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

We award several Postdoctoral and Research scholarships annually to enable

Events cancelled

In light of the current situation and in accordance with the Max Planck Society's guidelines, we are currently refraining from hosting events. We are committed
outstanding researchers to spend time at the Max Planck Institute for European Legal History. We are now inviting applications for research stays in 2021. **Deadline 31 May 2020**

**CfA: Max Planck Law Research Coordinator**

Max Planck Law, a collaborative network of the eleven Max Planck Institutes conducting fundamental research on legal issues, is looking to recruit a research coordinator (m/f/d) to be based in Frankfurt am Main, starting as soon as possible. **Deadline 25 May 2020**

We thus hope that this newsletter finds you well and that we will be able to welcome you back for talks and events in the near future. In the meantime, please enjoy the digital resources and open access publications now available on our new website.

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**Call for Papers**

**Conference: Architecture_Metaphor**

**Deadline 1 June 2020**

We commonly and ubiquitously use architectural metaphors in both everyday speech as well as various professional contexts. Yet we rarely recognize this connection when we talk, for example, about software *architects*, thought *constructs*, *pillars* of society, the *architecture* of the brain or the *façade* a person puts up. At the same time, metaphors also feature prominently in the fields of architecture and urbanism, where they are being used for the development of design concepts and provide useful means to communicate, discuss and evaluate design features. Examples range from *crystalline* buildings to the *fabric* of a city, but also include Le Corbusier’s infamous description of houses as ‘machines for living in’. The conference aims to explore metaphors as productive mediators in processes of knowledge transfer both between the fields of
architecture and everyday knowledge and between architectural and other professional discourses. Metaphors, to us, provide a lens that allows us to zoom in on and examine the involvement of architecture in processes of social ordering.

The premise of the conference is that metaphors are not merely explanatory in their function but also interfere with epistemological thought and production processes. We are interested in both the connection between different fields and the different forms of knowledge that metaphors can facilitate and how this relates to architecture. We welcome proposals from all disciplines.

The conference is scheduled to take place in Frankfurt am Main, Germany on 6-7 November 2020. The event is organised by the newly established LOEWE-Schwerpunkt, a cooperation between our Institute, the University of Frankfurt, the University of Darmstadt and the German Museum for Architecture.

The Call for Papers is available here, along with a more elaborate discussion of the conference's rationale and other further information. Submissions should be sent by e-mail to architecture.metaphor@gmail.com by 1 June 2020.

New Publications

Knowledge of the Pragmatici – Legal and Moral Theological Literature and the Formation of Early Modern Ibero-America

Thomas Duve, Otto Danwerth (eds.)
Max Planck Studies in Global Legal History of the Iberian Worlds 1, Leiden: Brill, 2020

The Institute has established a new publications series: Max Planck Studies in Global Legal History of the Iberian Worlds (MPIW). This series presents research on the legal history of the Iberian worlds during the early modern and modern periods. Its geographical
range will include both the territories that were part of the Spanish and Portuguese empires as well as the globalisation and localisation of normative knowledge throughout Europe, America, Asia and Africa. A particular emphasis lies in the investigation of cultural translation processes and phenomena of multinormativity. The series, edited by Thomas Duve, is available both via Open Access and in hardcover by Brill.

The first volume of the series – Knowledge of the Pragmatici: Legal and Moral Theological Literature and the Formation of Early Modern Ibero-America – is devoted to a long underappreciated genre of normative literature that played a significant role in the formation of normative orders in early modern Ibero-America, i.e. small format handbooks written for practical use. The content of this widely used form of media, which were particularly important for the everyday practices of norm production, included not only legal texts but moral-theological works and confession manuals as well.

Justiz mit abgesenkten Standards?
Zivilprozess und Schiedsgerichtsbarkeit im Ersten Weltkrieg

Peter Collin, Jahrbuch der Juristischen Zeitgeschichte, 20 (2019)

Normative regulations are often under pressure during war and crisis. This applies particularly for those regimes that emphasise the fundamental status of individual rights and thus leave the state little room to manoeuvre when it comes to pursuing its aims. The German civil procedure in 1914 may serve as just such an example. According to many contemporaries, it even suffered from an overhang of constitutional liberalism. Contrary to expectations, World War One had almost no influence on ‘normal’ civil proceedings. While possibilities for the suspension of the proceedings had been created, by and large everything stayed pretty much the same. Upon closer inspection, however, a number of significant changes had been carried out behind the scene. The state reorganised production and allocated scarce resources; moreover, it tried to maintain price stability and ensure the supply of basic foodstuffs. In
these areas, the ‘luxury’ of constitutional procedures was waived. Novel commercial arbitration courts were set up for many important wartime products. The procedure was simple and predominantly without the possibility of legal remedies. This type of jurisdiction has until now received little attention in legal history. The present contribution attempts to work out the essential characteristics of this wartime justice system.

Konzilien und kanonisches Recht in Spätantike und frühem Mittelalter – Aspekte konziliarer Entscheidungsfindung

Wolfram Brandes, Alexandra Hasse-Ungeheuer, Hartmut Leppin (ed.)
Berlin: De Gruyter, 2020

The historiographies of canon law in various Christian cultures have so far focused on substantive legal questions and aspects of organisation. In contrast, this volume looks into the proceedings of decision-making that influenced the development of canon law. The individual contributions look at the role of various factors, such as the influence of states, personal animosities, denominational disputes and the like. The volume endeavours to cover an area spanning the Mediterranean to the Levant. In methodological terms, a similarly broad perspective is dealt with by the interdisciplinarity of the contributing authors. The volume also draws on Erich Lamberz’ recent edition of the minutes and proceedings of the second Nicaenum.

Prizes and awards
Otto Hahn Medal for Mariana Armond Dias Paes

Our dear colleague Mariana Dias Paes will receive this year's prestigious Otto Hahn Medal for her PhD dissertation. Her research examined the social construction of legal relations between people and things in Brazil, between 1835 and 1889. To this end, she analysed 74 legal proceedings of the Court of Appeals of Rio de Janeiro that discussed dominion and possession over slaves and land. Mariana assessed the contours that the legal category of possession acquired in nineteenth-century Brazil and analysed the role of social recognition in the configuration of possession situations. Her dissertation also describes how interpretations of possession theories delegitimised acts of land usage employed by certain groups - above all by indigenous peoples and agregados - as possessory acts. Mariana Dias Paes

Heinz Mohnhaupt receives honorary doctorate from the University of Zurich

We are very pleased to announce that the faculty of law at the University of Zurich has awarded Heinz Mohnhaupt an honorary doctorate. As the faculty expresses in the corresponding laudation: ‘[T]his is not just to honour a great scholar of legal history and comparative law, whose writings are considered points of reference in the international discourse. It is also to honour an inspiring mentor and discussion partner for many generations of young researchers.’ We can but wholeheartedly subscribe to that description. Heinz Mohnhaupt has been a member of the Institute since 1966 and thus almost since its beginnings. He has accompanied the Institute on a great many academic journeys and has also shaped the ways in which researchers are nowadays able to work and interact.
also turned to the debates on domain titles and the process of document production undertaken by parties in legal proceedings. She identifies the role of judicial demarcations in this production process and how courts often dis-considered titles issued to married women. Last but not least, her work features cases of illegal and irregular acquisitions of slaves and land. The nineteenth-century process of constructing property rights in Brazil, Mariana Dias Paes concludes, was built upon pre-existing structures of ius commune.

New editions from the School-of-Salamanca-Project

Modern historiography has rediscovered the School of Salamanca's importance and relevance for the early modern discourse about law, politics, religion, and ethics. During the 16th and 17th centuries, the intellectual sparks emitted by the debates that took place in Salamanca reached the most far-flung cities of the Spanish monarchy, be it Mexico, Madrid or Manila; they also spread to universities in the protestant territories of the Ancien Régime. Europe's intellectual history, history of political thought, and legal history cannot be understood adequately without being aware of this intellectual reference point.
The project 'The School of Salamanca. A Digital Collection of Sources and a Dictionary of its Juridical-Political Language' addresses the overarching need for digitally available sources. Our team, whose members come from Spain, Germany, and Colombia, consists of legal historians, philosophers, Digital Humanities experts, and computer scientists who collaborate closely with historians, theologians, and classics scholars. This daily dialogue is vital for reconstructing those energetic discussions that spanned oceans and continents.

Transforming expansive 16th- and 17th-century printed books into full texts, which are both searchable and navigable online, is groundbreaking work. The early modern books have to be localised, digitized and transcribed, then edited and groomed for online publication. The entire process consists of a number of steps, and each of these steps requires a host of different abilities - much like the production of the original books did. A comparison of our own 21st-century working process with that used in the 16th century never fails to amaze and delight us. We are proud to offer pivotal works such as Francisco de Vitoria’s Reflectiones, Martin de Azpilcueta’s Manual de confessores, or (the latest addition to the collection) Domingo de Soto’s De iustitia et iure as full texts (including images). All of these works are, of course, available via Open Access.

Christiane Birr

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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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.