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.

Opportunities

**CfA: Postdoctoral and Research Scholarships 2020 at the MPIeR, deadline 31 May 2019**

Each year we welcome numerous researchers and stipend holders from around the world, who wish to take advantage of the excellent working environment, come into contact with

Events

**4 February, 14:15, Common Law Research Seminar:** Manufactured States. Sovereignty and International Law in the Decolonization of South Asia, Priyasha Saksena (MPIeR)

**7 February, 10:00-16:00, Introductory Lecture:** The Historiography of the Portuguese Empire:
other researchers, as well as access the institute's Library and special collections. 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.

more details

11 February, 11:15, Jour Fixe: Theory of the state from a legal-historical perspective: a discussion with Thomas Vesting (Goethe Universität Frankfurt)

1 March 2019, 15:00-17:00, Meet the Author: The British Imperial Constitution and Global Legal Order, Lauren Benton (Vanderbilt University):

more events

Publications

SSRN Paper on 'Abogados', 'Delitos de los niños' and 'Purgación Canónica' (DCH)

Three new contributions from the research project Historical Dictionary of Canon Law in Hispanic America and the Philippines. 16th-18th Centuries (DCH) are now available online in the Institute’s own research paper series on SSRN. The articles embody the aims of the dictionary project: to provide information about the most fundamental and significant concepts connected with the early modern ecclesiastical law in Hispanic America and the Philippines.

Diego Molina Pico investigates the Canonical Purgation (Purgación Canónica) as a form of testimony under oath (before God) used to demonstrate the innocence of a person accused of a crime where little or no evidence of the wrongdoing itself was available. In her article on Juvenile Delinquency (Delitos de los niños), Alejandra Juksdivia Vázquez Mendoza treats the juridical debates in canon law regarding crimes committed by minors or others not deemed criminally responsible. Esteban Federico Llamosas’ article on Lawyers (Abogados) examines the role and the exercise of the office of advocate in the
Featured Events

Jour Fixe: Theory of the state from a legal-historical perspective: a discussion with Thomas Vesting

11 February, 11:15 - 13:00, MPIeR, Z01

In his recently published book Staatstheorie (2018), Thomas Vesting develops a 'cultural scientific theory of the state', and to this end, he draws on the different historical strata that have led to the contemporary modern state. Large sections of his book are dedicated to providing accounts of the early modern territorial state, the bourgeois constitutional state, and the modern welfare state. Both the transformations the modern state underwent and the changes in the descriptions of its various manifestations, according to Vesting, should be at the heart of theories of state and state doctrine—reason enough for legal theorists and legal historians to engage in a dialogue.

Meet the Author - Lauren Benton: The British Imperial Constitution and Global Legal Order

1 March, 15:00, MPIreR, Z02

On 1 March, the Institute will host Lauren Benton, holder of the 'Nelson O. Tyrone Jr.' Chair of History and Professor of Law at Vanderbilt University.

Lauren Benton is coauthor with Lisa Ford of 'Rage for Order: The British Empire and the Origins of International Law, 1800 - 1850' (Harvard
University Press, 2016), and she will be discussing the book’s contributions to global legal history. 'Rage for Order' investigates a vast project of imperial legal reform in the British Empire and its relation to emerging visions of global legal order. Scandals of petty despotism across the empire in this period shaped constitutional politics and strengthened imperial jurisdiction throughout it. Campaigns to police piracy and end slave trading activated strategies to place imperial authority at the centre of global legal regimes. The result was a sprawling attempt to create an imperial constitution for the world, a decentralised and messy enterprise that put an imperial stamp on subsequent ways of framing the international legal order.

Guests and Visiting Scholars

- **Alford, Ryan** (Lakehead University, Canada): *The transmission of the concept of parliamentary sovereignty from the United Kingdom to Canada in the early nineteenth century*, visiting January – June 2019
- **Borges, Clara** (Universidade Federal do Paraná, Brazil): *A genealogy of the discourses on authoritarianism in the Code of Criminal Procedure of 1941*, visiting January – March 2019
- **Carrilho, Leonardo** (Universidade de São 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
- **Castelo Branco**, Bruno (Universidade Federal Fluminense, Brazil): *Fronteiras sobrepostas: entre o trabalho e a escravidão guarani na conquista e colonização da América meridional (1541-1641)*, visiting January – March 2019
- **Guerra, Maria Pia** (Universidade de Brasília, Brazil): *Brazilian reforms and American ideas: the translation of the concept of public utility (1930-1964)*, visiting January – March 2019
- **Küsters, Anselm** (Oxford University, UK): *The influence of Ordoliberalism on the development of European competition law as mirrored in European Commission publications (1952-2018)*, visiting October 2018 – February 2019
- **Lebovitz, Adam** (Harvard University, US): *Cosmopolitan constitutionalism: French and American Constitutional Court (1774-1800)*, visiting January –
March 2019

- **Lima, Bruno** (Universidade de Brasília, Brazil): *Between the Ancien Régime and Modernity: Natural Law and Constitution in the legal thinking of Fr. Joaquim do Amor Divino Caneca (1779-1825)*, visiting September 2018 – August 2019

- **Luque Reina, Antonio Manuel** (Universidad Autónoma de Madrid, Spain): *Dissolving the ‘Polisinodia’: The Royal Council of Spain and the Indies (1834-1836)*, visiting February – April 2019

- **Moutin, Pol René** (Universidad Nacional de Rosario, Argentina): *Diccionario Histórico de Derecho Canónico en Hispanoamérica y Filipinas*, visiting December 2018 – February 2019

- **Nie, Xin** (Tsinghua University School of Law, China): *Between the Weimar Republic and traditional China: legal translation of social rights through Chinese tradition*, visiting January – February 2019

- **Ramos Núñez, Carlos** (Tribunal Constitucional del Perú, Lima, Peru): *Prophetic justice: The fight for the criminal jury in Peru*, visiting February 2019

- **Roos, Mechthild** (Universität Augsburg, Germany): *The evolution of EU legislation on atypical work*, visiting February – April 2019

- **Saksena, Priyasha** (Harvard Law School, Cambridge, 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 – February 2019

- **Saucedo, Victor** (Universidad Autónoma de Madrid, Spain): *Mapping legal change: conspiracy in the 18th and 19th centuries*, visiting January – March 2019

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New Research Group as part of the Cluster of Excellence 'Beyond Slavery and...'

The Institute's Book days

Keeping on top of what is being...
Freedom'

We are now participating in the recently created Cluster of Excellence 'Beyond Slavery and Freedom' at the University of Bonn. The aim of the Cluster is to overcome the established analytical slavery / freedom dichotomy by promoting 'asymmetrical dependency' as a more precise concept for historical analyses of inequalities concerning the distribution of power and resources in different societies.

The Institute joins the Cluster with Thomas Duve as PI and with the Research Group 'Law and the Creation of Dependency in the Ibero-Atlantic', led by Mariana Dias Paes. The Research Group aims to analyse the role of law and normativities in creating and reshaping asymmetrical forms of dependency. One focus will be the colonial experiences in the early modern Ibero-Atlantic. Special attention will also be paid to the process of reforms that normative orders underwent during the long nineteenth century. The research being conducted by the coordinator and the PhD students consists of several case studies, which aim to localise the dependencies in different contexts and territories.

In addition to the recently published books on display at the sessions, most of which are lent to us by our Library, the especially relevant works are discussed amongst the participants, thus are publicised within the Institute. The Editorial Department also uses the Book Day as an opportunity to identify suitable titles and reviewers for the upcoming issues of our journal Rechtsgeschichte – Legal History.

At the next Book Day on 4 February, new publications from all areas of legal history will be open to discussion. Everything from the Weimar Constitution to the history of slavery and slave trade, international criminal law or comparative perspectives on insurance law, to name but a few topics, will be on the table.

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
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