Christian-Nils Robert, La Justice dans ses Décors (XVe-XVIe siècles)

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This is a fascinating and imaginative book which attempts to establish links between the history of art and the history of criminal justice systems. Its chronological focus is c. 1450 to 1600, and its geographical focus is what its author describes at ‘L’Europe médiane’, which roughly covers northern Italy, the Low Countries, and the territories of the Holy Roman Empire, although occasional forays are made into other areas, notably France. The book’s concern is with the works of visual art which were hung in official buildings (town halls and the like) in which courts were held, and how those works reflected the type of ideology which it was hoped that judges and other legal officials would internalise during what was a peculiar period of state formation.

Robert sees judges and their assistants as a new socio–professional category, who, particularly in the more fragmented sovereignties of the areas upon which he focuses (there was less of an issue in the relatively developed monarchies of France and England) had to be reminded of the ideals underpinning their office. In these smaller territories and semi–independent cities the notion of good government and of civic virtue more generally were especially powerful, and especially important as far as the socialization of justice officers into a high standard of professional integrity was concerned. Justice could not be anything other than human, imperfect, and partial at best, and corrupt at worst. But the judges and others in the courtroom or its antechamber could be reminded of a
higher ideal of justice by works of art. And, of course, in what was still largely an illiterate culture, the public more generally might learn much from these images. The themes of some of these could were drawn from the bible or the Christian traditions more generally, while for others a range of secular stories were drawn upon.

3 The most obvious images to be drawn upon from within the Christian tradition were the Crucifixion and the Last Judgement. These were powerful themes, and, the latter in particular was a reminder of what was, in effect, the ultimate court of justice. Robert finds that the Last Judgement figured particularly prominently in the courtrooms of Flanders and the Holy Roman Empire. But there were scriptural stories which could easily be transmuted into edifying works of art, among the two most useful of which were the tales of Susannah and the elders and of the judgement of Solomon. In the first of these, a virtuous and innocent defendant is saved by a gifted and insightful judge from false accusation (and the two accusers are stoned to death), and in the second, of course, the wisest king ever to rule Israel hits on a brilliant means of solving an intractable legal dispute. Images like these would make judges feel good about themselves and about their professional activities.

4 There were also, a Robert demonstrates, a number of images drawn from secular culture which were mobilised to remind judges of the professional demands made upon them. There was, for example, the tale of the judgment of Trajan. This pagan warlord’s relevance to Robert’s theme arises from the story that one day he was leaving to go to the wars when a woman came to him and complained that one of her children had been slain by accident. Trajan investigated the case, and discovered that his own son was responsible for the child’s death. Despite this closest of blood ties, he gave judgement on his son and sentenced him to death, although the killer was saved by the woman’s intercession and, depending on which version of the story one accepts, was then either given in marriage to her or became her servant. The story stands, therefore, as a model from judicial impartiality.

5 Some of the images which Robert analyses are disturbing. He reproduces, for example, Gérard David’s paintings of the judgement of Cambyses (Cambyses in the Anglophone world), once hung in the hotel de Ville in Bruges. The Persian Cambyses conquered Egypt in the sixth century B.C., and had a reputation, especially among Greek writers, for being a severe tyrant given to considerable cruelty. Among these acts of cruelty was the punishment of a corrupt judge, Sisamnes, whom the tyrant ordered to be flayed alive, his skin destined to be used as a cover for the seat of his successor, in fact his own son. David’s depiction of this incident, dating from 1498, shows the process of skinning taking place in graphic detail, and one hopes that judges exposed to this image were reminded sufficiently of the possible consequences of corruption. Even more bizarre, and again somewhat gruesome, is Cesare Giglio’s 1604 painting of judges with their hands cut off, from the Hotel de Ville in Geneva. The object of this painting was not to remind judges of the consequences of corruption or partiality, but rather to remind them that they should resist such temptations by acting as if they had no hands with which to receive gifts or bribes.

6 This is then, an original and at some points gripping book, demonstrating both the author’s originality of approach and his profound scholarship. It is also a very well produced one, and Droz are to be applauded on the high standard of the illustrations, most of them reproductions of very detailed works of art, which adorn this book.
Robert begins the work with aphorisms from Regis Debray and Louis Marin, to the effect, respectively, that doing without images is a luxury which nobody in a position of authority can afford, and that the image is always, in some way, an indicator of power. We are, perhaps, left a little sceptical about how far the images so effectively analysed here achieved their object. Most of them, as we have indicated, were very powerful, but familiarity must have dimmed the impact of even these. Constant exposure to images of good judges, or the fate which might befall bad ones, may have left judges and other officials a little blasé, although, of course, we have no way of proving this either way. What Robert has surely demonstrated is the intention of the civic and territorial authorities who commissioned these works of art. Drawing on Christian traditions and on that classical culture in which European elites of the period were steeped, these authorities obviously had an agenda which seemed to them important as they strove to establish and maintain properly functioning legal systems. Robert is to be congratulated for bringing this theme of European justice history to our notice, and for doing it so well.

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