notes

1. Dante Alighieri, *Monarchy and Letters*, translated by Donald Nicholl (London: Weidenfeld and Nicolson, 1954), p. 94.

2. St. Thomas Aquinas, *Summa Theologica* II-II, 96, 4.

3. Besides *fede*, Dante uses several other words three times in *Paradiso VI*: *sai* (vv. 37-43); *incontro* (vv. 44-45); *vendetta* (vv. 90-93); and *giustizia* (vv. 88, 105, 121).

4. As Etienne Gilson argues in *Dante et la philosophie*, Dante was greatly influenced by Aristotle's discussion of justice, which appears in the fifth book of the *Ethics*.

5. Here *ciel* stands for all of Paradise, not just one sphere.



## BIBLIOGRAPHY

- Alighieri, Dante. *De Monarchia*, in *Tutte le opere*, a cura di Fredi Chiapelli. Milan: Mursia, 1965.
- Monarchy and Letters*, translated by Donald Nicholl. London: Weidenfeld and Nicholson, 1954.
- Aquinas, St. Thomas. *Summa Theologica*, translated by the English Dominican Province, London, Burns, 1916.
- Aristotle. *Ethics*. London: Penquin, 1953.
- Copleston, Frederick. *A History of Philosophy*. Vols. I-IV. Image Books, 1963.
- D'Arcy, M.C. *The Meaning and Matter of History*. New York: Noonday Press, 1967.
- Entreves, A.P. d'. *Dante as a Political Thinker*. Oxford: Oxford University Press, 1952.
- Gilson, Etienne. *Dante et la philosophie*. Paris: Vrin, 1939.
- Kantorwicz, E. *The King's Two Bodies*. Princeton, 1957.
- Masciandaro, Franco. *La problematica del tempo nella Commedia*. Ravenna: Longo, 1976.
- Padoan, Giorgio. *Introduzione a Dante*. Florence: Sansoni, 1975.
- Ullmann, Walter. *A History of Political Thought: The Middle Ages*. London: Penguin, 1965.