

XXVIII Annual Forum of Young Legal Historians

Religion and Ethics in Legal History

Scientific and Organizing Committee: Giulia Aurora Radice, Monica Rita Ferrari, Marco Castelli, Ana Paula Zappellini Sassi

WEDNESDAY, SEPTEMBER 4th

16:30 17:00	CONFERENCE REGISTRATION (Sala di Rappresentanza del Rettorato, University of Milan – Statale, via Festa del Perdono 7, 20122, Milano)
17:00 17:30	INSTITUTIONAL GREETINGS Anna Scavuzzo (Municipality of Milan) - Vice Mayor and Deputy Mayor for Education Maria Teresa Carinci (University of Milan – Statale) - Head of the Department of Private Law and Legal History Gabriella Pasi (University of Milan – Bicocca) – Vice rector for International Relations Francesca Poggi (University of Milan – Statale) - Coordinator of the PhD Program in Legal Sciences Cesare Beccaria
17:30 18:10	INTRODUCTORY REMARKS Iole Fagnoli, Full Professor in Roman Law (University of Milan – Statale) Giovanni Chiodi, Full Professor in Legal History (University of Milan – Bicocca)
18:10 18:20	PRACTICAL INFORMATION Giulia Aurora Radice, PhD Candidate in Roman Law (University of Milan – Statale) Monica Ferrari, Post-doc Researcher in Roman Law (University of Milan – Bicocca)
18:30 19:30	WELCOME APERITIVO [Reserved to XXVIII AFYLH Registered Participants]

THURSDAY, SEPTEMBER 5th

9:30 10:15	UNIVERSITY TOUR [Reserved to XXVIII AFYLH Registered Participants / Under Registration]		
10:15 11:00	KEYNOTE SPEECH (Sala Napoleonica, University of Milan – Statale, via Sant'Antonio 12, 20122, Milano) Antonio Padoa Schioppa , Emeritus Professor in Legal History (University of Milan – Statale)		
11:00 11:30	COFFEE BREAK (Loggiato della Signora, 300 rooms area, entrance from via Festa del Perdono 3, 20122, Milano)		
11:30 13:00	Foundations of Private Law: Ties with Religion and Ethics Room: 302, University of Milan - Statale Chair: Filippo Rossi (University of Milan – Statale) <ul style="list-style-type: none"> • Michael Binder (University of Vienna), <i>Exceptio doli against a Parent or the Patronus. A Violation of contra bonos mores</i> • David Magalhães (University of Coimbra), <i>The Christian Roots of the Modern Possessory Protection and the Decretal "Saepe contingit" (X.2,13,18). An Example of the Dialogue between Civil Law and Canon Law</i> • Ahmet Arslan (Georg August University of Göttingen), <i>The Competition Between Contract and Tort Liability from Roman Law to Pandect Law - in the Light of Kant's Ethics of Freedom</i> • Eugenio Ciliberti (University of Salerno), <i>The Principle of Good Faith in Chinese Law between Roman Law and Confucianism</i> 	Morality, Religion and the State: Connections and Conflicts I Room: 304, University of Milan – Statale Chair: Alexander Thompson (University of Cambridge) <ul style="list-style-type: none"> • Samuele Lavelli (University of Milan – Bicocca), <i>A Triumph Without War? Velleius Paterculus 2.97.4</i> • Martino Emanuele Cozzi (University of Milan – Statale), <i>Philip 'the Arab' and the Spread of Christianity</i> • Adam Evangelos (National and Kapodistrian University of Athens), <i>Conflicting Authorities and Embedded Morality: Decius' Religious Policy in Context</i> • Jinxian Chen (Zhongnan University of Economics and Law), <i>Theoderic's Religious Policies and the Decline of the Ostrogothic Regime</i> 	Intersections of Security and Spirituality Room: 309, University of Milan – Statale Chair: Alessandro Negri (University of Milan – Statale) <ul style="list-style-type: none"> • Edin Skrebo (Università degli Studi di Milano – Bicocca), <i>Public order in 20th century Italy: a historical reconstruction</i> • Tania Pagotto (Università degli Studi di Milano – Bicocca), <i>The refusal to sing the national anthem in Canada: between sanctions and freedom of conscience</i> • Alessandro Negri (Università degli Studi di Milano), <i>Punishment in Canon Law: from the Second Vatican Council to contemporary reforms</i> • Margherita Del Deo (Università degli Studi di Milano), <i>The role of religion in the penitentiary system during the pre-constitutional period: a comparison between Spain and Italy</i>
13:00 14:00	LIGHT LUNCH (Loggiato della Signora)		
14:00 15:30	Private Law, Business and Ethics Room: 302, University of Milan – Statale Chair: Elisabetta Fusar Poli (University of Brescia) <ul style="list-style-type: none"> • Shiri Roelofs (KU Leuven), <i>Robert Bellarmine (1542-1621) on the Exchange Contract: At the Intersection of Law and Business Ethics</i> • Máté Pétervári (University of Szeged), <i>Business Behaviour of Merchants in the Hungarian Bankruptcy Procedures in the 1920s</i> • Wojciech Banczyk (Jagiellonian University), <i>Sustainability, Morals and Religion Clauses in Contracts (1921-2024 and onwards). Between Discrimination and Favoring Universal (?) Values</i> • Michał Tutaj (University of Warsaw), <i>Unbundling Contract of Employment from Service Contract: Historical Background, Ethical Reflections and Remarks from the Polish Perspective</i> 	Morality, Religion and the State: Connections and Conflicts II Room: 304, University of Milan – Statale Chair: Raffaella Bianchi Riva (University of Milan – Statale) <ul style="list-style-type: none"> • Anna Li (University of Edinburgh), <i>Treason and Heresy: Offences against Religion, the State or the Emperor? [ONLINE]</i> • Letizia Solazzi (University of Modena), <i>Ferri: Faith and Reason</i> • Sebastiaan Vandenbergarde (University of Antwerp), <i>Belgium's Separation of Church and State: Fact or Illusion?</i> • Jing Wang (University of Ningxia), <i>The Changes of Places of Worship in front of Laws and Beliefs</i> 	The "Jurist" between Sacred and Secular Room: 309, University of Milan – Statale Chair: Daniela Buccomino (University of Milan – Statale) <ul style="list-style-type: none"> • Athanasios Delios (Democritus University of Thrace), <i>The Use of Nomizomena in the Forensic Speeches of the Attic Orators [ONLINE];</i> • Nuo Cheng (Nanjing University), <i>History of Pontiffs and the Development of Roman Law</i> • José Luis Álvarez de Mora (University of Salerno), <i>The Roman priestly colleges and canon law: the Roman republican collegiality in the structures of the Catholic Church [ONLINE]</i> • Giulia Aurora Radice (University of Milan – Statale), <i>Refractions on the Role of the Iuris Prudens from a Legal History Perspective</i>
15:30 16:00	COFFEE BREAK (Loggiato della Signora)		
16:00 17:30	Ecclesiastical Law in Central Europe across Modern and Contemporary History Room: 302, University of Milan – Statale Chair: Marco Castelli (University of Milan – Statale) <ul style="list-style-type: none"> • Jan Jerzy Sowa & Przemysław Gawron (Cardinal Stefan Wyszyński University in Warsaw), <i>Regulating Religion and Morality in the Polish-Lithuanian Armies in the 16th-17th Centuries</i> • Antoine Leclère (University of Liège), <i>The Punctuation of Ems and the rights of the bishops of the Holy Roman Empire in the Age of Enlightenment: the case of the ecclesiastical principality of Liège (1786 – 1789)</i> • Łukasz Gołaszewski (University of Warsaw), <i>Resolving Disputes over the Jurisdiction of the Court in the Consistory of the Diocese of Lutsk in the 18th Century</i> • Marcin Łysko (University of Białystok), <i>The Religion Associations of National Minorities in the Second Polish Republic: Minorities in the Second Polish Republic</i> 	The Salamanca's Moment Room: 304, University of Milan – Statale Chair: Alessandra Bassani (University of Milan – Statale) <ul style="list-style-type: none"> • Sarah Kelly Limão Papa (Goethe University Frankfurt), <i>Law, Religion, and Agrarian Production: Jesuit Land Tenure in Portuguese America</i> • Dvorský Václav (Charles University, KU Leuven), <i>To Charge or not to Charge: The School of Salamanca's Perspective on Usury in Deposit Contracts</i> • Adrien Mociulschi (Université Paris-Saclay), <i>The Moral Foundations of the Development of a Jus Gentium: The Example of the Jurists of the Salamanca School in Modern Christian Humanism</i> 	The Sacrality of Law Room: 309, University of Milan – Statale Chair: Giulia Rabaoli (University of Pisa) <ul style="list-style-type: none"> • Caetano Dias Correa (Federal University of Santa Catarina), <i>Law as Religion: The Possibilities of a Religious Ontology of Law [ONLINE]</i> • Vanessa Pizzimenti (University of Roma 'La Sapienza'), <i>Legal and Sacral Aspects connected to Boundary Markers: Termini Botontini and Pali Sacrificales</i> • Enzo Magri Rocha (University of São Paulo), <i>Magic and Unlawfulness in Roman Law: From the Twelve Tables to the Classical Notion of iniuria</i> • Mariana Marchi Malacrida (Federal University of Santa Catarina), <i>Notes on the Formulation of the Doctrine of Natural Law in the History of Roman Legal Thought: Ethics, Religion, Reason and Natural Order in the Natural Law Debate of Cicero (106-43 BC) and Lucretius (94-50 BC)</i>

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FRIDAY, SEPTEMBER 6th

9:30 9:45	INSTITUTIONAL GREETINGS (U6-28, University of Milan – Bicocca, Piazza dell'Ateneo Nuovo 1, 20126, Milano) Nicola Sartori , Associate Professor, Vice Head of the School of Law Department (University of Milan – Bicocca)		
9:45 10:30	INTRODUCTORY LECTURES Chiara Buzzacchi , Full Professor in Roman Law (University of Milan – Bicocca) Lorenzo Gagliardi , Associate Professor in Roman Law (University of Milan – Statale) Annamaria Monti , Full Professor in Legal History (University of Milan – Statale)		
10:30 11:00	COFFEE BREAK (U-6, Hall on the ground floor)		
11:00 12:30	Natural Law and the Construction of Female Exploitation Room: U6-22, University of Milan - Bicocca Chair: Anna De Giuli (University of Milan – Statale) <ul style="list-style-type: none"> • Lacey-Louise Bradley (University of Oxford) & Olivia Francis (University of Oxford), <i>The Influence of Natural Law for the Inferior Treatment of Women in the Law</i> • Maria Cheri (University of Milan – Statale), <i>Adultery in the Legislation of Gordian III</i> • Ana Paula Zappellini Sassi (University of Milan – Statale), <i>"Vain, futile, easy prey": Modern-secular Women in Viveiros de Castro's Thought regarding Sexual Crimes (Brazil, 1897)</i> • Mathilda Tarandi (Lund University), <i>Locating the Blame: Sin and Shame</i> 	Punishment and rehabilitation between the East and the West Room: U6-23, University of Milan - Bicocca Chair: Pietro Schirò (University of Verona) <ul style="list-style-type: none"> • Heqin Geng (Oxford University), <i>Roman Law as a Tool of Control</i> • Gianmarco Palmieri (Roma Tre University), <i>Usque ad emendationem. Christian Church and Prison Sentences in the Early Middle Ages</i> • Sida Wang (Nankai University), <i>Detention and the Belief in the Great Virtue in late imperial China</i> • Setsen Kiyoutes (University of Trento), <i>"To Put an End to the Dispute": Redemption System a Chinese Style of Restorative Justice - From the Perspective of article 279 of the Criminal Procedure Law [ONLINE]</i> 	Law and Ethics: General Theory and Case Studies Room: U6-24, University of Milan - Bicocca Chair: Virginia Presi (University of Milan – Statale) <ul style="list-style-type: none"> • Shiyu Wang (Peking University), <i>Re-creating a Consensual Community: Another Possibility of Getting Rid of Crisis From the Perspective of Legal Sociology</i> • Amber Gardeyn (Ghent University), <i>Law and ethics: Restitution, a Legal or a Moral Obligation</i> • Alice Sisinno (University of Milan – Statale), <i>The Restitution of the Benin Bronzes: Legal Challenges and Ethical Implications</i> • Denes Jistvan Legeza (University of Szeged), <i>Copyright Protection of Religious Contents</i>
12:30 13:00	LIGHT LUNCH (U-6, Hall on the ground floor)		
13:30 15:00	Family Law: General Principles and Specific Experiences I Room: U6-22, University of Milan - Bicocca Chair: Federico Battaglia (University of Milan – Bicocca) <ul style="list-style-type: none"> • Lin Shan (Xiamen University), <i>Legalization of Ancient Roman Family Morality: Centered on the Concept of Pietas</i> • Ivana Marušić (University of Mostar) <i>Legal Regulation of Marriage in Roman Law under the influence of the Christian Religion</i> • Mingzhen Li (Peking University), <i>The Principles of Family Law in Early China [ONLINE]</i> • Magdalena Ossowska-Tutaj (University of Warsaw), <i>Does the Family Foundation Serve to Protect the Principle of Family Solidarity?</i> 	Societal Life between Ethics, Religion and Secularization Room: U6-23, University of Milan - Bicocca Chair: Giulia Aurora Radice (University of Milan – Statale) <ul style="list-style-type: none"> • Jiang Zhengyang (Beijing Institute of Technology), <i>Sovereignty Presence: Legal Modernization in Northeastern China in the Late Qing Dynasty</i> • Wojciech Wydmański (Cardinal Stefan Wyszyński University in Warsaw), <i>Arbitration involving Jews in Poland (1918-1939)</i> • Marco Castelli (University of Milan – Statale), <i>Building a National Ethos on a Juridical Text: the "Festa dello statuto" between Religious Reminiscences and Nation-building Activities</i> • Pieterjan Schepens (Ghent University), <i>Pensions and Pillarization in Belgium</i> 	The Struggle over Public Space: Religion, Politics and Law Room: U6-24, University of Milan - Bicocca Chair: Ana Paula Zappellini Sassi (University of Milan – Statale) <ul style="list-style-type: none"> • Dawid Szulc (Adam Mickiewicz University in Poznań), <i>Normative Aspects of Religion in the Ottoman Empire as exemplified by the Constitution of 1876 and the Acts of the Tanzimat</i> • Luiz Henrique Debastiani (Federal University of Santa Catarina) <i>Mikhail Reiser: Between Religious Freedom and Party Sponsored Atheistic Propaganda in the Early USSR</i> • Amila Svraka-Imamović (University of Sarajevo), <i>Between Religiosity and Secularity: The Headscarf in Public Space</i> • Rafał Kaczmarczyk (independent scholar), <i>Legislation not keeping up with the Changing World: The Case of the Muslim Religious Union in the Republic of Poland</i>
15:00 15:30	COFFEE BREAK (U-6, Hall on the ground floor)		
15:30 17:00	Family Law: General Principles and Specific Experiences II Room: U6-22, University of Milan - Bicocca Chair: Pieterjan Schepens (Ghent University) <ul style="list-style-type: none"> • Mia Da Costa (University of Cambridge), <i>Marriage Law in England</i> • Alexander Thompson (University of Oxford, University of Cambridge), <i>Suing the Sugar-daddy: The Role of Christian Morality in Victorian Contract Law</i> • Julie Rocheton (Max Planck Institute for Legal History and Legal Theory), <i>Marriage Strategies in Colonial Nouvelle France: Impact of the Catholic Church on marriage practices</i> • Damian Szczepaniak (University of Gdańsk), <i>The significance of the Italian marriage law reform of 1929 for the debate on the codification of law in the Second Polish Republic [ONLINE]</i> 	Societal Life and Bioethics Room: U6-23, University of Milan - Bicocca Chair: Monica Ferrari (University of Milan – Bicocca) <ul style="list-style-type: none"> • Yuxin Lin (University of Macau), <i>The Punishment for "Looking on Unconcerned to Others Danger". From Social Life Community to Social Governance Community [ONLINE]</i> • Gabriele Massimiliano Ragusa (University of Messina), <i>The Body, Consent, and the Sale of organs. An Important Question between Law and Ethics in the Early Twentieth Century</i> • Elizaveta Stetsenko (University of Cambridge), <i>Medical Law, Medical Ethics, Bioethics</i> • Giulia Mannarini (University of Milan – Bicocca), <i>Bioethics and Constitutionalism</i> 	Reflections across the East and the West Room: U6-24, University of Milan - Bicocca Chair: Amila Svraka-Imamović (University of Sarajevo) <ul style="list-style-type: none"> • Tea Dularidze (Ivane Javakishvili Tbilisi State University), <i>Main Aspects of Building Interstate Relations in the Ancient East and Greece;</i> • Armando José Santana Bugés (University of Jaén), <i>The Influence of Religion in Medieval Spanish Assemblies (1188-1348);</i> • Patryk Maćkowiak (Adam Mickiewicz University in Poznań), <i>Fama inter homines as Proof in Medieval Canon Law and its Doctrinal Inspirations</i> • Chutong Xu (Peking University), <i>A Community of Benevolence and Reason: Dispute Resolution of Minor Civil Cases in the Qing Dynasty</i>
17:00 18:00	CLOSING SESSION (U6-28 – University of Milan – Bicocca) Diploma Award Ceremony and Voting for the Next Conference Venue [Reserved to XXVIII AFYLH Registered Participants]		