Science of Duel and Science of Honour in the Modern Age: The Construction of a New Science between Customs, Jurisprudence, Literature and Philosophy

Marco Cavina

1 About the “Science of Honour” in Modern Europe

The history of the Science of Honour is the history of the genesis and definition of a doctrine that takes shape in modern Europe at the confluence of different cultures: of jurists, of moral philosophers, of humanists and of courtiers. Each of these cultures has its own history, its own lexicon, its own peculiar morphology.¹

The Science of Honour has its roots in the debates about the formalisation of the solutions to conflicts within the nobility in the fifteenth and sixteenth centuries. Throughout the centuries it maintained a strong normative (and, in a broad sense, juridical) character. It was cultivated in theory, in teaching and in practice by a specific group of intellectuals, backed-up with the technical and social status of honour experts and professors.

Stately doctrine par excellence, concerning only the nobility, the Science of Honour was a key moment in a young nobleman’s education and social awareness of the modern age from the sixteenth to the eighteenth century. Its greatly specialised literature began to disappear and faded only with the French Revolution, i.e. with the end of the social structure from which it arose. All in all, the Science of Honour during the Ancien Régime was a testing and mixing ground of various strains of humanistic culture, attaining great social, cultural and linguistic relevance.

Painstakingly, accelerating and decelerating, amidst infinite variations, the mystic trial by combat metamorphosed into the courtly duel of honour. Its

¹ About bibliography and problems about history of duelling see Cavina, Il duello giudiziario; id., Il sangue dell’onore; id., Duel et hiérarchies d’honneur; id., Una scienza normativa per la nobiltà. I’m preparing a book in English about history of duel and science of honour in medieval and modern Europe.
transfiguration unfolded through social practice. Early on, however, signs of change—faint at first, but ever stronger—made their way into doctrinal reflection. Some had already come to light in the 1200s. Ancient doctrinal problems had verged on resolution, alluding to new and diverse morphologies. The 1300s witnessed the distillation of the idea that the duel was pivotal to class-driven law. The concept of honour cast shifting shadows in the light of ever more audacious interpretations. In the 1400s, the new judicial duel of honour found *terra firma* in both institutional and doctrinal domains. An autonomous doctrinal domain and a specific juridical literature emerged in its entirety in the late fifteenth century with the work of Campania’s Paride del Pozzo about duel and honour reconciliation.² After him the golden age of the Science of Honour flourished with a stream of treatises not only by jurists, but also by others of various extraction, in a crossroad of knowledge and experience.³

The judiciary honour duel was a fight between two men, who following the code of honour were evenly armed in front of a chosen judge, intended to prove and defend a truth which could not be proven otherwise.⁴ Such is the definition of a judiciary honour duel provided by the writer of one tract on duelling, the jurist Dario Attendoli of Bagnacavallo. The complex problems which arose from the doctrine of violent judiciary duel and peaceful private reconciliation marked the beginning of the Science of Honour. They were first introduced by the Italian juridical culture of the fifteenth and sixteenth century as an accomplished formalisation of aristocratic customs to resolve frictions and conflicts within the nobility through duel or honour reconciliation: the gentleman’s court.

Its judge was the liege lord, endowed with proper jurisdiction, who granted the field of honour through a patent letter and who was identified and agreed upon by both sides through formal procedures. His role was intensely debated within the honour doctrine, but he remained a judge in the true sense of the word. What took place in front of him was a real trial, with a petitioner and a respondent, with exceptions, replies, terms, juridical responses, incidental questions, interlocutory and definitive sentences.

Paride del Pozzo, a native of Castellamare di Stabia, became universally recognized in the centuries to come as the “father of Duelism”. Paride wrote his masterwork in Naples at the Aragonese court, an environs suffused with chivalric airs. Here, again, we find traces of the influential legacy of Occitan customs. Nevertheless, Italian intellectuals and the Neapolitan court—the ideal

---

² Puteo, *Duello*; Puteus, *Tractatus elegans*.
³ Cavina, *Il sangue dell’onore*; id., *Una scienza normativa per la nobiltà*.