SUMMER ACADEMY
FOR LEGAL HISTORY 2022

4 – 15 July 2022 | Programme
Dear participants of the Max Planck Summer Academy for Legal History 2022,

It is our pleasure to welcome you to Frankfurt and the Max Planck Summer Academy for Legal History.

In the next two weeks you will attend lectures and workshops introducing you to the study of sources, methodological principles, as well as theoretical models and controversial research debates on basic research fields of legal history.

In addition to these lectures you will have the opportunity to work on your individual research projects and present and discuss them in plenum. As a summer academy should not consist of academic activities only, we have put together a variety of extra-curricular activities, such as a visit to nearby historical sites and several get-togethers in the evenings.

We hope you have a wonderful and most of all enriching time here in Frankfurt.

If you have any questions or need assistance, please do not hesitate to contact us.

Best regards,

Stefanie Rüther and Alexandra Woods

Dr. Stefanie Rüther  
Research Coordinator

Alexandra Woods  
Research Field Coordinator  
‘Knowledge of the Production of Normativity’

Dr. Christina Pössel  
Editor

summeracademy@lhlt.mpg.de
## Participants

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<td>Alves Pereira, Wingler</td>
<td>Rio de Janeiro State University</td>
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<td>Banerjee, Michael</td>
<td>University of California, Berkeley</td>
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<td>Bhattacharya, Shreya</td>
<td>SOAS, University of London</td>
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<td>Cerdà, Jordi</td>
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<td>Chu, Ming-hsi</td>
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<td>da Cunha, Bárbara Madruga</td>
<td>Federal University of Santa Catarina</td>
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<td>Das, Jonmani</td>
<td>Jawaharlal Nehru University</td>
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<td>Durrani, Haris A.</td>
<td>Princeton University</td>
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<td>Escañilla Huerta, Silvia</td>
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<td>Ferri, Benedetta Rinaldi</td>
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<td>Haddad, Mary</td>
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<td>Langemeyer, Jan</td>
<td>Oriel College, University of Oxford</td>
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<td>Lombardi, Gabriela Back</td>
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<td>Machona, Gwinyai</td>
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<td>Manac’h, Laurine</td>
<td>University of Paris 1 Panthéon Sorbonne</td>
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<td>Messele, Dejen Yemane</td>
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<td>Saunders, Anna</td>
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<td>Spindola Diniz, Ricardo</td>
<td>University of Luxembourg</td>
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<td>Talvinko, Tuuli</td>
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<td>Teska, Wallace</td>
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<td>Weinhardt, Otávio</td>
<td>University of São Paulo</td>
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## and as guests

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<tr>
<td>de Brito, Edson</td>
<td>mpihlt</td>
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<td>Broens, Paulien</td>
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<td>Campi, Arnaud</td>
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<td>Catimba, Priscila</td>
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<td>Petersson, Niels</td>
<td>Max Planck Law</td>
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<td>Ruholl, Christoph</td>
<td>Bucerius Law School, Hamburg</td>
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**SUMMER ACADEMY FOR LEGAL HISTORY 2022**

**Programme**

**Monday, 4 July**

10:00-10:45  Christina Pössel and Alexandra Woods (mpilhlt)
Welcome and Introduction

*Coffee*

11:00-12:00  **Library Tour**

12:00-13:00  Thomas Duve (Director mpilhlt)
The Max Planck Institute for Legal History and Legal Theory

*Lunch*

14:00-15:30  Guido Pfeifer (Goethe University Frankfurt)
Ancient fundaments of the Western legal tradition

*Coffee*

16:00  *Frankfurt City Tour / Dinner*

**Tuesday, 5 July**

9:15-10:45  Alexandra Woods (mpilhlt)
Using history in law - introduction

*Coffee*

11:15-12:45  Christiane Birr (mpilhlt)
Ius commune - legists

*Lunch*

13:45-15:30  **Study Time**

15:30-17:00  Inge van Hulle (mpilhlt)
International law

*Coffee*

17:30-19:00  Lea Pipo, Anna Quadflieg, Christoph Resch, Gregorij Tschernjawskyj (mpilhlt)
Using history in law – the case of the Hohenzollern
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Wednesday, 6 July

9:15-10:45  Benedetta Rinaldi Ferri (University of Roma Tre)
The obligation to work. Charity works and compulsory labour in Early Modern Europe

Laurine Manac'h (University of Paris 1)
Invoking the past and shaping company law in commercial courts’ proceedings: Barcelona and Buenos Aires, 1778-1840

Chair: Raquel Sirotti

Coffee

11:15-12:45  Christoph Meyer (mpilhlt)
Ius commune – canonists

Lunch

13:45-15:30  Silvia Escanilla Huerta (University of Illinois)
The end of an era? The aftermath of the General Insurrection of Indians in the Southern Andes (1783-1809)

Otávio Weinhardt (University of São Paulo)
Normative practices and the regulation of urban life at the beginning of the Republic in Brazil (1886-1920)

Chair: Karla Escobar

Coffee

17:30  PhD Meeting

Thursday, 7 July

9:15-10:45  Mary Haddad (Tel Aviv University)
Egyptian experiences of International law (1882-1956)

Dejen Yemane Messele (Wollo University)
Ethiopian Sovereignty in the History of International Law: Anomalies and Paradoxes

Chair: Wafa Ben Mahmoud

Coffee

11:15-12:45  Thorsten Keiser (mpilhlt / University of Gießen)
Contemporary legal history

Lunch

13:45  Presentation Publications mpilhlt

14:00-15:30  Phillip Hellwege (University of Augsburg)
Private Law

16:00  Historisches Museum Frankfurt
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Friday, 8 July

9:15-10:45  
Egas Bender de Moniz (University of Erlangen)  
Constitutional histories

Coffee

11:15-12:45  
Wingler Alves Pereira (Rio de Janeiro State University)  
Space of experience and horizon of expectation in Brazilian constitutional thinking: a historical approach between “tupi or not tupi”

Gabriela Back Lombardi (Federal University of Paraná)  
Jurists and civil codification in 19th century Brazil: history of legal thought and cultural translation

Chair: Anna Clara Lehmann

Lunch

13:45  
Guided Campus Tour

Monday, 11 July

9:15-10:45  
Marietta Auer (Director mpilhlt)  
Legal theory

Coffee

11:15-12:45  
Ricardo Spindola Diniz (University of Luxembourg)  
Creatures of reason: the imminence of constitutional courts in liberal democracies

Haris Durrani (Princeton University)  
A satellite for all: law, technology, and U.S. Empire in the Global Cold War

Chair: Bruno Lima

Lunch

13:45-15:30  
Study Time

15:30-17:00  
Michael Banerjee (University of California)  
‘The highest form of juristic person known to the law’: constitutional corporations and constitutional Universities in the American West (1850–1928)

Chu Ming-hsi (Northwestern University)  
How to use history in law? An analysis of professional historians’ Amicus briefs in the US Supreme Court

Chair: Christoph Resch

Coffee

17:30-19:00  
Anselm Küsters (mpilhlt)  
Law and technology
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Tuesday, 12 July

9:15-10:45  Stefan Vogenauer (Director mpilhlt)
Common law

Coffee

11:15-12:45  Jonmani Das (Jawaharlal Nehru University)
Early modern forms and practices of legal authority:
law, employment relations and social life in the English East India Company
settlement of Madras (c. 1640s to 1750s)

Shreya Bhattacharya (SOAS University of London)
Practicing law, governing difference: multi-centric legal orders in the Indian
subcontinent (1750-1858)

Chair: Matilde Cazzola

Lunch

13:45-15:30  Study Time

15:30-17:00  Current research of the mpilhlt
Department Thomas Duve Historical Regimes of Normativity
Department Marietta Auer Multidisciplinary Theory of Law
Department Stefan Vogenauer European and Comparative Legal History

Coffee

18:00  Evening Lecture

Fernanda Pirie (University of Oxford)
Global legal history: an anthropological approach
### Programme

**Wednesday, 13 July**

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| 9:15-10:45 | Jan-Henrik Meyer (mpilhlt)  
Legal history of the European Union  
**Coffee** |
| 11:15-12:45 | Tuuli Talvinko (University of Helsinki)  
Political origins of ‘rule of law’ as European Union constitutional principle  
Anna Saunders (University College London)  
History as imagination: International law and the patent form  
**Chair: Philip Bajon**  
**Lunch** |
| 13:45-15:30 | Study Time  
Jan Langemeyer (University of Oxford)  
The administrative state and its law: England, France, and Germany (1870–1914)  
Gwinyai Machona (Humboldt University Berlin)  
Colonialism, German administrative law and its scholarship between circa 1850 and 1933  
**Chair: Johanna Wolf**  
**Coffee** |
| 17:15-18:00 | Jordi Cerdà (Pompeu Fabra University)  
The legal construction of Franco’s monarchy (1936-1947)  
18:00 Career Talk/Max Planck Law |

**Thursday, 14 July**

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<tr>
<th>Time</th>
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| 9:15-10:45 | Bárbara Madruga da Cunha (Federal University of Santa Catarina)  
Legal abortion in cases of pregnancy resulting of rape: practices and legal conception in Southern Brasil (1940–1980)  
Wallace Teska (Stanford University)  
Law, religion, and social change in French West Africa (1890-1990)  
**Chair: Luisa Stella Coutinho**  
**Coffee** |
| 11:15-12:45 | Talk Show ‘Using history in law: results and further perspectives’  
**Lunch** |
| 13:45-15:30 | Study Time  
15:30 **mpilhlt Summer Party** |

**Friday, 15 July**

<table>
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<th>Activity</th>
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| 9:15-12:45 | Exams  
**Lunch** |
| 13:45-14:30 | Feedback and farewell |
Tours and Field Trips

Monday, 4 July, 16:00–18:00
Walking tour through Frankfurt am Main with Christoph Ruholl and Simon Seibert
followed by a joint dinner in a traditional ‘Apfelweinwirtschaft’
Zum Eichkatzerl, Dreieichstraße 29, 60594 Frankfurt

‘Frankfort is one of the sixteen cities which have the distinction of being the place where the following incident occurred. Charlemagne, while chasing the Saxons (as HE said), or being chased by them (as THEY said), arrived at the bank of the river at dawn, in a fog. The enemy were either before him or behind him; but in any case he wanted to get across, very badly. He would have given anything for a guide, but none was to be had. Presently he saw a deer, followed by her young, approach the water. He watched her, judging that she would seek a ford, and he was right. She waded over, and the army followed. So a great Frankish victory or defeat was gained or avoided; and in order to commemorate the episode, Charlemagne commanded a city to be built there, which he named Frankfort—the ford of the Franks. None of the other cities where this event happened were named for it. This is good evidence that Frankfort was the first place it occurred at.’

A Tramp Abroad (Mark Twain)

Thursday, 7 July, 16:00
Museum visit: ‘Frankfurt and Nazism’
Historisches Museum Frankfurt, Saalhof 1, 60311 Frankfurt am Main

‘Starting in fall, the HMF will be showing an unprecedented exhibition project: in three formats, it will be devoted to the topic of "Frankfurt and Nazism". 75 years after the liberation of the city by U.S. troops, National Socialism (NS) and its aftermath are unfortunately highly topical issues, as right-wing extremist attacks, parties and propaganda show. How the city, which before 1933 was considered liberal and democratic and had the highest Jewish population in the Reich, was able to align itself so quickly and radically with the Nazis, and how sluggishly the process of coming to terms with the past was afterwards - these are the guiding questions of the three exhibitions.’
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Friday, 8 July, 13:45 – 15:30 Uhr
Guided tour of the Goethe University Campus and IG Farben Building with Magdalena Gebhart

The Goethe University Frankfurt has one of the most beautiful campuses in Europe and it is definitely worth visiting! Not only does the campus consist of great buildings with a distinctive architecture, nice green areas and many cafés to relax - it also has a rich history.

Tuesday, 12 July 12, 18:00-19:30
Max Planck Lecture in Legal History and Legal Theory
Fernanda Pirie (University of Oxford)
Global Legal History: an Anthropological Approach

What should legal historians study and why? Considering laws beyond the state and the familiar realms of European history raises the vexed question of what law is as well as what might be compared and to what purpose.

In this presentation I argue in favour of an anthropological approach to global legal history. This means considering law as a social and historical phenomenon and approaching cases, examples, historical practices, and texts on their own terms. It means asking about people and context, about who makes laws and why, and teasing out what is distinctive among them. This type of enquiry leads us, I suggest, to textual traditions with authors, readers, and translators and to explicit rules, which are pronounced, understood, copied, and applied. Turning to some early examples of written law, I seek to show how consideration and comparison of such cases can help to clarify what law is as a social phenomenon, who makes it and why, how it develops, and its relations with power, as well as the surprising recurrence of dynamics of the rule of law.

Thursday, 14 July, 15:30
The Max Planck Institute’s Annual Summer Party
in the Institute’s courtyard
Directions

Hotel
hoffmanns höfe
Heinrich-Hoffmann-Straße 3
60528 Frankfurt am Main
+49 (69) 67 06 – 100

Max-Planck-Institut für Rechtsgeschichte und Rechtstheorie
Hansaallee 41
60323 Frankfurt am Main
+49 (69) 789 78 - 0

Suggestions for the weekend in Frankfurt

Museums

Frankfurt has plenty of museums. Most of them belong to the ‘Museumsufer’- association of Frankfurt municipal museums for which you can buy a ticket (‘Museumsufer-Ticket’), valid on two consecutive days, for 21 Euros. This can be worth it even if you want to visit only one museum each day. Museums are usually open Tuesday to Sunday. Information on the Museumsufer museums can be found at [https://www.museumsufer.de/en/](https://www.museumsufer.de/en/)

Some highlights:

» Städel Museum: The city’s main art museum (mostly paintings). Please note: Special exhibitions (the current one is on post-WWII American art) are not included in the Museumsufer-Ticket. At the weekend, the museum gets very busy and long queues form in front of the entrance.

» Frankfurt has a number of museums for contemporary art: the Schirn Kunsthalle and the Museum MMK für moderne Kunst (which has three sites). There is currently a Marcel Duchamp exhibition at the MMK.

» The Jewish museum (two sites) currently has an exhibition on ‘Revenge: history and fantasy’.

» If you want your dose of proper German high culture: Johann Wolfgang Goethe was born in Frankfurt. His birthplace is a museum, and last year the ‘German Romanticism Museum’ was opened next door.
Helpful Information

Green spaces

» Grüneburgpark: West of the Westend University Campus (on the opposite side to the mpilhlt) is a big park with lawns for picnicking etc. Also popular with joggers.

» Palmengarten: A little further to the west is one of the botanical gardens of Frankfurt. Entry for adults costs 7 Euros; entrances are at Siesmayerstraße 63 and in Palmengartenstraße.

» Stadtwald: South of the city is the municipal forest with shaded paths for walking, jogging etc.

» Taunus: North of the city, there are the wooded hills of the Taunus. You can take the U3 to its final stop (Oberursel Hohemark) and start your hike from there.

Around Frankfurt

Currently, the '9-Euro-ticket' (which we bought for you) is valid in all of Germany on local and regional public transport.

» Wiesbaden (45 min. with S-Bahn 8/9) Administrative capital of Hessen, famous for its casinos and spa.

» Mainz (45 min. with S-Bahn 8) Birthplace of Johannes Gutenberg, who introduced printing to Europe. Visit the Gutenberg museum, the medieval cathedral and Chagall's stained glass windows at St. Stephen's Church.

» Eltville am Rhein (1 hour) A special 'pearl' of the winegrowing region of the Rheingau, well-known as the 'city of wine, Sekt (sparkling wine) and roses'. It is on the Rhine River and picturesquely situated amid forests and vineyards. From Eltville, you can take a bus, rent a bike or hike to visit Kloster Eberbach, a 13th-century monastery where 'The Name of the Rose' was filmed.
Further Away

Please note: The 9-Euro ticket is NOT valid on ICE or IC trains to the following destinations, only on RB and RE trains!

» Heidelberg (1,5 hours away by regional train) A pretty university town with Germany’s oldest university and a ruined medieval castle (linked to the old town by funicular railway) with spectacular views over the Neckar river.

» Bonn (2 hours away by regional trains) This small town was the former capital of the Federal Republic of Germany! Birthplace of Ludwig van Beethoven (museum). Visit also the ‘Haus der Geschichte’ to learn about the last 70 years of German history.

» Cologne/Köln (1,5 hours away by regional trains) Famous for its Gothic cathedral, nine Romanesque churches, and museums. On the Rhine river.

» Würzburg (1,5 hours away with regional trains) Visit the Baroque palace, a UNESCO World Cultural Heritage Site. Würzburg also has a castle, and an old bridge where people gather in the evenings to drink local wines.

For timetables & tickets:

» www.rmv.de (Hessen Public Transport) – RMV App

» www.bahn.de (German Trains) – ‘DB-Navigator’ App

Shopping in Germany

Please note that all shops in Germany are closed on Sundays. Pharmacies and small shops often close for the weekend already at Saturday lunchtime.

Cafés and restaurants

It’s not hard to find a nice spot for a coffee or meal in Frankfurt. For a relaxed atmosphere in residential areas, you can try the Nordend (east of the institute) and Westend (south of the university campus) areas. On the southern bank of the Main, you will find many cafés, bars and restaurants in the lively Sachsenhausen area. Best ask our PhD students, though, they will no doubt have recommendations!

Emergency numbers in Germany

110 Police

112 General emergency number to call the police, an ambulance or the fire brigade.

Most pharmacies are open only from 9am to 6pm in Germany, and close for the weekend at Saturday lunchtime. If you need a pharmacy outside these hours, you can look up which are open here:

https://www.apotheken-umschau.de/apotheken-notdienst/stadt/frankfurt-am-main/

You will be charged a fee for using a pharmacy outside normal opening hours.
Covid precautions

Numbers of infections are currently rising in Germany, and the highly infectious BA.5 variant is spreading. It is still mandatory to wear masks on public transport in Germany, but in most other places it’s up to you to decide whether you want to wear one or not. However, given that we will be spending a lot of time in close proximity to one another, we sincerely ask you to wear masks as much as possible (if you are able to), also when you are not in the Institute (e.g. when shopping). Catching Covid whilst in a foreign country would be no fun for anybody.

» We have provided you with two tests to use in the hotel. We ask that you use the first on Monday 4 July before coming to the Institute, and the second on Monday, 11 July.

» A limited number of tests will also be available at the Institute on demand.

» The quarantine period for people infected with coronavirus is only five days in Germany. However, if you still have symptoms after five days, you have to stay in isolation until you have been symptom-free for at least 48 hours.

» If you are infected, please contact the Institute as soon as possible by emailing both tagung@lhlt.mpg.de AND personal@lhlt.mpg.de.

» Information on current regulations in Frankfurt and on what to do if you have been tested positive is available by calling the hotline 0800 - 555 4666 (during office hours) or you can email buergertelefon@stk.hessen.de.

» You can also call 116 117 if you need medical advice (also during the night and at weekends). If you need emergency care, call 112.

» In order to return to the Summer Academy after an infection, you will need to present a certificate from a test centre that you have tested negative in an antigen test (‘Schnelltest’).