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.

The Doucet Scholarship:

CfA: The Institute invites applications for two Doucet scholarships. The scholarships are intended to fund a research stay at the Institute, so that the researchers can utilise the Doucet library. For more information (in Spanish), see below.

2 - 3 July, Workshop: Legal Biography, Catharine MacMillan (King's College), Stefan Vogenauer, Victoria Barnes (MPI)

8 July, 12:00, Jour Fixe: The courts of Haiti and the suppression of the Atlantic trade in African captives, Manuel, Bastias Saaverda (MPI)
CfA: The Institute’s Editorial Department is looking to recruit a student research assistant.

10 July, 11:00, Workshop: Law and Textuality, Saskia Limbach & Nicolas Weichselbaumer (Mainz)

15 July, 14:15, Seminar: The Mandatory Sentence of Death in Barbados, Lynsey Black (Maynooth University)


This article investigates to what extent the English doctrine of misrepresentation was adapted for the local context by the British Supreme Court for China and Japan. The article adds to our understanding of the historical evolution of the doctrine of misrepresentation in the common law world. It finds that legal ideas concerning misrepresentation did not change significantly when they crossed borders. Lawyers in the British consular courts in China borrowed their legal understandings and knowledge from English contract law. It points to the context, the origins, and the socialization of the legal community as one way of understanding transfers between spatially separated groups. It also draws attention to other aspects of this phenomenon, such as information asymmetries between those at the centre and the periphery, the speed in the circulation of legal texts, and the movement of those in the legal profession.

It was a commonplace among contemporaries, and remains received wisdom today, that inventors were poorly remunerated during the industrial revolution. Adapting a dataset of 759 British inventors, this article presents the first large-scale attempt to examine the issue systematically. Using probate information, the article shows that inventors were extremely wealthy relative to the adult male population. Inventors were also significantly wealthier than another group who would have received a similar inheritance (in terms of both financial and social capital) and entered similar occupations: their brothers. Their additional wealth was derived from inventive activities: invention paid.


The year 2019 marks the centenary of the founding of the Bauhaus, arguably the most influential school of art and design in the modern era. Commemorative activities will focus on its culture-historical significance, with scant attention being paid to a more fundamental question: the ramifications on legal and political thinking caused by the deep-seated transformation of the material world during the so-called age of extremes.

The article observes the circulation of transnational criminal law in the period from 1848 to 1914 by analysing the extradition treaties concluded between states in Germany and the Americas. Specific attention is paid to the issues of 'transnational crime' and 'political offences' as well as to the question how the international circulation of criminal law shaped legal concepts and narratives of 'international crime and security'. An important aim is to show that Latin American countries such as Argentina, Brazil, Paraguay and Uruguay participated in the international circulation of transnational criminal law through extradition treaties, multilateral conventions and national extradition laws.

10 July, Lecture Hall, 11:00-16:00
Speaker: Saskia Limbach, Nikolaus Weichselbaumer (Mainz), Organisation: Manuela Bragagnolo (Dep. II)

With a few important exceptions, legal historians have not paid that much attention to the 'material aspect' of legal books over the past few decades. The recent 'methodological thunderstorm' in the field of book studies (e.g. related to the opening of new horizons in the history of reading, the history of audiences, the social history of education and the history of the media) has had a relatively small impact on legal history. Only recently, in fact, have a handful of legal historians showed that the development of early modern legal thinking was not only the product of the intellectual activity of the so-called 'author', but it was also influenced by several other factors and actors related to the development of the printing press. Antonio Manuel Hespanha, for example, clearly expressed the need to bridge the gap between material bibliography and the history of legal thought.

This workshop aims to start 'bridging the gaps' between book historians and legal historians by bringing the two groups into a discussion with one another. Together with Saskia Limbach and Nikolaus Weichselbaumer, we will analyse some fundamental aspects related to early modern book
El Instituto pudo ampliar de modo sustancial los fondos de su biblioteca en el área de Historia del Derecho Indígena, gracias a la integración en el año 2015 de aproximadamente 4.800 títulos pertenecientes a la colección de los historiadores del derecho Lourdes Lascurain de Doucet y Gastón Doucet. La Biblioteca Doucet cuenta con más de 600 obras sobre historia en general, por encima de 1700 títulos sobre la Nueva España, más de 800 obras sobre Río de la Plata y otras 600 sobre Perú y alto Perú, así como otros muchos libros sobre las Antillas, Florida, Yucatán, Chile, Filipinas, Venezuela, Nueva Granada y Paraguay. Para consultar los títulos que conforman el Fondo, puede acceder al catálogo de la biblioteca del instituto e ingresar “Provenienz Doucet” en el campo de búsqueda básica del OPAC: https://sunrise.rg.mpg.de/webOPAC

Para facilitar el acceso a la colección a jóvenes investigadoras e investigadores no residentes en Frankfurt, especialmente provenientes de América Latina, interesados en hacer uso de este importante fondo, el Instituto otorga anualmente un subsidio para una estancia de investigación durante un periodo de 3 meses en el Instituto.

La segunda convocatoria de la “Beca Doucet” se encuentra abierta y el plazo para el envío de las aplicaciones es el día 15 de Septiembre de 2019, para una estancia de Enero a Marzo de 2020 (02.01-31.03.2020).

**Las aplicaciones** (CV, descripción del proyecto y carta de motivación en relación al uso del Fondo Doucet) se recibirán hasta el **15 de Septiembre 2019**, dirigidas al Prof. Thomas Duve, al correo electrónico: sekduve@rg.mpg.de
The group seeks to identify, analyze and study the various institutions and forms developed to extract indigenous labour and tribute from the Hispanic world’s frontier territories. The group’s project is entitled: **Towards a renewed legal history of indigenous labour and tribute extraction in the Spanish empire.** Stemming from juridical and ecclesiastical cases and resulting legislation, we take a legal, ecclesiastical, and social approach to the study of exploitation of indigenous peoples in remote regions with weaker colonial institutions. A study of the various systems of labour exploitation and tribute extraction Spaniards established on frontier territories showcases institutional elasticity and the molding power of local agents in shaping the relationships between the invaded and the invaders.

This Max Planck Partner Group is headed up by David Rex Galindo, former post-doctoral fellow at the Institute and now professor at the Universidad Adolfo Ibáñez (UAI), and Thomas Duve, our director. The official collaboration started 1 June, 2019. Max Planck Partner Groups are designed to facilitate research projects of shared interest with former top junior researchers within the MPS who returned to their home or another country.

- **Black, Lynsey** (University College Dublin, Ireland): The Mandatory Death Sentence in Ireland, Trinidad and Tobago, and Barbados: Colonial Legacies and Sovereign Symbols, visiting July - September 2019
- **Cherchi, Alice** (Università degli Studi di Cagliari, Italy): New Reflections on the Theophili Paraphrasis, visiting July – August 2019
- **Cobo, Natalie** (Brasenose College, University of Oxford, UK): Translating Solórzano, visiting July 2019
- **Cobo Betancourt, Juan** (University of California Santa Barbara, USA):
Diccionario Histórico de Derecho Canónico en Hispanoamérica y Filipinas. Siglos XVI - XVIII (DCH), visiting July 2019

- **Domínguez Benito, Héctor** (Universidad Autónoma de Madrid, Spain): The end of an empire – Titles over territories in Spanish and Ibero-American international law, 1810-1928, visiting July – December 2019

- **Gogoaşē, Loredana** (Universitatea "Lucian Blaga" din Sibiu, Romania): Der Codex Altenberger – das erste Gesetzbuch der Siebenbürger Sachsen, visiting July – August 2019


- **Klebaner, Samuel** (Université de Bordeaux, France): The determinants of the sectoral deregulation in Europe during the 80s, visiting July – September 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

- **Mamolea, Andrei** (Institut de Hautes Études Internationales et du Développement, Genève, Switzerland): Reexamining International Arbitration, 1890-1914, visiting April – August 2019

- **Okada, Masanori** (Waseda University, Tokyo, Japan): “Legal Transformation” in relation to East Asia and investigate some historical processes of “reception” of German law in the 19th century Japan, visiting June – August 2019

- **Ramis Barceló, Rafael** (Universitat de les Illes Balears, Palma de Mallorca, Spain): Encyclopaedism, textuality and Jurisprudence in 16th and 17th Centuries, visiting April – June 2019

- **Roldán Cañizares**, Enrique (Universidad de Sevilla, Spain): The reception of Jiménez de Asúa's penal doctrines and acts in Spanish America, visiting July – September 2019

- **Schirò, Pietro** (Università degli Studi di Verona, Italy): The Social School of Criminal Law, visiting May – September 2019

- **Söğüt, İpek Sevda** (Kadir Has Üniversitesi, İstanbul, Turkey): “Exceptio Doli Generalis” in Roman Law, visiting July – September 2019

- **Spitra, Sebastian** (Universität Wien, Austria): Semantical Order and Unequal Encounters: the Formation of Private International Law in the 19th century, visiting July – September 2019

- **Tarlozzi, Simona** (Università degli Studi di Bologna, Italy): Rezeption der Grundlage des römischen Verfahrensrechts in römisch-germanischen Quellen und in common Law, visiting April – September 2019

- **Walker, Andrew** (Wesleyan University, Middletown, USA): Strains of Unity: Property and Emancipation in Haitian Santo Domingo, 1822-1844, visiting July – August 2019
Keeping you up-to-date on the activities and public engagements of the Institute's researchers abroad. If you are in the area and are interested in attending, feel free to stop by.

**Donal Coffey**, *Provincialism and federalism in Commonwealth constitutional thought*, The 2019 British Legal History Conference, University of St Andrews, Scotland, 12 July 2019, 09:00


**Anselm Küsters**, *Big Data im Kartell- und Datenschutzrecht*, Würzburger Seminare zur Digitalisierung, R19, Alte Universität, Domerschulstraße 16, Würzburg, 12 July, 15:00.

"**Doppelkopf" with Thomas Duve**

How is globalization shaping our legal systems as well as our legal convictions? Is the state loosing its

**Four Teams—one goal: The JPMorgan Challenge 2019**

For the first time ever, the MPIs for *European Legal History, Biophysics, Brain Research, and Heart & Lung*
importance in the era of google and facebook? Are we witnessing the emergence of ever increasing legal vacuums? And how can we handle the law’s frailty in times of crises? These were the questions that Thomas Duve discussed with Regina Oehler during an hour long interview in the midday series “Doppelkopf” on hr 2 Kultur. He explained why he is driven by these questions and why we need to go back in time in order to find answers to current problems. The texts produced during the 16th and 17th centuries at the school of Salamanca represent a paramount example for the depth and complexity with which old legal texts still speak to us today. They are considered the cradle of modern human rights.

Every day at noon, hr 2 Kultur hosts an hour long interview with interesting intellectuals, artists, politicians, scientists etc. The interview combines discussing the person’s individual biography, their work, passions as well as private views. The guest's also usually provide some music to be played during the intervals. You can listen to the interview online and find out what kind of playlist Thomas Duve suggested for his interview.

Research collectively took up the challenge. While the rains early in the day brought back memories of last year's horribly humid conditions, the weather eventually cleared and the sun came out to make for a pleasant evening run. One by one, the teams assembled at the Willy-Brandt-Platz in front of the Euro sculpture—in the end almost 120 eager runners. After a few group photos, we all made our way to the various staging areas to wait for the big moment. Unsurprisingly, the challenge actually did not consist in running 5.6km; in reality, it's about picking the best line to weave through the tens of thousands of people all going at very different speeds. And even if we didn't all cross the finish line at the same time, we nevertheless achieved our common goal: bringing everyone together.

James Thompson

Jasper Kunstreich
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.

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, seeing you leave would make us very sad.