



**Salvatore Satta,
L'avertissement
de Socrate.
Écrits juridiques
et politiques
(1945-1974).
Je vous écris
avant l'aube,**

Correspondance avec Bernardo Albanese
(1969-1975), 2 volumes reliés sous
coffret, éditions Conférence, 2019

Les éditions Conférence nous ont offert en 2019 un magnifique objet consacré à l'un des plus grands juristes italiens du *xx^e* siècle : Salvatore Satta (1902-1975). Le coffret comprend deux forts volumes reliés (640 et 892 pages), imprimés sur papier bible, il est rare qu'un livre juridique soit aussi luxueux. Au vrai, Satta n'était pas un juriste comme les autres. Surtout, il n'était pas qu'un juriste. La plupart le connaît d'ailleurs uniquement par son roman, que George Steiner considère comme l'un des plus grands du *xx^e* siècle, *Le jour du jugement*. Un tel écrivain méritait donc bien un tel coffret !

L'initiative, tout comme le résultat, doivent être salués. La lecture de ces deux volumes est absolument passionnante, mieux encore : stimulante. De manière générale, elle donne accès à une bonne partie de l'œuvre d'un auteur qui, en France, demeure trop méconnu. Les juristes, en tout cas, y trouveront nécessairement matière à maintes réflexions.

De fait, le premier volume atteste de l'extrême curiosité de Salvatore Satta. Éminent spécialiste de la procédure civile, l'auteur s'intéressait en réalité à tout. Philosophie du droit, épistémologie, méthodologie, droit de la famille, notariat et j'en passe : rien de ce qui est juridique ne lui fut étranger. Et comme il avait le génie du titre, les études rassemblées ici aiguïseront l'appétit de chacun. Un tel sera aimanté par « *Le mystère du procès* », un autre par « *La logique de l'absurde* », un autre encore par « *Le contrat de non-*

travail ». Tous devraient être intrigués par « *Poésie et vérité dans la vie du notaire* », « *Destin du juriste* » ou encore « *Le droit, cet inconnu* ». Satta aime ouvrir des pistes, il suffit de s'y engouffrer.

Quant au second volume, il est plus original encore. Il rassemble l'intégralité de la correspondance de l'auteur avec un autre très grand juriste italien de la période : Bernardo Albanese. Totalement inédite, elle est d'une profondeur peu commune.

On le sait bien : certaines correspondances sont des monuments de la littérature française. Celle de Voltaire par exemple, époustouflante ; ou de Flaubert, hilarante. Leurs romans vous laissent froids ? Lisez leurs lettres ! Nul besoin néanmoins de convoquer les monstres sacrés pour s'en convaincre : il y a, dans tout échange épistolaire un peu suivi, une sincérité brute qui attache le lecteur. Toute correspondance recèle en outre une foule de petits détails et de menues confessions qui font les délices des curieux. Toutes alimentent ainsi naturellement l'histoire littéraire.

Pourquoi le juriste ne s'intéresserait-il pas, dès lors, lui aussi, aux lettres de ses héros ? Olivier Motte avait déjà montré la fécondité d'une telle question en exhumant de nombreuses lettres du *xx^e* siècle conservées dans les archives et les bibliothèques allemandes (O. Motte, *Lettres inédites de juristes du xx^e siècle conservées dans les archives et les bibliothèques allemandes*, 2 tomes, Bouvier Verlag, édition Röhrscheid, 1989-1990). Christophe Jamin, Frédéric Audren et Sylvain Boquet aussi, avec l'édition des lettres de François Gény à Raymond Saleilles, de 1892 à 1912.

Rien de comparable, néanmoins, avec la correspondance entretenue par Satta, jusqu'au bout, avec celui qui deviendrait un véritable ami, Albanese donc. Le pessimisme du premier, ses doutes, offrent à l'admiration du second une occasion de manifester un dévouement et une affection particulièrement touchants. L'un écrit plutôt à l'aube, l'autre plutôt la nuit. Mais toujours les extrêmes se touchent. Les auteurs s'y livrent peu à peu et l'on a la joie, comme Albanese l'écrivit en 1969 (p. 61), de trouver l'homme et non l'auteur. Sans doute se lisent-ils parfois écrire. Albanese, surtout, ne se départit pas d'une certaine pédanterie. Comme elle témoigne d'un désir de plaire et non d'écraser, elle

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