



Programme

XVIIth Annual Forum of Young
Legal Historians

13-16 April 2011

Faculty of Law

Wednesday 13 April 2011

Location: Faculty of Law, Bouillonstraat 1-3, Maastricht

16.00-18.00 Registration and coffee (**Statenzaal**)

18.00-19.00 Welcome and Official Opening (**Statenzaal**)
Professor Dirk Heirbaut (University of Ghent) and Professor Remco van Rhee (Maastricht University)

19.30-22.00 Dinner at *Restaurant Petit Bonheur* (Achter de Molens 2, Maastricht)

Thursday 14 April 2011

Location: Faculty of Law, Bouillonstraat 1-3, Maastricht

08.30-09.00 Reception and coffee (**Entrance hall**)

09.00-11.00 Parallel session 1:

A1: Roman Foundations I	B1: Codifications, codifications...
Room: B. 0.118	Room: B. 0.115
Chair: Raphael Cahen	Chair: Bruno Debaenst
Henrik-Riko Held <i>Unjustified Enrichment: Transformations of a Concept in European Legal Traditions</i>	Tamás Nótári <i>Der Einfluß der Lex Baiuvariorum auf die mittelalterliche ungarische Gesetzgebung</i>
Tomislav Karlović <i>The Role of Changed Circumstances in Historical Perspective</i>	Ramon Pils <i>European Bicentenary: the Integration of International Experiences in the Austrian General Civil Code of 1811</i>
Egbert Koops <i>Second-rate Citizens. Freedman Status and the Constitutio Antoniniana</i>	Kamila Staudigl-Ciechowicz <i>Legal 'Integration' in Private Law in Early 20th Century Austria? A Study on the Amendments to the Austrian ABGB</i>
Maria Nowak <i>Legal Practice as an Integrative or Disintegrative Force: Testamentary Deeds in Late Roman Law</i>	Agustín Parise <i>Codification of the Law in Louisiana: Early Nineteenth-Century Attempts to Preserve a Continental European Legal System in America</i>

11.00-11.15 Short break with coffee

11.15-12.45 Parallel session 2:

A2: Roman Foundations II	B2: Legal Scholarship and Integration	C2: Litigation and Integration
Room: B. 0.118	Room: B. 0.113	Room: B. 0.115
Chair: Egbert Koops	Chair: Raymond Kubben	Chair: Bruno Debaenst
Andreja Katančević <i>Medical Treatment Expenses in Roman Law</i>	Federica Furfaro <i>The Revival of Romanistic Scholarship between the XIX and XX Century as 'Centralizing Force' in European Legal History: the Masterpieces of German Pandectist Literature Revized by Italian Translators</i>	Charlotte Braillon <i>The Argument of 'Custom' before English and French Judges. Claiming Local Rights on Another's Land</i>
Stanisław Kordasiewicz <i>Strict Liability. An Integrative Concept and its Disintegrative Applications</i>	Diego Nunes <i>Beyond Europe: the Role of European Legal Experience in the Brazilian Estado Novo Regime (1937-1945)</i>	Merike Ristikivi <i>Latin Terms in the Decisions of the European Court of Justice: European Legal Tradition or New History in European Law?</i>
Emanuel van Dongen <i>Accidental Homicide in Canon Law. The Role of the Injured Party</i>	Chung-Hun Daniel Kim <i>Integration and International Law: the Effect of Bluntschli's 'Modernes Völkerrecht' on Forming the Dae Han Empire</i>	Peter C.H. Chan <i>The Enigma of Civil Justice in Imperial China: Mediator Justice or Procedural Formalism? A Legal Historical Enquiry and a Comparative Perspective with Europe</i>

 13.00-14.30 Lunch (**B. 0.006 and Coffee Corner**)

 13.30-14.30 **Optional:** Guided tour through the *Regionaal Historisch Centrum Limburg*, the Regional Historic Center Limburg (formerly the State Archives Limburg), housed in a former Franciscan monastery (Sint Pieterstraat 7, Maastricht). See www.rhcl.nl for further information. Please come to the main entrance of the faculty at **13.20!**

14.30-17.00 Parallel session 3:

A3: Integration and Principles	B3: Public Sphere (Dis)integration I: (Inter)national Relations
Room: B. 0.115	Room: B. 0.118
Chair: Mia Korpiola	Chair: Raymond Kubben
Paulina Świącicka <i>Communis Opinio Doctorum as Ius Commune Universale? Remarks on the Legal Dogma of 'Intellectual Integration' of Medieval and Modern Europe Based on the (Anti) examples of the Legal Literature</i>	Paulo Potiara de Alcântara Veloso <i>International Law, Scientificity and Eurocentrism. A Dialog between Paulus Vladimiri and Francisco de Vitoria</i>
Valerio Massimo Minale <i>Roman Law and Medieval Russian Law: for a Statement of the Problem</i>	László Komáromi <i>The Idea of Popular Sovereignty and the Different European Traditions of Direct Democracy</i>
Gábor Bathó <i>The Principle of Subsidiarity. Back to the Roots</i>	Frederik Dhondt <i>International Legal Discourse between Disintegration and Integration. The Case of the Peaceful Succession Struggles, 1713-1739</i>
Dmitry Poldnikov <i>Pacta Sunt Servanda: Pillar or Crutch of European Legal Tradition?</i>	Christoph Schmetterer <i>The Separation of Powers in Austria from 1867 to 1925</i>

17.30-18.45 Guided City Walk by Professor Louis Berkvens

 18.45 Departure to *Buitengoed Slavante* by bus

 19.15-21.30 Dinner at *Buitengoed Slavante* (Slavante 1, Maastricht)

Friday 15 April 2011

Location: Faculty of Law, Bouillonstraat 1-3, Maastricht

 08.30-09.00 Reception and coffee (**Entrance hall**)

09.00-11.00 Parallel session 1:

A4: <i>Ius Commune</i> and Reception of Roman Law	B4: Public Sphere (Dis)integration II: (Inter)national Relations
Room: B. 0.115	Room: B. 0.118
Chair: Mia Korpiola	Chair: Paulina Świącicka
Nicholas B. Sivulka Wheeler <i>From Dolus Malus to 'Simoniactal Heresy.' A Case for Dark-Age Legal Integration?</i>	Charles Drummond <i>The Jacobean 'Union of the Laws', 1603-1610</i>
Ada-Maria Kuskowski <i>Practices of Citation and the Medieval Lay Jurist: Roman Law and Other Sources in the Coutumiers</i>	Raymond Kubben <i>Regenerating Revolutionary France and its Sister Republics: Towards a Republican Tradition in Constitutional Law?</i>
Nicolas Laurent-Bonne <i>Integration of the French Mutual Donation into the Italian <i>Ius Commune</i>. Cynus Pistoriensis, Exponent of Orleanaise Thought in Italy</i>	Mieke van der Linden <i>New Imperialism and the European Legal Traditions (1870-1920): an Integrative and Disintegrative Episode</i>
Dave De ruysscher <i>Reanimating Schuldhaftung with Cessio Bonorum in Antwerp and Mechelen (Early Sixteenth Century)</i>	Thomas Mohr <i>An Imperial Legislature. The Parliament at Westminster and the Law of the British Empire</i>

11.00-11.15 Short break with coffee

11.15-12.45 Parallel session 2:

A5: In the Civilian Tradition?	B5: Public Sphere (Dis)integration III: (Inter)national Relations	C5: Public Sphere (Dis)integration IV: Specific Examples
Room: B. 0.118	Room: B. 0.115	Room: B. 0.113
Chair: Egbert Koops	Chair: Mariken Lenaerts	Chair: Paulina Świącicka
Adelyn L.M. Wilson <i>100 Years after the Scottish Reformation: Re-evaluating the Use of Canon Law in Scotland's First Institutional Treatise</i>	Jarosław Kuisz <i>Legal Integration of Europe before 1989? Remarks on 'the Socialist Rule of Law' in the Last Years of the People's Republic of Poland</i>	Sarah Bachmann <i>Triumph der Territorien? Das frühneuzeitliche, kaiserliche Notariat im Spannungsverhältnis zwischen Kaiser und Stadtherrschaft</i>
Guido Rossi <i>The 'London Booke of Orders': a 16th Century Civil Law Code. English Insurance and the Continent</i>	Sandra Fabijanić Gagro and Budislav Vukas jr. <i>The Ex-Yugoslav Countries and their Ways to the EU. From Integration to Disintegration and Backwards</i>	Dóra Frey <i>Beseitigung der Doppelbesteuerung in Wirtschaftsintegrationen im 19. Jahrhundert und heute</i>
Mia Korpiola and Jussi Sallila <i>Regulating the Game: Gambling and Playing in Sweden from a European Perspective 1250-1800</i>	Marek Stus <i>'The Last Born of Juridical Notions.' Some Remarks on the Creation and Development of Aviation Law in the First Half of the 20th Century</i>	Zülâl Muslu <i>Domestication du Droit et des Idées Occidentales dans l'Empire Ottoman: un Enjeu de Souveraineté. L'Exemple des Tribunaux de Commerce Mixtes au XIX^{ème} Siècle</i>

13.00-14.00 Lunch (**B. 0.006 and Coffee Corner**)

14.00-15.30 Poster walk (**Salon and hall next to Board room, B. 1.019**)

Posters:

- Szilvia Bató, *Standgericht als Antwort? Räuberbanden und ungarische Regierung an der Wende der 18. und 19. Jahrhunderte*
- Sophie Bollen, *Unworthy to Serve the Nation. The Professional Purge of the Government Administration after World War II in Belgium*
- Ilya Kotlyar, 'Ius Commune' and 'General Custom' vs. 'Special Custom' in European 'Learned Law' (XII-XIV Centuries)
- Markus Krienke, *Roman Law and Ethics in 19th Century Europe: an Italian Perspective in Antonio Rosmini*
- Ivan Milotić, *Mediative Powers of Arbitrators and Amicabilis Compositores in Roman Legal Tradition*
- Dovilė Sagatienė, *The Implementation of Justice in Soviet Lithuania 1944-1990: the Conflict of Legal Values*
- Gustavo Silveira Siqueira, *Patrimonialism and Patriarchalism: the Discontinuities and Continuities of the Relationship Portugal-Brazil*
- İpek Sevda Söğüt, *Corpus Iuris Civilis and Reception of Law in Turkey*

15.45 Departure to Jesuit Caves by bus

16.30-18.00 Guided tour through the Jesuit Caves (Cannerweg 680, Maastricht). See www.jezuitenberg.nl for further information.

18.30-20.30 Dinner at *Château Neercanne* (Cannerweg 800, Maastricht)

Saturday 16 April 2011

Location: Faculty of Law, Bouillonstraat 1-3, Maastricht

Please use the side entrance at Lenculenstraat 26!

09.00-09.30 Reception and coffee (**Lenculenthal**)

09.30-11.30 Plenary Closing Session (**Statenzaal**)

11.30-12.00 Short break with coffee

12.00-13.00 Meeting of the General Assembly of the Association of Young Legal Historians (**Statenzaal**)

13.00-14.00 Lunch (**C. 0.302 and Lenculenthal**)