

# Blessed Professor Contardo Ferrini LL.D.

By JOSEPH V. GALEA

CONTARDO FERRINI was born in Milan on the 4th April 1859, to Luigia Bucellati and Commandatore Rinaldo Ferrini, a famous professor whose work in the field of science is well known. Two years after Contardo's birth, Rinaldo bought a small villa at Suna near Lago Maggiore. There Contardo spent his childhood, running, healthy and happy, in the garden of the villa and on the shores of the lake. When he started going to school, he was at once marked for his sensitiveness which provoked much teasing from his fellows. Still he loved them all the more "for the sake of winning my ideals" he used to say.

In the Lyceum he was distinguished for diligence, holiness and for the ease with which he wrote verses. His habit of reflection and his force in arguing made his friends style him "Aristotle"! With some good school-fellows he founded an "Accademia Domestica" with the purpose of discussing and revising the subjects studied at school. During free hours and on holidays his favourite haunt was the "Bibliotheca Ambrosiana."

At the age of seventeen he entered the University of Pavia and took up his studies at Borromeo College. Here he was as sensitive as ever but he was loved for his sympathy and broad-mindedness as well as for his saintliness. He concluded his studies at Pavia with a thesis in Latin, which was accepted 'cum laude' on "The legal knowledge that may be derived from the poems of Homer and Hesiod." The Bishop of Pavia on congratulating him asked him what had helped him to obtain such high honours. Ferrini, without saying anything, showed him a little cross he always kept about him.

As soon as he ended his studies at Pavia he won a Government scholarship and thus at the age of twenty-one he left for Berlin for the purpose of reasearch work in Roman Law. There he was moved by the good example of some German students and he yearned that the same Catholic spirit should prevail among students in Italy which in his times, the times of the Risorgimento, left much to be desired.

Cöntardo had early shown his liking for law, but he liked law in its philosophic aspect. He loved arguing, not so much in the law courts as in private, and he found sufficient matter for arguing in Roman Law. His inclination was enhanced by his acquaintance and friendship with several famous professors of Roman Law at Berlin, such as Pernice and Zachariae von Lingental. The last one eventually instituted him heir of all his scientific works. From this time onwards the life of a professor had a special appeal for him. Indeed, no one was more fit for the job. For his research he had a firm grounding; he spoke and wrote well in German; and he understood and could read French, Spanish, English and Dutch; of the dead languages he had studied Latin, Greek, Hebrew, Syrian and a snatching of Coptic and Sanskrit. At Berlin Ferrini published his "Parafrafi Greca delle Istituzioni attribuite a Teofilo."

On his return to Italy the authorities of Pavia recognising his worth, created a chair for the study of the History of Roman law in order to be able to keep him within their University. Thus at the age of twenty-four he became a professor as he had wished teaching, studying and writing books of no mean standard. With his students he was always friendly and not for once sarcastic. Besides he knew that from the chair he could really accomplish a high mission i.e., that of inspiring youth with high religious ideals.

In Roman Law Professor Ferrini was an authority and yet he never tired of pondering over what he had already written to see whether they stated the truth in the light of whatever advances he made. Study was a pleasure for him in so far as it was the search after Truth: "I am pleased that in my studies I have always sought for the Truth", he wrote. During this period he published his "Storia del Diritto Romano" (1885); "Il Diritto Romano" (1885); and "Diritto Penale Romano" (1888).

From 1887 to 1890 he lectured at the University of Messina where the Government had sent him and where he found students of a rather indolent character. Here he yearned for his native surroundings. During this "exile", however, he was immensely comforted by his love of study till in 1890, he was called to lecture before the students of Modena where he made a great success as a Professor in a subject which others often

submitted as dry knowledge but which he turned into living wisdom mainly through the enthusiasm with which he taught and through the clear and exact expression of his thoughts. At Modena the friendship was started with the famous Prof. Luigi Olivi then lecturing on International Law. In 1892, Ferrini was elected Cavaliere della Corona d'Italia, but he did not speak about it with anybody and great curiosity was aroused when his mother on emptying his case on one occasion found... a Knight's Cross!

In 1894, he returned to Pavia, and the year after to Milan. In political matters, which in those days too often trespassed the boundaries of religion, he always stood by the directions of the Holy See. Later, when he felt himself in duty bound to benefit by his skill the Catholic cause, he presented himself as a candidate and was eventually elected a member of the Council of Milan until the Catholic party was defeated and its members, among which Contardo, were thrown out. During all this period Contardo made it a point to carry out his duties in this regard with perfect diligence and faithfulness; indeed there were times in which he hardly had time for lunch in order to be able to attend as many meetings as possible.

Contardo Ferrini used to behold God in everything: "Art, Science, Nature, everything leads us to God. His spirit nestling in the hearts of the just makes them love all that is beautiful, true and worthy." Indeed the great thing about him is that in all his diverse and preoccupying tasks his soul was united to God always: "It is only our feet that touch the earth, our souls should be lost in God." The way to holiness chosen by Ferrini was the simplest and the shortest. He too like St. Theresa of the Child Jesus recognised that modern life elicits modern ways. We must have a lift for heaven. Daily mass and holy communion, a visit to the Holy Sacrament every evening, devotion to Our Lady and St. Aloysius and a quarter of an hour meditation daily unless he could find more time. He laid a special importance on the last saying: "Holy Meditation is essential to those who wish to love God. Without it the soul loses all holiness and finds little relish in sacred matters." He had a great wish for the salvation of souls and he knew that among students he could be of great service in this respect. All this was clearly the cause of the smile which always lingered in

his look. Not that his life was an easy one but his holiness and the great ideals for which he strove kept him happy all along. Indeed he once wrote: "A smile may in some cases be the greatest act of courage, the highest self-denial, a marvellous act of faith."

One of Contardo's prayers was that he should regain the innocence of childhood. His love of children was intense; during parties he used to prefer to the company of the elder people that of children, to whom he spoke, playing or carrying them on his shoulders and sowing in them the seed of goodness. On one occasion one of his friend's children refused to obey his mother answering her back with a definitive "No!" "Come", said Contardo, "Let us go out into the garden and bury Mr. No." which they did in a little hole in the soil over which Contardo stamped his foot saying "Hereunder Mr. No is buried for ever and ever." The child became at once all thoughtful and he rarely disobeyed his parents again.

Contardo's mother seeing him love children so much thought she might well suggest some wealthy person with the view of marriage. But his usual answer to such proposals was that he simply had no time to think it over. A neighbour wished that he should marry one of her daughters and on their coming together with Ferrini from a walk which she had suggested she asked Contardo: "Which of the two do you like best?" "The Third", he answered.

His spouse was wisdom. He had published at least three great works besides those already mentioned namely "Teoria Generale dei Legati e Fedecommissi", "Manuale di Pandette" and "La Costituzione degli Ateniesi", a translation from Aristotle, with an introduction and notes as it was one of some Egyptian papyri which had recently been discovered.

However it cannot be denied that what made him renounce to the married state was mainly his love for the highest form of perfection. Indeed he had taken the vow of perpetual chastity. But all this was in keeping with his great love of study.

On one occasion his colleague at the "Biblioteca Ambrosiana", Mons. Mercati, discovered a memorandum book and he invited Ferrini to examine it in order to decide on the importance of its contents. With great joy he discovered fragments of a collection of laws of the ninth century made by Emperor



Basilicus and which had been considered as irretrievably lost. Together with Mons. Mercati with great patience and eye-strain he deciphered, one by one, those words as they stood covered by another writing who knows how many years after. Thus he published his "Frammenti dei Basilici" and it cost him seventeen thousand lines to decipher.

His "Esposizione Storica del Diritto Penale Romano", "Delle Servitù", "Il Tipucito", "Il libro Siro Romano", as well as a new Italian edition of the Corpus Juris were all published after his death. But even during his life he was known as the greatest Romanist in the world. In his works he tried to compete with the greatest German jurists and he succeeded to such an extent that Mommsen himself, one of the most famous among them, had to declare that as for studies in Roman Law the twentieth century will be called after Ferrini and that Ferrini had transferred the pre-eminence of such studies from Germany to Italy. It was in this way and not by empty or high sounding words that Ferrini expressed his patriotism.

But one asks "How could he, who so early loved the open-air life and the mysticism of God's embrace advance so rapidly in the field of scientific research? "He himself answers: "Se i miei studi approdaron a qualche cosa lo devo alla preghiera.... La preghiera mi fa amare il raccoglimento, la solitudine, il lavoro". In truth his studies themselves were an unceasing prayer. He used to teach his pupils too that even in laws God manifests Himself and he used to explain how Divine Providence throughout the ages governs humanity and how humanity by means of laws fulfils Its designs. This he did because even among his own students materialism was rampant and while he fought it with all his might he looked sadly at the plight of his enemies: "Oh perchè in un cuore adolescente l'odio di Dio? Perchè l'odio dell'Increata Bellezza, del Bene Supremo? Non temete che il suo guogo sia aspro: non temete che Egli rifiuti dopo il tuo rifiuto, che v'abbandoni dopo il vostro abbandono, che v'insulti dopo la vostra bestemmia e irrida alla vostra disperazione. No, Egli è il Padre; correte al Suo amplesso divino.....

"Oh, sentite!a tutta la dolcezza della dottrina Cattolica, gustatela nella sua intima verità e pensate se l'uomo ne può far senza! Pensate se l'uomo potrebbe vivere nelle molteplici

tribolazioni della sua povera vita, se non vi fosse questa sovrumana idea che le poche gioie dell'esistenza purifica e i molti dolori lenisce....."

"Oh Sia Lui, Lui solo il Dio della gioventù: non risuscitate numi pagani, oscene personificazioni del male! Non l'incomposta esultanza di Bacco ma la mite gioia del Paraclete rallegrì i giorni della vostra esistenza!

"Non temete: Egli è il Dio dei giovani e giovane Egli stesso a tempo, poichè rimane sempre lo stesso e muta come un vestimento l'antico universo. Rimane sempre lo stesso e brilla perenne il lieto sorriso di Lui, brilla nei fulgidi colori del grembo sciolto del fiore, brilla nella volta stellata di un cielo senza nubi, nelle nevi dorate dell'Alpi mie!"

These quotations and others of the kind taken from his religious writings "Un pò d'Infinito", "Scritti Religiosi" and "Pensieri e Preghiere", are enough to show the mysticism which is so clearly marked in Contardo Ferrini. They show, too, with what earnestness he worked in the field of Catholic Action. Before he died he had hoped to write a treatise to show the influence of Christianity on laws and on the formation of civilisation. He had also hoped to be able one day to put all his knowledge as an apologist at the service of a Catholic University the creation of which in Italy was the greatest desire of his.

All the writings which I have last quoted and to which may be added another one: "Sul Recente Positivismo nella vita pratica", show that the central theme of Contardo's Apologetics is man's yearning for the Infinite. "Limitations oppress us and we are always looking for lands beyond every horizon that arises before us." This yearning he himself felt more and more as an Alpinist. His father had founded a sort of club—Alpino at Suna and throughout his life the mountains were his peace, his rest and an inspiration of noble thoughts. "Dopo pochi giorni che sto curvo sui libri sento il bisogno di addrizzarmi e acciappo allora le montagne e corre per le libere cime e dimentico volentieri cattedre e libri", a letter to a friend says. The mountain he preferred was Monte Rosa which glitters with its eternal snow. Surrounded with the vast silences and with the charm of panoramas he climbed and climbed all day. From the mountains he returned with renewed vigour, with a mind ready

for new thoughts and projects, with a springy gait, rosy cheeks and his head thrown upwards.

Contardo Ferrini firmly believed that the beauties of nature had a great effect on character and that the love of these beauties should find a place in the education of every individual. That is why he used to tell his pupils: "Povera adolescenza che non conosce altro passaggio che il corso, altri orizzonti che quelli del balcone, altri spettacoli di natura che quelli letti sui libri!" He admits "Le gite Alpine mi fanno un gran bene non solo fisico, ma anche morale; mi ritemprano il carattere e mi elevano a pensieri diversi dai consueti." "Datemi", he says on another occasion, "Datemi quel ragazzo ch'io lo conduca per le Alpi nostre. Impari a vincere, in quegli ostacoli di natura, le future difficoltà della vita; impari a gioire al sole nascente contemplato da uno sperone di monte, al sole cadente che incenda i vasti ghiacciai, al chiarore di lume che scherza nella valle deserta; colga il fiore che cresce al limite delle nevi perpetue ed esulti di tanto riso di cielo fra quegli orrori di monti! Quel ragazzo tornerà fattosi uomo e la sua coscienza morale non ne avrà scapitato."

His company even in his open air life was always interesting. Often he used to discuss geological matters and oftener still to quote by heart from poets starting from Dante and down to Carducci, Zanella, Porta and others. He greatly admired the wisdom of life among the countryfolk, their sense of Providence, their peace of mind and joy in a fearless living. This lesson he used to carry to his pupils, the lesson, that is, that what matters is not what one does but **how** and **why** one does it. The Christian farmer is better than the pagan professor. The believing farmer has a plan in life, he knows its value and he has a remedy for its evils; the pagan professor teaches but he does not know how to **live**.

Humility is the way to the Infinite but one would ask: "How could Contardo Ferrini with all his successes remain humble?" He says: "Humility is founded on Truth." Contardo allowed everyone to correct him when their opinion was founded but when it was not he firmly resisted them; not however before he had pondered for long over the pros. and the cons. looking at the matter from all points of view. When he saw he



was in the right, he would not hesitate to stand against the greatest minds. He had the real scientific spirit.

Above all he was a gentleman. On one occasion, to quote one instance, having set out for a walk with some friends, they were compelled by a heavy rainfall to take cover in the house of a parish priest of Bondione. The rainfall was incessant. In order to keep the company gay he took up his pen and wrote:

“Un piöva inesorabile  
 Ci trattiene a Bondione;  
 Ci darem dunque a ineffabile  
 E crudel disperazione?  
 Non è questo uno specifico  
 Opportuno in fede mia!  
 Per la vita è necessario  
 Praticar filosofia!  
 Se non fosse mai piovuto  
 O piovuto sol più tardi,  
 Non avremmo conosciuto  
 L'eccellente Don Riccardi.....”

His company was always interesting and he always did all he could to keep men in the same mood of perfect happiness as himself. It was also because of this that his friend Olivi had planned with him to go on a journey together to the Holy Land; but while they prepared, the Heavenly Jerusalem was awaiting Ferrini. Olivi had to go alone and Contardo was to rest for a while at the villa of Suna amid the recollections of his childhood because of a disease which developed into heart trouble. This notwithstanding as soon as his condition bettered he resumed his lecturing and in one of his last letters he says: “Fui preso nelle spire degli esami e delle lauree e ne uscii più morto che vivo, per la fatica e per il caldo.” Also during this period he endeavoured to accept the invitation to form part of a Government Commission and he had travelled to Milan for this purpose.

However he had to retire to Suna once again where he continued for the few weeks till his death, working on his three main books which were pre-occupying him at the time: the edition of the *Tipucito*, that of “*Libro Suo Romano*”, and “*Servitù Prediali*”. Being accustomed to walks as well as to study he could not give up visiting his mountains. On one occasion having roamed for some time in the vicinity of Monte Rosa



with a friend, he was suddenly taken ill and drank from the first spring he met. In a fortnight's time he developed typhoid fever of which he died on the 17th October 1902.

Certainly no life could be more useful in showing the fallacy of the supposed struggle between science and faith. In Contardo Ferrini nature and grace, science and faith have all endowed their best gifts and it is because of this that the Royal University Students Law Society has decided to put before its members the sublime ideal of this Blessed Professor and at the same time to invoke his aid and protection in the toilsome road that is for its present and future members to plod.

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## CORRESPONDENCE

Christ Church,  
Oxford.  
9th January, 1949.

Sir,

Thank you so much for your gracious word of congratulation on my appointment as Lecturer in International Law and Conflict of Laws.

May I at the same time press for a corrigendum in your next issue in the form of an addition of the Degree B.A.Hons. (Oxon) after my name. As it is, I am quite frankly at a loss to discover whether I come under "News" or "Views".

Yours, etc.,

EDW. BUSUTTL.

We assure our Correspondent that in future all precautions will be taken to allay any suspicion of bad blood—The Editor.