Opportunities

CfA: Postdoctoral and Research Scholarships 2019 at the MPI, deadline 31 May 2018

Each year we welcome numerous researchers and stipend-holders from around the world, who wish to take advantage of the excellent working

Events this month

20.03.,16:00,
Workshop: Naturrechtsgeschichte und Wissensorganisation, Matthias Lutz-Bachmann (Goethe Universität Frankfurt)

Save the date: 02.05.,18:00
Rechtshistorisches
environment, come into contact with other researchers, as well as access the Institute's library and its special collection. We make every attempt to accommodate our guests’ wishes and do our best to ensure that each researcher's stay is as productive as possible. The Institute will be awarding several scholarships for a research stay in 2019.

Contemporary Legal History - Zeitgeschichte des Rechts

The new year brings two publications on the contemporary history of legal studies. This is a welcome contribution to understanding the development of law, both in its epistemic and its normative dimensions. One volume, edited by Thomas Duve and Stefan Ruppert, inquires about changes in legal scholarship since German reunification. The month of February also saw the publication of Stefan Vogenauer's contribution to 'Private Law Development in Context', edited by Stefan Grundmann and Karl Riesenhuber. We look forward to further contributions to this field, particularly the new history of legal studies within the Max Planck Society, a volume currently in the making.

Rechtswissenschaft in der Berliner Republik


"Berlin isn’t Bonn", goes a famous German saying. This volume takes the phrase seriously and investigates what has changed in legal scholarship ever since the two Germanys reunited and the capital moved from Bonn to Berlin. The volume is
simultaneously a continuation of a previous book on legal scholarship in the Bonn Republic, which was edited by Dieter Simon and appeared in 1994. Just like this first volume, its successor assembles essays from distinguished experts from different legal fields, assessing the recent developments in their respective discipline over the past thirty years, ranging from criminal law to private international law and including the so-called fundamental subjects such as legal philosophy and legal history.

Private Law Development in Context: German Private Law and Scholarship in the 20th Century


The book collects individual portraits of 37 private law professors from German-speaking jurisdictions whose major scholarly achievements were published in the 20th century, stretching from Ernst Rabel (1874-1955) to Gunther Teubner (born 1944). Taken together, they aim to represent an intellectual history of modern German private law. Stefan Vogenauer was invited to make a cross-sectional assessment of these biographical sketches: is there anything resembling an overall picture of German private law scholarship, and is it possible to convey this picture to a non-German audience? In reply, Vogenauer borrows the iconic advertising slogan of a German car maker that has been used to great success in the English speaking world: *Vorsprung durch Technik* – German legal scholarship has an ‘advantage through technology’ *vis-à-vis* the institutions that compete for influence in the legal system, namely the legislature and the judiciary.

---

**Featured Publication**

*To Sin No More: Franciscans and Conversion in the Hispanic World, 1683-*
In the late seventeenth century, Franciscans developed a far-reaching, systematic missionary program in Spain and the Americas. From over two dozen colleges, Franciscans proselytized Indians in frontier territories as well as Catholics in rural and urban areas in eighteenth-century Spain and Spanish America. "To Sin No More" is the first book to study these colleges, their missionaries, and their multifaceted, sweeping missionary programs. By focusing on the recruitment of non-Catholics to Catholicism as well as the deepening of religious fervor among Catholics, David Rex Galindo shows how the Franciscan colleges expanded and shaped popular Catholicism in the eighteenth-century Spanish Atlantic world.

Featured Event

History of Natural Law and the Organisation of Knowledge

Andreas Wagner (MPI, organisation, Matthias Lutz-Bachmann (Goethe University, speaker), 20.03., 16:00

The Institute will host a workshop in memoriam of Merio Scattola and to celebrate the release of his book “The Question of Principles and the Development of Modern Natural Law”. In addition to a paper given by Matthias Lutz-Bachmann, Andreas Wagner, the book’s editor, will give a brief introduction. Distinguished colleagues of Merio Scattola, such as Luise Schorn-Schütte, Frank Grundert, and Michael Stolleis, will recognize his contribution to the history of ideas and the research environment both at Goethe University and the Max Planck Institute.
Guests and Visiting Scholars


- **Di Stefano, Alessia Maria** (Università degli Studi di Catania, Italy): *Justice and emigration: the judgments of the Arbitral Commissions for emigration in Italy between the 19th and 20th centuries*, visiting January - March 2018.


- **Lahondés, Antoni** (University of Montreal, Canada): *The participation of the new Catholic subjects of British Empire to the public world, in the institutions and colonies concerned by the Treaty of Paris and the Royal Proclamation of 1763*, visiting February - April 2018.


The Challenge of diversity

Diversity has become a key concept for understanding our society and, therefore, has also become a subject of jurisprudence as well as legal scholarship. To broaden the understanding of diversity as well as to assess potential legal consequences, Peter Collin and Gerd Bender organised an interdisciplinary conference at the Institute on 1-2 February 2018. The conference focused on historical and current developments alike, assembling an array of experts from legal history, sociology, political science and other social sciences.

What diversity means, how it works, and how it is to be handled were persistent questions throughout the conference. Concerning the term and its many possible social manifestations, a negative definition suggests itself. Instead of defining

Digital Modelling Of Knowledge

Historical research makes increasing use of network modelling and analysis. On February 22nd these tools were the vantage point for an exchange of ideas between musicology, legal history, and history of science. We met with colleagues from the Max Planck Institutes for the history of science (MPIWG) and for empirical aesthetics (MPIAE). It was an intense knowledge exchange and a great occasion for learning from each other! It was also an occasion to visit our neighbour, the MPIAE.

Hosted by Annette van Dyck-Hemming at the MPIAE, Matteo Valleriani and Florian Kräutli from MPIWG gave a one-day-workshop on data modelling using CIDOC CRM and FRBRoo; they also presented the "front-end tool" CorpusTracer basing on those

- **Sáenz Castro, Marcela** (University of Buenos Aires, Argentina): *Cambio y continuidad en la sociedad indígena e hispanacriolla*, visiting January - March 2018
- **Tudini, Flavia** (University of Trient, Italy): *Monarquía Hispánica and the Governance of the Lima Diocese (1580 - 1606)*, visiting January - March 2018
diversity, we discussed alternative terms to help sharpen the distinctions, like universalism or homogeneity. Regarding the notion of diversity, its limitations within law and legal pluralism were discussed along with the distinction between special laws and special orders. To make diversity a fruitful concept for legal historians, participants suggested that phenomena where irritations of law disrupt legal ‘normality’ should be examined.

Diversity also served certain legal and normative functions, which changed over time. Whereas the primary function of law before 1789 had been to legitimise diversity, from the end of the 19th century onward, especially in the context of the large codifications, a compensatory anti-diversity function has been increasingly prominent. Moreover diversity could potentially serve the legal function of pacifying certain social groups with privileged treatment. Needless to say, how law deals with diversity has always been fairly quite complicated: the law reacts to diversity as an assumed social fact while also creating diversity.

The conference provided an initial framework for further research in this relatively new field, and it took some important steps towards even more vivid dialogue with other disciplines.

(Jeremias Fuchs and Leonhard Wolckenhaar)

Both Matteo Valleriani and Florian Kräutli are currently working on a research project: 'The Sphere. Knowledge System Evolution and the Shared Scientific Identity of Europe'. To this end they used these tools to create and query a large dataset. In particular, they investigate the knowledge tradition that is interwoven with the history of one text: the 'Tractatus De Sphaera' by Johannes de Sacrobosco.

The tool they developed not only helps creating data: they designed it in a way that will also allow the general public to access and navigate the dataset – which ultimately also benefits expert users. In the afternoon we had a hands-on session in which we could explore their database, which is now available for researchers online (https://sphaera.mpiwg-berlin.mpg.de).

We subsequently compared their solution to the specific problems of musicologists or legal historians and thought about adapting their concepts. The new digital approaches provide a valuable opportunity for scholars from the humanities and social sciences to come together and engage in more collaborative projects, surpassing the sometimes narrowly fragmented disciplines.

(Manuela Bragagnolo)

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.

Our Newsletters

If you have been forwarded this newsletter and you like it, there is a way to receive this on a regular basis. Feel free to visit our webpage http://www.rg.mpg.de/newsletter and follow the instructions there to subscribe to this newsletter.

If you find this newsletter interesting, you might also be interested in the special newsletter for Ibero-American Legal History, which is published monthly by our research group "Legal History of Ibero-America". You can subscribe under the following link.

You would like to unsubscribe from this newsletter?

We have all been there: signing up to as many interesting newsletters as possible and now the inbox is cluttered with them. In case you wish to unsubscribe from our newsletter, that can easily be done visiting the page where you signed up for it: https://listserv.gwdg.de/mailman/listinfo/mplierg_news. Just scroll down to the bottom of the page and to the row "To unsubscribe from MPIeRg_news (..)" ... needless to say that seeing you leave would make us very sad.