We are delighted to welcome you to our newsletter. It is designed for everyone with an interest in legal history, global history, or legal studies. Our institute - the Max Planck Institute for European Legal History - investigates the history and development of law in Europe and beyond. In our monthly newsletter, we keep you updated about events at the institute, new publications by our fellows, and other news about the field. For comments, suggestions, and general feedback please email us: media@rg.mpg.de. We hope you enjoy this month's issue.

Events in November

- 01.11.17, 18:15: Rechtshistorisches Abendgespräch, Prof. David Ibbetson (Cambridge)
- 07.11.17, 11:00: Prof. Jacqueline Ross (Illinois): A Comparative Look at Covert Policing in the US, Germany, Italy, and France
- 09.11.17, 15:00: Seminar on "Translating Solórzano from Within"
- 13.11.17, 14:15: Common Law Research Seminar
CfA: Max Planck Summer Academy for Legal History 2018

World and Village: the Global and the Local in Legal History

Date 16 July-27 July 2018

Legal History as an academic discipline is a product of the age of the nation state in the 19th and early 20th century. But we live in a different world today: We approach history from an increasingly comparative and global perspective. Historians have also grown critical of their contribution in state formation and national narratives. New methods in the humanities allow for a higher degree of complexity in analysing sources, both in terms of scale and analytical depth. At the beginning of the 21st century, legal historians live in a world with mighty international organisations, ever-closer global connectivity, and supranational as well as transnational laws. These developments should encourage us to consider the relationship between the World and the Village, the global and the local - therewith rethinking their own epistemic identity.

The Summer Academy in 2018 will focus on this relationship between the World and the Village. Applicants to the 2018 Summer Academy are encouraged to present research projects with a focus on the connection between local and global legal discourses.
New Publications

Hugolinussglossen im accursischen Apparat zum Digestum vetus

Horst Heinrich Jakobs examines the *Glossa Ordinaria* – a book written by Accursius in the first half of the 13th century. Accursius’ book shaped the reception of Roman law in Europe significantly. What sources did Accursius draw on, and how did he use them? To what extent did he adopt the work of his predecessors and what was his own contribution? These are the questions that the present book aims to answer. The objective is nothing less than to revisit the judgment on Accursius passed by Savigny during the foundation of the study of Roman law of the Middle Ages.

The 1626 Tumult of Mexico in Perspective (c. 1620-1650)

In her book Angela Ballone offers a comprehensive study of an understudied period of Mexican early modern history. By looking at the mandates of three viceroys who, to varying degrees, participated in the events surrounding the Tumult, the book discusses royal authority from a transatlantic perspective that encompasses both sides of the Iberian Atlantic.
Rechtshistorisches Abendgespräch,
David Ibbetson (University of Cambridge): Unjust[ified] Enrichment

Modern European legal systems routinely give a remedy for the recovery of money paid by mistake and allied situations. In continental European legal systems the focus of the law is typically on the lack of justification for the enrichment which has occurred, whereas in English law the focus is on the injustice of the enrichment. Hence we have two different terms, unjustified enrichment and unjust enrichment. Both of these ideas are rooted in Roman law: in the condictiones and in the general principle attributed to Pomponius that no-one should be enriched [unjustly] at the expense of another. There is at least a clear linguistic distinction between lack of justification and lack of justice, and this can have important consequences for the way in which the law is structured. The talk aims to trace the tension between the two formulations in various legal systems in the nineteenth and twentieth centuries, examining how it came about that the analysis in terms of lack of justification came to predominate.

Professor Ibbetson is Regius Professor of Civil Law at the University of Cambridge and President of Clare Hall Cambridge.

This talk is held in cooperation with the Law Faculty of the Johann Wolfgang Goethe University Frankfurt. On this occasion, the Freshfields Bruckhaus Deringer Prize for the best essay (Seminararbeit) in legal history will be awarded to Ms. Rashmi Arora. Join us for the award ceremony and some light refreshments afterwards.
The conference “End of Empires” is a joined project of the MPIeR and the Forschungskolleg Humanwissenschaften, the Institute for Advanced Study in the Humanities of the Goethe University Frankfurt.

Its aim is to share and disseminate ideas on: the formation of new legal orders and their legal instruments; the rules and the processes of legitimization and the establishment of new political orders; the regimes of legal protection that emerged and the new and informal imperial legal regimes as a colonial legacy.

Four invited speakers will address these topics in their keynote speeches and will provide opportunities to compare the varying experiences of the end of Empires, such as the Spanish Monarquía Católica, the Portuguese and the Ottoman Empire. In addition, a selected group of scholars will engage in a broad discussion on these problems and the related methodological issues based on the previous keynote presentations.

English, Spanish, Portuguese and Italian will be the languages of the conference. It takes place at the Forschungskolleg Humanwissenschaften in Bad Homburg.

Guests and Visiting Scholars

- **Aragoneses, Alfons** (Pompeu Fabra University): *Convivencia Discourses in Spain in the 19th and 20th Centuries*, visiting October - December 2017.

- **Bretones Lane, Fernanda** (Vanderbilt University): *Spanish Religious Sanctuary*, visiting July - December 2017.
Digital Humanities and/for Legal History

Since January 2018, Andreas Wagner is our Digital Humanities (DH) Coordinator. This is a newly created position to support individual researchers with the application of digital tools and promotes those tools.

The MPI in Taiwan: Forging Cooperation

Both directors of the MPI recently visited Taiwan. Prof. Thomas Duve spent a week in Taiwan giving lectures on German legal history, the transnationalization of law and Canon Law at the National Taiwan University.

- **Noviskaya, Anna** (University of Rome Tor Vergata): *Zwei Ansätze zur Forschung in der Rechtsgeschichte - applikativer und kontemplativer Ansatz*, visiting October - December 2017.
- **Siquiera, Gustavo** (Rio de Janeiro State University): *Strikes in dictatorships in the first half of the twentieth century: Communications, translations and conflicts - Portugal, Italy and Brazil*, visiting October - November 2017.
within our scholarly community. Alongside, a new “Interest Group Digital Humanities” now meets monthly to discuss the benefits and challenges of various digital tools.

In terms of individual projects, text analysis has usually been the focus so far. To give an example: **Manuela Bragagnolo’s** research about Martín de Azpilcueta’s *Manual for Confessor* compares several editions of the work (in several languages) which vary greatly from one another, resulting from extensive revisions by the original author. Text analysis of this sort requires an environment for collating and aligning texts, which in turn enable an algorithmic analysis of the different text stages. In addition to support for individual research projects, **Andreas Wagner** is also concerned with creating an infrastructure to publish digitalisation projects in a sustainable and long-term manner. One example is the collection *Legal journals of the 19th century*. The collection has been available for a decade, but only recently the opportunity arose to retrieve the fulltext data of those journals from an OCR project. The dataset is being updated and the new version will be re-published in a modernized platform *Digital Libraries Connected* in the coming weeks. With other projects, DH contributions concern graph modelling of research data or the application of geographical information systems (GIS). Linked data and management and publication of research data have been identified as fields of general interest and strategic importance, which Andreas Wagner develops in close consultation with the (NTU), the National Chenghi University and the National Chung Cheng University. Prof. Stefan Vogenauer visited at the College of Law at NTU, the country’s top law school, for two weeks in September and October. He gave lectures to students, gave a staff seminar, met with Faculty, and visited the Council of Grand Justices (the Constitutional Court) and its President.

Both directors used their respective trips as an opportunity to reach out to scholars who have recently been guests at the institute in Frankfurt or are affiliated to ongoing research efforts. In the picture shown above, Prof. Duve talks to Prof. Wang, Tay-Sheng (王泰升教授) from NTU; they discussed the interlocking of indigenous laws with Japanese, Dutch, and Chinese jurisdictions during the 19th and 20th century. The circles in the picture symbolise archival material that is still available and covers the respective tradition. A great amount of this material has been digitized by NTU and was made available via open access: [http://www.digital.ntu.edu.tw/en/achievements.jsp](http://www.digital.ntu.edu.tw/en/achievements.jsp). Prof. Wang was a guest oft he institute in the past and is the author of a forthcoming article in the Rechtsgeschichte 2018.
Our Library ...

... is constantly growing and now comprises more than 460,000 items. For more information, please visit the library's [website](#). For regular updates on new acquisitions, visit the [opac-catalogue](#).

Max Planck Newsletter for Ibero-American Legal History

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