

Iustus ut palma florebit: Pier Soderini and Florentine Justice

May I begin with an anecdote, first recounted by Vasari in his *Life of Michelangelo*. This is the story of Pier Soderini's examination of Michelangelo's David once the colossal statue had been transported to its allotted place in front of the *Palazzo della Signoria*, the seat of government in Florence and also Soderini's new residence. As Vasari tells it, Michelangelo was up on the scaffold putting the final touches to the David, when Soderini, the highest magistrate in the Florentine Republic, the *Gonfaloniere di Giustizia* appointed to the office for life in 1502, came to inspect the statue which, since its commission in 1501, had become the talk of the city. Soderini, so we are told, examined the David at length and was mightily pleased by it; he thought, nonetheless, that the nose was too large and told Michelangelo as much. Michelangelo climbed higher upon the scaffolding and pretended to retouch the nose with the chisel while letting some marble dust, which he had purposely picked up, slip through his fingers. Seeing the dust fall, Soderini was convinced that Michelangelo had bowed to his, Soderini's judgement, and had acted upon it. So, when Michelangelo called down and asked him to look at it again, Soderini replied: "I am far more pleased with it; you have given it life".¹

An apocryphal story, perhaps, but all the more telling for that; art historians can afford to disregard it, as almost all of them have, but not so historians of Florentine politics and society. It is too easy to dismiss it for its naivety and for Vasari's casting of Soderini in the role of stooge, and to neglect to consider what else the anecdote was originally meant to convey in terms of the statue's political significance. Proper consideration of these factors will enable us to understand also the reasons for Soderini's interest in the David and even his concern for its artistic perfection.

So much has been written about the David, and so ingenious and attractive have been the opinions advanced regarding its meaning and significance, that it may seem foolhardy to add even

¹ G. Vasari, *La vita di Michelangelo*, ed. by P. Barocchi (Milan-Naples, Ricciardi, 1972), p. 22. The translation is mine.

some refinements to an already comprehensive list.² And yet, there is no doubt that the end effect of all this ingenuity has tended to make us lose sight of the work's primary significance. Whatever else the David might have been meant to convey, it is obvious that its primary function was as a symbol of justice. The statue was commissioned, or rather recommissioned, in August 1501,³ in the very midst, that is, of two important political debates. The first of these debates focused on ways and means of reforming the Florentine judicial system in order to ensure that justice was administered fairly and impartially; the second, on the necessity of halting the Republic's slide into factionalism, impotence and ruin by reforming some essential elements of its constitution to ensure internal cohesion and therefore stability, strength and permanence.⁴ Both debates were to have positive outcomes in the following year with the wholesale reform of the judicial system and with the transformation of the office of the *Gonfaloniere di Giustizia*, which was also the highest judicial office in the state, into a post to be held for life and not for two months as had been the case previously.

In commissioning the David, the republican government was sending a powerful message to the Florentines. By this time, David, the king and legislator who ensured Israel's survival and prosperity by defending it against its enemies and by dispensing good laws and just government, was one of the most frequently cited figures in the innumerable *protesti di giustizia* delivered in Florence throughout the fifteenth century.⁵ The *protesti*, to whose content I shall return shortly,

² See, for instance, C. Seymour, *Michelangelo's David* (New York, Norton, 1974); S. Levine, "The Location of Michelangelo's David: The Meeting of January 25, 1504", *Art Bulletin*, 56(1984), 31-49. Very useful, too, on the symbolic meanings of David and Judith for the Florentines is F. Caglioti, "Donatello, i Medici e Gentile de' Becchi: un po' d'ordine intorno alla Giuditta (e al "David") di Via Larga I, II, III, *Prospettiva*, 75-6(1994), 78(1995), 80(1995).; see also *idem*, *Donatello e i Medici. Storia del David e della Giuditta* (Florence, Olschki, 2000).

³ G. Milanesi, *Le lettere di Michelangelo Buonarroti pubblicate coi ricordi ed i contratti artistici* (Florence, Le Monnier, 1875), pp. 620-3. M. Hirst, "Michelangelo in Florence: 'David' in 1503 and 'Hercules' in 1506", *The Burlington Magazine*, cxlii (2000), p.487.

⁴ A. Zorzi, *L'amministrazione della giustizia penale nella Repubblica Fiorentina. Aspetti e problemi* (Florence, 1988), pp.100-4; F. Gilbert, *Machiavelli and Guicciardini: Politics and History in Sixteenth-Century Florence* (Princeton, Princeton University Press, 1965), pp. 66-75.

⁵ The number of surviving *protesti* is considerable, but only a few collections of them have been published to date. David is not only the figure most often presented as the example of just ruler, but in addition, the Psalms attributed to him are among the speakers' most popular sources of

were public orations delivered in Italian by one of the gonfaloniers of the companies in the audience chamber of the *Palazzo della Signoria* before all the members of the newly elected *Signoria*, fifteen days after they had been sworn into office. A *protesto* was also commonly delivered, but in a more public place, usually in front of the *Palazzo*, to domestic and foreign officials, such as the *Sei di Mercanzia* the *Podestà*, the *Capitano del Popolo* and so on, upon their assumption of office. In this case, it was customary for the officials to deliver a reply in similarly lofty language.⁶ As the term itself implies, the institution of the *protestatio*, as outlined by legislation, had a twofold function. It was designed to encourage newly elected magistrates to uphold justice during their term of office while at the same time assuring these magistrates that the polity would lend them all required assistance in the proper execution of their duties.

The statue of David as executed by Michelangelo embodied the two attributes which had been assigned to him in the *protesti*. Vasari confirms as much when he states that David was represented as a young man with a sling in his hand so that "in the same way that he had defended his people and governed them with justice so those who governed that city should defend it courageously and govern it justly".⁷ Here is the explanation for Soderini's interest in the David. Whether this interest manifested itself in the way described by Vasari or whether it was expressed in a manner more suitable to a head of state, is irrelevant. What counts is that Vasari, writing sixty and more years after the event, was aware of how concerned Soderini, as *Gonfaloniere a vita*, had been with the David's appearance. It could not have been otherwise, given the correlation between the statue's symbolic meaning and the perceived duties of his office. Because of the conflation of Soderini's two terms of office as *Gonfaloniere di Giustizia* - he was first appointed to the office in March 1501 for two months - we tend to dismiss too lightly Vasari's assertion that Soderini,

citations. See, for example, Biblioteca Nazionale di Firenze [Hereafter BNF] Fondo Principale II. I. 71, ff. 43v, 44r, 48r, 52v; BNF Magliabechiano VIII 1437, ff. 11r, 58v, 59v, 60r, 61r; see also, Matteo Palmieri, *Una prosa inedita* (Prato, Guasti, 1850), p. 22.

⁶ E. Santini, "Le *protestatio de iustitia* nella Firenze medicea del sec. XV", *Rinascimento*, X (1959), pp. 34-6.

⁷ G. Vasari, *La vita di Michelangelo*, cit., p. 20: "un Davit giovane con una frombola in mano, acciò che, sì come egli aveva difeso il suo popolo e governatolo con giustizia, così chi governava quella città dovesse animosamente difenderla e giustamente governarla". To my knowledge, only C. Seymour has discussed Vasari's statement at length, though he places upon it an interpretation with which I am not in agreement, *Michelangelo's David*, cit., p. 58.

together with the *operai* of S. Maria del Fiore, was instrumental in granting to Michelangelo the block of marble in which he modelled the David.⁸ If that was indeed the case, then Soderini may well have had some say in determining how the statue should be executed and what values it should symbolise. This is not as far fetched a notion as it may seem, bearing in mind the close relationship which existed between him and Michelangelo, the latter's deference to him and most importantly, the capital which Soderini was to make out of the statue's symbols.

In so doing, Soderini was following precedents established by the Medici and the republican government which succeeded them after their overthrow in 1494. There is no need to dwell upon the notorious, and perhaps illegal, appropriation by the republican government in 1496 of the Medici owned and commissioned statues of Donatello's David and Judith slaying Holofernes, another popular image of justice in the *protesti*.⁹ Both statues were removed from the courtyard of the Medici palace and placed in the Piazza della Signoria: the David in the courtyard of the *Palazzo della Signoria*, the Judith and Holofernes in the very place which would later be assigned to Michelangelo's David, the *ringhiera* of the *Palazzo*.¹⁰ As Giuliano da Sangallo, one of the speakers assembled by the Signoria to discuss the placement of Michelangelo's David, pointedly remarked when he argued that it should be placed close to the seat of political power in Florence, the figure of David was a "cosa pubblica".¹¹ As such David had very precise connotations which, though evolving over time, remained nonetheless firmly tied to the theme of political justice. Thus the concern of successive governments, or heads of government, to be identified with it and even, if possible, to take control of its artistic representations.

⁸ G. Vasari, *La vita di Michelangelo*, *cit.*, p. 20. For Soderini's term of office see G. Cambi, *Istorie*, vol.2, in *Delizie degli eruditi toscani* ed. I. di San Luigi (Florence, Cambiagi, 1785), vol. xxi, p. 159.

⁹ On both see F. Gaglioti, "Donatello, i Medici e Gentile de' Becchi", *cit.*, *passim*.

¹⁰ N. Rubinstein, *The Palazzo Vecchio 1298-1532* (Oxford, Clarendon Press, 1995), pp. 70-1 and bibliography cited therein.

¹¹ The debates over the placement of the David are most conveniently available in C. Seymour, *Michelangelo's David*, *cit.*, pp. 136-55; see p. 146 for Sangallo's comments.

Very little work has been done on the concept of justice in the Renaissance.¹² As a concept it constituted the link between popular ideology and advanced political speculation. Political debate at all levels was dominated by it, while political activity was always punctuated by appeals to it. For these reasons it was the most exploited of political concepts, appealed to, manipulated and claimed by the most disparate of regimes: its meaning and applicability enhanced by the imaginative way in which it was defined and redefined throughout the later Middle Ages and the Renaissance. So concerned are we with the evolution of new political ideas in the period that we have neglected to study older concepts which contributed to shape the new thought. Thus, to give but one example, we make a great deal of the fact that justice is not specifically dealt with in Machiavelli's *Il Principe* and fail to mention not only that he too wrote a *protesto di giustizia* but also that the concept is extensively treated in his other works.¹³ By ignoring the concept of justice, we have failed to appreciate both its vitality and its influence on contemporary society. Indeed, I am convinced that justice as a political concept was at its most influential not in the late Middle Ages, as claimed, but in the *Quattrocento* and *Cinquecento*, at the very height of the Italian Renaissance.

Before the *Quattrocento*, before that is, humanistic intervention in the political debate, justice was invested with specific legal meanings. It was generally accepted that justice was the ultimate bond of human society. Without justice, so it was argued by Florentines of the *Duecento* and *Trecento*, there could not be any prospect of living together in peace and concord, the prerequisites of a stable and prosperous society. The common good of any society could best be promoted and ensured, therefore, by rulers who were themselves lovers of justice. Primarily, justice involved the distribution of punishment and reward. Similarly, the just ruler was almost invariably seen as a judge or described as performing judge-like functions and decisions. Not surprisingly, the most common pictorial depiction of justice was to represent her as a dignified, usually enthroned, female figure holding a pair of scales, whereas the good ruler or magistrate was

¹² The only exception is the old but still very useful work primarily concerned with artistic representation by L. Zdekauer, "*Iustitia. Immagine e idea*", *Bullettino senese di storia patria*, xx (1913), pp. 382-425.

¹³ N. Machiavelli's *protesto* has been given the title "*Allocuzione fatta ad un magistrato*", in *Arte della guerra* ed. S. Bertelli (Milan, Feltrinelli, 1961), pp. 133-7.

represented as a judge: typical here were the lost fresco by Giotto in the *Palazzo del Podestà* in which the commune was represented as a judge and the cycle in the audience chamber of the *Palazzo dell'Arte della Lana* in which the good ruler is represented as Brutus *il buon giudice* aided by justice.¹⁴

By and large, this legalistic conception of justice remained unaltered until the early fifteenth century when, as a result partly of the war against Milan and above all of the humanists' treatment of the subject, far more complex and politicized notions of justice evolved. Within a remarkably short period of time, and partly through the agency of the *protestatio de iustitia*, these notions became common property. Two major trends can be discerned. In the first place, while justice retained its earlier legal meaning, more and more emphasis was now placed on its role as a civic virtue. Justice, so it was maintained, was the essential prerequisite for liberty. Where there was justice, there was equality before the law, unfettered participation in public life, and therefore concord amongst the citizens. Respect by the citizens for each others' rights - a respect guaranteed by the proper administration of justice - engendered patriotism which in turn manifested itself through the citizens' liberality towards one another and also towards the *patria*. For citizens living in such a well-regulated polity, no sacrifice was too great, not even the laying down of one's life, if it ensured the survival of the city and of its institutions. All the more so since the preservation of justice was essential if Florence were to enjoy continued prosperity and, above all, its present intellectual and creative primacy. Thus, in an argument which, as far as I know, has no equivalent

¹⁴ On both see S. Morpurgo, "Bruto, 'il buon giudice', nell'udienza dell'Arte della lana in Firenze", *Miscellanea di storia dell'arte in onore di Iginio Benvenuto Supino* (Florence, Olschki, 1933), pp. 141-163; *idem*, *Un affresco perduto di Giotto nel palazzo del Podestà di Firenze* (Florence, Carnesecchi, 1897). Though this paper concentrates on Florence, similar trends can be observed throughout north and central Italy, see for instance, N. Rubinstein, "Political Ideas in Sienese Art: The Frescoes of Ambrogio Lorenzetti and Taddeo di Bartolo in the Palazzo Pubblico", *Journal of the Warburg and Courtauld Institutes*, xxi (1958), pp. 179-207; R. Starn and L. Partridge, *Arts of Power: Three Halls of State in Italy, 1300-1600* (Berkeley, University of California Press, 1992); J.B.Reiss, "Justice and Common Good in Giotto's Arena Chapel Frescoes", *Arte cristiana*, 42 (1984), pp. 69-80. Indeed, so widespread was the practice of painting justice in public buildings that it was felt necessary to write a book on how best artists should represent the concept: B. Fiera, *De Iusticia pingenda: On the Painting of Justice. A Dialogue between Mantegna and Momus* (London, Lion and Unicorn Press, 1957).

elsewhere in Italy, the Florentines traced the origins of their city's beauty and wealth as well as of their own intellectual and artistic supremacy to justice or, to be more specific, to the favourable conditions fostered by justice in their city.¹⁵

Hand in hand with these notions based on contractual theories of association, which held that man as a rational being must work towards the establishment of institutions perceived to be of common utility, another and contrasting interpretation was being offered and elaborated. According to this interpretation, the attainment of justice was not the result of men's collective efforts towards the common good, but the freely bestowed gift of an outstanding, heroic individual on society. The list of law-givers given by the various *protesti* and by other documents - humanist orations, treatises and eulogies - is fairly restricted and comprises Biblical figures, Moses, David and Solomon and Judith in particular, classical ones, Numa Pompilius, Solon, Lycurgus and a mythological one, Hercules.¹⁶

Apart from the contrasting view on the "historical evolution" of justice which it offered, this interpretation carried with it the strong suggestion that an outstanding law-giver was necessary not only at the outset, at the time of institution of a given political system, but thereafter: to arbitrate, to regulate, to dispense justice. While it cannot be argued that one interpretation was more influential than the other, it was the second which found greater favour amongst the city's governors, the Medici and later Soderini, if one is to judge from their eagerness to be identified with the law-givers of old and from the eulogies dedicated to them.

Even so, there is little doubt that the *protestatio*, as an institution, contributed to undermine in the long run the stability of the Medici's rule over Florence. Individual *protesti* may have been hackneyed, repetitive and - to be perfectly frank - boring: one should not disregard, however, their

¹⁵ See especially, BNF Fondo Principale II. I. 71, ff. 19v-20r; and *ibid.*, Magliabechiano VIII 1437, f. 12v where, in a *protesto* by Piero Guicciardini of 15 January 1484/5, justice is referred to as "madre et regina del secolo aureo".

¹⁶ See, for example *ibid.*, ff. 42v-43v44r; see also the *protesti* by Francesco da Castiglione e Carlo del Benino in BNF Magliabechiano VIII 1437, ff. 58v-59r and 123v respectively.

cumulative effect in large number delivered continually, in public, and also circulating in written form. Even the most trite or naive of these *protesti* posited idealized views of justice and of a just polity which could not but be perceived to contrast with reality. Some of them, moreover, alluded to the discrepancy between the idealized version of Florentine justice posited in the *protesti* and the arbitrariness of its administration under the Medici. Ser Filippo Pandolfini for one, in his *protesto* of 1474, did not hesitate to highlight this fact and to point to the inevitable ruin which would follow.¹⁷ The Medici's disregard for justice was also stressed by their opponents. The chronicler Bartolomeo Cavalcanti, for instance, remarked on the regime's lack of justice, on its tyrannical policies and on the reign of terror instituted in Florence upon Cosimo's return from exile.¹⁸ Others, like Alamanno Rinuccini, stressed the arbitrariness of the administration of justice under Lorenzo, and the factionalism, the greed and the inequality this engendered.¹⁹ The opponents of the regime refused to be taken in by the special pleading of the *protesti* but rather relied on it for the terms of the condemnation they levelled against the regime. Instead of the *Florentia florentissima* of the *protesti*,²⁰ the opponents emphasized the economic ruin caused by the self-serving, unjust, policies pursued by the Medici. The very survival of the city, they maintained, was in jeopardy, because without justice there could not be concord and therefore no commitment to the *patria*'s welfare and preservation.

¹⁷ E. Santini, "Le *protestatio de iustitia* nella Firenze medicea del sec. XV", *cit.*, pp. 67, 73: "Quante rep[ubliche] che prima erano florentissime sono per la iniustitia ad extrema et calamitosa ruina pervenute?" The superlative removes any doubt regarding the specific republic he had in mind, see note 20 below.

¹⁸ *The trattato politico-morale of Giovanni Cavalcanti (1381-1451)*, ed. M. T. Grendler, *Travaux d'Humanisme et Renaissance*, vol 135 (Geneva, Droz, 1973), *passim*. See also D. Kent, "The Importance of Being Eccentric: Giovanni Cavalcanti's View of Cosimo de' Medici's Florence", *The Journal of Medieval and Renaissance Studies*, 9 (1979), pp. 128-9.

¹⁹ For Alamanno Rinuccini see his *Dialogus de libertate*, ed. F. Adorno, *Atti e memorie dell'Accademia Toscana di scienze e lettere La Colombaria*, XXII(1957), pp. 282-4; an English translation is available in R. N. Watkins *Humanism and Liberty. Writings on Freedom from Fifteenth-Century Florence* (Columbia, University of South Carolina Press, 1978), pp. 204-5.

²⁰ This is a recurrent conceit, see, for example, BNF Magliabechiano VIII 1437, ff.18r, 20r; see also *Prose del Giovane Buonaccorso da Montemagno*, in *Scelta di curiosità letterarie inedite o rare dal secolo xiii al xix*, cxli (Bologna, Forni, 1968), pp. 1, 3; as pointed out by the editor, the *protesti* in this collection are also attributed in some manuscript collections to Stefano Porcari.

The most concerted attack against the Medicean system of government's lack of justice and its consequent arbitrariness and ungodliness was launched by Savonarola. Indeed, the Savonarolan reform in the civic sphere was launched and consummated with the cry "*Fate giustizia; fate giustizia*".²¹ His attack on the Medicean regime for its transgressions against justice was, if anything, even more polemical than that of its lay opponents. With an oblique reference to the *protesti*, he maintained that since 1434 - that is, since Cosimo's return from exile - Florence had cloaked itself in justice and yet had become worse than ever. He also showed himself to be well-informed on past Florentine artistic practice, on their readiness to forgo substance for the artistic statement. He berated them for having caused a figure of justice to be painted in the Palazzo della Signoria, without then bothering to follow its dictates. As he contemptuously told them, alluding to the various representations of justice scattered throughout the city in its public and private buildings, far fewer artistic representations were needed but far more acts of justice, or, as he put it : "Io non vorrei tante dipinture, ma che voi facessi iustitia".²²

Savonarola had a primarily utilitarian conception of justice. For his theoretical framework he was indebted to St. Thomas Aquinas. In his sermon on justice preached before the Signoria in 1491 as well as in the lectures on the Law delivered to the Friars of S. Marco at about the same time, and later incorporated in his *Compendium Philosophiae Moralis*, Savonarola presented scholastic and contractarian views taken wholesale from Aquinas' *Summa*.²³ Even then, it is possible to detect a more practical bent in his thought. He was more concerned, in other words, with the administration of justice, with questions of procedure, of punishment of wrongdoers and of the syndication of officials, rather than with theories and philosophical concepts. He was never to abandon this utilitarian approach, even though, with his conversion to millenarianism after 1494, he was forced to pay greater attention to the theoretical and ideological questions. While

²¹ See, for example, G. Savonarola, *Prediche sopra i Salmi*, ed. by V. Romano (Rome, Belardetti, 1974), vol. 2, pp. 147-8, 168-9; *idem*, *Prediche sopra Ezechiele*, ed. R. Ridolfi (Rome, Belardetti, 1955), vol. 1, pp. 99-102, 114-5

²² G. Savonarola, *Prediche sopra Ruth e Michea*, ed. by V. Romano (Rome, Belardetti, 1962), vol. 2, p. 144.

²³ G. Savonarola, *Compendium Philosophiae Moralis*, in *Scritti filosofici*, ed. G. Garfagnini (Rome, Belardetti, 1988), vol 2, pp. 305-477. The sixth book of the *Compendium* (pp. 391-415) is dedicated wholly to justice.

still retaining thomistic positions, he now argued that the Florentine millennium, which he had prophesied on God's behalf, was dependent upon the attainment of justice in Florence. It was beholden on the Florentines to prepare the way for God's advent to Florence so that he could bestow His Grace and His promised blessings upon the city, by seeing to it that justice was done.

As Savonarola never ceased to repeat from the pulpit, the new republican government, introduced in December 1494 partly at his behest, provided the proper foundations for the attainment of justice. Even so, he admitted that modifications to and refinements of the constitution were still needed, partly to prevent arbitrary decisions, partly to ensure that existing laws against wrongdoers were applied or strengthened if necessary. Those seeking to undermine the constitution, or resisting the amendments advocated by Savonarola were condemned not only as unpatriotic, but also as ungodly, because they stopped Florence coming into her spiritual and material inheritance. To declare one's support for justice, as Savonarola conceived it, and for the government which underpinned it, denoted the person's godliness as well as his or her election; to oppose it, on the other hand, betrayed the person's sinfulness and unworthiness to partake of the blessings promised to Florence.

This deeply divisive view colours the many discussions on issues of law, order and justice conducted in the *consulte* throughout these years.²⁴ These discussions also help to explain the bitterness of the political debate. The final polarization occurred in 1497 and, given the precedents, it was inevitable that it should occur over an issue of law and justice. In that year there was discovered a Medicean plot to overthrow the republican constitution and to restore Piero de' Medici to power. Once they recovered from the shock, Savonarola's followers demanded that the five leading conspirators be executed, as already decreed by the government, and also that they should be denied the right of appeal to the Great Council: a right which, ironically, had originally

²⁴ See in particular, Archivio di Stato, Firenze [Hereafter ASF], Consulte e Pratiche, Registro 61, ff. 3r-4v; Registro 63, ff. 56r-61v, 70r-v.

been incorporated in the constitution at Savonarola's insistence.²⁵ After bitter debates, the Savonarolans won the day, and the five conspirators were summarily executed.²⁶

The executions opened a chasm between the Savonarolans and the Mediceans, thus aggravating the Florentine political crisis until its final resolution in 1530 with the capitulation of Republican Florence. Most importantly, for our purposes, the executions marked the beginning of a new phase in the debate over justice. On the one hand, as expected, the debate became indissolubly linked with the bitter political disputes of the time. On the other, there ensued an escalation of the practice, ever present in Florentine society, of destroying one's political enemies through the manipulation of justice, or, to be more precise, through the manipulation of the judicial process.

The denial of the right of appeal to the five conspirators had been justified by the Savonarolans on the grounds that to observe the letter of the law would in this case destroy its substance. They argued in the *consulte* that the law of appeal had been introduced to reduce the incidence of arbitrary decision in order to ensure justice and therefore the concord, equality and liberality essential if the Republic was to prosper and thrive. To allow the appeal when the citizens were already so divided over the issue would have prolonged and hardened existing divisions, rendering the Republic more vulnerable to internal collapse and external conquest. In the circumstances to be just was a form of injustice. The preservation of the Republic, so they argued, would allow of no alternative but the blocking of the appeal. To the Medicean opponents of Savonarola, these arguments were mere casuistry which aimed to justify a decision notable for its cruelty and partiality. Here was proof, they maintained, that the much vaunted Savonarolan system of government, far from fostering justice and godliness, engendered passion, violence and therefore injustice and evil.²⁷ Isolated and ostracised, there was little the Mediceans could do to retaliate in kind. Whenever possible, however, they joined forces with other anti-Savonarolans to

²⁵ On this whole episode see R. Ridolfi, *Vita di Girolamo Savonarola* (Rome, Belardetti, 1952), vol. 2, pp. 314-6.

²⁶ For the debate see ASF, *Consulte e Pratiche*, Registro 63, ff. 83-87v.

²⁷ *Ibid.*

harass their common enemy. This anti-Savonarolan coalition was most successful in exploiting the popular revulsion occasioned by the executions of 1497. Indeed, one could argue that the execution of the five conspirators in 1497 prepared the way for the burning of Savonarola and of his two companions in 1498.

All this blood letting was symptomatic of the bitter political fragmentation of the Florentine Republic, of the factional intolerance and, above all, of the readiness of all contending parties to invoke justice to destroy their enemies. The list of victims is long; the charges under which they were tried and sentenced were varied and ingenious. Only in 1501 was there a let-up in the struggle brought about by a major realignment of the Florentine political factions. In that year, the republican anti-Medicean forces, divided until then over the figure of Savonarola, agreed first to a truce and then joined together in an alliance designed to prevent the return of the Medici to Florence. Thereafter, the lines of the political struggle were far more clearly drawn: on the one side the republicans, Savonarolans and anti-Savonarolans alike; on the other the Mediceans within and without the walls.²⁸

While this realignment was taking place, the already mentioned commissioning of the David, the reform of the judicial system and the transformation of the office of the *Gonfaloniere di Giustizia* into a life-time office, with Soderini's appointment as Gonfalonier, took place. The political realignment, the reform of the judicial system and the creation of Soderini as *Gonfaloniere a vita* were followed by a further refinement of the concept of justice. Available evidence suggests that these new concepts originated in circles close to Soderini. By combining the more aggressive attributes allocated to justice by humanist and Savonarolan theorists, justice was now presented in two guises. First, as an exclusively republican virtue with specific anti-Medicean connotations; secondly, as a militant virtue, requiring from the citizens a commitment to defend the republic, even with arms if necessary, against those forces that wanted to destroy it. Its traditional functions as a civilising, bonding and stabilising force in society were now even

²⁸ L. Polizzotto, *The Elect Nation: The Savonarolan Movement in Florence 1494-1545* (Oxford, Clarendon Press, 1994), pp. 212-38.

more strongly emphasized. They were also closely associated with its more militant attributes, as demanded by the extraordinary dangers which the Republic was facing and which were threatening its survival.

There seems to be little doubt that Soderini contributed to the formulation of these new notions of justice and that he even saw to it that they were incorporated in the David or at the very least became associated with the statue. They were also employed by him to justify the policies which he pursued in his new office, one which had given rise to such diverse and contrasting expectations. An early statement on this close relationship between new, militant ideas of justice, Soderini's consequential interpretation of his office and the David's significance is provided by a letter from Matteo Bigazzi da Cascia, a canon of S. Lorenzo, to Marco Strozzi, a canon of S. Maria del Fiore. The letter, undated, but written shortly after Soderini's election as *Gonfaloniere a vita*, casts Soderini as the Florentine David. Like the Lion of Judah, Bigazzi writes, Soderini had united his lost and leaderless people;²⁹ he was both their commander and priest who would lead them against the powers of darkness. Like David he ruled with justice and the just, therefore, flocked to his cause. The rich and the poor, the powerful and the defenceless would all be equally protected by him through his equitable distribution of justice. On the other hand, all disruptive elements in society, the evil-doers as well as those who plotted for the overthrow of the republic, would feel the full force of his wrath and would be exterminated. Biblical quotation upon Biblical quotation, attribute upon attribute, created the hyperbolic parallel, with Soderini emerging as the alter-David who alone would save Florence and assure for it the glorious destiny long prophesied.³⁰ Though more moderately put and without the reference to David, this view of Soderini was conveyed by most eulogies composed during his period of office as *gonfaloniere*.³¹

²⁹ ASF, Carte Stroziane, Serie III, 138, f. 59r

³⁰ *Ibid.*, ff. 59r-62r.

³¹ See, for example, the poems in Soderini's praise written by Paolo Orlandini, in "Epythome super universam Bibliam", Ms. BNF Conventi soppressi, D.5.827, ff. 339r-343v. See also H. Butters, "Piero Soderini and the Golden Age", *Italian Studies*, xxxiii (1978), esp. pp. 62-3.

There was nothing Soderini liked more than being cast in the role of the Davidic, just ruler. He stepped into the role eagerly. As *Gonfaloniere di Giustizia a vita* he acquired new judicial powers which enabled him to initiate proceedings and to intervene at any stage in the judicial process of any magistracy in the Republic.³² He also oversaw the implementation of the reform proposals passed in 1501-2. By all accounts he performed his duties impartially; he was never overbearing in his actions and seldom intervened in the judicial process. When he did, he argued that he was compelled to intervene for the preservation of the Republic.³³ Soderini's identification of his rule with that of David was taken even further. Early in his gonfaloniership he abandoned the family seal which he has used till then and adopted an official seal, two versions of which are known, both with the motto drawn from David's Psalm 92:12, "Iustus ut palma florebit" depicting a youthful, naked David with the sling in his left hand and the staff of command in his right.³⁴

Soderini's appropriation of the David tells us more than his concern with his image as the political leader of the Republic. It is my contention that it reveals, above all, his understanding of the role he wished to play in Florentine government. More than that, it may also have foreshadowed his ultimate intentions regarding his office. Like the Medici before him, he identified himself with the most widely recognized popular symbol of just rule in order to enhance his authority over a deeply divided polity. In addition, he associated this powerful symbol exclusively with his person and with his residence, which was also the city's seat of power. In this,

³² The text of the legislation is to be found in G. Cadoni, *Provvisioni concernenti l'ordinamento della Repubblica Fiorentina* (Rome, Istituto Storico Italiano per il Medio Evo, 2000), pp. 229-41; see also A. Zorzi, *L'amministrazione della giustizia penale nella Repubblica Fiorentina, cit.*, p.103.

³³ The most notorious occasion was his attempt to block the marriage of Filippo Strozzi and Clarice de' Medici on which see M. M. Bullard, "Marriage, Politics and family in Florence: The Strozzi-Medici Alliance of 1508", *American Historical Review*, 84 (1979), pp. 668-87.

³⁴ An illustration of one of the seals in S. Razzi, *Vita di Piero Soderini, Gonfaloniere perpetuo della Repubblica Fiorentina* (Padua, Stamperia del Seminario, 1736), p. [44]. The composition owes more to Donatello's "David Mediceo" than to Michelangelo's David; it also has elements - the staff in particular as well as the shape of the hat - that recall some of the representations of Hermes/Mercury. The inscription, however, removes all doubts as to the personage depicted. For the variety of interpretations on Donatello's bronze David and on its intended purposes, see F. Ames-Lewis, "Donatello's Bronze David and the Palazzo Medici Courtyard", *Renaissance Studies*, 3 (1989), pp. 235-51.

he was following the precedents set by the Medici who had commissioned from Donatello the David as well as the Judith and Holofernes for the most public areas of their palace. While head of state, through the identification of himself with David, Soderini set out to change the nature of the office he held. The *Gonfalonierato di Giustizia*, which till 1502 had been viewed primarily as the magistracy overseeing the administration of justice, began to be transformed by Soderini into the very embodiment of justice, and thus of good government. As the holder of the office for life, he therefore personified justice and all it stood for. The official seal he adopted left no doubts as to the conception he had of his office.³⁵ It is significant that during Soderini's rule, and undoubtedly as a result of his efforts to have justice identified with his office and person, the tradition of the *protesti di giustizia* began to wane. This does not necessarily mean that Soderini was aspiring to princely authority by stealth, though the possibility cannot be excluded. Some of his decisions in government as well as the activities of his ambitious brother, Cardinal Francesco, might suggest that he was covertly working to seize control of Florence.³⁶ On the other hand, till his overthrow in 1512, he kept the loyalty of all anti-Medicean Florentines committed to republican government who praised him for his defence of the city against the tyrannical pretensions of the Medici. As things stand, there is not sufficient evidence to demonstrate that he was attempting to subvert the republican system of government in order to establish his own dynastic rule over Florence. Nonetheless, it is clear that by appropriating the symbols of justice Soderini sought, at the very least, to strengthen the authority of his office which was constantly challenged because it did not fulfil the expectations members of the Florentine ruling group had placed on it. Particularly telling is the fact that opposition to his government was strongest on matters of justice.³⁷ His opponents,

³⁵ Not to leave any doubts as to the meaning of the seal and of the image there depicted, the central angel supporting the seal holds the scales of justice in one hand and points to them with the other, see S. Razzi, *Vita di Piero Soderini, cit.*, p.[44].

³⁶ This is the view held primarily by S. Bertelli who has presented it in various works, see, for instance, "Un magistrato per a tempo lungo o uno dogie", *Studi di storia medievale e moderna per Ernesto Sestan, II Età moderna* (Florence, Olschki, 1980), pp. 451-94. For opposing views see R. Pesman Cooper, especially, "Pier Soderini. Aspiring Prince or Civic Leader?", *Studies in Medieval and Renaissance History*, XIII (1979), pp. 71-126.

³⁷ G. Cadoni, *Lotte politiche e riforme istituzionali a Firenze tra il 1494 e il 1502*, (Rome, Istituto Storico Italiano per il Medio Evo, 1999), pp. 237-45; S. Bertelli, "Pier Soderini 'Vexillifer Perpetuus Reipublicae Florentinae' 1502-1512, in A. Molho and

no doubt aware of his efforts to consolidate his power, undermined them by challenging him on the very issue he employed to achieve his end.

Whatever of Soderini's ultimate intentions, there is no doubt that he established precedents which the Medici were all too eager to follow once they were restored to Florence in 1512. They tried to reclaim the symbols of justice which had been removed from their palace after their expulsion in 1494. They first requested the return of Donatello's David and Judith and Holofernes, though they eventually decided for unspecified reasons not to pursue their claim.³⁸ Next they tried to discredit their republican opponents' record in matter of justice while advancing their own claims of impartiality and efficiency. Not surprisingly, this met with stern resistance.³⁹ What threatened to become a destabilising campaign of claims and counter-claims was cut short by the Pistoiese Goro Gheri who had none of the Florentines' regards for conventions. On assuming control of the Florentine government on behalf of Lorenzo de' Medici, he embarked on a policy of judicial persecution and interference so blatant that it scandalised even some members of the Medici family. He made light of three centuries of Florentine preoccupation with justice by gleefully planning the judicial ruin of an opponent with the ironic remark: "Con la iustitia si fa ogni bene".⁴⁰ But he too knew that the regime could not hope to establish itself by these means. Relying on the precedents set by Soderini, he and the other Medici deputies who followed him oversaw all matters of justice and justified their policy to the Florentines with the arguments that

J.A. Tedeschi (eds.), *Renaissance Studies in Honour of Hans Baron*, (Florence, 1970), pp.354-5.

³⁸ L. Gatti, "Displacing Images and Devotion in Renaissance Florence: The Return of the Medici and an Order of 1513 for the Davit and the Judit", *Annali della Scuola Normale Superiore di Pisa*, s.iii, vol. xxiii (1993), pp. 355-7.

³⁹ The campaign was fought also at the popular level with *sacre rappresentazioni*. The Mediceans re-issued Lorenzo de' Medici, *La rappresentazione di Santo Giovanni & Paulo* (Florence, Tubini e Gherardi, 1514) with an appended poem criticising the preceding administration of justice. Their opponents retorted with the staging of *Devota rappresentazione di Iudith Hebraea* (Florence, Francesco Benvenuto, 1519) with its anti-tyrannical, divinely ordained message of justice. This latter *rappresentazione*, however, was staged by the confraternity of the Purificazione della Vergine e di S. Zanobi some time before 1519.

⁴⁰ ASF Copialettere di Goro Gheri, Registro 1, f. 209v. The whole Copialettere is full of such dismissive references to justice, but Gheri argues, nonetheless, for the need to act "col color della giustizia", f. 168r.

the administration of justice would thus be speedier and more efficient.⁴¹ The short-lived republican regime of 1527-30 pursued equally centralizing, exclusive and excluding notions of justice.

The effects of this by now “bi-partisan” policy were seen after the Medici final restoration in 1530. Thereafter, the judicial system came to be orchestrated by the Medici Dukes. All popular discussions on justice were discouraged. The *protesti di giustizia* disappeared from the Florentine scene. Justice was no longer to be a subject of popular concern and debate, with the unsettling effects this entailed. The people ceased to have a say on the principles that were to govern its administration. Justice was now exclusively in the ruler's keeping and he, from above, administered it as he saw fit to the quiescent population. The process which Soderini had set in train now came to full fruition: the ruler was the embodiment of justice, he personified it and had thus total control over it. So that the point was not lost on the Florentines, a monument was erected in Piazza S. Trinita in which justice, represented as a blindfolded goddess with scales, is placed high above the crowd upon a column, distant, all-powerful, unreachable.⁴²

⁴¹See, for instance, *ibid.*, ff. 228r-230r; Registro 2, ff. 137r-8r, 150r-v.

⁴² This point was first made by L. Zdekauer, "*Iustitia. Immagine e idea*", *cit.*, p. 414. The message was also communicated with the same image of justice in Piazza S. Trinita in the frescoes executed in the courtyard of the Palazzo Vecchio, by then the seat of government and the Medici residence.