



LawArt
Rivista di Diritto, Arte, Storia
Journal of Law, Art and History

www.lawart.it

doi: 10.17473/LawArt-2022-3-7



3 (2022) 199-217

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The Marble and the Canvas.

Two Portraits for a Jurist (Michele Perremuto, 1728-1806)

Il marmo e la tela.

Due ritratti per un giurista (Michele Perremuto, 1728-1806)

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ABSTRACT. The study of two portraits of the jurist Michele Perremuto († 1806) provides original visual perspectives on the transformations affecting the figure of the jurist between the second half of the 18th century and the early years of the 19th century, an age of transition from the context of the late *Ius Commune* towards the age of the codification of law.

ABSTRACT. Lo studio di due ritratti del giurista Michele Perremuto († 1806) offre originali prospettive visuali sulle trasformazioni che interessano la figura del giurista tra la seconda metà del Settecento e i primi anni dell'Ottocento, un'età di transizione dal contesto del tardo Diritto comune verso l'età della codificazione.

KEYWORDS / PAROLE CHIAVE: Portrait; Jurist; Lawyer; Judge; Michele Perremuto; Sicily / Ritratto; giurista; avvocato; giudice; Michele Perremuto; Sicilia

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SUMMARY. 1. The House of Perremuto. – 2. The First Portrait of Michele Perremuto: Lawyer-Judge. – 3. The Second Portrait of Michele Perremuto: The President-Scholar.

1. *The House of Perremuto*

Museums, private collections, and dusty galleries of institutional buildings count numerous portraits of jurists among their paintings. They are often recognizable by certain elements included in the pictorial composition, or by the posture, or even by the setting; these elements are often combined. These portraits are characterised as function-portraits, expressing a peculiar sensitivity towards the representation of models of power that are embodied in the canvas, intended to convey a message to the viewer that is no longer easy to decode¹.

Two ancient works of art, an oil on canvas and a sculpture, portray a famous Sicilian jurist, who ascended to the highest ranks of magistracy in a period characterised by important changes in the field of both legal and political-institutional culture: the phenomenon of the codification of law was fast approaching, while the Kingdom of Sicily was about to conclude its historical course with its inclusion in the Kingdom of the Two Sicilies.

Our story begins in an old house that still preserves the memories of Michele Perremuto, a jurist who lived between the 18th century and the first years of the 19th century. In the ballroom of the Perremuto Palace in Caltagirone (today known as Crescimanno d'Albafiorita),

¹ Pace Gravina (2013a), pp. 35 e ss.; Beneduce (2003), p. 340. On the image of the jurist, see also Beneduce (1996).

there is a notable gallery of family portraits: one of them portrays him in his maturity. Perremuto's tomb in Palermo (which Michele shares with his brother Giuseppe) depicts him in a different pose. Further elements are revealed on the psychology of the character, emblematic of the professional *milieu* of jurists in that period, linked to the different functions held in the time segments referable to the two portraits. Moreover, the changed social outlook towards the figure of the jurist, sensitive to the historical turning point between the 18th and 19th centuries, and to the process of codification of law that was also beginning to affect remote Sicily, are uncovered. These two works of art structure this essay, which is part of a broader study of mine on jurists' portraits in the Modern Age.

Proud Knights of Iberian origin, who had come to Sicily with the Martini dynasty at the end of the 14th century (Fig. 1), the Perremuto family approached the legal professions at the beginning of the 16th century.

They followed a model already experimented by other lineages, taking root in a state-owned city that certainly offered law graduates numerous employment and career opportunities², also ensured by inclusion in the *Mastra nobile*³. The family consolidated its noble status also thanks to shrewd marriages with heirs of baronial lineages or families accepted into the Order of the Knights of Malta⁴. This rise can be considered accomplished in the early 17th century, thanks to Federico's investiture as Baron of Boschitello and his marriage to an heiress of Bonaventura Secusio, one of the most influential ecclesiastics and closest to the Spanish Crown⁵. On the strength of his kinship with the prelate, in 1624 Federico himself attempted a further step in the legal career: his wife Brigida wrote to King

² On this perspective, see Pace Gravina (1996).

³ On the ample manoeuvring area offered to jurists of Caltagirone, cf. Pace Gravina (1996); see also Archivio Conte Gravina, Caltagirone [from now on ACG], *Perremuto*, t. 10; Taranto (1857), p. 75 nt. 56.

⁴ On the presence of the Knights on the Island, cf. Pace Gravina/Buono (2003).

⁵ On Bonaventura Secusio, see Pace Gravina (2013b) and (2015), pp. 127-134.

Philip IV in order to plead for her husband's appointment as a Judge of the Concistoro della Sacra Regia Coscienza (one of the most important Courts of the Kingdom of Sicily). Yet, the attempt was unsuccessful⁶.



Fig. 1 – The Perremuto Family Tree

⁶ ACG, *Scritture momentanee della Casa Perremuto*, t. 39, fol. 26 r-v; t. 10, fol. 62.

Paolo Francesco Perremuto was indeed a prince among lawyers: born in 1620, he was several times a judge in Caltagirone, in whose *Studium* he was a Professor of *Ius civile*⁷. He moved to Palermo, where he practised law and was a Judge of the Corte Pretoriana. Then he ascended to the prestigious seats of the central magistracies of the Kingdom of Sicily: he was a Judge of the Regia Gran Corte (Royal Great Court) and of the Concistoro della Sacra regia Coscienza⁸. Paolo Francesco is known as the author of *Conflictus iure consultorum inter sese discrepantium*. This was actually an emblematic text of the period of the «ultime vittorie del Diritto comune»⁹, as the title of a chapter of Adriano Cavanna's manual says, according to which this work was «una vera giungla dottrinale in cui il Perremuto tenta con caparbio sforzo di aprirsi la strada della certezza»¹⁰. Yet, Ludovico Antonio Muratori's trenchant opinion weighed down this work¹¹. The conflict of *doctores* turned out to be a very useful tool for practical jurists, who daily faced in the courts the problems of searching for the *communis opinio*: it was a handbook that

⁷ On the history of the *Studium*, of Caltagirone cf. Pace Gravina (1996), pp. 271-272; (2004), pp. 21 ss.

⁸ Detailed information on the life of Paolo Francesco and the magistracies he held is provided by his son Federico: cf. ACG, *Genealogia Perremuto*, «Genealogia fedele della nobilissima famiglia Perremuto nella città di Caltagirone, originaria da provincie spagnuole, ordinata da D. Federico Perremuto e Cacioppo Barone di Biscottello, Regio Castellano e Patritio Caltagirone».

⁹ «The last victories of the *Ius Communes*».

¹⁰ «An actual doctrinal jungle, in which Perremuto stubbornly attempts to open up the road to certainty»: Cavanna (1979), p. 259.

¹¹ Muratori (1742), p. 71: «siccome ancora s'è veduto dopo la metà del secolo prossimo passato arditamente mettersi a divulgar le piaghe della moderna Giurisprudenza il Baron Paolo Francesco Perremuto, legista siciliano, con raccogliere in cinque tomi un'infinità di discrepanze, e contrarietà de i Comentatori delle Leggi, de' Consulenti, e delle decisioni stesse della Ruota romana, non che d'altri insigni tribunali: libro d'incredibil fatica e libro utile non già per introdurre la pace e la concordia in questa nobil professione, ma solamente per somministrar armi da offesa e difesa a chiunque l'esercita». The passage is quoted and used by Cavanna (1979), p. 259. On Paolo Francesco Perremuto, cf. Pace Gravina (2019), Pasciuta (2015).

allowed them to quickly find jurists who had approved or contested the positions of other *doctores*, without getting lost in never-ending researches. In this sense, Muratori was right: it was certainly a formidable weapon in the hands of legal practitioners, but also a fundamental tool to offer a safer course in what Cavanna so colourfully depicted as a ‘doctrinal jungle’.

The family’s history unfolded during the late 17th century and throughout the 18th century along the path already marked out by their ancestors: presence in the magistracies of the Kingdom of Sicily, profitable professional activity, good matrimonial alliances, and participation in ecclesiastical offices. The eldest son of Paolo Francesco, also a *doctor iuris*, Federico, was Castellan of Caltagirone. A cadet, Michele sr., remained in Palermo, the capital of the Kingdom, following his father’s steps, and was engaged in the magistracies: as a Judge of the city Court, of the Court of the Concistoro, and of the Regia Gran Corte¹², he was considered one of the most famous lawyers of his time.

However, the long parable of the Perremuto family was nearing its end. On 11 March 1791, the Benedictine Paolo Francesco (born Ignazio), Archbishop of Messina, also present in the Palace hall in a portrait by Giuseppe Crestadoro (Fig. 2)¹³, died of apoplexy during the celebration of mass.

¹² Mango di Casalgerardo (1915), p. 64; Emanuele e Gaetani di Villabianca (1754), p. 255. Also, cf. ACG, *Genealogia Perremuto*.

¹³ Cf. Taranto (1857), pp. 94-95 nt. 89.



Fig. 2 – Portrait of Archbishop Paolo Francesco Perremuto (Giuseppe Crestadoro, end of eighteenth Century, private collection, photo by Andrea Annaloro)

Family memory recalls a mysterious anonymous message that the prelate had received a year earlier: «Perremuto statti muto / all'anno avrai il tabbuto»¹⁴. The curse of the silent dog, the mute 'perro' of the family coat of arms (the severed and bleeding head of a black dog in a gold field) (Fig. 3), actually struck the prelate a year later. According to the transmitted tradition, some poison had been poured into the chalice of the Eucharistic celebration: a story that Giuseppe Tomasi di Lampedusa mentions in *The Leopard*, in a dialogue between Tancredi and Chevalley¹⁵.

¹⁴ «Perremuto shut up / in a year you will have a coffin».

¹⁵ Tomasi di Lampedusa (1958), p. 117. On the death of the archbishop, see ACG,



Fig. 3 – Coat of Arms of the Perremuto Family (private collection)

2. *The First Portrait of Michele Perremuto: Lawyer-Judge*

The life of Michele Perremuto Tedeschi, born in 1728, great grandson of Paolo Francesco, the author of *Conflictus*, is well depicted in his funeral oration: «L'ordine della nostra nascita dà quasi sempre la direzione de' nostri destini; le armi e la toga erano le vie sulle quali poteva incamminarsi il cavaliere Perremuto. Egli scelse quest'ultima, che reputò più degna del suo carattere e de' suoi talenti»¹⁶. Michele became a Judge of the

Perremuto, vol. 54, fol. 327, containing the report of d. Filippo Hernandez: «fu di repente, mentre celebrava l'incruento sacrificio, colpito da apoplezia, che non gli diede altro tempo, se non di ricevere con esemplarità gli ultimi Sacramenti».

¹⁶ «The order of our birth nearly always gives direction to our destinies; the Army or Judiciary were the paths on which the Knight Perremuto could set out. He chose the

Regia Gran Corte, a position he held for three years, in 1768, 1774, 1778; then he was an accusing officer at the Tribunale del Real Patrimonio (Court of the Royal Property), a position he later held at the Regia Gran Corte, in addition to that of honorary ‘Maestro razionale’ of the Real Patrimonio.

To this period of the jurist’s life belongs the first portrait¹⁷ (Fig. 4), painted by Leonardo Guzzardi, portrait painter active in Palermo in the second half of the 18th century¹⁸. Michele (who appears from his physiognomy to be in his early fifties) is portrayed cloaked in a robe, the insignia of power of the jurist order, standing, in the typical pose of a lawyer preparing to plead. His right hand with a precious ring on his little finger rests on his hip; his left hand holds a legal dossier addressed to him. He wears a powdered wig on his head; a pierce, haughty glance is directed towards the observer. The only decoration, standing out against the black of the robe, is a precious Maltese Cross, an ostentatious sign of membership of the prestigious military Order¹⁹. This is the portrait of a proud lawyer, a jurist of the late age of the *ius commune*, in whom the attitude of the lawyer and that of the judge still coexist.

latter, which he deemed more worthy of his character and talents».

¹⁷ On portraiture, within the vast bibliography, I will only mention here: Caversazzi/Fogolari/Gamba (1911); Simmel (1985); Fossi (1996); Zorzi (2002); Beyer (2002); Pommier (2003); Sgarbi (2005); Gandolfi (2007); Delorenzi (2009).

¹⁸ About Leonardo Guzzardi († 1802), the deaf-mute painter from Sambuca, author of numerous portraits, including those of Horace Nelson, Lady Hamilton, and Filippo Lopez y Rojo, Archbishop of Palermo, see Gallo (2004), p. 237; Sarullo (1993), s.v. I thank Francesco Paolo Campione for these pointers, and the Countess Gravina for her customary kindness in publishing the Perremuto portraits.

¹⁹ On the presence of Maltese Crosses in the portraits of Sicilian aristocrats, cf. Di Natale (2019), p. 116.

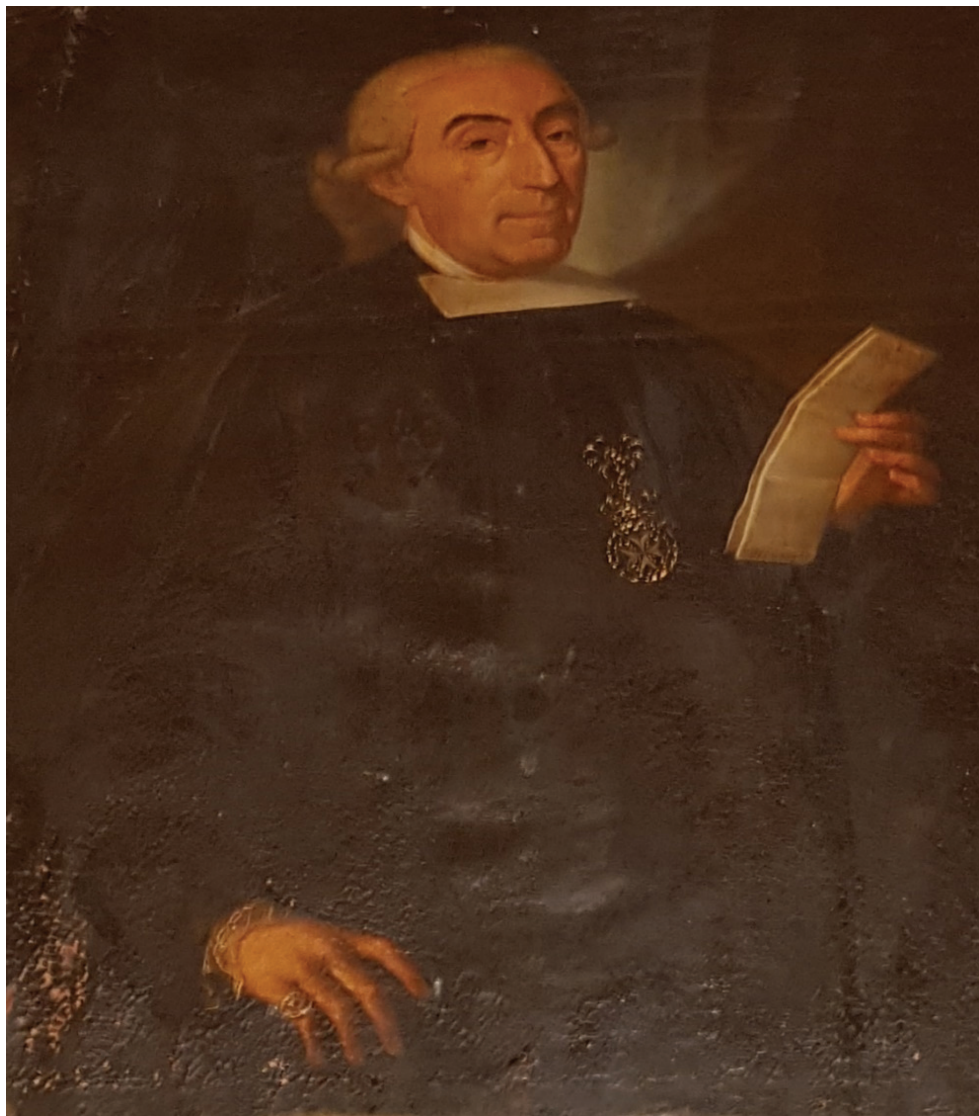


Fig. 4 – Portrait of Michele Perremuto (Leonardo Guzzardi, eighteenth Century, private collection, photo by Andrea Annaloro)

In the lower part of the portrait²⁰ there is a cartouche, which follows the outline of the Rococo frame of the over door, on which an inscription derived from that of Perremuto's grave was painted later²¹.

Later, King Ferdinand, IV of Naples and III of Sicily, called Perremuto to Naples as regent of the Suprema Giunta di Sicilia (Supreme Council of Sicily), an important office that ensured the connection between the Sicilian Crown and the Southern Kingdom. Michele was later appointed Minister of the Giunta dei Presidenti e del Consultore (Council of Presidents and Consultant), before ascending in 1787 to the coveted seat of President of the Tribunale del Real Patrimonio²² and finally reaching the apex of the Island's magistracy, becoming President of the Court of the Regia Gran Corte in 1805. An exemplary career, in a complex period for Sicilian jurists, marked by the sovereign's first exile in Palermo and the start of a cautious reformism following the echoes of the French Revolution. In that time, a few great jurists kept their privileges and prerogatives intact, at the top of a forensic structure that was still imbued with the *Ancien Régime*²³.

This is where another appearance of Perremuto as a judge of the Regia Gran Corte takes place: he was among those who sentenced the lawyer Francesco Paolo Di Blasi (one of the protagonists of Leonardo Sciascia's

²⁰ The characteristics of the painting seem reminiscent of the portrait of Viceroy Giovanni Fogliani d'Aragona in the Royal Palace in Palermo, painted by a Sicilian painter probably around 1775, which presents a similar 'celebratory' approach. I thank Francesco Paolo Campione for the information.

²¹ «D.O.M. Aeternaeque memoriae Michaelis Perremuto e patricia familia equitis / Hieros. iuriscons. qui a brevioribus subsellis ad ampliora progressus / Fiscii patrocini-um egit ad Neapolitanum consessum / Siciliae causarum apud Regem ad scitus indeq. regio / aerario Siciliensi per annos duodeviginti / praefectus supremi tandem sacrique Se/natus magna eq. Curiae praeses sapientia / iustitia integritate / bene de cunctis ordi/nibus merendo id est consequutus ut / nec defuerit viventi honos nec vita fu/ncto commune civium desiderium / vixit annos LXXVII M. VII D. XXII obiit / A. 16 martii 1806».

²² Cf. F.M. Emanuele e Gaetani di Villabianca, ms. Palermo, Biblioteca Comunale, QqE112, sez. *Presidenti di Patrimonio*, pp. 417-18.

²³ On this cultural context, see the considerations of Cappuccio (2018), pp. 27 e ss.

novel *Il Consiglio d'Egitto*²⁴) to death as a State offender in 1795, at the end of a trial characterised by extraordinary procedures.

3. *The Second Portrait of Michele Perremuto: The President-Scholar*

Perremuto's life experienced major changes in the so-called 'English years' of Sicily. The King had moved to Palermo, fleeing from the French-occupied Naples. In the resurrected capital, the splendours of a court in exile were taking place, amid festivities and parties, under the sign of new fashions and enthralling collective rituals. The account books of the Perremuto record the careful renovation and decoration of a 'casina' at the Colli, a holiday resort of the Palermo aristocracy, a villa owned by the family since Paolo Francesco, the author of *Conflictus*²⁵, a summer residence for such an eminent personage, where he could worthily meet illustrious guests. The densely annotated pages tell us of the human dimension of the character. Thus, we are informed of the purchase of chocolate for the rituals of the reception; of the gentleman's predilection for fine Havana tobacco to fill his snuff box, still following a fully 18th-century taste; finally, of his preference for Marsala wine, which the English sipped with voluptuousness at the time, since the Continental System imposed by Napoleon prevented them from obtaining Port wine.

The new times also required the elderly magistrate to take dancing lessons; he could hardly risk not appearing *à la page* at ball in Palermo's restored Royal Palace. Yet, that was not enough. Perremuto also hired a French language teacher, so that he would not find himself at a disadvantage in the gallant conversations that animated Palermo's aristocracy, between parties in the city's sumptuous palaces and the first ice creams to taste in the vast parks of Bagheria's villas.

²⁴ On this topic, see Pace Gravina (2022).

²⁵ Lo Piccolo (1995), p. 264. The Villa of Perremuto family was recently demolished. I thank Claudio Gino Li Chiavi for the information kindly provided.

As the Marquis of Villabianca recalled in his chronology of the Presidents of the Regia Gran Corte, Michele had no wife «ché mai ne (h)a voluta prendere per vacare soltanto al disimpegno de' doveri»²⁶. His trusted brother Giuseppe, also unmarried, accompanied him in his stay in Palermo²⁷, where the President died in 1806 at the age of 77²⁸.

This is where the second portrait comes into play, within a marble oval on display in Perremuto's tomb, attributable to the sculptor Federico Siracusa from Trapani²⁹. On the wall of the nave of the Capuchin Church in Palermo, a neo-classical ark, adorned with the family coat of arms, resting on a base with a commemorative inscription, holds a grey marble stele, on which is set a white marble oval, where the busts of the two brothers are sculpted. On the sides, there are two Lictor's fasces, recalling the power of the magistrate, and two oblong, moulded slabs, symbolising the Tables of the Law (Fig. 5).

²⁶ «For he never wanted to take one in order to devote himself only to his duties».

²⁷ Giuseppe was general proxy of Caltagirone in Palermo: cf. ACG, *Perremuto*, t. 6.

²⁸ Cf. Manzoni (1806); Taranto (1857), pp. 93-94 nt. 86; Mango di Casalgerardo (1915), p. 64.

²⁹ On Federico Siracusa (Trapani, 1759-Palermo, 1837), among the leading exponents of Sicilian sculptural neoclassicism, cf. Lopes (1999); Gallo (2004), pp. 263-267. I would like to thank Claudio Gino Li Chiavi and Francesco Paolo Campione for the images of the monument. In the same Capuchin church, and again by Federico Siracusa, are the tombs of the brothers Antonio († 1802) and Onofrio Ardizzone († 1791), which present a compositional structure similar to the Perremuto Monument. The two subjects, however, still embody the model of the portrait aimed at showing the role and power of the portrayed person, while the perspective of Perremuto's profile is certainly original.



Fig. 5 – Funeral Monument of Michele e Giuseppe Perremuto
 (Federico Siracusa [attr.], Palermo, Chiesa dei Cappuccini, 1807)

The last public representation handed down to posterity portrays Michele with the head covered by the wig. Yet, he no longer wears the robe, but is dressed in a tailcoat, always with the Maltese Cross pinned to the left side of his jacket. Michele is not portrayed as in the painting already analysed, but as a legal scholar: a cultured interpreter, navigating through the sources of the late *ius commune*, the volumes of the *Jus Siculum*. His absorbed glance rests on a passage indicated by the finger of his right hand, while his left holds the volume (Fig. 6).



Fig. 6 – Detail of the Funeral Monument of Michele and Giuseppe Perremuto (Federico Siracusa [attr.], Palermo, Chiesa dei Cappuccini, 1807)

An expert, indeed, still eager for knowledge, eternally engaged in a tireless and never-ending search, through the pages of the open legal volumes that occupy the lower part of the depiction. A glance still fully eighteenth-century, with the watchful and devoted shadow of his brother at his side, even after death. A truly emblematic monument to a life

spent in the service of the Law, as the inscription at the foot of the grave reads:

D.O.M. Aeternaeque memoriae / Michaelis Perremuto / e patricia familia equitis Hieros. / iuriscons. Qui a brevioribus / subsellis ad ampliora progressus / Fisci patrocinium egit / ad neapolitanum consessum / Siciliae causarum apud regem / adscitus / indeq. Regio aerario siciliensi / per annos duodeviginti praefectus / supremi tandem sacrique senatus / magnaeq. Curiae praeses / sapientia iustitia integritate / bene de cunctis ordinibus merendo / id est consequutus / ut nec defuerit viventi honos / nec vita functo commune civium / desiderium / vixit annos LXXVII M. VII D. XXII / Ioseph sibi et cum lacrimis fratri amantiss. / posuit A. MDCCCVII.

These two portraits, the lawyer-judge and the President-man of science, highlight the different souls of the jurist in the transition between the late age of the *ius commune* and the age of codification. The different representations document the progressive transformation of the image of the jurist. On the one hand, the lawyer of *Ancient Régime*, expert of the system of the *ius commune*, aware of the power deriving from his *auctoritas* and from the ability to navigate easily through the different normative and jurisprudential sources. He was the expression of a unitary context in which lawyers and judges were part of the same class and identified with the main symbol of that membership, the robe³⁰. On the other hand, a jurist who was beginning to be caged within well-defined roles that would soon distinguish magistrates from professional men, severing the fertile osmosis that had characterised the Modern Age. A jurist overlooking on a rapidly changing landscape, which with the advent of codes would propose a new 19th-century anthropology of the lawyer three in one: lawyer, professor, and politician³¹.

The Perremuto family soon died out, their villa decayed, until its recent demolition, a sad fate shared with other buildings destroyed by Palermo's urban expansion. The fortunes of the Perremuto were passed on

³⁰ Pace Gravina (2013a); Cappuccio (2018).

³¹ Mazzacane/Vano (1994), Pace Gravina (2013).

to other lineages who lived in the ancient house. Here Michele still melancholically observes the new guests from the portrait of the ‘camerone’, the ballroom, in the shadow of the severed head of the lugubrious but faithful mute dog, ‘perro muto’, silently barking on the high vaults, an icon of the family of jurists, described in these baroque verses dedicated to the work of Paolo Francesco ³²:

*Sei muto can / ma poi scrivendo latrì / delle leggi di Astrea custode in terra /
la lite al tuo latrar fugge sotterra* ³³.

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³² Pace Gravina (2019).

³³ «You are a dumb dog / but then writing you bark / of Astrea’s laws guardian on Earth / the suit at your barking flees underground».

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