INTERNATIONAL SCHOOL OF IUS COMMUNE

XXVII Course: THE DIVERSITY OF LAWS AND THE NORMS OF THE IUS COMMUNE: THE INTERPLAY BETWEEN PUBLIC AND PRIVATE REALMS IN MEDIEVAL AND EARLY MODERN EUROPE

ERICE-SICILY: 4 - 10 OCTOBER 2007

Sponsored by the: • Italian Ministry of Education, University and Scientific Research • Sicilian Regional Government Catholic University of America, Washington D.C. • Gladys Krieble Delmas Foundation • University of Catania

TOPICS AND LECTURERS

The Ius commune was born in twelfth-century Bologna when Justinian’s Roman law and canon law met, first in the classrooms and later in the courts. It fostered the creation of a system of jurisprudence and also established a firm foundation upon which Western European legal culture would be built during the following centuries. All European legislations, even today, bear the unmistakable fingerprints of a process through which these two disparate bodies of law became one system of cohesive legal thought. The language, terminology, conceptual categories and hermeneutical practice that the jurists used were precisely modelled on homogenizing historical antecedents. This development of an unitary jurisprudence may seem surprising in view of the many local legal systems and institutions in the medieval and early modern periods that functioned in competition with and at the flanks of the Ius commune. When we consider the multiplicity of usages, territorial customs, statutes of cities, legislation of the kingdoms and other political entities, feudal law that constituted the vigorous and many-sided world of the ancien régime, we immediately perceive the complexity of medieval and early modern law. In order to explain and describe the vast array of legal institutions that were layered, one on top of the other in an intricate and inextricable way, scholars have spoken of ius proprium in contrast to the ius commune. Since local norms were focused quite intentionally on the discipline of people subject to them and did not claim to be a part of or to derive their authority from the Ius commune, they constituted a local legal order that was limited by geography, time, and legal status of its subjects. Some scholars have argued that the distinction between the Ius commune and the ius proprium can only be resolved by conceding that there was a hierarchy of law with the Ius commune being subordinate to the ius proprium. In fact the Ius commune was, rather, a conscious system that could integrate the various systems of local norms by providing them with the principles, the juridical concepts, the terminology, the hermeneutical canons without which the jurisprud could not practice law and carry on its professional activities. The Ius commune was not only or most importantly a system of positive law, but it was by the lens through which the norms of the ius proprium were read and interpreted. Even today, bears the unmistakeable fingerprints of a process through which the Ius commune and the ius proprium during the medieval and early modern periods. These lectures will be a paradigmatic of the relevant experiences, both intellectual and practical, that reveal the subtle and reciprocal relationship between public and private law.

PURPOSE OF THE COURSE

To pay a permanent tribute to Galileo Galilei, founder of modern science and to Enrico Fermi, the “Italian Navigator”, father of the weak forces.

APPLICATIONS

Persons wishing to attend the School are requested to write to:

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They should specify:

i) date and place of birth, together with present nationality, current address, telephone number, and e-mail;
ii) degree and other academic qualifications;
iii) present position, place of work, and current research activities.

A. ZICHICHI
DIRECTOR OF THE COURSE

M. BELLOMO – K. PENNINGTON – O. CONDORELLI
DIRECTORS OF THE SCHOOL

EMFSC PRESIDENT AND DIRECTOR OF THE CENTRE

POETIC TOUCH

According to legend, Erice, son of Venus and Neptune, founded a small town on top of a mountain (750 metres above sea level) more than three thousand years ago. The town of Erice and its surrounding areas are rich in ancient and medieval sites that have been designated as World Heritage Sites by UNESCO. The town is located on the northern coast of Sicily, with a population of about 2,500 people. It is situated at the foot of a mountain (750 metres above sea level) more than three thousand years ago. The founder of modern history — i.e., the recording of events in a methodical and chronological sequence as they really happened without reference to mythical causes — the great Thucydides (~500 B.C.), wrote about events connected with the conquest of Troy (1183 B.C.) said: “After the fall of Troy some Trojans on their escape from the Achaei arrived in Sicily by boat and as they settled near the border with the Sicanians all together they were named Elymian: their towns were Segesta and Erice. This inspired Virgil to describe the arrival of the Trojan royal family in Erice and the burial of Anchise, by his son Enea, on the coast below Erice. Homer (~1200 B.C.), Theocritus (~300 B.C.), Polybius (~200 B.C.), Virgil (~50 B.C.), Horace (~20 B.C.), and others have celebrated this magnificent spot in Sicily in their poems. During the seventeenth century (XII-XIII) the town of Erice was under the leadership of a local oligarchy, whose wisdom assured a long period of cultural development and economic prosperity which in turn gave rise to the many churches, monasteries and private palaces which you see today.

In Erice you can admire the Castle of Venus, the Cyclopean Walls (~800 B.C.) and the Gothic Cathedral (~1300 A.D.). Erice is at present a mixture of ancient and medieval architecture. Other masterpieces of ancient civilization are to be found in the neighbourhood of Motya (Phoenician), Segesta (Elymian), and Selinunte (Greek). On the Aegadian Islands — theatre of the decisive naval battle of the first Punic War (264-241 B.C.) — suggestive necropolises and paleolithic vestiges are still visible: the grottoes of Favignana, the carvings and murals of Levanzo. Splendid beaches are to be found at San Vito Lo Capo, Scopello, and Corino, and a wild and rocky coast around Monte Cofano: all at less than one hour’s drive from Erice.

More information about the «ETTORE MAJORANA» Foundation and Centre for Scientific Culture can be found on the WWW at the following address: http://www.ccsem.infn.it