

## The Premio Boulvert Award for the Best First Monograph Related to Roman Law and the Conference “Diritto Romano e Attualità” (“Roman Law and the Present”), November 16–22, 2019, Prague

The Faculty of Law of the Charles University, Prague hosted two important events of the Roman law scientific world – the Premio Boulvert Awards and the international conference “Roman Law and the Present” – between November 16–22, 2019. Both events were held under the auspices of the president of the Supreme Court of the Czech Republic, prof. JUDr. Pavel Šámal, Ph.D., the Rector of Charles University, prof. MUDr. Tomáš Zima, DrSc. MBA, and the Head of the Faculty of Law, prof. JUDr. Jan Kuklík, DrSc.

### The Premio Boulvert

The Premio Boulvert is an award established in 1987 by the editorial board of the journal *Index* published in Naples and is awarded by the Interuniversity Society Gérard Boulvert (Consorzio Interunivesitario Gérard Boulvert) founded by several Italian universities. The Premio Boulvert aims to promote scientific activities and support young researchers by granting the award to the best first author's monograph dealing with the questions of Roman law or ancient laws. The persons who previously received this award are nowadays world-known respected scientists in the area of Roman law. The winner is chosen by the Committee consisting of Roman law experts from all over the world. The evaluated works must be published within three years prior to the year in which the prize is awarded, *i. e.* the winner of the prize awarded in 2019 is chosen from authors of publications from 2016–2018. In the past, the universities of Naples, Bonn, Catania, Rome, Salzburg, and Paris had the opportunity to organize the Committee's final meeting at which the decision about the winner is made, as well as the ceremony itself. Hosting this event is a prestigious matter in the Romanist world as this event is one of the most significant Romanist meetings and is well-known world-wide. The most important Romanists usually participate. Recently, the Premio Boulvert received a medal from the President of Italy.

### The Roman Law and the Present

The “Diritto romano e attualità” (“Roman Law and the Present”) is an umbrella term for the annual international conference as well as the platform of legal Romanists/organizers of this traditional meeting. Three professors, Michal Skřejpek (Charles University, Faculty of Law), Konstantin Tanev (Interuniversity Centre for Studies of Roman Law and Romanistic Tradition with UNWE), and Leonid Kofanov (Institute of World History, Russian Academy of Sciences, Centre of Roman Law Studies; Russian State University of Justice) who were soon joined by professor Osvaldo Sacchi (Università degli Studi di Campania Luigi Vanvitelli, Dipartimento di Giurisprudenza) witnessed the beginnings of this initiative which up to this day unites many more European and international Roman law researchers. Each year, one university gets to organize the conference. The Faculty of Law of the Charles University, Prague already hosted this event in 2011 and it returned to Prague 8 years later for its 15<sup>th</sup> anniversary.

The topic *Consolidamento e sviluppi degli assetti costituzionali nella libera res publica* (The Consolidation and the Development of Constitutional Aspects of the Roman Republic) followed up on the previous year's papers that analysed the establishment of the Roman Republic (8<sup>th</sup> century BC – 5<sup>th</sup> century BC) presented in Catanzaro, Italy.<sup>1</sup>

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<sup>1</sup> See the report: FALADA, D. XIV. mezinárodní seminář “Diritto romano e attualità”. *Právněhistorické studie*, 2019, Vol. 49, No. 2, p. 250–251.

The conference in Prague focused on public law issues of the consolidated Roman Republic from different points of view, including general questions regarding legal thinking, influence of foreign countries and their legal orders and culture, or specific questions, *e.g.* the Roman citizenship, the roles and powers of the Roman magistrates, the functioning of the people assemblies and the senate, the relationship between politics, law and trade, the impact of a particular legislation on Roman society, military issues, or the criminal jurisdiction. It is tradition that the main language at the conference is Italian.

### The Premio Boulvert Commission's Meeting

The members of the Commission met on November 16, 2019 (with a few exceptions, some of the members arrived at a later point). The Committee consists of the following professors/experts: Alessandro Corbino, the President of the Committee (Catania, Italy), Cosimo Cascione (Naples, Italy), Maria Floriana Cursi (Rome, Italy), Teresa Giménez-Candela (Barcelona, Spain), Fausto Gorla (Torino, Italy), Éva Jakab (Szeged, Hungary), Luigi Labruna, honorary president and member *emeritus* (Naples, Italy), Carla Masi Doria (Naples, Italy), Thomas A. J. McGinn (Nashville, USA), Pascal Pichonnaz (Fribourg, Switzerland), Johannes Michael Rainer (Salzburg, Austria), Martin Schermaier (Bonn, Germany), Laurens Winkel (Rotterdam, Netherlands), who were presented personally in Prague, and other absenting members *emeriti* Jean Andreau (Paris, France), Luigi Capogrossi Colongesi (Rome, Italy), Michel Humbert (Paris, France), and Gunter Wesener (Graz, Austria).

Until November 19, the Commission evaluated 32 monographs according to written reviews provided by members of the Committee. The Committee does not only make a decision about the winner of the main Premio Boulvert award, but also about awarding special prizes bestowed by Romanist centres and institutes at foreign universities to some of the other authors whose works deserve attention for their research quality.

Before the ceremony took place on the next day, the authors of the monographs joined the members of the Committee and the organizers aboard the boat "Nepomuk" in the evening of November 19 for a gala dinner to celebrate the exceptional opportunity to meet and share scientific ideas between inexperienced and seasoned researchers.

### The Premio Boulvert Ceremony and the Opening Session of the International Conference "Diritto romano e attualità"

On November 20, the ceremony of Premio Boulvert Awards as well as the Opening session of the international conference Roman Law and the Present took place in the Malá Aula of Karolinum (historical university building).

At the beginning, welcoming and introductory speeches were delivered by the Vice-Dean of the Faculty of Law, prof. JUDr. PhDr. Michal Tomášek, DrSc., and the President of the Premio Boulvert Committee, Alessandro Corbino. The chairman of this morning session, Luigi Labruna, gave the floor to the first two conference speakers, Cosimo Cascione (Università degli Studi di Napoli Federico II) and Johannes Michael Rainer (Universität Salzburg). The first speaker covered the topic *I fondamenti culturali del Governo repubblicano* (Cultural Background of the Republican Government), while the latter dealt with *Montesquieu e i Romani* (Montesquieu and the Romans). The brief welcome speech was then held by a representative of the Charles University, the Vice-Rector, prof. PaedDr. Radka Wildová, CSc., who aimed her speech at the importance of international cooperation between researchers and universities.

The highlight of the day – the Premio Boulvert Ceremony – then followed. The Committee, represented by its secretary, Valeria Di Nisio, expressed their pleasure over the high quality of the submitted works that were considered to be an important milestone in the development of Roman law science.

Although the monographs of Annarosa Gallo (Bari, Italy), Kimberley Czajkowski (Edinburgh, United Kingdom) and François Lerouxel (Paris, France) did not receive any prize, they were high-

lighted for their importance from the point of view of the analysed sources and their analysis or interesting conclusions.

Subsequently, special prizes were awarded to: Donatella Monteverdi (Catanzaro, Italy) for her monograph *La questione decemvirale. Itinerari e risultati di una complessa vicenda storiografica* (the Prize by Centro interdipartimentale 'Vincenzo Arangio-Ruiz' di studi storici e giuridici sul mondo antico); Javier E. Rodríguez Díez (Santiago de Chile, Chile) for his work *Potestas alienandi. Transfer of ownership by a non-owner from Roman law to the DCFR* (the Prize "Rolf Knütel" by Fondazione Stichting Rechtshistorisch Fonds Mr Joseph Winkel); Salvatore Marino (Barcelona, Spain) who is the author of the book *Sull'accessorietà del pegno per la giurisprudenza romana* (the Prize "Hans Ankum" by Fondazione Stichting Rechtshistorisch Fonds Mr Joseph Winkel); Lisa Isola (Vienna, Austria) for the monograph *Venire contra factum proprium. Herkunft und Grundlagen eines sprichwörtlichen Rechtsprinzips* (the Prize "Henryk Kupiszewski" by Centro romanistico internazionale Copanello); Alessandro Cusmà Piccione (Messina, Italy) for his book *Non licet tibi alienigenam accipere. Studio sulla disparitas cultus tra i congiugi nella riflessione cristiana e nella legislazione tardoantica* (the Prize by Institut de Droit romain de l'Université Paris II); Paolo Marra (Milano, Italy) for his work *Fiduciae causa* (the Prize by Faculté de droit de l'Université de Fribourg), and finally Elsemieke Stephanie Daalder (Leiden, Netherlands) received the Prize from the Constitutional Court of Italian Republic for the publication *De rechtspraakverzamelingen van Julius Paulus. Recht en rechtvaardigheid in de rechterlijke uitspraken van keizer Septimius Severus*.

All of the above-mentioned monographs were chosen mainly for their influential character on the research of Roman law. Their quality consists of precious exegesis of sources enabling a deeper understanding of the analysed problems and questions, innovative ideas, and conclusions supported by reliable argumentation.

The XI Premio Romanistico Internazionale 'Gérard Boulvert' (as well as the medal of the University Federico II in Naples), which is the highest award, was granted to Gregor Albers (Bonn, Germany) who wrote a monograph *Perpetuatio obligationis. Leistungspflicht trotz Unmöglichkeit im klassischen Recht*. In the Committee's eyes, this publication was of the highest quality, well-structured, and its arguments were convincing. The author elaborated the issue in detail using all necessary sources, advanced methodology. The author also dealt with the existing doctrine, providing clear conclusions.

The ceremony ended with lunch on the representative premises of the Karolinum. The participants then moved to the hotel where the following part of the conference Roman Law and the Present was held.

## The International Conference "Diritto romano e attualità"

The first speaker in the afternoon of November 20 was Laurens Winkel (Erasmus University Rotterdam) who focused on the topic *Il pensiero politico greco* (Greek Political Thinking). Witold Wolodkiewicz (SWPS Uniwersytet Humanistycznospołeczny, Warsaw) introduced the issue of *L'ordine politico romano* (Roman Political Order). Maria Floriana Cursi (Roma Tor Vergata) analysed *Lo spazio della cittadinanza: dallo ius migrandi all'organizzazione municipale (V–IV secolo a.C.)* (Dimension of Citizenship: from *ius migrandi* to City Organization (V–IV centuries BC)).

On November 21, the conference continued with two morning sessions. In the first session, Carla Masi Doria (Università degli Studi di Napoli Federico II) presented her paper *Formazione e caratteri del sistema magistratuale post-decemvirale* (Formation and Character of the Post-decemviral Magistrates' System), and Eva Jakab (Szegedi Tudományegyetem) described the topic *Responsabilità dei magistrati. Visione ateniese e visione romana* (Responsibility of Magistrates. Athenian and Roman Point of View). Five speakers presented their papers during the second session. Jan Zabłocki (Cardinal Stefan Wyszyński University w Warszawie) had chosen the topic *Contione e comitia alla luce delle Noctes Atticae di Aulo Gellio* (Contione and comitia in the Light of *Noctes Atticae* by Aulus Gellius), Anna Tarwacka (Cardinal Stefan Wyszyński University w Warszawie) spoke about *Il carattere parti-*

*colare della collegialità censoria* (Special Character of the Censorial Collegiality). Natale Rampazzo (Università degli Studi di Napoli Federico II) presented the paper *Procedure elettorali e 'rappresentatività' dei magistrati* (Electoral Procedure and “Representativity” of Magistrates). Paola Santini (Università degli Studi di Napoli Federico II) analysed the issue *Immagini del potere e funzionamento della coercizione* (Images of Power and Functioning of Coercion). Finally, Stoyan Lazarov (University of National and World Economy, Sofia) briefly summarized *L'abuso di potere da parte dei magistrati* (Abuse of Power by the Magistrates).

After lunch, the participants of the conference visited important historical sites in Prague – at first by historical tramway with a guide, later on foot in the Hradčany quarter. In the evening, they received a tour of the Strahov library and enjoyed dinner accompanied by cultural programme in the area of Strahov.

Leonid Kofanov (Russian State University of Justice, Moscow) opened the last conference day on November 22 with the topic *Composizione, lectio e competenze del senatus alto-repubblicano* (Composition, Selection and Competences of the Early Republic Senate), he was followed by Thomas A. J. McGinn (Vanderbilt University, Nashville) with the paper *L'identità romana alla prova del multiculturalismo. Fides romana e nuovi costumi (i Romani nel tempo di Plauto)* (Roman Identity as the Proof of Multiculturalism. Roman *fides* and New Customs (Romans in the Time of Plautus)).

The next speaker after a brief coffee break was David Falada (Charles University, Prague), whose topic was *Attività dei magistrati repubblicani domi et militiae* (Activity of Republican Magistrates *domi et militiae*). Konstantin Tanev (University of National and World Economy, Sofia) spoke about *Aspetti legislativi del regime personale e territoriale dei debitori* (Legislative Aspects of Personal and Territorial Regime of Debtors). Osvaldo Sacchi (Università degli Studi di Campania Luigi Vanvitelli, Santa Maria Capua Vetere) focussed on *La nozione di ager privatus nella libera res publica e nella costruzione giuridico-istituzionale del circolo scipionico* (Concept of *ager privatus* in the Roman Republic and in the Legal-institutional Construction of the Scipionic Circle).

Following the lunch break, interesting topics were analysed by Jan Šejdl (Charles University, Prague) *Hasta – nota minima sul simbolo* (*Hasta* – Few Remarks to the Symbol), Lyuba Radulova (Sofia University “St. Kliment Ohridski”) *Panem et circenses – le leges sumptuariae e le leges de ambitu nel quadro delle campagne elettorali* (*Panem et circenses – leges sumptuariae* and *leges de ambitu* in Connection with the Electoral Campaign), Piotr Niczyporuk (Uniwersytet w Białymstoku) *Mensarii come banchieri pubblici* (*Mensarii* as Public Bankers), and Giovanna D. Merola (Università degli Studi di Napoli Federico II) *Affari e politica. Rapporto tra trasformazioni economiche e istituzionali* (Trade and Politics. Relationship between Economical and Institutional Changes).

The last session of the conference dealt with two papers: by Roberto Fiori (Roma Tor Vergata) and Michal Skřejpek (Charles University, Prague). The first speaker presented his view on *La nozione di centuria dalle origini alla media repubblica* (Concept of *centuria* from its Origin to the Middle Republic), and the latter closed the meeting with the topic *Il tramonto degli iudicia populi. I nuovi aspetti della giurisdizione criminale* (Dawn of the *iudicia populi*. New Aspects of Criminal Jurisdiction).

Most of the speakers provided hand-outs for the audience to follow their arguments based on the primary Roman law sources. After all conference sessions were presented, it was time for questions and answers, as well as an extensive and challenging discussion on the conference's topics.

The theme of next year's conference should cover the period of the decline of the Roman Republic and its gradual transformation into the Principate.

Kamila Stloukalová\*

\* Mgr. Kamila Stloukalová. Faculty of Law, Charles University, Prague, Czech Republic