# La libertà di decidere.

## Da Cento a Cento 1993-2024: trent'anni di studi sugli statuti

a cura di
Enrico Angiolini, Beatrice Borghi, Rolando Dondarini, Filippo Galletti

Convegno internazionale, Cento 30 maggio-1 giugno 2024

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Desideriamo esprimere la nostra più sincera gratitudine a Mariateresa Alberti, Manuela Bolelli, Lorena Pirani, Vittorio Toffanetti per l'impegno, la generosità e la competenza con cui hanno contribuito alla realizzazione del convegno da cui ha avuto origine questo volume. La loro presenza attenta e il supporto, sia organizzativo che intellettuale, sono stati fondamentali per la riuscita dell'iniziativa e per la qualità del confronto che essa ha saputo generare. A loro va il nostro più sentito ringraziamento.


Edifir-Edizioni Firenze
via de' Pucci, 4 - 50122 Firenze
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ISBN 978-88-9280-283-4

*In copertina*: Elaborazione grafica, a cura di Alex Rinaldi, della miniatura raffigurante un notaio in atto di scrivere su di una pergamena. Tratto dagli Statuti della Società dei notai, 1382, Archivio di Stato di Bologna.

# Italian Statuti: Views from a North American Curator

Michael Widener*

**Abstract**

Dal mio punto di vista di bibliotecario non italiano che ha coltivato una collezione di statuti italiani, sottolineo tre opportunità che riguardano questo genere di letteratura giuridica. (1) È necessaria una guida completa del genere in lingua inglese, come strumento di ricerca che ne promuova la conoscenza, in particolare da parte degli storici del diritto comparato. (2) Le caratteristiche uniche del genere offrono un terreno fertile per gli storici del libro. (3) Come dimostrato dalla mia esperienza alla Yale Law School, il genere offre interessanti opportunità di collaborazione, in particolare nei progetti digitali e nell'insegnamento.

Parole chiave: Storia del libro, Digital humanities, Storia giuridica comparata

From my perspective as a librarian from outside of Italy who has cultivated a collection of Italian statuti, I point out three opportunities involving this genre of legal literature. (1) There is a need for a comprehensive English-language guide to the genre, as a research tool that would promote awareness, particularly by comparative legal historians. (2) The genre's unique features provide fertile ground for book historians. (3) As shown by my experience in the Yale Law School, the genre offers exciting opportunities for collaboration, particularly in digital projects and teaching.

**Keywords**: History of the book, Digital humanities, Comparative legal history

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I bring an outsider's perspective to the study of Italian *statuti*. I am from the far side of the Atlantic. I don't speak Italian and I don't read Latin (I am fluent in Spanish, which is a *slight* help in reading Italian and Latin). My academic training is in librarianship, not law or history, and my academic experience consists of thirty years administering the historical collections at two of the leading academic law libraries in the United States[1].

Librarians like myself build and care for historical collections, and we connect the collections with scholars, researchers, and enquirers of all kinds. Like our users, we are also learners, constantly striving to better understand the collections in our care. In doing so, we serve our existing users and seek out new ones. Like many of our users, we are also teachers, assisting our users in making the most of our collections. This essay is an extension of that work.

When I became the Yale Law Library's rare book librarian in 2006, I encountered a collection of early Italian statutes that I believe is the largest such collection outside of Italy[2]. In the time I spent nurturing the collection, until my retirement in 2021, I came to see a number of opportunities for others to explore. Thanks to the kind invitation of the De Statutis Society, I can share these opportunities with the readers of this volume. Given my lack of skill in Italian, it is possible that some of the opportunities I mention may have already been addressed in the literature, so I ask my readers for their forbearance.

The Yale Law Library collection owes its existence to a man I never met, Samuel E. Thorne (1907-1994), who to this day remains one of the leading historians of medieval English law. Thorne was appointed professor and head law librarian in the Yale Law School in 1945, and embarked on an eleven-year buying spree of rare books and manuscripts that brought the Yale Law Library into the first rank of historical law collections in the United States[3].

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1 I was Head of Special Collections in the Tarlton Law Library, University of Texas at Austin, 1991-2006, and Rare Book Librarian in the Lillian Goldman Law Library, Yale Law School, 2006-2021.

2 Other significant collections of early Italian statutes can be found in the Law Library of Congress and the University of Illinois Urbana-Champaign.

3 Thorne's four-volume annotated English translation of Bracton's 13th-century treatise, *On the Laws and Customs of England* (Cambridge: Selden Society & the Belknap Press of Harvard University Press, 1968-1977), remains the definitive critical edition of *De legibus et consuetudinibus Angliae*. A Harvard Law School graduate, he was the head law librarian at Northwestern University from 1934 until 1942, and served in the U.S. Navy as a cryptologist during World War II. In 1945 he was appointed professor and law librarian in the Yale Law School upon the retirement of Frederick C. Hicks. He left Yale in 1956 for an appointment as professor in the Harvard Law School, where he taught legal history until his retirement in 1980. See Milsom S.F.C., *Samuel Edmund Thorne (14 October 1907-7 April 1994)*, «Proceedings of the American Philosophical Society» 142 (1998), pp. 162-168, for a biographical sketch. On Thorne's career as a law librarian, see Berring R.C., *The End of Scholarly Bibliography: Reconceptualizing Law*

One of Thorne's first purchases was an enormous collection of Italian *statuti*, which he highlighted in his first annual report:

> "The outstanding acquisition of the year was the notable collection of Italian *statuta*, numbering almost nine hundred volumes, purchased from a learned Italian lawyer who had brought it, over a period of fifty years, to its present completeness. It contained fifty-two manuscripts of the fourteenth to eighteenth centuries, nine incunabula, and many sixteenth-century editions, more than a few unknown to Luigi Manzoni whose *Bibliografia statutaria e storica italiana*[4] is the standard bibliography of the class. Its purchase permits the Library to fill to a substantial degree a troublesome gap in an already strong collection of Italian legislation"[5].

Thorne was well equipped to appreciate the significance of the collection. At that time, his 1936 article, "Statuti in the Post-Glossators," was the only English-language study by a reputable legal historian that addressed early Italian statutes as a genre[6].

With this one single purchase, Thorne provided the Yale Law Library with the largest collection of *statuti* outside of Italy. Thorne added a few additional volumes, as the opportunity presented, during the remainder of his tenure at Yale. However, in the decades since Thorne's departure to the Harvard Law School in 1956, until my arrival in 2006, the collection was largely ignored.

I arrived at Yale with fifteen years' experience in the historical literatures of Anglo-American, Roman, canon, and Spanish law, and with the antiquarian trade in law books. Thanks in part to my lack of formal legal training and my previous work in publications design, I had developed an appreciation for law books as physical objects, and for the stories they tell as physical objects. I had begun to take interest in the new and growing field of book history, and in particular its contributions to legal history. One of the leading legal historians in the U.S., Michael Hoeflich, wrote that "Any serious history of law must also be a history of law books"[7].

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*Librarianship*, «Law Library Journal» 104 (2012), pp. 69-82. For a collection of Thorne's scholarship, see Thorne S.E., *Essays in English Legal History*, Hambledon Press, London 1985.

4 Manzoni L., *Bibliografia statutaria e storica italiana*, G. Romagnoli, Bologna 1876-1892.

5 Thorne S.E., *Report of Samuel E. Thorne, Librarian*, «Yale Law School: Reports of the Dean» (1944-1946), pp. 62-72, at p. 65. My efforts to identify the "learned Italian lawyer" who formed the collection have been unsuccessful.

6 Thorne S.E., *Statuti in the Post-Glossators*, «Speculum» 11 (October 1936), pp. 452-461.

7 Hoeflich M.H., *Legal History and the History of the Book: Variations on a Theme*, «University of Kansas Law Review» 46 (April 1998), pp. 415-431, at p. 416.


PROVISIONI, DECRETI, IN
ſtromenti, Gratie, Litere, Capi/
toli, & altre coſe degne di me
moria, a beneficio della
Magnifica Citta di
Modona.
Raccolte inſieme nouamente dalli
ſuoi Archiui, & veri Originali.
Stampate in Modona per Giouanni
de Nicoli nell'anno, M.D. XLIII.

**Fig. 1.** Modena (Italy). *Provisioni, decreti, instromenti, gratie, litere, capitoli, & altre cose degne di memoria, a beneficio della magnifica città di Modona*, Modona, Stampate per Giovanni de Nicoli, 1544. 15 cm. Rare Book Collection, Lillian Goldman Law Library, Yale Law School.

As I began to explore the Yale Law Library's collection, my biggest surprise was the hundreds of volumes of early Italian statutes. It was a branch of legal literature that I had never encountered before. It was not only the sheer size of the collection that grabbed my attention. The bindings, the paper, the title pages, the typography, the extensive manuscript annotations, the intensely local focus, all of these elements fascinated me. It was love at first sight.

Understanding the collection presented a challenge, given my lack of skill in Italian. I had the superb catalogue of the Biblioteca del Senato[8], but I could not find an English-language guide that explained the genre. To use a metaphor, I could see lots of trees, but I did not have a map of the forest.

Indeed, I know of only three publications in English that were published prior to 2006, none of which provided me with useful overviews of early Italian statutes. George Bowyer's *Dissertation on the Statutes of the Cities of Italy*, published in 1838[9], besides being the work of an English barrister and antiquarian, is not only badly outdated but narrowly focused. Samuel Thorne's article, previously noted[10], while a work of solid scholarship, is likewise narrow in focus. Dennis Rhodes' note on the British Library's collection of *statuti* is only a brief bibliographic survey[11]. In 2010, Mario Ascheri published a useful but brief overview, in which he himself lamented that "we don't have a comprehensive overview of this law"[12] (See Appendix 1 for a list of all English-language publications).

Thus, the first opportunity I propose is to provide an English-language guide to early Italian statutes. The studies enlisted by the De Statutis Society for its 2024 conference in Cento, and for publication in the present volume, contain all the elements for the map that I so desperately needed in 2006, with essays on the many types of statutes, their variations across time and geography, and their significance. All that is lacking is an English translation, or an English-language publication that includes the essential elements of these essays.

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8 Biblioteca del Senato del Regno, *Catalogo della raccolta di statuti, consuetudini, leggi, decreti, ordini e privilegi dei comuni: delle associazioni e degli enti locali italiani, dal medioevo alla fine del secolo XVIII*, Tipografia del Senato, Roma 1943.

9 Bowyer G., *A Dissertation on the Statutes of the Cities of Italy; and a Translation of the Pleading of Prospero Farinacio in Defence of Beatrice Cenci and Her Relatives*, Richards and Co., London 1838.

10 Thorne S.E., *Statuti in the Post-Glossators* cit.

11 Rhodes D.E., *Italian City and Regional Statutes, 1473-1600, in the British Library*, «British Library Journal» 3 (Spring 1977), pp. 56-58.

12 Ascheri M., *Statutory Law of Italian Cities from Middle Ages to Early Modern*, in *Von der Ordnung zur Norm: Statuten in Mittelalter und Früher Neuzeit*, edited by Drossbach G., Ferdinand Schöningh, Paderborn 2010, pp. 201-216, at p. 201.

To be specific, my wish is for an English-language guide to *statuti* as a genre of legal literature. It should cover all the genre's manifestations: municipal statutes, statutes of the Papal States and the kingdoms of southern Italy, guild statutes, statutes of religious institutions, maritime statutes, university statutes, etc. Contemporary commentaries on municipal statutes should also be included[13]. Its chronological scope should encompass the genre's medieval origins, the outpouring of historical reprints in the 19th century, and its legacy in a reunified Italy. Readers will need to understand the genre's relation with other branches of contemporary legal literature and with the broader culture, and its values for research. The guide should also provide a thorough discussion of all the available bibliographic tools, such as the catalogues of the Biblioteca del Senato[14], Fontana[15], and Manzoni[16]. Such a work will surely open doors to new researchers and new perspectives.

An English-language overview of early Italian statutes would not only benefit the handful of North American curators who, like myself, develop collections of legal history or Italian history and culture. More significantly, I believe it would help to bring early Italian statutes into broader conversations with a broad range of historians. I do not wish to be an advocate for Anglo imperialism but, for better or for worse, English is becoming the *lingua franca* of modern scholarship. The growing field of comparative legal history provides one example. The entry for Italy in *The Oxford International Encyclopedia of Legal History* completely ignores the various genres of local statutes and their contributions to the legal history of Italy and Europe[17]. Mario Ascheri has noted their absence in studies of constitutional history:

> "[T]he sections of statutes relating to public law have every right to be treated as constitutional history, even if their wide dispersion, mutability and multiplicity make them difficult to study. Paradoxically, it is their very richness that is responsible for the comparative neglect they have suffered. … The city-states were the precursors of the majoritarian principle. In order to delimit the activities of different governmental agencies they introduced systems of checks and balances.

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13 For example, Torti F., *Annotationes seu lucubrationes ad statuta inclytae civitatis Papiae*, Pietro Bartoli & Agostino Bordone, Pavia 1617.

14 Biblioteca del Senato del Regno, *Catalogo della raccolta di statuti* cit.

15 Fontana L., *Bibliografia degli statuti dei comuni dell'Italia superiore*, Fratelli Bocca, Torino 1907.

16 Manzoni L., *Bibliografia statutaria e storica italiana*, G. Romagnoli, Bologna 1876-1892.

17 *The Oxford International Encyclopedia of Legal History*, edited by Katz S. N., Oxford University Press, Oxford 2009.


**Fig. 2.** Cento (Italy). *Statuta terrae Centi: nuper reformata anno Domini, M.DC. VII*, Ferrariae, Victorius Baldinus, 1609. 30 cm. Rare Book Collection, Lillian Goldman Law Library, Yale Law School.

> They pioneered measures designed to depoliticise judges and the administration of justice and to moderate the excesses of their officials"[18].

Other contributors to the present volume demonstrate the relevance of the genre to historical studies of linguistics, education, professions, religion, banking, social class, and the environment, to name but a few examples. The fragmented political landscape of early modern Italy created hundreds of laboratories for experiments in law, commerce, and social relations, where the mechanics of lawmaking confronted the hard realities of everyday life, in what several legal scholars have described as "law at the retail level"[19]. James Whitman wrote that "our legal histories are fundamentally incomplete if they do not attempt to conjure up what the law meant to business folk, and to similar crude consumers of the law"[20].

If for no other reason, the sheer size of the *statuti* genre justifies its representation in histories of legal literature for Anglophone readers. I cannot think of another region of early modern Europe that produced a comparable volume of local legal literature, nor one that was so intimately associated with the nurseries of medieval and early modern jurisprudence in the great Italian universities.

With no guide to go by, other than the catalogue of the Biblioteca del Senato, I learned about the collection by immersing myself in the books and manuscripts themselves. As texts, they spoke to me only with difficulty. But as objects, they had a lot to say. This brings me to the second opportunity: I am convinced that Italian city statutes provide fertile ground for book history.

Not long after I arrived at Yale, a book conservator pointed out to me that the collection offered a rich sampling of local Italian binding styles. Her observation raises an important point. These books and pamphlets and broadsides were, for the most part, produced locally, bound locally, for a local market, reflecting local tastes, using local editors, labor, materials, technology, and distribution networks. They are artifacts of local culture. As law books, this sets them apart from the texts of Roman and canon law produced in the great printing centers of Venice, Frankfurt, Paris, and Lyon, and sold across Western Europe.

The texts themselves are expressions of local identity. Ascheri writes that "The statute was a symbol of urban freedom or at least of its autonomous

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[18] Ascheri M., *Beyond the Comune: The Italian City-State and Its Inheritance*, in *The Medieval World*, edited by Linehan P., Nelson J. L., Routledge, London 2001, pp. 451-468, at p. 464.

[19] See, for example, Elliot E.D., *The Last Great Clean Air Act* Book*?*, «Environmental Lawyer» 5 (1998), pp. 321-332, at p. 328.

[20] Whitman J.Q., *The Moral Menace of Roman Law and the Making of Commerce: Some Dutch Evidence*, «Yale Law Journal» 105 (May, 1996), pp. 1841-1889, at p. 1887.

life"[21]. The title pages reinforce this symbolism. They are expressions of civic pride. They announce, for example, not simply the statutes of the city of Modena, but rather the statutes of the *magnificent* city of Modena[22] [see Figure 1]. The 1609 edition of the statutes of Cento is another example[23]. The elegant architectural border on its title page includes images of a bishop, Saint George, two coats of arms, and the Keys of Saint Peter, all of this crowned by a seated Justitia. It recalls the architecture of the public buildings in Cento's piazza, and those of countless other Italian towns [see Figure 2]. The 1579 statutes of the blacksmiths' guild of Bologna, with its lovely full-page woodcut of the Crucifixion, is another example[24] [see Figure 3]. In a 2014 article, "Publishing the *Constitutiones Dominii Mediolanensis*," Kevin Stevens wrote, "The subject of the early law book title page in Italy merits a monographic study"[25]. I agree.

These elegant title pages added to the expense of producing the volumes. Printers would not have produced them unless they had reasonable expectation of compensation, either through sales or subsidies. I would like to know more about the business of publishing Italian city statutes, especially since in most cases, the market would seem to have been a local one. No business wants to sit on unsold inventory. Specifically:

- Did the local governments, guilds, and confraternities subsidize the printing? Or, did printers subsidize them in order to attract other business?
- Did printers actively compete for the printing, or did they need to be enticed by generous subsidies? What was the role of politics, or family connections?
- What was the size of the typical print run?
- Were they produced to be sold in book shops? If so, what were the sales? Or, were they distributed by the institution? It seems to me that the sales potential for smaller jurisdictions was quite limited, but I could be very wrong.
- Who were the readers or consumers of these books? Obviously, they included lawyers, judges, notaries, and local officials, but who else?

Apart from the early modern printings, there was the explosion of 19th and early 20th century editions of medieval and early modern municipal statutes

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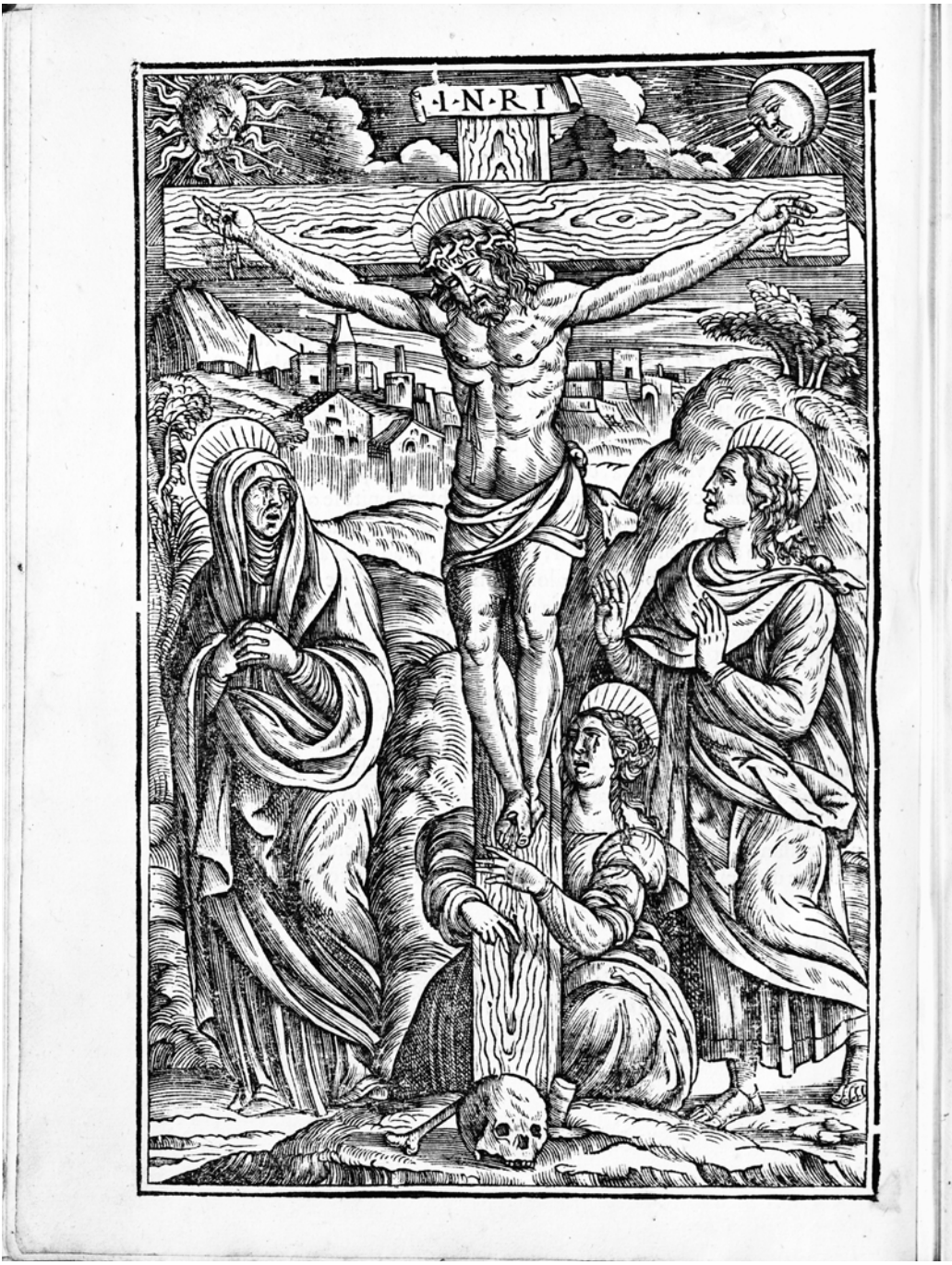
21 Ascheri M, *Statutory Law of Italian Cities* cit., p. 207.

22 *Provisioni, decreti, instromenti, gratie, litere, capitoli, & altre cose degne di memoria, a beneficio della magnifica città di Modona*, Giovanni de Nicoli, Modena 1544.

23 *Statuta terrae Centi: nuper reformata anno Domini, M.DC.VII.*, Ferrara: Vittorio Baldini, 1609.

24 *Statuti et ordinationi dell'bonoranda compagnia de' fabbri dell'inclita citta di Bologna*, Bologna, Giovanni Rossi, 1579.

25 Stevens K.M., *Publishing the Constitutiones Dominii Mediolanensis (1541-1552): New Revelations*, «La Bibliofilia» 116 (January-December 2014), pp. 215-229, at p. 222, footnote 25.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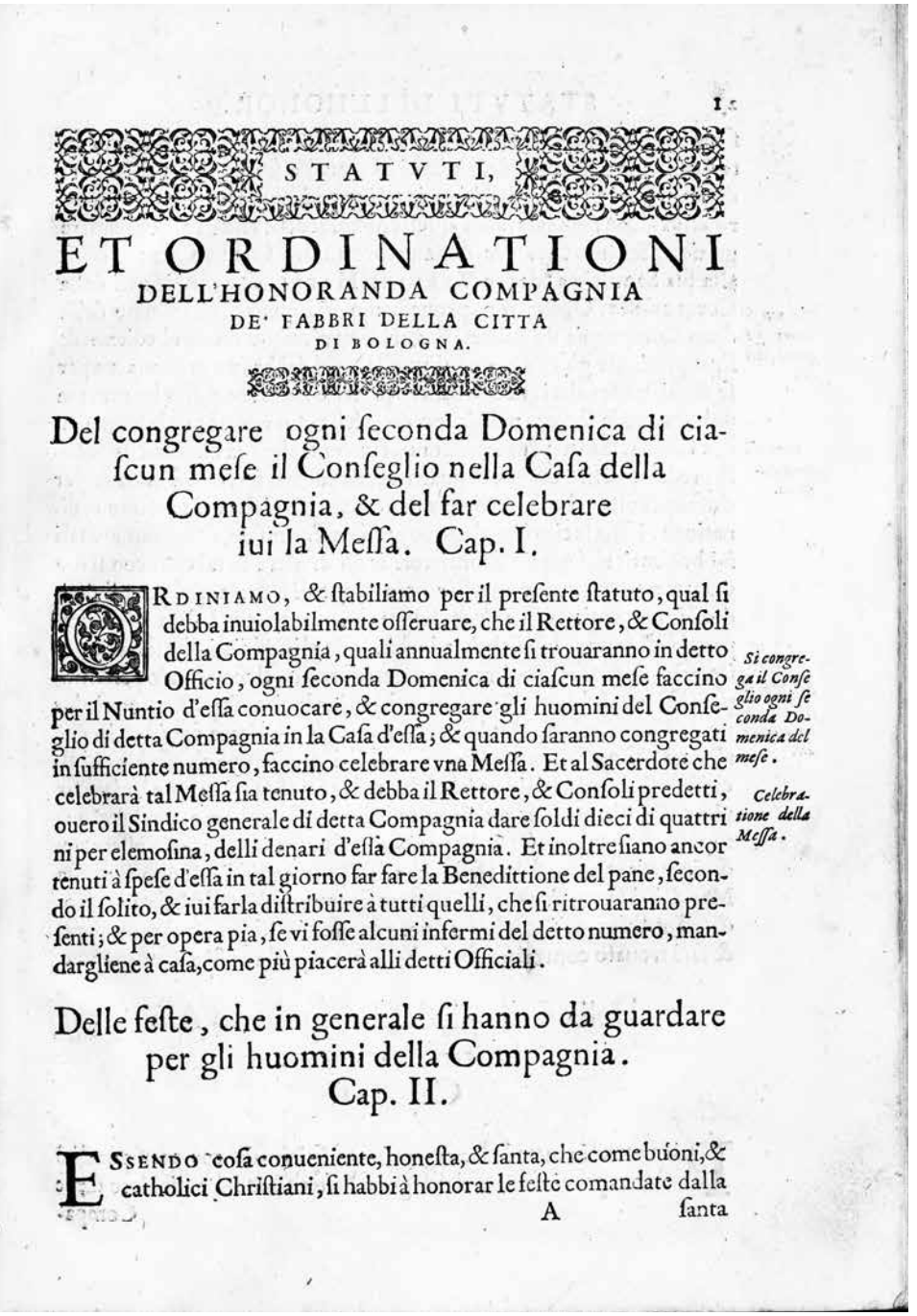

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STATVTI,

ET ORDINATIONI
DELL'HONORANDA COMPAGNIA
DE' FABBRI DELLA CITTA
DI BOLOGNA.

Del congregare ogni ſeconda Domenica di ciaſcun meſe il Conſeglio nella Caſa della Compagnia, & del far celebrare iui la Meſſa. Cap. I.

ORDINIAMO, & ſtabiliamo per il preſente ſtatuto, qual ſi debba inuiolabilmente oſſeruare, che il Rettore, & Conſoli della Compagnia, quali annualmente ſi trouaranno in detto Officio, ogni ſeconda Domenica di ciaſcun meſe faccino per il Nuntio d'eſſa conuocare, & congregare gli huomini del Conſeglio di detta Compagnia in la Caſa d'eſſa; & quando ſaranno congregati in ſufficiente numero, faccino celebrare vna Meſſa. Et al Sacerdote che celebrarà tal Meſſa ſia tenuto, & debba il Rettore, & Conſoli predetti, ouero il Sindico generale di detta Compagnia dare ſoldi dieci di quattrini per elemoſina, delli denari d'eſſa Compagnia. Et inoltre ſiano ancor tenuti à ſpeſe d'eſſa in tal giorno far fare la Benedittione del pane, ſecondo il ſolito, & iui farla diſtribuire à tutti quelli, che ſi ritrouaranno preſenti; & per opera pia, ſe vi foſſe alcuni infermi del detto numero, mandargliene à caſa, come più piacerà alli detti Officiali.

*Si congrega il Conſeglio ogni ſeconda Domenica del meſe.*

*Celebratione della Meſſa.*

Delle feſte, che in generale ſi hanno da guardare per gli huomini della Compagnia. Cap. II.

ESSENDO coſa conueniente, honeſta, & ſanta, che come buoni, & catholici Chriſtiani, ſi habbi à honorar le feſte comandate dalla

A ſanta

**Fig. 3.** Compagnia de' Fabbri (Bologna, Italy). *Statuti et ordinationi dell'honoranda compagnia de' fabbri dell'inclita citta di Bologna*, Bologna, Giovanni Rossi, 1579. 32 cm. Rare Book Collection, Lillian Goldman Law Library, Yale Law School.

as historical source material, a sub-genre that presents distinct questions about motivation, readership, and publishing history.

Another aspect of Italian city statutes that stands out is the role of manuscripts, and in particular scribal publication, in the preservation and dissemination of the texts. To begin with, a significant number of the printed statutes in Yale's collection are bound together with extensive sections of manuscript[26]. I have had the privilege of handling a wide variety of antiquarian law books from across the western world, and I cannot think of any other genre of legal literature where this occurs so frequently. It makes sense, of course; printed statutes for many of the towns appeared in only one edition, and manuscript was the only practical way to update them with later enactments.

Milan presents a special case. While I was at Yale, I acquired two different volumes, both containing 16th-century editions of Francesco Grassi's *De origine iuris Mediolanensis* and the *Constitutiones dominii Mediolanensis*, together with miscellanies of printed material and extensive manuscript sections. There is a third example in Yale's Beinecke Library[27], all of them with similar though not identical miscellanies. I have seen at least two more offered recently in the antiquarian trade, and there might be another at Berkeley. I know of two more in a private collection. They seem more like notebooks. What is going on here?

Compilations of statutes for many small towns remained in manuscript and were never printed. In this regard, it puzzles me why Florence, one of Italy's most important cities, went for so long without a printed compilation of its statutes. Compilations for Florence existed, but they were published scribally[28]. The same is true for Mantua[29]. Florence's statutes were not printed until 1778[30]. Why?

Apart from printed books and manuscripts, there is the enormous body of ephemeral pamphlets and broadsides. In larger jurisdictions such as Venice

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[26] Thirty-two examples are included in Widener M., *Manuscripts in the Italian Statute Collection, Yale Law Library*, New Haven, 2021, http://hdl.handle.net/20.500.13051/5433.

[27] Shelfmark BEIN Rosenthal 88, https://search.library.yale.edu/catalog/4021025.

[28] The Yale Law Library's collection contains seven examples from the 16th-18th centuries; see the entries under "Florence" in Widener M., *Manuscripts in the Italian Statute Collection,* cit., available online at http://hdl.handle.net/20.500.13051/5433.

[29] See the four examples under "Mantua" in Widener M., *Manuscripts in the Italian Statute Collection* cit., available online at http://hdl.handle.net/20.500.13051/5433.

[30] *Statuta populi et communis Florentiae publica auctoritate collecta, castigata et praeposita anno salutis MCCCCXV*, Friburgi, Michael Kluch, 1778-1783. There is one earlier publication, *Riforma et statuti nuovi della città di Firenze* [24 gennaio 1513] [Firenze, Filippo Giunta il vecchio, 1514] (copies in the British Library and the Biblioteca comunale dell' Archiginnasio, Bologna), but it consists of only 11 leaves and thus could not represent any sort of comprehensive compilation.

or Florence, they represent the greatest number of legal publications. These ephemera demonstrate how local law was disseminated to the general public. They reflect local concerns relating to crime, public health, commerce, social status, agriculture, and a host of other issues. Today they relate to broader research interests, such as printing history, social history, economic history, and the growth of literacy[31].

In 2006, no library in the United States was collecting early Italian statutes as a genre. I saw an opportunity to make a great collection even greater. I have a passion for building unique and useful collections, and for sharing them with a wide variety of users, everyone from legal historians to book historians, art historians, book collectors, book conservators, booksellers, and book lovers of all ages[32]. In my fifteen years at the Yale Law Library, I invested a considerable part of my time and Yale's money in building the Italian collection. I added over a thousand separate items, across the entire range of types, formats, and dates.

The third opportunity I wish to share is for collaboration. Use is what brings a collection to life. Promoting the use of the Yale Law Library's collection provided me with opportunities to collaborate with faculty and students at Yale, and with scholars and institutions in Italy. Perhaps some examples will provide ideas for others.

In my outreach efforts, I turned my lack of language skills into opportunities, by collaborating with those who had the language skills and subject knowledge, and who shared my enthusiasm. The very first exhibition I mounted at Yale, in October 2008, was "The Flowering of Civil Law: Early Italian Statutes in the Yale Law Library"[33], co-curated by Benjamin Yousey-Hindes, a Stanford University doctoral student in medieval history who was writing his dissertation using the notarial archives of Genoa[34]. In 2016 I collaborated with a Yale doctoral student, Christopher W. Platts, on the exhibition, "Representing

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[31] In the case of Bologna, Rebecca Carnevali provides an in-depth study of the economics of printing legal ephemera for local government, including the role of subsidies and competition by printers for government printing work. See Carnevali R., *Cheap, Everyday Print: Jobbing Printing and its Uses in Post-Tridentine Bologna*, Ph.D. thesis, University of Warwick, 2019, http://wrap.warwick.ac.uk/153642, especially Chapter 1.1.

[32] For my views on collecting, see Widener M., *Morris Cohen and the Art of Book Collecting*, «Law Library Journal» 104 (Winter 2012), pp. 39-43; and Id., *From Law Book to Legal Book: The Origin of a Species*, «Rechtsgeschichte – Legal History (Rg)» 29 (2021), pp. 431-444.

[33] Yousey-Hindes B., Widener M., *The Flowering of Civil Law: Early Italian Statutes in the Yale Law Library*, New Haven, Lillian Goldman Law Library, Yale Law School, 2024 (catalogue of an exhibition in the Yale Law Library, October 2008-February 2009; available online at http://hdl.handle.net/20.500.13051/18444).

[34] Yousey-Hindes B., *Living the Middle Life, Secular Priests and Their Communities in Thirteenth-Century Genoa*, Ph.D. dissertation, Stanford University, 2010.

the Law in the Most Serene Republic: Images of Authority from Renaissance Venice," which included items from the Yale Art Gallery and the Beinecke Rare Book & Manuscript Library alongside manuscripts and printed books from the Law Library's Italian statute collection[35].

Students in Professor Anders Winroth's graduate seminar, "Law in Medieval Europe," wrote seminar papers on several of the early manuscript statutes. One of these, on the medieval statutes of Montebuono, led to contact with an organization dedicated to preserving the history of Montebuono, the Fondazione Gabriele Berionne, which in turn led to a facsimile publication of the manuscript: *Lo Statuto di Montebuono in Sabina del 1437*[36]. The volume included a scholarly edition of the text by Alda Spoti and studies by Mario Ascheri, Tersilio Leggio, and Sandro Notari. Renata Ferraro of the Fondazione Gabriele Berionne was instrumental in bringing the project to fruition. The Yale Law Library's manuscript of the statutes of Ceneda was published a few years later, under the editorship of Massimo della Giustina[37].

Digitization is another avenue for worldwide collaboration. For its part, the Yale Law Library has made the Montebuono and Ceneda manuscripts, along with several others, freely available in the Yale University Library's digital collections[38]. Another digitized collection of early Italian statutes is available in the Yale Law School's eYLS Open Scholarship Repository[39]. While these contributions are on a smaller scale than the impressive projects showcased in the Cento conference, such as the Progetto Alfarana[40] and ISALM[41], they all share a commitment to free and open access to any and all users, which is the foundation for collaborative efforts. (See Appendix 2 for a listing of Yale Law Library resources on early Italian statutes).

I encourage my Italian colleagues to explore collaborations with U.S. institutions. In my experience, the organizations that provide funding for digital projects tend to look favorably on proposals that involve collaborations between institutions.

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35 Platts C.W., Widener M., *Representing the Law in the Most Serene Republic: Images of Authority from Renaissance Venice*, New Haven, Lillian Goldman Law Library, Yale Law School, 2018 (catalogue of an exhibition in the Yale Law Library, September 20-December 16, 2016; available online at http://hdl.handle.net/20.500.13051/5435).

36 *Lo Statuto di Montebuono in Sabina del 1437*, Viella, Roma 2011.

37 Della Giustina M., *Statuti di Ceneda: il codice originale del 1474 con le addizioni e le aggiunte sino al 1609*, TIPI Edizioni, Belluno 2017.

38 https://library.law.yale.edu/italian-statutes-0

39 https://openyls.law.yale.edu/handle/20.500.13051/26

40 https://www.alfarana.it/

41 https://www.isalm.it/

Publications and digital surrogates all play important roles in recruiting and training future generations of scholars of early Italian statutes, but it would be mistaken to overlook the role of the books and manuscripts themselves. This brings me to my final point: I believe early Italian statutes provide extraordinary opportunities as teaching tools. Their relative neglect in the past has been a blessing in disguise, often leaving their original (and frequently primitive) bindings untouched. Their typography, their paper, their marginalia, all make them powerful teaching tools. They are a type of multi-sensory instructional technology that, unlike the technology in today's "smart" classrooms, never becomes obsolete. I have seen first-hand how they make a visceral impact on students that a website or PowerPoint presentation can never come close to.

The Cento conference marks a coming of age for the study of early Italian *statuti*. The field has benefited from decades of sustained and vigorous scholarship by a growing band of historians. The time has arrived for the genre to take its rightful role in European and comparative legal history, and the history of the book.

**Appendix 1**
English-language Publications on Early Italian Statutes

Ascheri M., *Statutory Law of Italian Cities from Middle Ages to Early Modern*, in *Von der Ordnung zur Norm: Statuten in Mittelalter und Früher Neuzeit*, ed. By Drossbach G., Ferdinand Schöningh, Paderborn 2010, pp. 201-216.

Bowyer G., *A Dissertation on the Statutes of the Cities of Italy; and a Translation of the Pleading of Prospero Farinacio in Defence of Beatrice Cenci and Her Relatives*, Richards and Co., London 1838.

Gibbs R., *The 13th- and 14th-century Illuminated Statutes of Bologna in their Socio-political Context*, in *Von der Ordnung zur Norm: Statuten in Mittelalter und Früher Neuzeit*, ed. By Drossbach G., Ferdinand Schöningh, Paderborn 2010, pp. 183-200.

Osler D. J., *Jurisprudence of the Baroque: A Census of Seventeenth Century Italian Legal Imprints*, 3 vols, Vittorio Klostermann, Frankfurt am Main 2009.

Platts C. W., Widener M., *Representing the Law in the Most Serene Republic: Images of Authority from Renaissance Venice*, Lillian Goldman Law Library, Yale Law School, New Haven 2018. Catalogue of an exhibition in the Yale Law Library, September-December 2016. http://hdl.handle.net/20.500.13051/5435

Rhodes D. E., *Italian City and Regional Statutes, 1473-1600, in the British Library*, «British Library Journal», 3, no. 11 (Spring 1977), pp. 56-58.

Sansò A., *Ancient Italian States: An Authority List Project*, «Cataloging & Classification Quarterly» 39, nos. 1-2 (2004), pp. 577-584.

Stevens K. M., *Publishing the Constitutiones Dominii Mediolanensis (1541-1552): New Revelations*, «La Bibliofilia», 116, nos. 1-3 (Jan.-Dec. 2014), pp. 215-229.

Thorne S. E., *Statuti in the Post-Glossators*, «Speculum», 11, no. 4 (October 1936), pp. 452-461.

Yousey-Hindes B., Widener M., *The Flowering of Civil Law: Early Italian City Statutes in the Yale Law* Library, New Haven, Lillian Goldman Law Library, Yale Law School, 2024. Catalogue of an exhibition in the Yale Law Library, October 2008-February 2009. http://hdl.handle.net/20.500.13051/18444

**Appendix 2**
Resources on Early Italian Statutes from the Yale Law Library

Italian Statutes, Rare Book Collection, Yale Law Library
https://library.law.yale.edu/italian-statutes
An overview of the collection, with links to related resources.

Manuscripts in the Italian Statute Collection, Yale Law Library
http://hdl.handle.net/20.500.13051/5433
An inventory of manuscripts and printed books with substantial manuscript additions. Compiled by Mike Widener, 2021.

Yale Law Library Flickr site, "Italian Statutes" album
https://www.flickr.com/photos/yalelawlibrary/albums/72157631490786658/
466 images from the Italian Statutes Collection.

Italian Statutes (Yale Law School Open Scholarship Repository)
https://openyls.law.yale.edu/handle/20.500.13051/26
Sixteen items, including three fully digitized manuscript statutes (Ceneda, Montebuono, and Montefortino).

*The Flowering of Civil Law: Early Italian City Statutes in the Yale Law* Library, New Haven, Lillian Goldman Law Library, Yale Law School, 2024.
http://hdl.handle.net/20.500.13051/18444
Catalogue of an exhibition curated by Benjamin Yousey-Hindes, Stanford University, and Michael Widener, Yale Law Library, October 2008-February 2009.

*Representing the Law in the Most Serene Republic: Images of Authority from Renaissance Venice*, New Haven, Lillian Goldman Law Library, Yale Law School, 2018.
http://hdl.handle.net/20.500.13051/5435
Catalogue of an exhibition curated by Christopher W. Platts, History of Art, Yale University, & Michael Widener, Yale Law Library, September 20-December 16, 2016.

*Lo Statuto di Montebuono in Sabina del 1437*, saggi di Ascheri M., Leggio T., Notari S.; edizione del testo manoscritto a cura di Spotti A., Roma, Viella, 2011. Includes a facsimile of the manuscript held by the Yale Law Library, with transcription of the Latin text.

Della Giustina, M., *Statuti di Ceneda: il codice originale del 1474 con le addizioni e le aggiunte sino al 1609*, con saggi di Begotti P. C., Zanin, L., Belluno, TIPI Edizioni, 2017. Includes a facsimile of the manuscript held in the Yale Law Library, with transcription of the Latin text.

# INDICE



**Contributi**