We are delighted to welcome you to our newsletter. It is addressed to everyone with an interest in legal history, global history, or legal studies. At the Max Planck Institute for European Legal History, we study 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. We hope you enjoy this month's issue.

You will have noticed recently that many newsletters and webpages inform you about the implementation of the European General Data Protection Regulation (EGDPR). We would like to follow suit and let you know that your email address, with which you have registered for our newsletter, will be used exclusively for the purpose of distributing the newsletter. Our mailing list is maintained by the Gesellschaft für wissenschaftliche Datenverarbeitung mbH Göttingen (GWDG). If you would like to unsubscribe, simply scroll down and follow the directions given at the end of this newsletter.
Opportunities

CfA: we are looking to recruit student research assistants at the earliest convenience for the following fields:

- Department I, Prof. Stefan Vogenauer, [link](#).
- The Editorial Staff, [link](#).
- Research Group “Translations and Transitions”, ideally with Japanese language skills, [link](#).
- Research Group “Governance of the Universal Church”, with good IT-Skills, [link](#).

Events this month

04.07., 18:15, Rechtshistorisches Abendgespräch: The Trade Embargo against Muslims in Medieval Canon Law, Nicolas Laurent-Bonne (Clermont Auvergne), RuW Room 1.303


Selden Society Annual Lecture

Professor Vogenauer delivers the 2018 Selden Society Annual Lecture

On 2 July, Professor Stefan Vogenauer delivered the Annual Lecture of the Selden Society in the Old Hall of Lincoln’s Inn, London. The Selden Society is the only learned society devoted entirely to English legal history. It was founded by Frederic William

Professor Vogenauer spoke about ‘Translating Savigny: Legal Transplant as Career Advancement’. He focused on the biographies of three British lawyers who had translated Savigny’s writings during the nineteenth century. Legal historians have offered various explanations for why these lawyers undertook their difficult task, ranging from the history of ideas to legal policy concerns and Savigny’s international prestige. Based on archival materials and other contemporary sources, Professor Vogenauer suggested a further, much more mundane reason: their primary motivation was career advancement. Producing a translation of a famous jurist was a vehicle for getting ahead in their chosen professions. By way of conclusion, he argued that discussions of ‘legal transplants’ would generally be enriched by a focus on the actors who are responsible for borrowing legal ideas from another system.

Obituary

Raoul van Caenegem (1927-2018)

The Institute was saddened to learn of the passing on 15 June 2018 of the eminent Belgian legal historian, Raoul van Caenegem. He was for many years associated with the Institute, serving on its governing commission. Born in Ghent in 1927, he studied law at his native university, as well as at Paris and London, before returning to the University of Ghent where he was to spend his long and productive academic life. It was in the field of Medieval legal history that Van Caenegem achieved his great reknown. What distinguished him from other European legal historians was his deep knowledge of the history of English law. He set out to understand and explain the reasons for the divergence between the English common law and the *ius commune* of continental Europe. His numerous books and other publications represent a lasting contribution to the history of Medieval law in a Europe which for Van Caenegem existed on both sides of the
Publications

Best early career article: The Ties That Bind: Intermarriage between Moriscos and Old Christians in Early Modern Spain, 1526-1614


Max Deardorff was awarded the prize for the “best early career article” by the Association for Spanish and Portuguese Historical Studies (ASPHS).

The winning article titled “The Ties That Bind: Intermarriage between Moriscos and Old Christians in Early Modern Spain, 1526-1614” was published in the Journal of Family History, Vol. 42 (3), 2017. Every third year, the ASPHS offers prizes for the best dissertation, the best early career article, and best first book. In this cycle, the award for “best early career article” was restricted to articles or book chapters on Iberian history published in peer-reviewed journals or books between 2015 and 2017. The award was announced at the 2018 annual meeting of the ASPHS in Portland, Oregon.

Key Biographies of EU Legal History

Second Conference by the Research Field "Legal History of the EU" at the MPI

June 21-22, 2018

The research field “Legal History of the European Union” held its second annual
conference on “Key Biographies of EU Legal History”. The event brought together legal scholars as well as legal and contemporary historians, including early career researchers. Their contributions confirmed that biographical approaches are a valuable addition to the history of European Union law. This is very much in line with the findings of other disciplines that are situated at the intersection of law and history. Biographical approaches have also made a significant comeback in international history in recent years, in particular to transcend the national context and capture the social practice of the new international and transnational reality that emerged during the twentieth century.

The biographies investigated and discussed at the Frankfurt conference will contribute to the development of the intellectual history of European Union law. Participants focused on the development of ideas and doctrines and at the same time explored the links between social practices and the broader context of law and legal thinking. We hope to publish the conference proceedings in due course.

Guests and Visiting Scholars

- **Balachandran, Aparna** (University of Delhi, Department of History, India): *The many pasts of Mamul: Law and custom in early colonial Madras*, visiting June – August 2018
- **Bruce-Jones, Eddie** (Birkbeck College School of Law, Bloomsbury, London, UK): *Kaala Paani and the Archive: Ancestral Memory and Colonial Administration*, visiting 17 – 31 July 2018
- **Camacho, Marya Svetlana** (Department of History, University of Asia and Pacific, Manila, Philippines): *Marriage in Lowland Philippines in the Early Modern Period: Codes of Law and Behavior in Intercultural Encounter*, visiting June - September 2018
- **Dauchy, Audrey** (Université Paris II Panthéon-Assas, France / Johann-Wolfgang Goethe-Universität Frankfurt): *Diccionario Histórico de Derecho Canónico en Hispanoamérica y Filipinas. Siglos XVI*, visiting July 2018
- **Fernández Marrón, Melisa Andrea** (National University of Río Negro, Argentina): *Discipline the police force. Police justice in the National Territories during Peronism (Peronismo) in Argentina*, visiting April - September 2018
- **Fu, Guangyu** (School of Law, University of International Business and Economics, Beijing, China): *Übersetzung Helmut Coing, Europäisches Privatrecht, Bd. II in die chinesische Hauptsprache*, visiting July– September 2018
- **Jones, Owen** (Southeast Missouri State University, USA): *K’iche’ Justice:*
Legal Culture, Practice, and Co-optation of the Law in Colonial Highland Guatemala, visiting July – December 2018

- **Klünder, Thorben** (Georg-August-Universität Göttingen, Germany): *Geschichte als Argument im Unionsrecht*, visiting March – August 2018
- **Manganaro, Stefano** (Università degli Studi di Pavia, Italy): *Shaping Legal Spaces through Personal Bonds. The Privilege of Royal Protection in a Comparative Study of Different Geopolitical Areas within the Ottonian Empire (936-1024)*, visiting July - December 2018
- **Mongey, Vanessa** (School of History, Newcastle University, Newcastle upon Tyne, UK): *Suspicious Citizens: border control, diplomacy, and travel regulations, 1790-1870*, visiting July - December 2018
- **Monti, Annamaria** (Bocconi University, Milan, Italy): *Transfers and Reception of Legal Knowledge: 19th-20th century Commercial Law*, visiting July 2018
- **Qu, Jian** (Institut für Sinologie, Universität Heidelberg): *Social Order through Contracts: A Study of Qingshui River Manuscripts CATI*, visiting July - December 2018
- **Saksena, Priyasha** (Harvard Law School, Cambridge, MA, USA): *Contestations over the idea of sovereignty in colonial South Asia / Attempted transfer of jurisdictional bases from Britain to colonial South Asia*, visiting July 2018 - June 2019
- **Shen, Xiaojun** (Law School of Shanghai University of International Business and Economics, China): *Modernisierung des chinesischen Vertragsrechts vor dem Hintergrund der Kodifikation eines chinesischen Zivilgesetzbuches: Eine historische und rechtsvergleichende Betrachtung*, visiting July – September 2018
- **Vegh Weis, Valeria** (New York University, School of Law, USA / Buenos Aires University, School of Law, Argentina): *Criminal Selectivity in Ibero-American Modern Legal History*, visiting June – September 2018
Summer Academy for Legal History 2018

It is summer again and that means that we are looking forward to welcoming a group of early-stage researchers from all over the world here in Frankfurt for the Max Planck Summer Academy for Legal History.

The summer academy traditionally takes place in mid-July and consists of three parts, spread across a time frame of two weeks. During the first part, participants will receive an introduction to sources, methods, theoretical models and important academic debates in the field of legal history. During the second part, they will in turn present their own projects and link them to this year’s overarching research topic of the Summer Academy. Lastly, all participants will have an opportunity to avail themselves of our library and for discussing their research with fellows of the Institute.

This year’s overarching research topic is: “The World and the Village. The Global and the Local in Legal History”

As an academic discipline, legal

An Evening with Dieter Grimm

We are very grateful to Professor Dieter Grimm, one of the Institute’s most distinguished alumni, for spending a whole evening of discussions with us in June. Dieter Grimm is a former professor of public law in Bielefeld, Humboldt, and Yale universities as well as a former judge of the German Federal Constitutional Court and a permanent fellow of the Berlin center for advanced studies.


In his new book on Europe, Professor Grimm raises the concern that the European Court of Justice might have engaged in what he calls “over-constitutionalisation”. By virtue of deciding and ruling cases in light of European treaties, the ECJ elevated the regulation of ordinary political issues to issues of quasi-constitutional rank. It was a process of incrementally extending its own jurisdiction and the scope of EU law. What is more: the
history emerged both in Europe and several other world regions in the 19th and early 20th centuries, i.e. the age of the nation-state. Research in legal history that focuses on local and regional contexts is a product of this heritage.

Global history, historiographic reflection and new methods in the humanities recently helped shift the focus to the complexity of local, national, regional and global relationships. Moreover, the increasing importance of supranational and transnational law makes it an urgent task from the perspective of legal studies to consider the relation between world and village. The participants of the 2018 Summer Academy will present research projects that give special consideration to the connection between local and global legal discourses.

(Stefanie Rüther)

court’s rulings are not subject to national review und thus the court is de facto placed above democratically elected governments as well as above the other EU institutions (Council, Commission, Parliament). According to Grimm, this issue has not received enough attention while most of the harsh anti-EU critique had been directed against the Commission and the Council.

Our discussion with Professor Grimm was intellectually stimulating as we got to know a jurist who conducted research at the intersection of disciplines and has always worked to make legal history fruitful for those tasks that lawyers face today. Meeting him in Berlin was an inspiration; we are very grateful for being granted so much time with a scholar who is methodologically diverse, ethically sincere, political experienced and personally very modest.

(Jasper Kunstreich)

Our Newsletters

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