

PUBLIKATIONEN 2023

2023



THE INSTITUTE

Established in 1964, the Max Planck Institute for Legal History and Legal Theory (until the end of 2020: Max Planck Institute for European Legal History) in Frankfurt am Main engages in research on European and global history and on the theory of law. With its three departments led by Directors Marietta Auer (Multidisciplinary Theory of Law), Thomas Duve (Historical Regimes of Normativity) and Stefan Vogenauer (European and Comparative Legal History), its specialist library holding over 500,000 printed media units, and its numerous international visitors, the Institute has become a worldwide hub for those working on past and present national and transnational legal orders. Many of the research results are published in the Institute's own publication series.

DAS INSTITUT

Das Max-Planck-Institut für Rechtsgeschichte und Rechtstheorie (bis Ende 2020: Max-Planck-Institut für europäische Rechtsgeschichte) betreibt seit seiner Gründung im Jahre 1964 in Frankfurt am Main Forschungen zur europäischen und globalen Rechtsgeschichte sowie zur Theorie des Rechts. Mit seinen drei Abteilungen unter der Leitung der Direktoren Marietta Auer (Multidisziplinäre Rechtstheorie), Thomas Duve (Historische Normativitätsregime) und Stefan Vogenauer (Europäische und vergleichende Rechtsgeschichte), seiner Spezialbibliothek mit über 500.000 gedruckten Medieneinheiten sowie zahlreichen internationalen Gästen ist das Institut zu einem Knotenpunkt für alle Forschenden geworden, die sich mit vergangenen und gegenwärtigen nationalen und transnationalen Rechtsordnungen befassen. Viele der wissenschaftlichen Erträge werden in den Publikationsreihen des Instituts veröffentlicht.

- 2 ZEITSCHRIFT/JOURNAL
- 2 RECHTSGESCHICHTE LEGAL HISTORY
- 8 SCHRIFTENREIHEN / BOOK SERIES
- 8 GLOBAL PERSPECTIVES ON LEGAL HISTORY
- 12 STUDIEN ZUR RECHTSTHEORIE
- 13 STUDIEN ZUR EUROPÄISCHEN RECHTSGESCHICHTE
- 21 THE SCHOOL OF SALAMANCA
- 22 **RESEARCH PAPER SERIES**
- 24 OPEN ACCESS PUBLICATIONS

RECHTSGESCHICHTE - LEGAL HISTORY

Rg 21 2013

Rg 22 2014

Rg 23 2015

Rg 24 2016

Rg 25 2017



ZEITSCHRIFT / JOURNAL

RECHTSGESCHICHTE - LEGAL HISTORY



Rechtsgeschichte – Legal History (Rg) is the Institute's journal, edited by Directors Marietta Auer, Thomas Duve and Stefan Vogenauer. The journal aims to be a forum for high-level scholarship in all branches of legal history. Its scope therefore reflects the full breadth of the discipline and is not restricted to particular periods of time or specific areas of law. Its particular profile derives from the research conducted at the Institute on the legal history of Europe, the common law world and the Iberian empires.

The journal has an international orientation and adopts a multilingual approach in order to reflect the diversity of global legal and research cultures. A peer review procedure ensures the high quality of the contributions. The journal's »Research« section presents selected outstanding articles of general interest. The »Focus« section brings together contributions on a common theme, and the short pieces in the »Debate« or »Forum« section discuss a given topic in legal history. The »Critique« section contains reviews of recent publications in the field.

Rg is published in print version by Vittorio Klostermann Verlag, Frankfurt am Main. Since 2012, the annual journal is also published online in Open Access on the the journal website: http://www.rg-rechtsgeschichte.de/en. The journal is indexed, among others, in the *Directory of Open Access Journals (DOAJ)*.



RECHTSGESCHICHTE - LEGAL HISTORY



RG 31

Frankfurt am Main: Vittorio Klostermann, 346 p. ISBN 978-3-465-04614-1, print ISSN 1619-4993, 49 € Open Access edition: www.rg-rechtsgeschichte.de/en/31 eISSN 2195-9617

research

- Dieter Grimm, Constitutional History as an Integral Part of General History:
 The German Case
- Jan Thiessen, Behindert das (deutsche) Recht die zeithistorische Forschung?
- Jakob Zollmann, Recht sprechen über »besondere Gebilde« die koloniale Gerichtsbarkeit und das Reichsgericht
- József Szabadfalvi, A Short History of the Formation of Hungarian Legal Terminology
- Stefan Cristian Ionescu, Aryanization Bureaucrats in Post-Holocaust Romania

focus: Indigenous Labor on the Frontiers of the Spanish Empire

- David Rex Galindo, Studying Indigenous Labor and Coercion on the Frontiers of the Spanish Empire: An Introduction
- Mirko Suzarte Škarica, Slaves and Captives Between Castile, Granada, and the Canary Islands: Frontier and Judicial Dynamics in the 15th and 16th Centuries
- Constanza López Lamerain, Ecclesiastics and Indigenous Slavery on the Frontier:
 The Case of Chile in the 16th and 17th Centuries

- David Rex Galindo, Forms of Indigenous Labor on New Spain's Northern Frontiers:
 The Cases of New Mexico and California (17th–18th Centuries)
- Carolina Hiribarren Cardoen, Abuse or Slavery? A Look at Practices of Debt Peonage from the 19th-Century Philippines

forum: Dieter Grimm, Die Historiker und die Verfassung

- Birgit Aschmann, Die sozialliberalen Reformen auf dem Prüfstand: zur Abtreibungsfrage
- Pascale Cancik, Welche »Wirklichkeit«?
- Eckart Conze, Verfassungswandel durch Grundgesetzänderungen
- Verena Frick, Die Konstitutionalisierung der Politik. Auch eine Politisierung der Verfassung?
- Ingrid Gilcher-Holtey, Integration der Rechts- und Verfassungsgeschichte in die Allgemeingeschichte? Die Perspektive der Historischen Soziologie
- Anna-Bettina Kaiser, Sperrig, aber nicht unlesbar? Zu den Entscheidungen des Bundesverfassungsgerichts
- Jürgen Kocka, Herausforderung und Anregung
- Christoph Schönberger, Das Bundesverfassungsgericht als Deus ex Machina der Geschichte der Bundesrepublik?
- Hans Vorländer, Wie sich die Geschichte des Grundgesetzes mit einer Rekonzeptualisierung des Verfassungsbegriffs schreiben lässt
- Rainer Wahl, Der schwierige Zugang zum Richterrecht des Bundesverfassungsgerichts
- Christian Waldhoff, Entstehungsgeschichte des Grundgesetzes
- Dieter Grimm, Ein Rückblick auf »Die Historiker und die Verfassung« anhand der Frankfurter Kommentare

critique

- Stefan Vogenauer on Ulrike Babusiaux, Christian Baldus, Wolfgang Ernst, Franz-Stefan Meissel, Johannes Platschek, Thomas Rüfner (eds.), Handbuch des Römischen Privatrechts
- Damian Augusto Gonzales Escudero on Julie Stone Peters, Law as Performance
- Christoph H. F. Meyer on Sabine Griese, Claudine Moulin (Hg.), Verweiskulturen des Mittelalters
- Toomas Kotkas on Fredrik Charpentier Ljungqvist, Quantitative Approaches to Medieval Swedish Law

RECHTSGESCHICHTE - LEGAL HISTORY

- Rômulo da Silva Ehalt on Matsuzono Junichirō, The World of Muromachi and Sengoku Law
- Lorenzo Maniscalco on Dominique Bauer, Randall C. H. Lesaffer (eds.), History, Casuistry and Custom in the Legal Thought of Francisco Suárez
- Pilar Mejía on Chiara Franceschini (ed.), Sacred Images and Normativity and Giuseppe Capriotti, Sabina Pavone, Pierre-Antoine Fabre (eds.), Eloquent Images
- Manuel Bastias Saavedra on Ângela Barreto Xavier, Religion and Empire in Portuguese India
- Matilde Cazzola on Sal Nicolazzo, Vagrant Figures
- Emily Kadens on Ross Cranston, Making Commercial Law Through Practice
- Uponita Mukherjee on Catherine L. Evans, Unsound Empire
- Fabian Klose on Zoë Laidlaw, Protecting the Empire's Humanity
- Erica Kim Ollikainen-Read on Leila Neti, Colonial Law in India and the Victorian Imagination
- Karla L. Escobar H. on Tanya Agathocleous, Disaffected: Emotion, Sedition, and Colonial Law in the Anglosphere
- José M. Portillo on María Teresa Calderón, Aquella república necesaria e imposible
- Bernardo Sordi on Giulio Bartolini, A History of International Law in Italy
- Karl Härter on Michele Pifferi (ed.), The Limits of Criminological Positivism
- Marietta Auer on Thomas Olechowski, Hans Kelsen
- Matthew H. Kramer on Shyamkrishna Balganesh, Ted Sichelman, Henry Smith (eds.), Wesley Hohfeld a Century Later
- Sara Dezalay on Kathryn Greenman, State Responsibility and Rebels
- Shlomi Balaban on Rotem Giladi, Jews, Sovereignty, and International Law
- Fabian Steinhauer on Christoph Schönberger, Auf der Bank. Die Inszenierung der Regierung im Staatstheater des Parlamentes
- Thomas Duve on Wolfgang Knöbl, Die Soziologie vor der Geschichte
- and many more

marginalia

 Thomas Duve, Rechtsgeschichte und Ordnungsdenken. Zum rechtshistorischen Werk von Paolo Grossi



GLOBAL PERSPECTIVES ON LEGAL HISTORY











































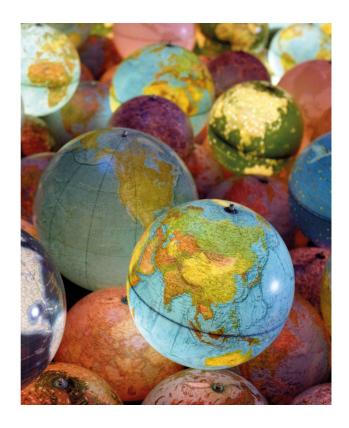


GLOBAL PERSPECTIVES ON LEGAL HISTORY

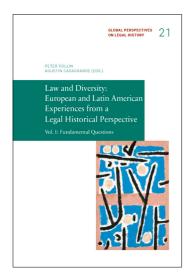


The book series *Global Perspectives on Legal History (GPLH)*, edited by Marietta Auer, Thomas Duve and Stefan Vogenauer, opens up the legal history of Europe to the history of its global connections. It publishes monographs as well as edited volumes which transcend the established boundaries of national legal scholarship and focus on different modes of normativity and law as well as on their historical development.

The peer-reviewed series addresses the global research community also in terms of its format. From its outset in 2014, it was designed as a multilingual Open Access publication series. *GPLH* primarily appears online, freely accessible to everyone on the Institute's homepage and can be found via DOAB, OAPEN, JSTOR and Project MUSE. A print-on-demand service is available for those readers who prefer or require a printed copy. With the publication of vol. 13, the print editions are available as hardcover copies.



GLOBAL PERSPECTIVES ON LEGAL HISTORY



VOLUME 21

Peter Collin, Agustín Casagrande (eds.)

LAW AND DIVERSITY: EUROPEAN AND LATIN AMERICAN EXPERIENCES FROM A LEGAL HISTORICAL PERSPECTIVE

Vol. 1: Fundamental Ouestions

Frankfurt am Main: Max Planck Institute for Legal History and Legal Theory, 776 p.

ISBN 978-3-944773-40-7,

print-on-demand: www.epubli.de, 42,84 €

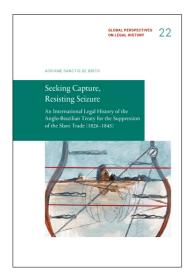
Open Access edition: http://dx.doi.org/10.12946/gplh21eISBN 978-3-944773-41-4

The principle of equality is one of the cornerstones of modern legal systems. Modern law is based on equality, and therefore assumed to stand in sharp contrast to the law of premodern, estates-based societies characterised by special legal regimes for particular groups or individuals. However, »modernity«, too, is highly socially differentiated and continues or transforms »pre-modern« distinctions to a not inconsiderable extent. This is often reflected in special rules created by the state or by the groups themselves – even if, in the latter case, they are often not recognised as law.

This volume looks at the last 200 years to examine how »diversity« – understood as constellations of social difference – is relevant to normativity. What social differences also make a difference to the law, to what extent and in what respect?

A comparative look at European and non-European developments provides a broader perspective on these issues. In this context, Latin America is a particularly fruitful field of investigation, because of the complex circulation of ideas between the continents both during the colonial period and after independence. Uniquely, the contributions on the development of a specific national legal system are accompanied by comments written by experts on other national legal systems in order to enable close comparison.

Further volumes on public law, private law and criminal law will follow.



VOLUME 22

Adriane Sanctis de Brito

SEEKING CAPTURE. RESISTING SEIZURE

An International Legal History of the Anglo-Brazilian Treaty for the Suppression of the Slave Trade (1826–1845)

Frankfurt am Main: Max Planck Institute for Legal History and Legal Theory, 224 p. ISBN 978-3-944773-42-1, print-on-demand: www.epubli.de, 18,90 € Open Access edition: http://dx.doi.org/10.12946/gplh22 eISBN 978-3-944773-43-8

The treaties to suppress the slave trade were the subject of intense legal battles and debates in the first half of the 19th century. By delving into the legal disputes that took place within the context of the Anglo-Brazilian treaty, this book highlights the political importance of what might at first glance be perceived as little more than argumentative hurdles over the rules and proceedings regarding the search and capture of ships. Some of these legal battles were carried out in the correspondence between the Foreign Offices, sometimes between diplomatic representatives or within mixed commissions, while still others involved the process of interpretation and the resignification that took place over the course of years and involved a multiplicity of exchanges between various actors and institutions.

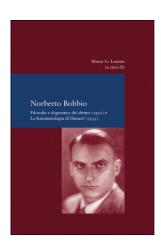
Whether reading the bilateral treaty clauses as analogous to or differently from prize law or general international law, the day-to-day interpretation forged anti-slave trade rules that kept ships, instead of enslaved people, protagonists of slave trade suppression mechanisms.

This history of the Anglo-Brazilian treaty provides more details about the mechanisms created by international law to combat the slave trade. It also reveals the complex legal translations of state inequality, humanitarianism, violence, and the fine line between war and peace.

STUDIEN ZUR RECHTSTHEORIE

STUDIEN ZUR RECHTSTHEORIE - OUR NEW PUBLICATION SERIES

The first volume in the publication series edited by the Max Planck Institute and published by Vittorio Klostermann appeared in 1971. After over 340 volumes and a change of name to *Studien zur europäischen Rechtsgeschichte* in 2002, this revered series is receiving a companion in 2023: *Studien zur Rechtstheorie*. The new series reflects the research on interdisciplinary legal theory being carried out at the Max Planck Institute for Legal History and Legal Theory since 2021, and it will make use of the same proven concept, layout and production quality as the legal historical series. This peer-reviewed series represents an attractive, multilingual forum for excellent monographs and edited volumes from all fields of legal theory.



BAND 1

Mario G. Losano

NORBERTO BOBBIO

Filosofia e dogmatica del diritto (1931) e La fenomenologia di Husserl (1933)

Frankfurt am Main: Vittorio Klostermann, XII, 296 p., 69 € ISBN 978-3-465-04628-8

Norberto Bobbio (1909–2004) was one of the most influential 20th-century legal philosophers of the Latin world, and he was considered the civil and secular conscience of Republican Italy. Known in Germany primarily as a publicist dealing with questions of constitutional law and fundamental problems of political economy, the two theses he wrote at the beginning of his academic career were unknown to the scholarly community and those interested in such topics. *Philosophy and Legal Doctrine* and *Husserl's Phenomenology*, both written in the early 1930s, are now available in an annotated edition of the original Italian texts. Edited by Mario G. Losano, who closely worked with Bobbio, the edition includes a comprehensive introduction and useful indexes

STUDIEN ZUR EUROPÄISCHEN RECHTSGESCHICHTE

The volumes of this publication series, which started in 1971, were initially published under the title *lus Commune Sonderhefte*, as additional volumes to the former Institute journal *lus Commune*. In 2002 (from volume 151 ondwards), the former subtitle became the series' new name: *Studien zur europäischen Rechtsgeschichte*. It now contains over 340 volumes. Monographs and edited volumes are published individually or within the current sub-series: *Savignyana, Rechtsräume, Moderne Regulierungsregime, Lebensalter und Recht, Recht im ersten Jahrtausend, Recht in der Industriellen Revolution, Rechtskulturen des modernen Osteuropa, Repertorium der Policeyordnungen der Frühen Neuzeit, Juristische Briefwechsel des 19. Jahrhunderts, Das Europa der Diktatur, Bibliographica Juridica.*

The increasingly multilingual series is traditionally published in print by Vittorio Klostermann Verlag, Frankfurt am Main. All manuscripts undergo a peer review process. We intend to make newly published volumes available online in Open Access after a period of three years. Older volumes will successively also be digitised.











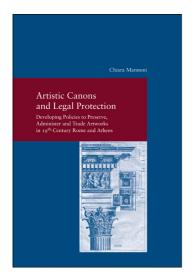












BAND 330

Chiara Mannoni

ARTISTIC CANONS AND LEGAL PROTECTION

Developing Policies to Preserve, Administer and Trade Artworks in 19th-Century Rome and Athens

Frankfurt am Main: Vittorio Klostermann, XIV, 277 p., 79 € ISBN 978-3-465-04547-2

The edicts on the antiquities and artworks issued in the Papal States and Greece in the early 19th century constitute the first comprehensive legislation for the protection of heritage in Europe. In this volume, such laws are analysed from a cultural, juridical and art-historical perspective in order to understand how both legal and artistic scholarship affected the guardianship of artefacts, fluctuations in the art market and the establishment of innovative systems for heritage administration in Rome and Athens. The analysis of the origins of these laws, discussed in comparison to earlier edicts (5th–18th century), and of their cultural consequences also sheds light on the development of new definitions of "art", "artwork" or "monument", which have become fundamental to contemporary approaches to heritage protection in Europe.



BAND 333

Stefan Ruppert

RECHT HÄLT JUNG

Zur Entstehung der Jugend aus rechtshistorischer Sicht: Deutschland im langen 19. Jahrhundert (ca. 1800–1919) (Lebensalter und Recht 9)

Frankfurt am Main: Vittorio Klostermann, XII, 440 p., 89 € ISBN 978-3-465-04433-8

Law keeps you young. Law makes you old. These bold statements contain the assumption that the various life phases are the result of a process of social definition which is largely influenced by law. Age limits and specific rules for different ages determine when we are of age and as such enjoy civic rights and liberties. They tell us when we are obliged to go to school and when to retire. The legally determined life phases assign each of us specific social roles; they formulate obligations, liberties, protective rules and expectations as to our behaviour. This becomes apparent in laws governing education, military service, juvenile criminal law and electoral laws, but also in laws prohibiting child labour. This volume uses the example of 19th-century Prussia to tell the story of the evolution of youth as a distinct formative period in the process of reaching maturity.



BAND 336

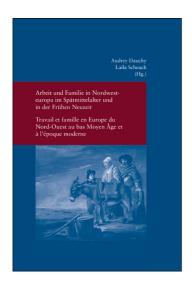
Dennis Vogt

ARBEIT AM KONFLIKT

Die Lösung individueller Arbeitsstreitigkeiten im Deutschen Kaiserreich, 1890–1918 (Moderne Regulierungsregime 7)

Frankfurt am Main: Vittorio Klostermann, X, 408 p., 89 € ISBN 978-3-465-04543-4

The system of dependent wage labour in the context of capitalism is characterised by conflicts. These regularly come to the fore in the form of concrete disputes. Courts and other institutions dedicated to conflict resolution try to arbitrate and control them. This constitutes a process of working with the conflict, a process of negotiations between employees and employer, and with those in charge of resolving the conflict at the relevant institutions. The author casts a detailed look at both institutional and extra-institutional labour conflict resolution in the German Empire between 1890 and 1918. Based on trial records and other sources such as documents from trade courts and public legal service offices in Worms or Bad Aibling, the study shows how these institutions and their actors tackled conflict resolution, and what role labour conflicts and their resolution played in the German Empire.



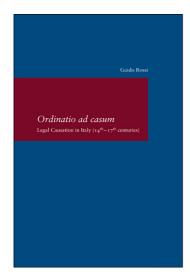
BAND 338

Audrey Dauchy, Laila Scheuch (Hg.)

ARBEIT UND FAMILIE IN NORDWESTEUROPA IM SPÄTMITTELALTER UND IN DER FRÜHEN NEUZEIT / TRAVAIL ET FAMILLE EN EUROPE DU NORD-OUEST AU BAS MOYEN ÂGE ET À L'ÉPOQUE MODERNE

Frankfurt am Main: Vittorio Klostermann, VIII, 214 p., 69 € ISBN 978-3-465-04602-8

This volume brings together contributions on the theme of work and family in late medieval and modern societies in north-western Europe by social, economic and legal historians from France, Germany and Switzerland. The studies, originally presented at an interdisciplinary conference held in Frankfurt am Main, explore women's agency, their relation to work within the context of family structures, and the dynamics of social reproduction, whether desired or imposed. The contributors draw on court files, guild regulations, correspondence between spouses, legislative sources, customary law, learned treatises, and parish registers to open up new perspectives on the (legal) history of work within the family, in kinship networks, or in comparable social contexts.



BAND 339

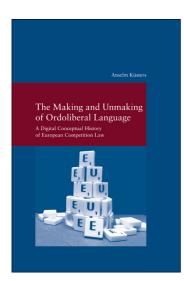
Guido Rossi

ORDINATIO AD CASUM

Legal Causation in Italy (14th–17th centuries)

Frankfurt am Main: Vittorio Klostermann, X, 332 p., 89 € ISBN 978-3-465-04608-0

The book examines the development of legal causation in Italy from the fourteenth to the seventeenth centuries, focusing especially on practice-oriented literature (»decisiones« and »consilia«). Causality began to be discussed from the late thirteenth century and especially during the first half of the fourteenth, when it was described as »ordinatio«. In private law, »ordinatio« remained the standard approach to causation during the entire early modern period: centuries of legal practice mainly refined its scope but did not change its core. By contrast, its application in criminal law would increasingly clash with the intentionality requirement, and so it was progressively challenged.



BAND 340

Anselm Küsters

THE MAKING AND UNMAKING OF ORDOLIBERAL LANGUAGE

A Digital Conceptual History of European Competition Law

Frankfurt am Main: Vittorio Klostermann, XVI, 796 p., 119 € ISBN 978-3-465-04601-1

The ordoliberal school of competition thought is a distinct linguistic community whose conceptual and semantic influence extended far beyond Germany and eventually shaped the European legal order. Linguistic misunderstandings still impacted the negotiations of the founding European Treaties, but in the subsequent application of the new rules, the Freiburg School's ordoliberal ideas gained in popularity. In the early 2000s, this ordoliberal language was replaced by neoliberal concepts borrowed from the Chicago School. This study combines archival materials, oral history interviews, case law and Text Mining methods. In doing so, it contributes to the historiography of EU competition law, the post-war history of ordoliberalism, and methodological debates about Digital Humanities.

For his outstanding scientific achievements and the PhD research presented in this book, Anselm Küsters received the Otto Hahn Medal by the Max Planck Society as well as the Roman Herzog Research Prize for Social Market Economy in 2023.



BAND 342

Marietta Auer, Thomas Duve, Stefan Vogenauer (Hg.)

MICHAEL STOLLEIS – ZUM GEDENKEN

Frankfurt am Main: Vittorio Klostermann, X, 90 p., 22 € ISBN 978-3-465-04625-7

The essays presented in this volume were written on occasion of the commemoration ceremony for Michael Stolleis (1941–2021) and pay tribute to the many-faceted jurist, historian, researcher and university professor. Some contributions, picking up themes from Stolleis' œuvre, shine a light on the history of science in the context of German public international law; others emphasise his influence on European colleagues. These essays all share one fundamental idea: there is an intrinsic link between legal history and stories about law, as Stolleis demonstrated so masterfully in his last book recht erzählen (2021). Personal recollections by friends and companions round off a portrait of this extraordinary narrator of (hi)stories of law. Finally, this volume also contains a reprint of a conversation with Michael Stolleis about fathers, education and contemporaneity.

THE SCHOOL OF SALAMANCA

THE SCHOOL OF SALAMANCA



The School of Salamanca. A Digital Collection of Sources and a Dictionary of its Juridical-Political Language is a joint project of the Institute, the Goethe University Frankfurt and the Academy of Sciences and Literature, Mainz.

Among other activities, the project includes two ongoing publication projects: one is to build a digital text corpus of selected 16th- and 17th-century printed editions of more than 100 works of the Salamantine jurists and theologians. The other is an interdisciplinary working paper series that offers philosophical, legal and theological articles related to the School of Salamanca. The paper series reflects the research done in the project, but contributions from other scholars are also welcome. All articles are subject to a peer review procedure. Both the digital editions as well as the working paper series are available online in Open Access: https://www.salamanca.school/en/index.html.

The School of Salamanca. A Digital Collection of Sources

Vol. 26.3

Juan de Castillo Sotomayor

Opera omnia, sive quotidianarum

controversiarum iuris, vol. 3

(Lyon: Laurent Anisson & Jean-Baptiste

Devenet, 1658)

Vol. 26.4

Juan de Castillo Sotomayor

Opera omnia, sive quotidianarum

controversiarum iuris, vol. 4

(Lyon: Laurent Anisson & Jean-Baptiste

Devenet, 1658)



RESEARCH PAPER SERIES

RESEARCH PAPER SERIES



The Institute's own *Research Paper Series* is edited by Directors Marietta Auer, Thomas Duve and Stefan Vogenauer. Since 2012, this multilingual series is available online in the Social Science Research Network (SSRN) eLibrary. Working papers, pre-prints and post-prints that provide new insights, perspectives and suggestions for legal-historical research are published in Open Access: https://www.ssrn.com/index.cfm/en/maxplancklawrps/max-planck-legal-history-res.

In 2017, an additional subseries, *subsidia et instrumenta*, was created to publish resources for researchers such as bibliographies or collections of primary sources. The results of the Institute's research project »Historical Dictionary of Canon Law in Hispanic America and the Philippines. 16th–18th Centuries (DCH)« are also published as part of the *Research Paper Series*. All articles submitted undergo peer review.

2023-01

Orazio Condorelli

Juicio / Judgment and procedure (DCH) 53 p.

2023-02

Leticia Pérez Puente Diezmo eclesiástico / Ecclesiastical tithe (DCH) 32 p.

2023-03

Daniel R. Quiroga Villamarín

Within International Law's Sistine Chapel: José María Sert y Badia's »The Lesson of Salamanca« in, and as, International Legal History (1936)

28 p.



2023-04

Armando Torres Fauaz

La justicia del rey en el marco de una expedición de conquista. Análisis procedimental de un juicio penal en la provincia de Costa Rica, 1570 / The King's Justice During a Conquest Expedition.

Procedural Analysis of a Criminal Trial in the Province of Costa Rica, 1570
38 p.

RESEARCH PAPER SERIES

2023-05

Cristian Poczynok

Posesión y Propiedad / Possession and Property (DCH)

47 p.

2023-06

Carlos Salinas

Rescriptos / Rescripts (DCH)

43 p.



2023-07

Carlos Herrejón Peredo

Violencia / Violence (DCH)

36 p.

2023-08

Mariana Candido, Mariana Dias Paes, Juelma de Matos Ngãla

História e Direito em Angola: Os processos Judiciais do Tribunal da Comarca de Benguela (sécs. XIX-XX) / History and Law in Angola: The Court Cases of the Tribunal da Comarca de Benguela (19th and 20th Centuries)

539 p.

2023-09

Amelie Tscheu

Der Beginn der Reichsgerichtsrechtsprechung in den Verfahren des publizistischen Landesverrats. Ein Beleg für die antirepublikanische Weimarer Justiz? / The Origin of the Reichsgericht's Definition of Journalistic Treason (publizistischer Landesverrat). Evidence of the Anti-Republican Weimar Judicary?

2023-10

Alejandro Nicolás Chiliguay Cabildo eclesiástico / Cathedral Chapter (DCH) 41 p.

2023-11

Anastasía Assimakópulos **Palio / Pallium (DCH)** 16 p.

2023-12

Hubert Mielnik

»In the Name of the Law«. Organisation and Functioning of the Polish (non-German) Judiciary in the General Government (German-Occupied Poland) in the Period of 1939 to 1945

29 p.

2023-13

Yobani Maikel Gonzales Jauregui **Dote / Dowry (DCH)** 31 p.

OPEN ACCESS PUBLICATIONS

OPEN ACCESS PUBLICATIONS

The motivation of the international Open Access movement is to make the results of scientific research freely available online. Over the last two decades, this idea has become an integral part of the discourse on scientific publishing and has given rise to new publishing models. The Institute, too, has adapted its publishing strategy to this transformation and offers the following publication series in Open Access:

- the Institute's journal Rechtsgeschichte Legal History
- the book series Global Perspectives on Legal History
- the book series Max Planck Studies in Global Legal History of the Iberian Worlds
- the Institute's own Research Paper Series
- the Salamanca Working Paper Series
- the editions of the project *The School of Salamanca*. A Digital Collection of Sources and a Dictionary of its Juridical-Political Language

Volumes that so far have appeared in print only in the long-running book series of the Institute (Studien zur europäischen Rechtsgeschichte, Studien zu Policey, Kriminalitätsgeschichte und Konfliktregulierung) will successively be made available in Open Access in the near future. Our website provides an overview of all Open Access publications of the Institute: https://www.lhlt.mpg.de/open-access/en.

The Max Planck Society is committed to promoting Open Access. It is one of the co-founders of the international Open Access movement and was one of the first signatories to the »Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities«. Further information about Open Access at the Max Planck Society can be found at: openaccess.mpg.de.



IMPRESSUM / IMPRINT

Herausgeber

Max-Planck-Institut für Rechtsgeschichte und Rechtstheorie (mpilhlt) © 2023

Kontakt

Max-Planck-Institut für Rechtsgeschichte und Rechtstheorie Hansaallee 41 60323 Frankfurt am Main www.lhlt.mpg.de Newsletter: www.lhlt.mpg.de/newsletter

Social Media: @mpilhlt

Bildnachweis

Umschlag: Junger Mann beim Aufsetzen seiner Brille Unbekannter Photograph, Daguerreotypie (1840–1860)

Museum für Kunst und Gewerbe Hamburg, Inventarnummer: PD1910.44

S. 7, S. 9: Otto Danwerth

Druck

Colour Connection GmbH, Frankfurt am Main

