

Zitierhinweis

Benigno, Francesco: Rezension über: Angela De Benedictis, *Neither Disobedients nor Rebels. Lawful Resistance in Early Modern Italy*, Roma: Viella, 2018, in: *Quellen und Forschungen aus italienischen Archiven und Bibliotheken*, 100 (2020), S. 761-762, DOI: 10.1515/qfiab-2020-0036



copyright

Dieser Beitrag kann vom Nutzer zu eigenen nicht-kommerziellen Zwecken heruntergeladen und/oder ausgedruckt werden. Darüber hinausgehende Nutzungen sind ohne weitere Genehmigung der Rechteinhaber nur im Rahmen der gesetzlichen Schrankenbestimmungen (§§ 44a-63a UrhG) zulässig.

Angela De Benedictis, *Neither Disobedients nor Rebels. Lawful Resistance in Early Modern Italy*, Roma (Viella) 2018 (Viella History, Art and Humanities Collection 6), 230 pp., ISBN 978-88-3313-018-7, € 55.

Angela De Benedictis' book, previously published in Italian and now deservedly translated into English, is based on a very well-constructed and documented analysis of the legal dimension of the concept of resistance in Italy (although many of the arguments apply to the whole of Europe) during the early modern era. The basic thesis of the volume is that, although it was not codified, a right of resistance to arbitrary and tyrannical power existed in the juridical tradition of Roman law and constituted an important factor by which to orient and structure conflict. It was widely considered a risky and extreme course of action, certainly, but it was a legitimate one. This right, on which there is a vast quantity of juridical literature, and especially in the collections of *consilia*, has been variously invoked and demanded. Most of those who practiced forms of armed opposition to resist unjust orders and unlawful commands, (and for this reason they were defined by rulers as disobedient and rebellious subjects who were, therefore, worthy of the harshest punishments laid down for the offense of *lesa majestatis*, the most serious political crime) appealed to it. De Benedictis' well-argued research traces two distinct and complementary developments. On the one hand, it investigates the theoretical roots and juridical traditions that shape this right, a line of thought that extended from Bartolus de Saxoferrato and Lucas de Penna to reach as far as Althusius, who in his „Politica“ defined a true *jus resistendi*. This strand naturally intertwines with the vast body of anti-tyrannical literature (one needs only think of Juan de Mariana) and we can say without exaggeration that an important and distinctive European specificity arises from this convergence of political thought. On the other hand, De Benedictis' research draws upon a range of sources including chronicles and trial records in order to measure the use of these arguments in the public discussions and juridical proceedings that concerned concrete instances of armed resistance. In this second dimension of her study, the author is careful to connect the practice of resistance to the general concept of justice: the authorisation to resist is inherent to a certain conception of what is just and lawful, and which naturally also defines the converse, that which is not just and lawful. At the heart of this conception of justice there is essentially the obligation that everyone, including sovereigns, respect formally signed pacts and agreements. No sovereign, however absolute his power, can extend his authority and consider himself exempt from all constraints to the point of denying stipulated contracts, infringing on privileges, changing a law to his pleasure, or imposing taxes without having the right to do so. The demonstration of this postulation is entrusted to a series of instances in which the right of resistance was drawn upon across several well-defined historical contexts: a tumult that took place in Urbino in 1572–1573; the famous revolt of the Catalans (1640–1652); the equally famous Neapolitan revolution known as Masaniello's Revolt (1647–1648); the rebellions in Messina (1674–1678); the revolt of Mondovì (1680–1682); and the insur-

rection of Castiglione dello Stiviere (1689–1694). In all of these cases, the text leads the reader to verify concretely the divergence between a loyalty to the king maintained and, indeed, demanded, and a simultaneous opposition to the practices of government, according to the formula „Viva il re e mora mal governo“. Rather than being understood as a modification of the established order or as a „novelty“, the act of resistance is, rather, categorised as an act of restoration, the reintegration of something that is owed, or, in a single word, as justice. The book's intention, of course, is not to reduce the complexity of the conflicts of interest and the profound „cleavages“ that are at the origin of the political conflicts under consideration, but that of restoring the juridical (but also intellectual) context that is fundamental to understanding the boundaries of practicability (and of thinkability) of dissent and armed opposition. Following this reasoning something could be added. In the period under consideration there were profound changes in the structure of the monarchical government, with the introduction – in the main European monarchies – of the figure of an all-powerful minister-favorite. With the end of a generation of strong-willed sovereigns directly engaged in the harsh discipline of political rule (including Henry IV of Bourbon, of Elizabeth I Tudor and Philip II of Habsburg) at the end of the 1500s, a new sovereign delegate took power with the dawn of the new century, a plenipotentiary with extensive reach who enjoyed complete royal trust. His rise, which modified the terms of the problem of the legitimacy of power, broadened the space that rendered resistance a viable course of action, making it even more possible to be against the government of the minister-favorite while remaining faithful to the king. Francesco Benigno

Jean Lionnet, „Parve che Sirio ... rimembrasse una florida primavera“. Scritti sulla musica a Roma nel Seicento con un inedito, a cura di Galliano Ciliberti, Bari (Florestano) 2018 (Siren Coelestis 01), VI, 581 S., ISBN 978-88-99320-60-7, € 50.

Wer Jean Lionnet (1935–1998) persönlich kannte, berichtet oft hingebungsvoll von einer Forscherfigur, die sich dank einer Vielzahl liebenswerter Eigenheiten jeglicher Kategorisierbarkeit entzog, von einem überaus geistvollen Menschen, der durch sein einnehmendes Wesen und einen Charakter von verschwenderischer Großzügigkeit jedermann für die Dinge zu begeistern wusste, die ihn selbst gerade leidenschaftlich bewegten. Wer ihn ausschließlich durch seine Schriften erfahren durfte, scheint hier im Nachteil. Als Angehöriger dieser letzteren Gruppe muss ich gestehen, dass mein primär durch seine Werke geprägtes Verhältnis zu Jean Lionnet nicht von der passionierten Ergriffenheit war, die Zeitzeugen, Kollegen und Freunde seit jeher eint. Ich hätte ihn in der Tat gerne kennengelernt, nicht nur, weil wir Forschenden zur römischen Musikgeschichte ihm allesamt sehr viel verdanken, sondern auch, weil gerade in der akademischen Welt Persönlichkeiten, die durch ihre besonderen menschlichen Qualitäten in Erinnerung bleiben, von großer Seltenheit sind. Seine Schriften sind es, was langfristig von Jean Lionnet bleibt und an ihn erinnern wird, und so ist dieses