You are invited to a lecture hosted by the School of Law and Legal Intersections Research Centre.

**Law, History, and the Curious Invention of Legal History**

Presented by Professor Emanuele Conte
Full Professor at the University of Roma Tre, Italy. Part time Professor (Directeur de Recherche) at the École des hautes études en sciences sociales Paris, France

**Date:** 12 October 2015  
**Time:** 5:30 pm  
**Location:** 67.107

RSVP: Online

Legal History began to be taught in continental European Law Schools in the 19th century. An “historical method” was used for both teaching legal history to future lawyers, and for the study of all forms of legal science, leading to Savigny’s remark that, “all of legal science is nothing other than legal history”. But this idea led to a curious conception of history by lawyers: legal history was thought to be either a story of legal literature, or an evolution of legal concepts handed down from the past to the present. Valuable though it might have been, this is a limited way of understanding the relationship between law and history; it is definitely out of date. Modern legal science is not interested in thinking about legal evolution, but without an eye to legal history, a lawyer cannot really understand a legal problem. The lawyer needs to understand the context in which a rule or a statute has been conceived, and how it has been adapted to new contexts through time. Rather than resuscitate an old-fashioned legal history, lawyers need to engage with and encounter a new and different concept, a history for lawyers that should form part of a humanistic education within law schools. A critical approach to history should teach future lawyers how to take time seriously, in order to consider historical contexts as a determinant for the meaning of legal norms. In this lecture, some examples of the relationship between law and history will be considered, in order to see how a particular historical tale can give legitimacy to a legal rule in different ways, which will reveal how different historical contexts can give different meanings to the same legal doctrine.

Born in Rome in 1959, Emanuele Conte undertook a classical education in Italy. Following a degree in the Humanities through the Faculty of History, University of Rome “La Sapienza”, he turned to the study of legal history, focussing on 16th Century legal education and 12th and 13th Century legal scholasticism, under the supervision of the most noteworthy specialist in the history of medieval law, Ennio Cortese. From 1986, he worked at the Max-Planck-Institute for European Legal History in Frankfurt, under the supervision of Gero Dolezalek, and was awarded his PhD in 1988. His dissertation was published in 1990 by the Max-Planck-Institute. He was awarded a junior fellowship at the Robbins Collection, University of Berkeley, California, in the same year, working with Stephan Kuttner, an esteemed expert on medieval canon law. Conte became an Associate Professor in Italy in 1992. He began teaching at Roma Tre in 1995, where he became a full Professor in 2000, and was appointed to the École des hautes études en sciences sociales (EHESS) in Paris, as a member of the Centre d’études des normes juridiques. In 2011 he was elected as a part-time professor (directeur d’études) at the EHESS. He has published six books as an author, five as an editor, and more than sixty articles, and has given talks and papers in the US (Yale, UPenn, Austin Texas), the UK (Oxford, Cambridge, Edinburgh, St. Andrews), Argentina, Taiwan, and throughout Europe. In 2014 he was visiting Professor at the Law School of the University of Pennsylvania. In 2008, he introduced a new course, Law and the Humanities, at Roma Tre, and has attracted the participation of some of the most significant specialists and scholars in the field to teach these classes.