



«ETTORE MAJORANA» FOUNDATION AND CENTRE FOR SCIENTIFIC CULTURE  
TO PAY A PERMANENT TRIBUTE TO GALILEO GALILEI, FOUNDER OF MODERN SCIENCE  
AND TO ENRICO FERMI, THE "ITALIAN NAVIGATOR", FATHER OF THE WEAK FORCES



# INTERNATIONAL SCHOOL OF IUS COMMUNE

## 29th Course: LOCAL LEGAL SYSTEMS IN MEDIEVAL AND MODERN EUROPE: PERSPECTIVES OF INTERPRETATION

ERICE-SICILY: 16 – 22 OCTOBER 2009

Sponsored by the: • Italian Ministry of Education, University and Scientific Research • Sicilian Regional Government  
• Catholic University of America, Washington D.C. • University of Catania  
• University "Kore", Enna • Fondazione Cassa di Risparmio di Imola

### TOPICS AND LECTURERS

*Ancora sui diritti bizantino e giustiniano nella Sicilia di Ruggero II*  
• E. CORTESE, Università di Roma "La Sapienza", IT

*Das Verhältnis von Partikularrecht und Reichsrecht in der Buch'schen Glosse zum Sachsenspiegel*  
• B. KANNOVSKI, Universität Freiburg i.B., DE

*Diritti particolari e diritto comune nel mezzogiorno normanno-svevo.*  
I. Dalla contea al Regno di Sicilia; II. Dalle "Assisae" al "Liber Augustalis"  
• F. MARTINO, Università di Messina, IT

*La perméabilité des droits français au droit savant. A propos d'une controverse historiographique toujours recommencée (I)*  
*Comparative law and common core. Rereading Arthur Duck with regard to a future European Civil Code (II)*  
• Y. MAUSEN, Université de Montpellier I, FR

*El rapto de mujeres en los fueros castellanos y el sistema del derecho común*  
• E. MONTANOS FERRÍN, Universidad de La Coruña, ES

*L'interpretazione storica della legislazione tardo-medievale*  
• W. MÜLLER, Fordham University, NY, US

*Le glosse di Odofredo agli statuti veneziani di Jacopo Tiepolo del 1242 (I, II)*  
• A. PADOVANI, Università di Bologna, IT

*Sistema delle fonti e rapporti fra iura communia e iura propria nel Regno di Sicilia fra XIII e XV secolo.*

*I. Ius commune, ius regium, diritti cittadini*

*II. I capitoli parlamentari*

• B. PASCUTA, Università di Palermo, IT

*Twelfth-Century Italian legislation and the ius commune*

• K. PENNINGTON, Catholic University of America, Washington D.C., US

*I costituti di Pisa del XII secolo fra particolarismo e globalizzazione*

• C. STORTI STORCHI, Università di Milano "Statale", IT

*Foreign law, iura propria and ius commune in the transition between late-medieval and early-modern legal literature (I)*

*Foreign law, iura propria and ius commune in early-modern legal methods (usus modernus) (II)*

• A. WIJFFELS, Université Catholique, Louvain, BE & Leiden Universiteit, NL

### PURPOSE OF THE COURSE

Local customs and norms in the Middle Ages as well as the modern world create problems for modern historiography on several levels. We can perceive specific aspects of local realities, histories, and micro-histories from customs, statutes, and royal laws that illuminate political, social, military, and economic situations that may lead us to understand a civilization in all its complexity.

The micro-history of a place raises the issue of comparison. Norms from various places can be approached in order to determine possible or probable common elements and to find, in this way, the identity of a land. One may also proceed with a chronological comparison. One can wish to return in time to search in the past and in the tradition elements of continuity, for those things that would be useful for creating the identity of a community or of a region. Not only that. Local statutes and customs, when considered in isolation or as an integral part of the governing structures of a territory, are the body and mirror of town institutions, seigniorial, and feudal, with which the princes and governments controlled their territories.

Furthermore, first in Europe and then also across the Atlantic, local norms stamp the entire juridical experience and contribute to differentiate medieval law from the legal systems that preceded, because medieval law was established in a sphere in which the ancient Roman law was reinterpreted and renovated into an original 'system of common law,' the civil and the canonical *ius commune*.

In brief, there are various possibilities for reading the normative texts of local customs and statutes. These texts are preserved for us in a neutral, frozen state by a past that is in large part no longer relevant in the present, through modern jurisprudence and modern institutions that have created the features that are prevailing in the juridical culture of the present day Western world. In the end, or at the beginning, there is the obligatory question: among the many possible readings, which are those that should apply in a specific way to the story of law?

### APPLICATIONS

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

- Professor Dr. Manlio BELLOMO  
Facoltà Giuridica – Via Gallo, 24 – 95124 CATANIA, Italy  
Tel +39.095.230376 – Fax +39.095.327776  
e-mail: [mbellomo@lex.unict.it](mailto:mbellomo@lex.unict.it)

They should specify:

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

### 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 founder of modern history — i.e. the recording of events in a methodic and chronological sequence as they really happened without reference to mythical causes — the great Thucydides (~500 B.C.), writing 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 Sicilians all together they were named Elymi: 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 (~1000 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 seven centuries (XIII-XIX) 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: at 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 neolithic 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 Cornino, 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>

There are travel fellowships available for North American law and graduate students and for junior faculty. To apply for a fellowship send a letter and Curriculum Vitae with one letter of recommendation to:

- Professor Dr. Kenneth PENNINGTON  
e-mail: [Pennington@cua.edu](mailto:Pennington@cua.edu)

- PLEASE NOTE

Participants should arrive in Erice on October 16, not later than 7 pm.