

INFRASTRUCTURE



LIBRARY

The library of the Max Planck Institute for Legal History and Legal Theory, with its holdings of 490,000 printed media units and a large number of electronic information resources, is one of the most important libraries worldwide specialised in legal history. Based on its rich stock of legal philosophical literature, it endeavours to offer works on legal theory with a similar degree of completeness in the future. In addition to providing research-relevant media, the library offers a wide range of research support services.

Our books

The library comprises around 490,000 printed media units from the 15th to the 21st century. Our oldest book is a comment of the decretals printed in Venice in 1477. We acquire the latest research literature in all European languages and complement our source inventory with antiquarian purchases.

From 2018 to 2020, the library's holdings grew by more than 16,000 printed media units. The main focus of the collection is the legal history of Europe and Latin America as well as the non-European territories of the Commonwealth. A new addition has been the acquisition of literature on legal history and the history of Lusophone Africa. China is also moving more and more into the Institute's focus and is accordingly taken into account in the build-up of the inventory. The donation of the private library of Sergio Ventura (1935–2020), who served on the European Commission from 1962 to 2000, is of particular benefit for research on the legal history of the European Union. Since the establishment of the Department of 'Multidisciplinary Legal Theory', the expansion of the legal theory portfolio has been pursued particularly intensively. Our antiquarian acquisitions focus on sources on pre-modern ecclesiastical normativity. With subscriptions to around 400 journals, the entire research spectrum of the Institute is covered.

E-books, e-journals, databases

Researchers at the Institute can access over 100,000 e-books, 5000 e-journals and 100 databases on 'law' or 'history'. This offer is based on local licenses from our library, central licenses for the entire Max Planck Society and national licenses for all universities and research institutions in Germany.

In 2018, the library acquired ten collections from the 'Archives Unbound' database collection from Gale (Cengage Learning). It is archival material on the colonial history of Africa and Asia, the history of missions in Latin America, the history of India and China, and the Mexican Revolution and Constitution of 1917.

In 2019 the library acquired modules 5 to 8 of the database collection 'Making of Modern Law' (MOML) from Gale. Modules 1 to 4 have been available throughout Germany as a national license for a long time already. MOML offers the titles as digital facsimiles and as searchable full texts. The newly acquired modules contain international legal literature from the 17th to the 20th century.

In 2020, the library took part in a coordinated acquisition initiative by various Max Planck Institutes to purchase large, predominantly legal e-book packages from the publishers Nomos and Mohr Siebeck.

All online resources can also be accessed remotely via EZProxy, a web proxy server operated jointly with the Institute's IT department. In this way, it was possible for us to support the researchers with a wide range of research literature even during the Covid-19 pandemic.

Digital library

In the digital library, we make older, legally relevant works accessible in electronic form, permanently and free of charge. A new technical platform with a unified interface to all collections offers expanded options for re-using data and for collaborative work.

In various digitisation projects, the library has built a digital library with ten collections and a total of more than 3 million pages over the past 20 years. A new addition is the collection '*Discursos de recepción y de contestación / Real Academia de Ciencias Morales y Políticas* (Madrid)' with 159 titles. The collections '*Dissertations on Jurisprudence = Tesis Doctorales en Derecho* – Buenos Aires (1866–1903) – INHIDE' and '*Miscellanea*', mainly with works from the 16th century, have grown.

The servers, some of which were developed more than fifteen years ago, urgently needed technical modernisation and functional expansion. Supported by special funds from the Max Planck Society and together with three other Max Planck Institutes, the 'Digital Libraries Connected' (DLC) platform was completely renewed. It now contains all mpilhl collections. It enables searching across collections, comparing works in the Mirador Viewer, selecting and citing image details, saving individual collections permanently and sharing them with colleagues, as well as downloading and processing data in various formats.



PuRe – research bibliography and repository

The Max Planck Society *Publikations Repositorium* serves the mpilht in providing full documentation and maximum visibility for researchers' publications. We store and maintain the data in PuRe.

Researchers' publication lists on their individual websites and the list in this Activity Report are generated from the data in PuRe. 553 publications have been recorded for the years 2018 to 2020. 266 works are accessible in Open Access; they have a direct link to the publication.

	number	of which OA
Monograph	22	7
Edited Collection	22	8
Edition	25	22
Journal Article	155	83
Contribution to Collection	140	27
Contribution to Commentary	7	0
Entry to Encyclopedia	26	3
Book review	103	77
Working paper	23	23
<i>Miscellanea</i>	30	16
Total	553	266

Open Access

The Max Planck Society promotes Open Access in a variety of ways. This includes the central provision of publication fees for important journals from high-ranking publishers. We offer information about this possibility and help with its realisation. In addition, the library answers all other questions about Open Access.

Digital Humanities

The area Digital Humanities supports researchers in the planning and use of digital methods from *Artificial Intelligence to Zitationsnetzwerke* citation networks. We also help with the design and publication of databases and digital text editions (see Forum).

Sigrid Amedick

Providing a home for the *American Journal of Legal History* (2016–2020)

The American Journal of Legal History (AJLH) was founded in 1957 and was the first English-language periodical in the field. When it was relaunched as an Oxford University Press (OUP) journal at the beginning of 2016, Stefan Vogenauer agreed to be its co-editor, together with Al Brophy (University of North Carolina School of Law, Chapel Hill; later University of Alabama School of Law) who handed over to Felice Batlan (IIT Chicago-Kent College of Law in Chicago) in 2019. As part of the relaunch, the Editorial Office was established at the Institute.

The relaunch involved a major reorientation of the journal. While retaining its traditional focus on the legal history of the United States, it now aimed to reflect the recent enormous broadening of the intellectual horizon of the discipline and include a substantial number of contributions of a comparative, international or transnational nature.

Moreover, the design of the journal was overhauled, with a new cover and a revamped page layout. The editorial process was professionalised: an Editorial Board was established, a Managing Editor (Donal Coffey, since 2019: Victoria Barnes) and book review editors were appointed. New author guidelines had to be drafted, and a state of the art double-blind peer review process was introduced. The publishers created an attractive journal website, making all articles since 1957 available online and offering an advance access function.

The Frankfurt Editorial Office not only handled the peer review process, it also provided linguistic editing of articles written by non-native speakers and style guiding ('blue booking' and 'OSCOLAing') of all manuscripts. Many members of the Institute were involved in various roles: Ben Kamis, Anselm Küsters, Amber Maggio, Niels Pepels, Christina Pössel, Philipp Schmitt, James Thompson and Emily Whewell. The team took pride in seeing through 21 quarterly issues overall, without missing a single deadline for submission to the publishers, and in consistently beating the OUP journal average for the speed of the review and production processes.

After five years, the relaunch was considered to have been completed, so Felice Batlan and Stefan Vogenauer handed over to a new team of editors at the end of 2020. Beginning with issue 2 of 2021, the editorial process has been dealt with in-house by OUP.

EDITORIAL DEPARTMENT

One of the tasks of the Editorial Department is to disseminate and thus increase the visibility of the Institute's research results through a variety of publication channels, including established and more recently created book series, two journals and a Research Paper Series. While much of the scholarly output is still published in printed form, its availability online and in Open Access is constantly growing. The work of the Editorial Department and the profile of our publications closely reflect the continuities as well as the changes in – particularly the expansion of – the Institute's research areas during the reporting period.

A sign of continuity is the cooperation with the Frankfurt-based publishing house Vittorio Klostermann, which received the Hessischer Verlagspreis and celebrated its 90th anniversary in 2020. The Editorial Department prepares and edits the texts for the annual journal *Rechtsgeschichte – Legal History (Rg)* and for the book series *Studien zur europäischen Rechtsgeschichte*, both printed by Klostermann. The latter now includes more than 325 volumes in a variety of languages. In the past three years, they have covered a broad range of subject matters and periods, from the Middle Ages to contemporary history. Among the numerous studies published in the last three years were three volumes of the subseries *Legal spaces*. Highlights of the series included Guido Rossi's erudite *Representation and Ostensible Authority in Medieval Learned Law* (vol. 324, 2020), Martin P. Schennach's profound book on the origins of the Austrian doctrine of public law in the 18th century (vol. 324, 2020), Hans-Peter Haferkamp's seminal work on the *Historische Rechtsschule* in the 19th century (vol. 310, 2018), and Vera Fritz' innovative biographical study of the judges of the European Court of Justice in the 1950s and 1960s (vol. 312, 2018). Some books of the series received special acclaim: the Preis des 43. Deutschen Rechtshistorikertages 2020 (Zürich) was awarded to Christoph Lattmann for his PhD dissertation *Der Teufel, die Hexe und der Rechtsgelehrte. Crimen magiae und der Hexenprozess in Jean Bodins De la Démonomanie des Sorciers*, and Colm Peter McGrath's *The Development of Medical Liability in Germany, 1800–1945* was recommended by Reinhard Zimmermann in the *Neue Juristische Wochenschrift* (43/2019) as one of the 'books of the year'.

To celebrate the 50th anniversary of the series *Studien zur europäischen Rechtsgeschichte* in 2021, preparations have been ongoing to successively make all volumes of the series published before 2017 available in digital format, both via the Max Planck Society's PuRe repository and on the Institute's homepage. In addition, to improve the accessibility of the data collected as part of the *Repertorium der Polizeyordnungen*, a book series completed in 2017, the library's Digital Humanities specialist is working on making over 200,000 police ordinances of selected territories and imperial cities of the Holy Roman Empire and adjacent countries available online. The series *Studien zu Policey, Kriminalitätsgeschichte und Konfliktregulierung* has produced intriguing edited volumes and a monograph on security regimes and the transnationalisation of criminal law in the 19th and 20th centuries.

Reaching beyond the borders of Europe, the series *Global Perspectives on Legal History (GPLH)* has grown to include quite a number of edited volumes and monographs, available both as print-on-demand and online in Open Access; from vol. 13 onwards, the printed volumes are published in hardcover. Among the recent books, three interrelated volumes on ecclesiastic institutions and

normativities in New Spain, Peru and New Granada offer a fresh comparative perspective on Hispanic America. Moreover, due to the expanding interest in the field of global legal history, a new series was created in cooperation with Brill during the reporting period. The first volume of the *Max Planck Studies in Global Legal History of the Iberian Worlds (MPIW)*, entitled *Knowledge of the Pragmatici*, appeared in 2020. This series, too, is published both in hardcover and in Open Access.



With regard to their online presence, the Institute's digital offerings have experienced dynamic development during the last three years. The website of the Institute's flagship journal *Rechtsgeschichte – Legal History (Rg)* was transferred to a modern responsive design and now offers a number of additional functions. Moreover, the journal has been included in the important *Directory of Open Access Journals (DOAJ)*, among other indices and repositories. The GPLH book series has also been accepted for inclusion in some of the most relevant online services for Open Access book publications: OAPEN, DOAB, Project MUSE and JSTOR. The editorial staff performs the digital data preparation and maintains the *Rg* website. In order to share experiences and improve Open Access capabilities, the Editorial Department participates in relevant conferences and meets with colleagues from other Max Planck Institutes. The first such meeting was organised by the Editorial Department in 2019 and held at the Institute. The Editorial Department has also intensified its presence at academic conferences outside Germany and exhibited the Institute's publications at the British Legal History Conference (University of St. Andrews, July 2019) and the Annual Meeting of the American Society for Legal History (Boston, Nov. 2019), among others.

Last but not least, the well-established *Max Planck Institute for European Legal History Research Paper Series* (since 1 January 2021: *Max Planck Institute for Legal History and Legal Theory Research Paper Series*) became the publication site of choice for the articles of the Institute's research project *Historical Dictionary of Canon Law in Hispanic America and the Philippines. 16th–18th Centuries (DCH)*. In addition, six papers were published in the subseries *subsidia et instrumenta*, which comprises resources for researchers such as collections of primary sources and research bibliographies. All papers of the series are available in Open Access via the Social Science Research Network (SSRN) eLibrary.

Dynamic developments and changes also led to the end of certain activities. Since the relaunch of the *American Journal of Legal History* (co-edited by Stefan Vogenauer) in 2015, the Editorial Department's two English-language editors were responsible for language- and copy-editing the articles. As Professor Vogenauer considered the relaunch phase to have been successfully completed after five years, he passed on the co-editorship at the end of 2020. This journal will therefore no longer be edited at the Institute.

We would like to close on a personal note. After more than 30 years as editor of the Institute's books series and journals, Karl-Heinz Lingens retired in February of 2019. He witnessed a large number of transformations at the Institute as well as in the world of publishing, and profoundly shaped the work of the Editorial Department, which grew from a team of just a few colleagues to a staff of ten in 2021. New challenges lie ahead. The Editorial Department is looking forward to developing and establishing further publication series and formats, both in legal history and in other fields of research, such as legal theory.

Otto Danwerth

PUBLICATIONS

The Institute publishes in-house research, research from its affiliates as well as excellent work of relevance to the Institute's Research Fields by other scholars. Much of this research is still published in print, but it is increasingly also available online, mostly in Open Access.

RECHTSGESCHICHTE – LEGAL HISTORY

The Institute's journal *Rechtsgeschichte – Legal History (Rg)* was launched in 2001. Starting with issue 20 (2012), the publishing concept was reshaped and now one issue per year is published, available both in print (Klostermann Verlag) and online in Open Access. Each issue assembles selected high-profile contributions on questions of broad interest to legal historians and articles concentrating on specific themes for its focus, debate or forum sections. Articles are written by Institute members as well as other national and international scholars. Last but not least, each issue is complemented by a critique section where monographs and edited volumes published within the past two years are reviewed. During the reporting period, the international and multi-lingual orientation was enhanced and now better reflects the multiplicity of global legal and research cultures.

Rechtsgeschichte – Legal History (Rg)

Zeitschrift des Max-Planck-Instituts für europäische Rechtsgeschichte

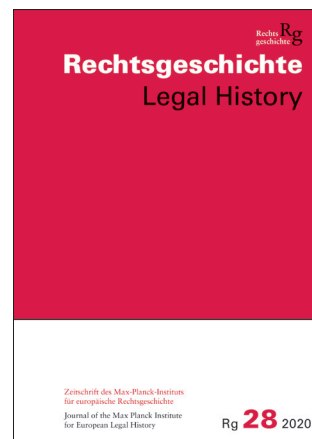
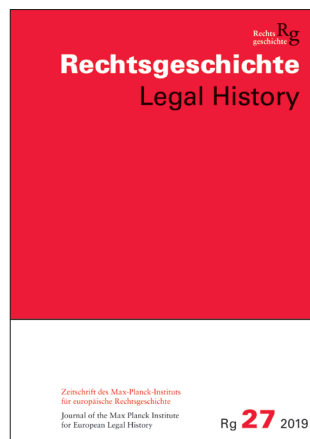
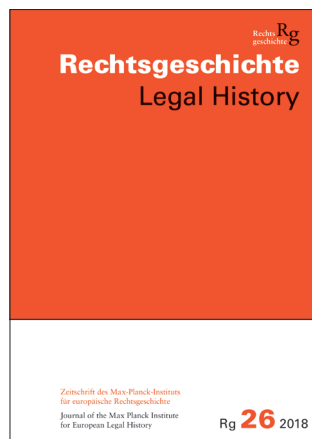
Editors: Thomas Duve and Stefan Vogenauer

Frankfurt am Main: Vittorio Klostermann

26 (2018), 529 pp.

27 (2019), 486 pp.

28 (2020), 401 pp.



AMERICAN JOURNAL OF LEGAL HISTORY

The *American Journal of Legal History (AJLH)*, originally founded in 1957, was the first English-language periodical in the field. Relaunched in 2016, the journal is now published by Oxford University Press. The new AJLH aims to publish outstanding scholarship on all facets and periods of legal history. While retaining its focus on American legal history, it accommodates the enormous broadening of the discipline's intellectual horizon over the past decade and is particularly interested in contributions of a comparative, international or transnational nature. Book reviews are a regular feature. The AJLH is a quarterly, peer-reviewed journal, made available in printed and electronic form. Manuscript submissions are handled quickly and efficiently. Manuscripts concurrently submitted for publication elsewhere will not be considered. Accepted papers that have been copy-edited and typeset are made available online immediately through the 'Advance Access' function on the OUP website.

The American Journal of Legal History (AJLH)

Editors: Al Brophy (Alabama, until 2019), Felice Batlan (Chicago, 2019–2020) and Stefan Vogenauer (mpilht, until December 2020)

Oxford: Oxford University Press

58 (2018), issues 1-4, 569 pp.

59 (2019), issues 1-4, 544 pp.

60 (2020), issues 1-4, 584 pp.

STUDIEN ZUR EUROPÄISCHEN RECHTSGESCHICHTE

The *Studien zur europäischen Rechtsgeschichte* series has deeply influenced the discipline of legal history over the last few decades – and will continue to do so with ongoing publications. Nearly 330 volumes have been published as of the end of 2020. Current sub-series are: *Bibliographica Juridica*, *Lebensalter und Recht*, *Moderne Regulierungsregime*, *Recht im ersten Jahrtausend*, *Rechtsräume*, *Savignyana*.

Studien zur europäischen Rechtsgeschichte

Editors: Thomas Duve and Stefan Vogenauer

Frankfurt am Main: Vittorio Klostermann

vol. 308, 2019:

Rechtsräume, vol. 2:

Dennis Majewski, *Zisterziensische Rechtslandschaften. Die Klöster Dobrilugk und Haina in Raum und Zeit*. X, 798 pp.

vol. 309, 2018:

David Harbecke, *Modernisation through Process – The Rise of the Court of Chancery in the European Perspective*. XIV, 303 pp.

vol. 310, 2018:

Hans-Peter Haferkamp, *Die Historische Rechtsschule*. IX, 396 pp.

vol. 311, 2018:

David von Mayenburg, Gemeiner Mann und Gemeines Recht. Die Zwölf Artikel und das Recht des ländlichen Raums im Zeitalter des Bauernkriegs. XIX, 487 pp.

vol. 312, 2018:

Vera Fritz, Juges et avocats généraux de la Cour de Justice de l'Union européenne (1952–1972). Une approche biographique de l'histoire d'une révolution. XIV, 396 pp.

vol. 313, 2018:

Manlio Bellomo, Roffredo Beneventano, professore a Roma. Lecturae super Codice in un Apparatus recollectus di ignoto allievo. XVIII, 298 pp.

vol. 314, 2019:

Colm Peter McGrath, The Development of Medical Liability in Germany, 1800–1945. X, 262 pp.

vol. 316, 2019:

Philipp Lotmar, Das römische Recht vom Error, ed. by Iole Fagnoli. 2 vols., XXXII, VI, 1123 pp.

vol. 317, 2019:

Rechtsräume, vol. 3:

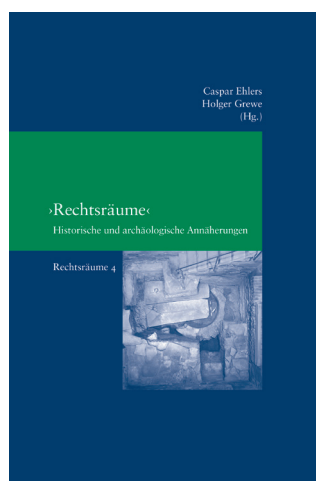
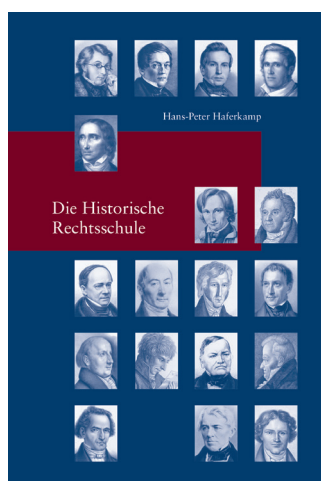
Volker Unverfehrt, Die sächsische Läuterung. Entstehung, Wandel und Werdegang bis ins 17. Jahrhundert. X, 322 pp.

vol. 318, 2019:

Christopher Lattmann, Der Teufel, die Hexe und der Rechtsgelehrte. Crimen magiae und Hexenprozess in Jean Bodins De la Démonomanie des Sorciers. XVI, 390 pp.

vol. 319, 2019:

Guido Rossi, Representation and Ostensible Authority in Medieval Learned Law. XII, 598 pp.



vol. 320, 2020:

Robert von Friedeburg, Luthers Vermächtnis. Der Dreißigjährige Krieg und das moderne Verständnis vom ›Staat‹ im Alten Reich, 1530er bis 1790er Jahre. XIV, 559 pp.

vol. 321, 2020:

Thomas Pierson, Vom Vertrag zum Status. Das Dienstvertragsrecht der Frankfurter Dienstbriefe im Alten Reich. XVIII, 830 pp.

vol. 322, 2020:

Philipp Siegert, Staatshaftung im Ausnahmezustand. Doktrin und Rechtspraxis im Deutschen Reich und in Frankreich, 1914–1919. XIV, 348 pp.

vol. 323, 2020:

Rechtsräume, vol. 4:

Caspar Ehlers and Holger Grewe (eds), ›Rechtsräume‹. Historische und archäologische Annäherungen. X, 336 pp.

vol. 324, 2020:

Martin P. Schennach, Austria inventa? Zu den Anfängen der österreichischen Staatsrechtslehre. XIV, 589 pp.

vol. 325, 2020:

Falko Maxin, Juristische Wahrheit. Eine Studie zum richterlichen Tatsachenwissen im 19. Jahrhundert. VIII, 259 pp.

GLOBAL PERSPECTIVES ON LEGAL HISTORY

As its title suggests, the series *Global Perspectives on Legal History* is designed to disseminate the research of legal historians who seek to transcend the established boundaries of national legal scholarship that typically focuses on a single, dominant modus of normativity and law. The series aims to privilege studies dedicated to reconstructing the historical evolution of normativity from a global perspective. It includes monographs, source editions and collaborative works in a variety of languages. All titles in the series are available both as premium print-on-demand and online in Open Access.

Global Perspectives on Legal History (GPLH)

A Max Planck Institute for European Legal History Open Access Publication

Editors: Thomas Duve and Stefan Vogenauer

Frankfurt am Main

vol. 5, 2018:

Benedetta Albani, Otto Danwerth and Thomas Duve (eds), Normatividades e instituciones eclesiásticas en la Nueva España. Siglos XVI–XIX. VII, 303 pp.

vol. 11, 2018:

Massimo Brutti and Alessandro Somma (eds), Diritto: storia e comparazione. Nuovi propositi per un binomio antico. VII, 595 pp.

vol. 12, 2019:

Otto Danwerth, Benedetta Albani and Thomas Duve (eds), Normatividades e instituciones eclesiásticas en el virreinato del Perú. Siglos XVI–XIX. VI, 252 pp.

vol. 13, 2020:

Pilar Mejía, Otto Danwerth and Benedetta Albani (eds), *Normatividades e instituciones eclesíásticas en el Nuevo Reino de Granada, siglos XVI–XIX*. VI, 278 pp.

vol. 14, 2020:

Mario G. Losano, *Le tre costituzioni pacifiste. Il rifiuto della guerra nelle costituzioni di Giappone, Italia e Germania*. VII, 399 pp.

vol. 15, 2020:

Luisa Stella de Oliveira Coutinho Silva, *Nem teúdas, nem manteúdas: histórias das mulheres e direito na Capitania da Paraíba (Brasil, 1661–1822)*. XIV, 373 pp.



MAX PLANCK STUDIES IN GLOBAL LEGAL HISTORY OF THE IBERIAN WORLDS

The volumes published in this series deal with legal-historical research on areas that interacted with the Iberian empires during the early modern and modern periods in Europe, the Americas, Asia and Africa. The focus of this series is global in the sense that it does not just limit itself to imperial spaces as such, but also looks at the globalisation and localisation of norms within the spaces that were in contact with these imperial formations. The global dimension is, moreover, underscored by the attention paid to the coexistence of a variety of normativities and their cultural translations at different times and in different places. The volumes thus decentre traditional research perspectives and are open to exploring various modes of normativity.

All of the monographs, edited volumes and text editions in the series are peer-reviewed and available in print and online in Open Access. Brill's Open Access books are distributed free of charge in Brill's E-Book Collections and can be found via DOAB, OAPEN and JSTOR.

Max Planck Studies in Global Legal History of the Iberian Worlds (MPIW)

Editor: Thomas Duve

Leiden/Boston: Brill

vol. 1, 2020:

Thomas Duve and Otto Danwerth (eds), *Knowledge of the Pragmatici. Legal and Moral Theological Literature and the Formation of Early Modern Ibero-America*. XIV, 382 pp.

METHODICA – EINFÜHRUNGEN IN DIE RECHTSHISTORISCHE FORSCHUNG

The series *methodica – Einführungen in die rechtshistorische Forschung* offers introductions to research in legal history focusing on sources and methods. The volumes, each of which covers a different topic, provide basic information in a standard format, without claiming the completeness of a handbook, and cover topics from the history of research and sources to methods, the art of legal history and basic literature on the respective topic.

methodica – Einführungen in die rechtshistorische Forschung

Editors: Thomas Duve, Caspar Ehlers and Christoph H. F. Meyer

Berlin/Boston: De Gruyter Oldenbourg

vol. 5, 2018:

Karl Härter, Strafrechts- und Kriminalitätsgeschichte der Frühen Neuzeit, X, 204 pp.

STUDIEN ZU POLICEY, KRIMINALITÄTSGESCHICHTE UND KONFLIKTREGULIERUNG

The series *Studien zu Policy, Kriminalitätsgeschichte und Konfliktregulierung*, edited by Michael Stolleis and Karl Härter, publishes studies related to the Institute's Research Field *The History of Criminal Law, Crime and Criminal Justice*. The monographs, dissertations and edited volumes cover a broad variety of research topics: *gute Policy* in early modern territories and cities, legal discourses and *Policywissenschaft*, the regulation of economy, and the representation of crime in popular media.

Studien zu Policy, Kriminalitätsgeschichte und Konfliktregulierung

Editors: Michael Stolleis and Karl Härter

Frankfurt am Main: Vittorio Klostermann

2018:

Christian Kullick, ›Der herrschende Geist der Thorheit‹. Die Frankfurter Lotterienormen des 18. Jahrhunderts und ihre Durchsetzung. IX, 433 S.

2019:

Jean Conrad Tyrichter, Die Erhaltung der Sicherheit. Deutscher Bund, politische Kriminalität und transnationale Sicherheitsregime im Vormärz. IX, 470 pp.

2019:

Karl Härter, Tina Hannappel and Conrad Tyrichter (eds), The Transnationalisation of Criminal Law in the Nineteenth and Twentieth Century: Political Crime, Police Cooperation, Security Regimes and Normative Orders. VI, 238 pp.

DIE DEUTSCHEN KÖNIGSPFALZEN

The systematic research on medieval royal palaces (*palatia*), originally a project of the Max Planck Institute for History in Göttingen, is now characterised by the Institute's cooperation with local scientific institutions within the German federal states and local editorial departments. As head of the editorial board, Caspar Ehlers is supported by the founding editor of the series, Thomas Zotz (Freiburg).

Die deutschen Königspfalzen – Repertorium der Pfalzen, Königshöfe und übrigen Aufenthaltsorte der Könige im deutschen Reich des Mittelalters. Veröffentlichung des Max-Planck-Instituts für europäische Rechtsgeschichte Frankfurt am Main

Editor: Caspar Ehlers

Göttingen: Vandenhoeck & Ruprecht

Vol. 3,2.6, 2020:

Helmut Maurer (ed), Die deutschen Königspfalzen, Band 3: Baden-Württemberg; Teilband 2.6: Ulm (Fortsetzung – Nachtrag: Betzau). 248 pp.

Vol. 5,1.2, 2020:

Helmut Flachenecker, Bernd Päffgen and Rudolf Schieffer (eds) / Peter Schmid (Bearbeiter), Die deutschen Königspfalzen, Band 5; Teilband 1.2: Altbayern, Regensburg. XXXVIII, 286 pp.

MAX PLANCK INSTITUTE FOR EUROPEAN LEGAL HISTORY RESEARCH PAPER SERIES

(since 1 January 2021: Max Planck Institute for Legal History and Legal Theory Research Paper Series)

The research paper series, edited by Thomas Duve and Stefan Vogenauer, aims to enhance the international profile of the Institute. Since 2012, the series has been available online in the Social Science Research Network (SSRN) eLibrary. Working papers (WPS), pre-prints and post-prints (APS) are published in Open Access, formerly under a CC-BY-NC-ND license and since paper no. 2019-06 under CC-BY 4.0 International.

Max Planck Institute for European Legal History Research Paper Series

Social Science Research Network (SSRN) eLibrary

Editors: Thomas Duve and Stefan Vogenauer

No. 2018-01:

Sylvia Kesper-Biermann, Security, Transnational Law and Emotions. The History of the Transnational Anti-Torture Regime from the Enlightenment to the 1984 United Nations Convention Against Torture

No. 2018-02:

Richard Bach Jensen, The Rise and Fall of the 'Social Crime' in Legal Theory and International Law: The Failure to Create a New Normative Order to Regularize Terrorism, 1880–1930s

- No. 2018-03:
Colette R. Brunschwig, Perspektiven einer digitalen Rechtswissenschaft: Visualisierung, Audiovisualisierung und Multisensorisierung
- No. 2018-04:
subsidia et instrumenta
Lilly Gerstorfer and Jan Thiessen, Unternehmensrechtliche Lehrstühle in der Berliner Republik
- No. 2018-05:
subsidia et instrumenta
Peter Collin, Regulierte Selbstregulierung in rechtshistorischer Perspektive. Studien und Materialien
- No. 2018-06:
Francisco Cuenca Boy, Presunciones (DCH)
- No. 2018-07:
Timothy Louis Schroer, Multinormativity in Western Arguments Regarding Punishment of the Boxers and their Patrons, 1900–1901
- No. 2018-08:
Sandro Olaza Pallero, Peticiones Excesivas (DCH)
- No. 2018-09:
Claudio Ferlan, Ayuno Eclesiástico (DCH)
- No. 2018-10:
Christoph Rosenmüller, Two Kingdoms in a Multi-Tiered Empire: New Spain and New Galicia in the Mid-Eighteenth Century
- No. 2018-11:
Eva Elizabeth Martínez Chávez, Precario (DCH)
- No. 2018-12:
Gustavo César Machado Cabral, Árbitros (DCH)
- No. 2018-13:
Manuela Bragagnolo, Les voyages du droit du Portugal à Rome. Le 'Manual de confessores' de Martín de Azpilcueta (1492–1586) et ses traductions
- No. 2018-14:
Máximo Sozzo, ¿Más allá de una narrativa del cambio epocal? Desafíos para una mirada histórica y comparativa sobre la penalidad contemporánea
- No. 2018-15:
Ana de Zaballa Beascochea, Matrimonio (DCH)
- No. 2019-01:
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- No. 2019-24:
Joaquín Sedano, Impotencia (DCH)
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subsidia et instrumenta
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Leopoldo López, Libelo, Citación y Contestación de la Demanda (DCH)
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- No. 2020-04:
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- No. 2020-07:
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- No. 2020-08:
Leopoldo López, Reconversión (DCH)
- No. 2020-09:
subsida et instrumenta
Celia Alejandra Ramírez Santos and José Luis Egío García, The Research on the School of Salamanca (2008-2019). A Conceptual and Multidisciplinary Bibliography
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- No. 2020-11:
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- No. 2020-12:
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- No. 2020-13:
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- No. 2020-14:
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- No. 2020-15:
subsida et instrumenta
Christoph H. F. Meyer, Non-Christians in the Normative Culture of the Catholic Church between Antiquity and the Modern Era: A Select Bibliography
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Sebastián Terráneo, Clérigos (DCH)
- No. 2020-17:
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- No. 2020-18:
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- No. 2020-19:
Eva Elizabeth Martínez Chávez, Comodato (DCH)
- No. 2020-20:
Joaquín Sedano, Bendición de las nupcias (DCH)
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No. 2020-23:

Enrique González González, Maestros (DCH)

No. 2020-24:

Rafael Diego-Fernández Sotelo, Contumacia (DCH)

No. 2020-25:

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No. 2020-26:

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No. 2020-27:

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RESEARCH COORDINATION

The tasks of the Research Coordinator at the mpilhl are manifold. She supports the Directors in the coordination, further development, implementation and presentation of the Institute's research activities. At the core of her tasks lies the facilitation of communication, both between the researchers – across all Departments and Research Groups – as well as between them, the Max Planck Society, the wider academic community, the media and the general public. The Research Coordinator achieves this by creating and maintaining structures and platforms as well as by organising events.

The activities can be summarised as belonging to five areas: (1) supporting the Directors, (2) creating structures to support the researchers, (3) coordinating and organising events, (4) communicating and documenting the Institute's research findings, and (5) coordinating and fostering cooperations and scientific networks.

Supporting the Directors

The Research Coordinator manages the implementation of the Directors' decisions and initiatives in the areas of research that concern the Institute as a whole. During the reporting period, the structures within the Departments as well as the Institute-wide event formats were reorganised to reflect developments in the Institute's research profile and to prepare for the addition of the third Department. The Research Coordinator supported the implementation of these changes by adapting existing workflows and preparing the appropriate documentation. She also oversaw the associated complete revision of the Institute's website and the implementation and publicising of the Institute's new name.



In 2018 and 2019, the Research Coordinator also supported the setting up of the organisational and administrative infrastructure of the Max Planck Law network (see Cooperation below). A subject that will also require significant attention in future is the development and implementation of a sustainable research data management strategy at the Institute, which the Research Coordinator is currently preparing together with the Institute's Head of IT and the Digital Humanities Officer.

Working together

A special concern of the Research Coordinator is to create structures that enable the researchers to organise their work in the best possible way. She identifies the concrete needs of the researchers and develops solutions in close cooperation with the Service Departments such as the IT. When most researchers had to suddenly shift to remote working during the pandemic, special attention was paid to quickly organising various tools and platforms in order to stay in touch with each other and to enable collaboration even under conditions of physical distance. These included an Institute-wide chat programme, which also functions as the platform for events such as the Books Day, and the organisation of various online workshops and help sessions regarding a variety of video conferencing and other digital collaboration tools.

Whether during a pandemic or not, a key instrument for creating a good and productive research environment lies in an effective and comprehensive onboarding system that helps new colleagues to quickly orientate and familiarise themselves with the procedures, features and opportunities of academic life at the Institute. The Research Coordinator has a special role to play in the integration of new researchers into the Institute's community, as her position provides her with an overview of processes and activities in all Departments and Research Groups as well as in the Institute as a whole. In cooperation with the Diversity Group of the Institute, particular attention was paid during the reporting period to the welcoming of the new international researchers, especially in 2020, when their arrival in Germany was made even more difficult by the COVID-19 pandemic.

In addition, the Research Coordinator advises researchers on matters of third-party funding applications and project planning and is the contact person for doctoral students and postdoctoral researchers on questions of work organisation and career planning.

Events

A third important area of research coordination concerns the organisation of events that aim to foster cross-departmental exchange within the Institute, such as the Institute's Away Day, the *Plenum*, *Forum* and *Colloquium*. They create the space for intellectual exchange and cross-fertilisation between the Institute's researchers, and provide the opportunity to reflect on the common ground of the different Departments' and Research Groups' work (see Annex). A special highlight in the Institute's academic year as well as in the Research Coordinator's work is the Summer Academy for Legal History, which was organised and led by the Research Coordinator in 2018 and 2019. This, usually annual, event offers a special opportunity to present the Institute's work to a group of international early career researchers and to lay the foundation for future cooperations. Many former participants of the Summer Academy have returned to the Institute as guests or even as doctoral students or postdoctoral researchers.

Visitors' programme

Also crucial to building and maintaining the Institute's international network is the Visitors' programme, another key area of the Research Coordinator's work. She handles initial inquiries by researchers and oversees the application and selection process for scholarships. Together with the International Office, which is part of the Administration, she is also one of the main contact persons for visiting researchers while they are at the Institute. The mpilhl usually hosts about 70 visiting scholars each year (see the list of the Visitors in chapter 5 Forum). In 2020, the COVID-19 pandemic necessitated the cancellation or rescheduling of most research stays and posed significant logistical challenges.

Cooperation within the Max Planck Society

During the reporting period, the mpilhl also significantly strengthened its connections to other researchers within the Max Planck Society as a result of the creation in 2019 of Max Planck Law, a network dedicated to fostering and intensifying the cooperation between the ten Max Planck Institutes engaged in advanced legal research. Max Planck Law is chaired by Stefan Vogenauer and hosted by the mpilhl. Setting up the organisational structure and organising the Inaugural Conference (with more than 120 participants) in October 2019 was one of the major tasks for the Research Coordinator. She now continues to act as a liaison officer for the initiative at the Institute.

The Research Coordinator's own networks within the Max Planck Society also benefit the Institute, eg through the sharing of best practices. She is part of the Public Relations Network and in February 2019 co-organised a two-day event for the Press Officers of the GSHS Section, which took place jointly at the mpilhl and the Max Planck Institute for Empirical Aesthetics. She stays in close contact with the Research Coordinators of the other MPIs and is a member of the working group 'NEW Work & Diversity', initiated by the 'Talent, Gender & Diversity Board' of the Max Planck Society's Administrative Headquarters in Munich.

Research communication

Finally, the Research Coordinator is in charge of science communication and the presentation of research activities to those outside the Institute. She is responsible for press and public relations and coordinates the online presence of the Institute as well as the publication of the monthly newsletter. The Institute is proud to reach out to around 700 subscribers with its monthly newsletter and stays in touch with a total of just under 5000 followers via the Institute's Twitter and Facebook accounts. During the reporting period, the Research Coordinator also organised the transition of the Institute's website to a new, responsive design. As the site was also adapted to reflect the changes in the Institute's research themes and structures at the same time, nearly all content was updated in the course of the transition. The addition of the third Department, the preparation for the consequent change of the Institute's name and its web domain as well as for the implementation of the Max Planck Society's new corporate design were other major tasks in the area of media and communication during the reporting period.



Stefanie Rütter

ADMINISTRATION

‘Excellent research requires excellent administration’

This guiding principle determines our aims: to relieve researchers of administrative duties and to promote highest-quality research by means of optimal personnel support and the appropriate allocation of the available funds in compliance with all regulations. We strive to operate as unbureaucratically, effectively and professionally as possible. This is made possible by a highly motivated and competent team and well-structured processes.

During the reporting period, the Administration supported two fully-staffed Research Departments, two Research Groups, a number of additional, externally funded projects, as well as the realisation of numerous projects regarding the repair and upkeep of our facilities. In addition, 2020 brought numerous new challenges due to the COVID-19 pandemic that had to be addressed and managed with the highest possible degree of flexibility, something which we successfully achieved. This was substantially aided by the introduction of virtual workplaces for administrative staff in July 2020, which enabled mobile working.

Marietta Auer’s appointment as a new Director as of 1 September 2020 led to the foundation of a third Research Department at our Institute, resulting in a need for expansion both in terms of office space and in supporting staff. We were able to create a number of additional positions, eg in the Editorial Office, in the Administration and the area of PR / science communication as a result of successful application to the central MPS administration. Unfortunately, the MPS declined or postponed our requests for additional posts in other Service Facilities.

It was also not possible to implement a satisfactory and timely solution regarding the required additional office space. We expect the additional rented offices – which, however, will not cover the existing demand – to become available probably only towards the end of the second quarter of 2021.

Already in 2019, the need for additional office space led us to convert our former caretaker’s flat into offices. This project was completed in 2020, but the resulting additional work spaces will be entirely taken up by a new Max Planck Research Group which will start working at the Institute in 2021.

We took advantage of the relative quiet in the Institute building during the COVID-19 pandemic to carry out a number of building and maintenance projects, including the renovation and refurbishment of our guest apartments.

In my additional role as General Head of Service Facilities, I also want to mention that during the reporting period, we were able to recruit two excellent new colleagues to head the Editorial Office and the IT Department, respectively. Otto Danwerth took up his role as Head of the Editorial Office in March 2019, and Jörn Hawliczek joined us as Head of the IT Department on 1 May 2020.

In the Administration, Rebecca Marian completed her training as office administrator (*Bürokauffrau*) with excellent success and joined us as a member of staff in the area of HR. This additional

position is necessary particularly to deal with the recruitment of staff and the general provision of personnel services to our third Research Department.

Another new member of staff is Isabel Koschnicke, who joined us in the area of purchasing and procurement on 1 August 2020. The creation of an additional position dedicated to these tasks was necessitated by the constantly increasing requirements regarding procurement and accounting and the steadily growing workload that is only partly the result of the creation of a new Research Department.

In the area of Building Services, we were able to recruit Matthias Jahn, who joined us in November 2020.

On a personal note, I would like to mention my new additional role as a member of the committee representing the Heads of Administration (*Verwaltungsleitersprecherkreis*) in the MPS. I was elected in July 2020 to serve as the regional representative for the Max Planck Institutes in Hesse, Rhineland-Palatinate and Saarland. This involves improving communication between the institutes and the Society's central administration as well as finding workable solutions to problems arising out of the implementation of administrative directives at the institute level.

I would also like to take this opportunity to warmly thank all members of staff in the Administration and General Services for their excellent work, their support and good spirits even in difficult situations, like the current pandemic.

Carola Schurzmann



Vocational training 2018–2020

The Institute has for many years been continuously engaging in vocational training in three of its Service Facilities (Administration, Library, IT) along three different occupational profiles. Up to eight trainee positions are available. The Institute has been recognised as a provider of excellent vocational training and received awards from the Chamber of Commerce and the Max Planck Society.

In 2020, Rebecca Marian, who undertook her training in the Administration part-time due to family responsibilities and passed her exams in January 2020, won the Max Planck Society's Trainee Award. The mpilht's Managing Director, Thomas Duve, and the Head of Administration, Carola Schurzmann, who had overseen her training, presented Ms Marian with the Award Certificate of the MPS President in a small ceremony in summer 2020. The prize, which also carries a monetary award, honours outstanding professional and educational accomplishments as well as personal development during the vocational training.

When possible, the Institute trains staff to fill its own demands, which has proved very advantageous particularly for the Administration and the Library. During the reporting period, we were able to fill positions in the Library and the Administration with excellent candidates who had received their vocational training with us.



IT MANAGEMENT

The extensive work required to maintain the Institute's IT infrastructure usually takes place behind the scenes. The sudden need for a large proportion of the Institute's staff – both researchers and non-scientific personnel – to work remotely during the COVID-19 pandemic, however, brought the importance of functioning and modern IT equipment to the fore. It also demonstrated how many different aspects of research now rely on digital and online services and tools.

Nevertheless, the pandemic was not the only significant change or new challenge that the IT Management dealt with during the reporting period. In summer of 2020, the mpilhl's long-standing Head of IT, Dr Volker Novak, left the Institute, which profited greatly from his capability and commitment over many years. Dr Novak successfully established and developed the Institute's IT Management and initiated many IT projects, the results of which will continue to benefit the Institute in the future. The first tasks of Dr Novak's successor as Head of IT, Jörn Hawliczek, were to organise the quick transition of workspaces to remote working and to prepare for the first internal audit of the Institute's IT Management by the Max Planck Society in August 2020. Further major tasks included the addition of a third Department to be equipped and incorporated into the IT infrastructure and the resulting name change of the Institute.

IT infrastructure

In any organisation, the need to continuously update hardware and software to create a high-quality digital work environment and to maintain the highest IT security standards is one of the main challenges of IT management. In addition, the Institute's IT is committed to responding quickly to the current needs of the researchers.

At the beginning of 2018, the majority of desktop computers (ca 170) at the Institute were replaced. This necessitated not only the installation of equipment and software and its adaptation to each specific user's requirements, but also led to an increase in individual support needs. The systems for the installation and updating of the software used at the Institute were repeatedly extended and revised during the reporting period.

The growing use of databases and digitisation in research on law and legal history has resulted in a continuously increasing need for data storage capacity. Also in 2018, therefore, the Institute's data storage services and the associated strategy were successfully restructured and updated.

An important change in 2020 was the introduction of virtual workspaces for our colleagues working in the Administration. Provided by the Information and Communication Department (ICT) of the Max Planck Society's Administrative Headquarters, these offer a secure, mobile and flexible virtual work environment for staff requiring access to the MPG's online administrative systems.

Data protection and compliance

Another task which has gained in importance over the last years is data protection and security in all areas of IT and online services. The EU General Data Protection Regulation (GDPR), that

entered into force in 2018, resulted in extensive changes and additional compliance requirements. These include considerable reporting and documentation obligations, the fulfilment of which is facilitated by the productive cooperation with the Institute's Data Protection Coordinator.

The Head of IT has also taken on the new role of local IT Security Officer introduced by the Max Planck Society during the reporting period. Based in part on the recommendations following the IT audit, further measures to improve data security, also on mobile devices, were implemented in autumn of 2020 in close consultation with the mpilhl's Data Protection Coordinator.

As a result of the Max Planck Society's introduction of centralised procurement of software systems and licences, the Head of IT now also holds the responsibility of Software Licencing Officer.

Communication and remote working

On top of the creation of optimal individual IT workspaces for all research and non-scientific staff, supporting our researchers also in their collaborations with partners outside the mpilhl is an important goal of the Institute's IT Management. Already before the COVID-19 pandemic, the video conferencing equipment in the lecture room and elsewhere in the Institute was modernised. The selection and installation of suitable video conferencing systems and the equipment of all workspaces with webcams consumed considerable resources in 2020, also in terms of time and energy, but generally went smoothly. This was not least due to the organisation of various online 'hands-on' workshops introducing different tools and services, held in cooperation with the Research Coordinator.

New Department – new name

A further key aspect of the last years' work was the equipping of the third Department and the implementation of the associated name change of the Institute. It was decided early on that the new name should be reflected also in our webpage domain and in the staff's email addresses. Though the change was small in terms of the number of characters involved – with rg becoming lhlt – in practice, of course, the manifold connections of the Institute and its Research and Service Departments – from the Library to the Editorial Office, the Administration and the Research Coordinator – in addition to various projects' online presence posed complex challenges. A project team led by the Head of IT was able to implement the changes with only minor hiccups, so that now the Institute and all its parts can be reached under lhlt.mpg.de.

Jörn Hawliczek

