



AYLH FORUM 2017

HISTORY OF LAW AND OTHER HUMANITIES:  
VIEWS OF THE LEGAL WORLD ACROSS THE TIME

30 May – 1 June 2017







Università degli Studi di Napoli Federico II  
Dipartimento di Giurisprudenza

Association of Young Legal Historians – XXIIIrd Annual  
Forum

## **HISTORY OF LAW AND OTHER HUMANITIES: VIEWS OF THE LEGAL WORLD ACROSS THE TIME**

In Honour of Professor Luigi Labruna on his 80th Birthday

30 May – 1 June 2017

### **Opening Session**

Tuesday 30 May – Aula Pessina, Corso Umberto I, 40

15.00 **Greetings:** Gaetano Manfredi, *Rettore dell'Università degli Studi di Napoli Federico II*, Lucio De Giovanni, *Direttore del Dipartimento di Giurisprudenza*, Aurelio Cernigliaro, *Presidente della Scuola delle Scienze Umane e Sociali*, Carla Masi Doria, *Direttore del Centro Interdipartimentale "Vincenzo Arangio-Ruiz" di studi storici e giuridici sul mondo antico*, Alessandra Clemente, *Assessore ai Giovani del Comune di Napoli*

15.30 **Keynote Address:** Valerio Massimo Minale and Virginia Amorosi

16.00 **Opening Lecture:** Luigi Lacchè (Università degli Studi di Macerata), *(History of) Law and Other Humanities: Why, When, How?* – Cristina Vano (Università degli Studi di Napoli) introduces

17.00 **Homage to Luigi Labruna:** Luigi Capogrossi Colognesi, Francesca Reduzzi Merola, Cosimo Cascione, Carla Masi Doria – Chair Valerio Massimo Minale

18.00 **Welcome Cocktail** – Terrace of Palazzo Pecoraro-Albani

### **Panels**

Cortile del Salvatore, Via Paladino, 39

Wednesday 31 May, 9.00-10.45

**Panel 1: Literary Sources of Greek and Roman Law 1**  
BIBLIOTECA DE MARTINO

**Chair: Nikol Žiha** (J.J.Strossmayer University of Osijek)

Jelena Kasap (J.J.Strossmayer University of Osijek), *The idea of borrowing in the roman non legal sources from a friendly favour to an enforceable obligation*  
Fernando Hernández Fradejas (Universidad de Valladolid), *The irregular money-deposit contract in Classical Antiquity: some testimonies, discourses and fragments*  
Barbara Abatino (Università degli Studi di Napoli Federico II), *Heminae iniquae and vasa minora in the imperial satire: the abuse of mensurae non conform to ponderal and mensural 'standards'*  
Athanasios Delios (Democritus University of Thrace), *The "Frogs" of Aristophanes- when comedy meets legal history*

### **Panel 2: Law and Cinema – AULA 26**

**Chair: Sebastiaan Vandenbogaerde** (Ghent University)  
Wojciech Bańczyk (Jagiellonian University in Kraków), *You can only write once – the right to inspiration and to transformation on the example of the case on James Bond movies and books in front of the US Court of Appeals*  
Carlo De Cristofaro (Università degli Studi di Salerno), *History of Rome, History of Roman Law and Cinema*  
Dovilė Sagatienė (Supreme Court of the Republic of Lithuania), *Cinema in USSR: Using Comedy Genre to Criticize Soviet Legal Reality*  
Jaroslaw Kuisz (University of Warsaw), *How to promote a fictitious constitution? Legal Propaganda in Films as presented to the wide audience in Stalinist Poland*

### **Panel 3: Representation and Iconography of Justice 1** AULA CONVEGNI

**Chair: Andreja Katančević** (University of Belgrade)  
Fabiana Tuccillo (Università degli Studi di Napoli Federico II), *Typographic Art and Roman Law: a Renaissance image of the Lex XII tabularum*  
Romain Broussais (Université Paris II Panthéon-Assas), *A legal study of medieval cities from the 11th to 14th centuries: the importance of humanity studies – the example of sigillography*  
Krzysztof Bokwa (Jagiellonian University in Kraków), *"Oh, the law is ruination, and attorneys are vexation..." - law and lawyers in the opera and operetta*  
Nina Kršljanin (University of Belgrade), *Filip Milinković (Orpheus Youth Ensemble), The Boyards, the Poet and the Composer. The Portrayal of the Boyar Duma in Pushkin's and Mussorgsky's "Boris Godunov"*

#### **Panel 4: Philosophy, Theory and Methodology 1**

AULA 25

**Chair: Paola Pasquino** (Università degli Studi di Salerno)  
Alessia Farano (Luiss Guido Carli), *Poetic justice? The origin of law in Vico's Scienza Nuova*  
Gorik Van Assche (Vrije Universiteit Brussels), *Economic Failure, Law and Society in the Nineteenth Century* (Belgium, 1807-1873): *An Argument for a Rhizomatic Legal History*  
Emanuel Van Dongen (Utrecht University), *Law, Historical Context and Deep Learning Approaches*  
Pierfrancesco Arces (Università del Piemonte Orientale), *Law as Musical Score*

10.45 Coffee Break

Wednesday 31 May – 11.15-13.00

#### **Panel 5: Constitutionalism, Politics and State-Building 1**

AULA 25

**Chair: Nicolas Picard** (Université Paris I Panthéon-Sorbonne)  
Ludovico Maremonti (Università degli Studi di Roma "La Sapienza"), *The King, the Crown and the Leyes at the theater: a case of theatrical political juridical anti-French propaganda at the beginning of Spanish War of Independence*  
Piotr Michalik (Jagiellonian University in Kraków), *New laws for the new country – codificational achievements and failures in the 19th century USA*  
Marcine Lysko (University of Białystok), *Political circumstances of the codification works on substantive misdemeanour law in People's Poland*  
Lu DA (University of Szeged), *Read a Society from the Constitution. The Development of Constitution in Communist China*

#### **Panel 6: Humanities in Trade and Private Law – AULA 26**

**Chair: Barbara Abatino** (Università degli Studi di Napoli Federico II)  
Stephanie Plasschaert (Vrije Universiteit Brussel), *From competing corporations towards communal standard contract terms: marine insurance in France and Belgium (1815-1860)*  
Cornelis Marinus in 't Veld (Vrije Universiteit Brussel), *The Lex Mercatoria and the Merchants in Amsterdam*

Višnja Lachner (J.J.Strossmayer University of Osijek), *Literature as mirror of Medieval and Renaissance Dubrovnik: Legal Reflection of Roman Dowry Regulation*  
Piotr Pomianowski (University of Warsaw), *Law and political philosophy. The idea of creating the national codification of private law in Poland at the beginning of 19th century*

#### **Panel 7: Art, Literature and Criminal Law 1**

AULA CONVEGNI

**Chair: Francesco Rotondo** (Università degli Studi di Napoli Federico II)  
Juan Manuel Hernandez (Université Paris II Panthéon-Assas), *Pamphlet Literature and Parliamentary Opposition at the Times of the French Fronde: the Example of the Mazarinades (1648-1649)*  
Blandine Caron (Université Paris II Panthéon-Assas), *The judge of criminal procedure in France: a cartographer*  
Cyrielle Chamot (Université Paris II Panthéon-Assas), *The representation of penalty in French literature (XVth - XVIIIth centuries)*  
Lukasz Golaszewski (University of Warsaw), *Institutions and criminal procedure of the Magdeburg Law in Poland according to the "Judas' Sack" by Sebastian Fabian Klonowic*

#### **Panel 8: Sexual Crimes, Society and Legal Culture**

**Chair: Omer Aloni** (Tel-Aviv University) – BIBLIOTECA DE MARTINO  
Diane Baudoin (Université Paris II Panthéon-Assas), *Adultery in the Apuleius' Metamorphoses: satire and law*  
Gustavo Adolfo Nobile Mattei (Università of Sannio), *Honor or justice? Moral and law in a tragedy by Calderón de la Barca*  
Luisa Stella de Oliveira Coutinho Silva (Universidade de Lisboa), *Women in Colonial Paraíba: A Feminist Postcolonial Study of Brazilian Legal History (1580s – 1822)*  
Amandine Lauro (Université libre de Bruxelles) and Bérengère Piret (Université Saint-Louis - Bruxelles), *Historicizing Sexual Violence in Colonial Congo, between Legal and Social History. Rape, Consent and Colonial Courts in the Belgian Congo (1908-1960)*

13.00 LUNCH

Wednesday 31 may – 14,45-16,30

**Panel 9: Art, Literature and Criminal Law 2 – AULA 26**

**Chair: Dolores Freda** (Università degli Studi di Napoli Federico II)

Alicja Banczyk (Jagiellonian University in Kraków) *Medieval legal practice of exculpatory oath and trial by fire as presented in the legend of queen Isolde*

Baptiste Bochart (Université Paris II Panthéon-Assas), *Sculptures and paints consecutive to public amends in France between XIVth and XVIth centuries, when art contributes to create infamy*

Daniela Buccomino (Università degli Studi di Milano), *Law and its transgressions: Might we learn from the great Giovanni Boccaccio?*

Hesi Siimets-Gross (University of Tartu), *A Letter from Detention: the Edition of Letters of Livonian Humanistic Lawyer David Hilchen as a interdisciplinary challenge*

**Panel 10: Architecture, Iconography and Policy of Justice – AULA CONVEGNI**

**Chair: Fabiana Tuccillo** (Università degli Studi di Napoli Federico II)

Alessio Guasco (Università degli studi Giustino Fortunato - Benevento), *Optiums princeps and Benevento's Triumphal Arch*

Claudia Passarella (Università degli Studi di Padova), *Law justice and architecture in modern Venice: The Rectors' Palaces and the government of the mainland*

Stefania Gialdroni (Università degli Studi Roma Tre), *Histories of Roman Law: Maccari's frescoes in the Aula Massima of the Italian Supreme Court*

Virginia Maria De Capitani (Università Cattolica di Milano), *Milan's Court Building: a View of the Roman Legal Culture across Fascist Ideology*

**Panel 11: Philosophy, Theory and Methodology 2**  
BIBLIOTECA DE MARTINO

**Chair: Alessia Farano** (Luiss Guido Carli)

Alexandre Mimouni (Université Paris II Panthéon-Assas), *Auctoritas poetarum et philosophorum, Fortune of a gloss from the glossators to the legal humanists*

Claudio Ruspantini (Pontificia Università Lateranense), *What is the Law today?*

Ronnie Bloemberg (University of Groningen), *The reform of the criminal law of evidence in the Netherlands 1760-1860*

Valentina Cvetković-Đorđević (University of Belgrade), *Ancient Roots of Topical Jurisprudence*

**17.00 Tour of Castel Capuano old Courthouse and Banco di Napoli Historical Archive**

Thursday 1 June – 9.00-10.45

**Panel 12: Literary Sources of Greek and Roman law 2**  
BIBLIOTECA DE MARTINO

**Chair: Pierfrancesco Arces** (Università del Piemonte Orientale)

Nikol Žiha (J.J.Strossmayer University of Osijek), *Medicus between perception and reality*

Banjamina Londrc (University of Travnik), *Roman legal history-Autograph from unknown author found in the National Archive of Bosnia and Herzegovina*

Marko Sukačić (J.J.Strossmayer University of Osijek), *Roman slavery in non-legal texts – how to sell a slave with a defect?*

Marzena Wojtczak (University of Warsaw), *Literary attestations of audientia episcopalis as a reflection of the functioning of the bishop courts in Late Antiquity – methodological challenges*

**Panel 13: Representation and Iconography of Justice 2**  
AULA CONVEGNI

**Chair: Stefania Gialdroni** (Università degli Studi Roma Tre)  
Jenny Wienert (University of Tübingen), *The "margrave panel" as a mirror to the self-image of princely rule in the early 16th century*

Vincenzo Toscano (Pontificia Università Lateranense), *Jean Baptiste Mauzaisse: Napoleon crowned by time writes the Civil Code*

Stefan Huygebaert (Ghent University), *Criminal legal iconology: Comparative analysis of late nineteenth-century Belgian court room decorations*

Krzysztof Chmielewski (Adam Mickiewicz University in Poznań), *The portrayal of the Polish prison system in the Polish interwar literature*

**Panel 14: Legal Culture and Society in Contemporary Age – AULA 26**

**Chair: Christina Reimann** (University of Gothenburg)

James McComish (University of Melbourne), *William Hearn's Household: Law and History Across Time and Culture*

Rafał Kaczmarczyk (University of Warsaw), *Secularism versus Religion-based Legal Pluralism: Views on These Concepts in Modern Muslim Discourse and Culture in the 19th and 20th Century*



Romain Landmeters (Université Saint-Louis - Bruxelles), *Building customary law through legal periodicals Magistrates of the Belgian Congo in the Interwar Period*  
Sebastiaan Vandenberghe (Ghent University), *On the verge of a New Legal Order (1923-1945) Belgium's legal periodicals on fascism and Nazism*

10.45 Coffee Break

Thursday 1 June – 11.15-13.00

**Panel 15: Humanities and Judiciary Cases – BIBLIOTECA DE MARTINO**

**Chair: Alessio Guasco** (Università degli Studi Giustino Fortunato - Benevento)  
David Michalski (University of Gdańsk) *Football referee and judge in court – comparative approach*  
Imre Kepessy (Eötvös Loránd University), *The Case of Eszter Solymosi from Tiszaeszlár: The Notorious Blood Libel Trial through the Eyes of Gyula Krúdy*  
Anna Lukina (University of Oxford), *Law and Storytelling in the Soviet Union: the Semenjuk Case of 1936*  
Mario Riberi (University of Turin), *The Dreyfus Affair in Music. L'Hymne à la Justice of Albéric Magnard*

**Panel 16: Constitutionalism, Politics and State-Building 2 – AULA 26**

**Chair: Jaroslaw Kuisz** (University of Warsaw)  
Pawel Dziwinski (Jagiellonian University in Kraków), *The Persecution of the Hussites in the Kingdom of Poland. When did Polish-Lithuanian tolerance start?*  
Kacper Gorski (Jagiellonian University in Kraków) *An Early Modern Intelligence Report as a Source for Legal Historian: "Relation of the State of Polonia and the United Provinces of that Crown Anno 1598" by John Peyton*  
Zsófia Biro (University of Pécs), *The legal institution of praefectio until 1526, with special attention to the home policy of the Angevines in Hungary*  
Rigó Balázs (Eötvös Loránd University), *The Methods for the Legitimation of the Succession of James II in Aphra Behn's Poem for Coronation*

**Panel 17: European Legal Culture in Novel and Poetry**  
AULA CONVEGNI

**Chair: Stefania Torre** (Università degli Studi di Napoli Federico II)

Przemysław Gawron (Cardinal Stefan Wyszyński University in Warsaw), *Jan Jerzy Sowa (University of Warsaw), Military Law, Justice and Discipline in the Early Modern Picaresque Literature from Central Europe*  
Constance D'Ornano (Université Paris II Panthéon-Assas) *The dangerous liaisons between law and Joachim du Bellay's († 1560) poetry: A secure source of evolving challenges for legal history*  
Zina HaJila (Université Paris II Panthéon-Assas), *Literary satire and philosophical thought about the French judicial practice in the 17th century*  
Elisabeth Bruyere (Ghent University), *Balzac and the criticisms of the French civil code in the first half of the XIXth century*

13.00 LUNCH


Thursday 1 June – 14.45-16.30

**Panel 18: Reading Latin America – BIBLIOTECA DE MARTINO**

**Chair: Francesca De Rosa** (Università degli Studi di Napoli Federico II)  
Fabricio Mulet Martínez (National Autonomous University of Mexico), *History and Legal History in Latin America. Reflections on a necessary multi-disciplinary dialogue with special attention to Cuban experience*  
Francesco Rotondo (Università degli Studi di Napoli Federico II), *Reading a travel journal. The melancholy of Gina Lombroso in Argentina*  
Andrea Pezzè (Centro de Estudios Socias - University of Coimbra), *Phrenological fictions: Lombroso and Racism in Latin-American Literature*

**Panel 19: Commons Between History and Law – AULA CONVEGNI**

**Chair: Valerio Massimo Minale** (Università degli Studi di Napoli Federico II)  
Paola Pasquino (Università degli Studi Salerno), *'Scientia iuris' and 'architectura'. A focus on buildings for shows*  
Andreja Katančević (University of Belgrade), *Legal Organization of Mining Communities in Medieval Serbia*  
Noa Kwartaz-Avraham (Tel-Aviv University), *Historic Building Preservation: A Cultural-Legal Dilemma*  
Omer Aloni (Tel-Aviv University), *Forests, Timber Production, and Fears of Deforestation in the League of Nations during the Interwar Period*



**Panel 20: Popular and Legal Culture in Europe in 19th Century – AULA 26**

**Chair: Virginia Amorosi** (Università degli Studi di Napoli Federico II)

Gábor Bathó (National University of Public Service, Budapest), *Tom Thumb and the government: Caricatures on the Hungarian government between 1868 and 1938*

Tomasz Krolasik (University of Warsaw), *Law in the mirror of the Press. Local newspapers in 19th century Poland as a basic source in the studies of legal practice*

Christina Reimann (University of Gothenburg), *Law and Popular Culture in late 19th Century or How a Dutch Margarine-Maker Came to Distribute Insurance Policy for Free*

Nicolas Picard (Université Paris I Panthéon-Sorbonne), *Can Newspapers Be a Source Material for Legal History? Penal and Penitentiary Law of the Death Penalty in the Judicial Journalism (France, 20th century)*

16.30 GENERAL ASSEMBLY

20.00 CONFERENCE DINNER - Ristorante “La Bersagliera”

Friday 2 June (Morning)

**Underground tour in the “Sanità” neighborhood**



