



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



INTERNATIONAL SCHOOL OF IUS COMMUNE

34th Course: SPANISH AND ITALIAN JURISTS AND THEIR WORK IN THE NEW WORLD

ERICE-SICILY: 30 SEPTEMBER – 4 OCTOBER 2014

Sponsored by the: • Italian Ministry of Education, University and Scientific Research • Sicilian Regional Government
• Catholic University of America, Washington D.C. • University of Catania
• Ministerio de Economía y Competitividad de España-Proyecto DER2012-31265
• Fondazione Cassa di Risparmio di Imola • Fondazione CEUR, Bologna

TOPICS AND LECTURERS

Influencia de canonistas en el pensamiento jurídico de las Indias durante los ss. XVI a XVIII

• F. AZNAR GIL, Pontificia Universidad de Salamanca, ES

Juristas en un Diccionario

• F. BARRIOS PINTADO, Universidad de Toledo, ES

La revoca dell'encomienda nel pensiero di Juan de Matienzo e di Juan de Solórzano

• G. CHIODI, Università di Milano Bicocca, IT

Diego de Covarrubias e i diritti degli Indiani

• O. CONDORELLI, Università di Catania, IT

La producción canonística italiana en dos pensadores hispanoamericanos de comienzos del siglo XIX: el peruano Francisco de Paula Gonzalez Vigil y el chileno Justo Donoso

• A. DOUGNAC, Universidad de Santiago de Chile, RCH

Juristas europeos y americanos en el debate gaditano sobre la esclavitud

• E. GALVÁN RODRÍGUEZ, Universidad de Las Palmas de Gran Canarias, ES

Una muestra de derecho sucesorio en el sistema del derecho común:

simplificación del número de testigos en el testamento nuncupativo en Las Indias

• E. MONTANOS FERRÍN, Universidad de La Coruña, ES

Diritto e morale nell'opera di Bartolomé de Las Casas

• A. PADOVANI, Università di Bologna, IT

The Jurists' Defense of Indigenous Peoples in the New World

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

Il sistema del diritto comune europeo in Paraguay

• M. SAIJA, Università di Palermo, IT

PURPOSE OF THE COURSE

The course will have as its focus an examination of the recent historiography that has studied the influence of European juridical culture on law and jurisprudence in the New World. The Spanish Monarchy encouraged the spread of European jurisprudence in the sixteenth and seventeenth centuries. A study of the works of the Spanish and Italian jurists will reveal the impact of European legal culture on legal institutions and knowledge during the period of colonial expansion. An essential point of the research and debate, little studied until now, is the analysis of the relationship of the legal literature of Latin America and the European *Ius commune*. Spanish legal culture was dominant in the New World, but Italian jurisprudence made important contributions as well.

This methodological foundation necessitates a rethinking of traditional historiography, which until now a good number of historians of law share. They conceive of Spanish juridical knowledge and in particular Iberian-American law, as being completely separated from the medieval and early modern European jurisprudence (*Ius commune*).

The course will put to the test these traditional ideas of a Spain isolated within its legal and jurisprudential borders and will also have another objective: To eliminate all influence in the current historiography of the residual eighteenth-century "colonialism" that is Hispanic centered. In its place the course will foster an "European and international" vision of law and jurisprudence in the territories of the New World.

The lectures and debates will ascertain and examine the parallel development and integration of juridical culture in Latin America with all European legal culture, not only that of Spain. The course will undertake, in an analytical, controlled, and scholarly manner, to examine significant historical legal works of Spanish, Italian, and New World law, sources both edited and not edited, with the aim to reveal the networks of influence and the relationships that existed and that are indispensable to understand fundamental aspects of juridical culture in the New World.

APPLICATIONS

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

- Professor Orazio CONDORELLI
Dipartimento di Giurisprudenza, Università di Catania
Via Gallo, 24 – 95124 CATANIA, Italy
Tel +39.095.230417 – Fax +39.095.230416
e-mail: ocondorelli@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 Anchises, by his son Aeneas, 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.csem.infn.it>

- PLEASE NOTE
Participants should arrive in Erice on September 30, not later than 7 pm.