Opportunities

**CfA:** Department I (Prof. Stefan Vogenauer) is looking to recruit **Two Doctoral Students (m/f/d)** for the research programme *The History of European Union Employment Law*. Click [here](#) for the complete job description. The deadline for applications is **1 March 2020**.

Upcoming events

**4.02., 14:15, Colloquium:** *Deep Time - Law - Indo-European Culture. Towards a deep intellectual History*, Martin Mulsow (Universität Erfurt)

**05.02., 14:30, Colloquium:** *Presentación de la edición crítica y la traducción al español de la Relectio de*
Further details

Poenitentia de Melchor Cano, Juan Belda
Plans (Valencia)

13.02., 14:00, Guest Talk: Missing Pieces in the Legal History of the 19th- and 20th-century East Asia, Tzung-Mou Wu (Taipei, Taiwan)

13.02., 16:30, Colloquium: Between Roças and Palhotas: Colonial exploitation in Portuguese Africa, 1850-1930, Maysa Espindola (MPIeR)

2.03., 16:30, Colloquium: Collaboration, Control and Conflict in the Administration of Criminal Justice in Comparative Perspective: Buenos Aires and Minas Gerais during the Late Colonial Period, Douglas Corrêa Santos (Universidade Federal Fluminense)

10.02., 14:15 Seminar: The British Empire’s Regulation of Same-Sex Sexualities and Gender Diversity: Developing Analysis through Global Historical Sociology, Matthew Waites (University of Glasgow)

More events

Publications

Law across imperial borders: British consuls and colonial connections on China’s western frontiers, 1800-1943

by Emily Whewell (Manchester University Press, Manchester 2020), ISBN 1526140020

This book tells the story of British imperial agents and their legal powers on the British-Chinese frontiers in the late 19th and early 20th centuries. It offers new perspectives on the British presence in Yunnan and Xinjiang in western China and the legal connections to the British colonies of India and Burma. It examines how the mobility of people
across borders forced consuls to adapt and shape law to accommodate them. Salt and opium smugglers, Indian and Afghan traders, and itinerant local populations exposed the jurisdictional gaps between consular and colonial authority. Local and transfrontier mobility defined and shaped British jurisdiction across the frontier in complex ways. Whewell argues that frontier consular agents played key roles in creating forms of transfrontier legal authority in order to govern these migratory communities. Her book is essential reading for historians of China, the British Empire, and socio-legal historians interested in the role of law in shaping semicolonial and colonial societies.

There is an additional article by Emily Whewell, Deportation of Indian political suspects: the legal connection between India and treaty port China, 1914-1930, in: Journal of Colonialism and Colonial History 20 (2019), pp. 95-122.

The paper examines the creation and exercise of wartime legislation as well as the subsequent peacetime amendments by the consular authorities in China. It demonstrates the legal and penal connections between British India and British authority in China during and immediately after the First World War.

Two new research papers in our DCH project


Symbolism in bank marketing and architecture: The headquarters of National Provincial Bank of England

by Victoria Barnes and Lucy Newton,
This article examines the architectural design of National Provincial Bank of England's headquarters. We show that although the architecture was typically gothic and high Victorian in nature, it embodied coded messages which suggested that the bank had superiority over its competitors and an ancient past. These attempts to personify the corporation and give it a set of characteristics are best understood as early examples of exercises in marketing, branding and public relations.

In addition, Victoria Barnes: Shareholder primacy and managerial control in Anglo-American corporate governance, in: The Company Lawyer 41 (2020), pp. 43-49 provides a historical account of how the 'shareholder primacy' norm came to develop in Anglo-American company law. In doing so, it formulates an important counterargument to the position that shareholders pose a threat to good governance. Barnes argues that the motivations and actions of managers as opposed to shareholders should be the subject of greater scrutiny.

Distinguished

Humboldt Forschungspreis, Arno Lustiger Förderpreis, JEV Stipendium

We are delighted to be able to announce three prize-winners. The Alexander von Humboldt Foundation has awarded a Humboldt Research Prize to Professor Marcelo da Costa Pinto Neves (Universidade de Brasília) for his outstanding achievements in both research and teaching. He is known above all for his work on the sociology of constitutions, regulation theory, and his theory of peripheral modernity. The Humboldt prize carries an award of 60,000 Euros and funds a research stay at the Institute in the first half of 2020. With this award, the Humboldt foundation seeks to strengthen exchange between Brazil and Germany, and supports Marcelo Neves in contributing his ideas on transconstitutionalism and transdemocracy to the debate on modern law’s regulatory and
The Polytechnische Gesellschaft Frankfurt has recently awarded the Arno-Lustiger-Preis 2019 to Vera Kallenberg for her dissertation *Jüdinnen und Juden in der Frankfurter Strafjustiz 1780 – 1814: Die Nicht-Einheit der jüdischen Geschichte* (‘Jews in Frankfurt Criminal Justice 1780 – 1814: The Non-Unity of Jewish History’). The prize jury commended her study for making ‘a particularly innovative contribution to a more differentiated view of the hostility towards Jews after the Enlightenment’. Vera Kallenberg was a doctoral student at the Institute and now works as a postdoctoral researcher at the Chair of North American History at the Universität Erfurt.

**Lasse Stodollick** from the Universität Konstanz receives this year’s **JEV-fellowship for European Administrative History**. His dissertation project *Forms of Administrating* examines the evolutionary reciprocity between organisational structures and knowledge practices in the Prussian war and domain chamber Minden (1723-1805). The scholarship is intended to benefit the next generation of scientific researchers, particularly doctoral and post-doctoral students, by enabling them to complete their research project in as brief a period as possible, up to a maximum of twelve months. The Board of the German University Foundation awards the fellowship based on the recommendation of a jury based at the Institute in Frankfurt.

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**The Institute out and about**

Our researchers are often travelling to give talks and engage with the wider public. If you are interested and happen to be in the area, feel free to stop by and attend the event.

**Mariana Armond Dias Paes**, *Law, Land Dispossession and Colonialism in Angola during the Nineteenth-Century*, University of Notre Dame, Indiana, 5 February

**Mariana Armond Dias Paes**, *Lawyers, Courts and Resistance: Fighting Land Dispossession in Colonial Angola*, **Workshop 'Sovereignty, Law, and Emancipation in the South Atlantic, 1850-1900'**, Emory University, Atlanta, 7 February

**Mariana Armond Dias Paes / Paulo Terra**, *Brazil and Africa in Global Legal History and Global Labor History*, Bonn
Guests and Visiting Scholars

- **Barbosa, Samuel** (Universidade de São Paulo, Brazil): *Practical legal books and practical legal reading in 19th-century Brazilian law*, visiting December 2019 – February 2020

- **Barrera Aguilera, Óscar Javier** (Universidad de Ciencias y Artes de Chiapas, Tuxtla Gutiérrez, Mexico): *Territories in dispute: laws, intermediaries and Indian peoples in the political chiefdom of Comitán, Chiapas, Mexico, 1790-1875*, visiting January – March 2020

- **Bubello, Juan** (Universidad de Buenos Aires, Argentina): *RISE Project*, visiting January – February 2020

- **Corrêa Santos, Douglas** (Universidade Federal Fluminense, Brazil): *Homicidio y justicia criminal en Vila Rica de Ouro Preto y Buenos Aires en el ocaso del Antiguo Régimen*, visiting January – March 2020

- **Da Rocha Wanderley, Marcelo** (Universidade Federal Fluminense, Brazil): *Vocations in the court: secular clergy and ecclesiastical justice in the archbishopric of Mexico and Puebla in the 17th century*, visiting January – March 2020

- **García Aguilar, María Idalia** (Universidad Nacional Autónoma de México, Mexico): *Order and agreement in a new space: circulation of legal literature in New Spain, 1585-1640*, visiting January – June 2020


- **Godfrey, Katherine** (Pennsylvania State University, USA): *Negotiating law, justice, and ethnic identities in the New Kingdom of Granada, 1538-1680*, visiting January – March 2020

- **Guevara Gil, Jorge Armando** (Pontificia Universidad Catolica del Peru): *Transgression, abjection and unfruitful pain. The case of Sister Dominga Gutierrez de Cossio (Arequipa, Peru, 1831)*, visiting October 2019 – September 2020

- **Guzmán Guzmán, Yolanda** (El Colegio de Michoacan, Michoacan, Mexico):
Diccinario Histórico de Derecho Canónico en Hispanoamérica y Filipinas. Siglos XVI-XVIII, visiting February – April 2020

- **Ijeoma, Winner** (Goethe Universität, Frankfurt, Germany): *Contracts, trade and British legal transplants in 19th-century Nigeria and Ghana*, visiting October 2019 – March 2020

- **Kaczka, Mariusz** (European University Institute, Florence, Italy): *A cross-border Islamic–Christian court of justice: an Ottoman–Polish example*, visiting January – June 2020

- **Lahondès, Antoni** (Université Paris II, Panthéon-Assas, France / Université de Montréal, Canada): *Integration of conquered peoples and introduction of British legal system in Canada, Florida, and Grenada (1759-1783)*, visiting February – March 2020

- **Lu, Sheng-Yen** (Institutum Iurisprudentiae, Academia Sinica, Taipei, Taiwan): *Women’s rights under the small house policy in Hong Kong*, visiting January – March 2020

- **McGovern, Jonathan** (University of York, UK): *Sheriffs’ Courts and the Execution of Legal Writs in England and Wales, 1485-1600*, visiting February – July 2020


- **Sarmiento, Jacqueline** (Universidad Nacional de La Plata, Argentina): *Resistencias cotidianas y género a través de fuentes criminales*, visiting January – March 2020

- **Zilberszac, Nicole** (Universität Wien, Austria): *Reconceptualising legal objectivity according to the concept of embodied, embedded, enacted, and extended cognition*, visiting October 2019 – March 2020

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**Hansaallee 41**
Digital humanities: Text reuse detection

Plagiarism detection has made it popular, but also at the Institute, there are projects using methods of **Text Reuse Detection**:

Donal Coffey is analysing the reuse of passages from eleven different sources in the constitution of Burma (1948). For this, the texts are segmented into single sentences first, and then a measure of similarity is calculated for every possible pair of sentences. Finally, a reasonable threshold has to be determined above which a direct influence is to be assumed. Analyses are not finished yet, but preliminary results are quite clear.

Manuela Bragagnolo is investigating the logic according to which an author has revised and translated his own text several times. To facilitate this, corresponding passages must be identified and aligned automatically. Since variations of sentence boundaries, orthography and abbreviations abound and the texts to be compared are in different languages, this is much harder to achieve automatically. But with some effort, and using different methods, it is even in this case possible to identify similarities and correspondences between passages.

This is just a glimpse of what has become possible using digital methods in the humanities. We are very much looking forward to welcoming researchers from other organisations at our Institute for a special conference on digital humanities in March. It will be a forum to discuss this and other digital methods, exchange ideas and learn from each other.

Andreas Wagner

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Non-state law of the economy

Not only the 'state' sets law, but also non-state actors produce norms and thus have immense influence on the ordering of social relations. We know that such 'non-state law' was part of everyday life in the legal history of the 19th and 20th centuries, especially in the world of industrial relations. But we know very little about its content, because non-state law is not easily accessible in law journals but instead scattered among a variety of documents in diverse archives.

The project **Non-state law of the economy** attempts to shed some light into the dark. A key part of the project is the creation of a digital edition of primary sources that will reflect the diversity and development of norms, standards and regulations in the metal industry. The study covers the period from around 1860 to 1960 and systematically records how the arrangements either supplemented state law or further elaborated its provisions, and in some cases even anticipated it. The aim of making these currently dispersed and not easily available materials accessible in a single collection is intended to provide a basis for further research by legal, economic and social historians. This interdisciplinary project, which began in November 2019, explores the subject both from a legal-historical and a socio-historical perspective and is being conducted at the Institute by Peter Collin and Johanna Wolf.

Johanna Wolf

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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.

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