

Ettore Majorana Foundation and Centre for Scientific Culture

President and Director: Prof. Antonino Zichichi

INTERNATIONAL SCHOOL OF IUS COMMUNE

Directors of the School: M. Bellomo - K. Pennington - O. Condorelli - W. Decock

43rd Course:

Common Good and Common Goods in the Tradition of the “ius commune”

ERICE-SICILY: 23 – 27 SEPTEMBER 2024

Directors of the Course

O. CONDORELLI (Università di Catania) – W. DECOCK (UC Louvain) – F. TREGGIARI (Università di Perugia)

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Lecturers and topics

“Beni da mettere in comune in tempo di necessità”. I canonisti, la proprietà privata e la destinazione universale dei beni

O. CONDORELLI, Università di Catania, IT

Ideologie e storie dei beni comuni

E. CONTE, Università Roma Tre, IT

The Common Good and Financial Innovation: Uncommon Reflections by the Theologians-Jurists (16th-17th c.)

W. DECOCK, UC Louvain, BE

Fiscalité et bien commun: discours et pratiques au Moyen Âge

F. GARNIER, Université Toulouse Capitole, F

“Omnia sunt communia”? Legal problems in the context of the German Peasants’ War 1524/25

D. VON MAYENBURG, Universität Frankfurt am Main, D

Miti e trapianti del “comune” nelle società tradizionali sud andine: una rivisitazione critico-comparativa

R. MÍGUEZ NUÑEZ, Università del Piemonte Orientale, IT

Beni pubblici e privati. Abelardo, Graziano e i glossatori

A. PADOVANI, Università di Bologna, IT

Monarchia assoluta e domini collettivi

R. SORICE, Università di Catania, IT

Proprietà collettive e usi civici tra Otto e Novecento

G. SPECIALE, Università di Catania, IT

Il “bonum commune” delle civitates basso-medievali. Esercizi di semantica statutaria

F. TREGGIARI, Università di Perugia, IT

“Ne inermem vitam ducant”. Costruire la proprietà collettiva nel diritto comune

R. VOLANTE, Università di Padova, IT

The common good in a complex polity

A. WIJFFELS, UC Louvain, BE

Presentation of new researches on the “ius commune”

Purpose

In Western legal and political thought, the common good (*bonum commune*) has constantly been considered an essential requirement for the legitimation of government and law. The authority of Isidore of Seville, Gratian, Thomas Aquinas has spread and maintained this assumption throughout the centuries. In another direction, the discussion on the common good has been intertwined with reflections on the origin of private property as an institution born from the *ius gentium* starting from a primordial commonality of natural goods. This idea found expression in convergent teachings coming from both civil and canon law, which had points of connection with ancient philosophical thought. This idea has historically resurfaced in different times and places, as the basis of the obligation to provide

for common needs in moments of economic or health crisis, or to justify the revendication of common goods that different appropriation processes [legitimized by legal schemes (lordship, fiefdom, military conquest, etc.), or arising from mere force or abuse] had removed from the availability of the communities of a given territory. Law, theology and political science converged, beyond the distinctions of their respective scientific and methodological bases, in a reflection that concerned the definition of the common good of secular institutions and the Church. The course intends to explore some of these historical and intellectual paths in the Middle Ages and the early modern period, along an itinerary from which spring some distinctive features of Western civilization.

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

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