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. 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. We hope you enjoy this month's issue.

Events in October

15.10., 14:15, Common Law Research Seminar: The Beginnings of English Contract Law in Australia and New Zealand, Warren Swain (University of Auckland)

17.10., 20:00, Rechtshistorisches Abendgespräch: 1848 – a failed Revolution? Sir Christopher Clark (University of Cambridge)

22.10., 14:15, Common Law Research Seminar: Electoral Reform in the Bahamas, Stephen Aranha (MPI)

24.10.- 26.10., Conference: The School of Salamanca - A Case of Global Knowledge
Rg 26 (2018) - the New Issue now in Print and Online

What are we actually doing when studying legal history? This is a frequently asked question during times of crisis. Possible answers to it vary considerably. They were almost always confessions. Only by looking at the truly major figures of the discipline the question is being historicised, and almost never answered taking up a comparative perspective. Joachim Rückert has taken up the challenge: his contribution concerning the invention of national legal histories in Europe provides a truly important overview. This contribution should not only assist German legal history scholarship in reflecting upon its own work, but it is also the latest in a series of articles published in this journal that concern methodological questions. In the second contribution to our Research section, the Taiwanese legal historian Tay-sheng Wang offers an overview of perspectives on Taiwan’s legal history.

This year we have three Foci. All three deal with the Iberian monarchies in their historically varied spatial dimension: Convivencias, School of Salamanca, and “The End of Empires”.

In our extensive Critique section, we have selected and reviewed 53 publications out of hundreds of new works on legal history. Our review section is multilingual. The Marginalia casts a spotlight on a small and probably less well-known case of the overlapping of various legal orders: on
Helgoland. The series of images, which illustrate this year’s issue, stem from the cooperation with the Florentine Max Planck Institute for Art History. The depictions portray hybridisations not least as they have materialised through *convivencia*. As usual, this issue is freely available in Open Access: http://rg.rg.mpg.de/de/Rg26

This issue of *Rechtsgeschichte – Legal History* is the last one for which Karl-Heinz Lingens is responsible as head of the editorial department. He will be retiring in 2019. Without him, the Institute’s publications – the book series, the journals – would not have been the same. One has yet to meet an author who did not have anything but praise for him and his work.

---

**Rechtshistorisches Abendgespräch**

**1848 - eine gescheiterte Revolution?** Sir Christopher Clark (Cambridge)

*17.10.18, 20:00, IG Farben Haus, Eisenhower Rotunde*

The Revolution of 1848 is often depicted as a failed revolution. Neither did it unify a German nation state, nor did it establish a liberal constitutional order. Viewed in a long-run perspective on European history this failure has often been singled out as the reason for an alleged German exceptionalism. As the british Historian G. M. Trevelyan writes: “The year 1848 was the turning point at which modern history failed to turn.” Christopher Clark disagrees with this depiction as a failure. In his talk, he will investigate the 1848 revolution’s impact on governance structures in European states. He argues that the 1850s was not so much a time of reaction but of innovation. They represent the second wave of state building and state modernization after the Napoleonic era. The 1850s witnessed new centrist coalitions of technocrats, the inclusion of civil society into political procedures and fundamentally new ways of communication and information management between governments and the public. Those changes, Clark argues, had their roots in the revolution of 1848; they did not take place piecemeal and confined to a national context. Clark suggests that the 1848 revolution, when viewed as a genuine European event, was far from a clear-cut failure. There will be a reception and refreshments following his talk.
Max Planck Day 2018

#Wonachsuchstdtu: Panel Discussion of MPI directors to be broadcasted at hr2

20.10.2018, 18:04

On October 20th, the Hessischer Rundfunk will broadcast a panel discussion with MPI directors from Frankfurt in its programme “Kulturszene”. The panel discussion took place on the occasion of the 160th birthday of Max Planck and the centenary of his being awarded the Nobel Prize in Physics and the 70th anniversary of the Max Planck Society. This was celebrated as a nationwide festival of science in 32 German cities.

In Frankfurt, five MPI directors met in the panorama hall of the Evangelische Akademie on the Römerberg for a public discussion under the title “Between Theory and Experiment – Perspectives of Fundamental Research in Frankfurt”. The event was opened by Patrick Burghardt, Secretary of State in the Ministry for Science and Art of the State of Hesse. Regina Oehler, editor and presenter from the Hessischer Rundfunk chaired the discussion. The panel consisted of Melanie Wald-Fuhrmann (Director at the MPI for Empirical Aesthetics), our own Thomas Duve, Gerhard Hummer (Director at the MPI for Biophysics), Moritz Helmstaedter (Director at the MPI for Brain Research), and Pascal Fries (Director at the Ernst Strüngmann Institute for Neuroscience). Their contributions all highlighted the relationship between theory and experiment or empirical studies, showing some surprising parallels between research in the natural sciences, musicology and legal history. The five directors also provided personal experiences and views on the transnational nature of science and research. Some of them had been recruited from foreign institutions to take up directorships in Frankfurt, and all of them work in and with international research teams.

Save the Date!

Symposium: Justiz Macht Politik – how independent is the judiciary, how free is the legislator?

27.10.2018, 10:15 Akademie der Wissenschaften und der Literatur Mainz
Guests and Visiting Scholars

- **Allemann, Daniel** (University of Cambridge, UK): *Slavery in Spanish Scholastic Thought, c. 1539-1682*, visiting October - Dezember 2018
- **Bohorquez, Jesus** (University of Lisbon, Portugal): *Dispute resolution and contract enforcement: Commercial law in the Spanish and Portuguese Empires during the Eighteenth century*, visiting August - October 2018
- **Carrilho, Leonardo** (University of Sao Paulo, Brazil): *In Comparative Public Law, the similar and different conditions between the federal intervention and the state of exception that occurred in the Weimar Republic, and in some crucial moments in the Brazilian Republic 1937-1988*, visiting September 2018 - February 2019
- **Cecchinato, Andrew** (University of Trento, Italy): *Reading Law in Revolutionary Times: Thomas Jefferson’s Reception of the Western Legal Tradition*, visiting October - Dezember 2018
- **Coutinho, Luisa Stella** (University of Lisbon, Portugal): *Legal Encounters between Empires: Japanese and Portuguese Normativities, 1540s-1630s*, visiting September 2018 - August 2020
- **Hooton, Victoria** (University of Manchester, UK): *A History of EU Citizenship and the Welfare State*, visiting October - December 2018
- **Izecksohn, Vitor** (Federal University of Rio de Janeiro, Brazil): *Insolvent Republics: Risk and Ruin for American Confederates and Argentinean Federalists in the Age of State-Building, 1848-1870*, visiting September - December 2018
- **Khorakiwala, Rahela** (Jawaharlal Nehru University, New Delhi, India): Research on comparative constitutional law between Germany and India, with a focus on the functioning of the court systems in these jurisdictions, visiting August - November 2018
- **Kim, Marie Seong-Hak** (St. Cloud State University, Minnesota, USA): *Custom and Legal Change in European and East Asian History*, visiting October - December 2018
- **Küsters, Anselm** (Oxford University, UK): *Der Einfluss des Ordoliberalismus auf die Entwicklung des europäischen Wettbewerbsrechts*
A new semester begins
October is the month of rentré to the Campus: the University resumes teaching, students are flocking back to campus, freshers arrive. It is also routinely the month of new beginnings for our Institute.

Race for Survival
We teamed up with members from the MPI for Empirical Aesthetics for the 19th annual charity run Race for Survival.

Having enjoyed over 29°C just a few
During the second week of October, our Institute will be undergoing its triannual evaluation by the Scientific Advisory Board. This is a major event in all our calendars. Preparation for this event begun a few months ago and included nearly everyone at the Institute aside their usual workload. We are grateful to all our members for the patience and effort they have put into this evaluation. Please note that during the days of the evaluation, the Institute will be closed to the public.

Shortly after the Advisory Board, the University semester commences. Our research seminars are open to interested students from Goethe University. In particular we offer two regular seminars, each relating to the research activities within our respective departments. In Department I there is a regular seminar on “Legal Transfer within the Common Law World,” or simply the "Common Law Research Seminar". In Department II there is a regular seminar on the “Legal History of Ibero-America,” also known as the "seminario permanente".

(Jasper Kunstreich)

Max Planck Newsletter for Ibero-American Legal History

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/mpierg_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.

Max Planck Institute for European Legal History
Hansaallee 41, 60323 Frankfurt am Main
Tel: +49 (69) 789 78 – 0
Fax: +49 (69) 789 78 – 169
www.rg.mpg.de
media@rg.mpg.de