The European Society for History of Law

NEWSLETTER

OF THE EUROPEAN SOCIETY FOR HISTORY OF LAW

Nr. 1 **Vol. 2** **July 15th, 2020** **ISSN 2694-7587**

Dear members
of The European Society for History of Law,

we present to you the first issue of the second year of the international newsletter. Despite the extraordinary situation of the first half of this year, it has retained its established structure. It contains mainly information about newly published books from the fields of modern and old history of law and also Roman law. The table of contents of the last issue of the Journal on European History of Law and invitations to conferences are included in the last section of the newsletter in a traditional format.

The newsletter has its own ISSN and is published only in an electronic version twice a year. Members of the European Society for History of Law receive it via e-mail and also it is be available for general public at www.historyoflaw.eu, which also contains an archive of previously issued newsletters.

We would also like to invite Facebook users to join our Facebook group at https://www.facebook.com/groups/2712877861036/. This represents an opportunity to receive quick updates about news in our fields of interest and of course a possibility to share news with other members.

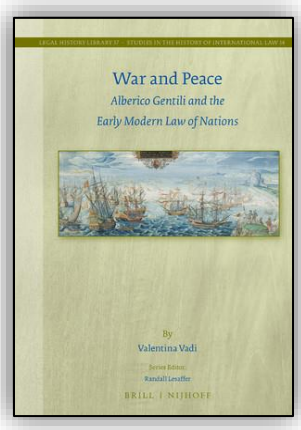
Also we would like to encourage all members to participate in the creation of this newsletter. Mainly we would appreciate reports from conferences and thesis defences or reviews and annotations of monographs. Also we would welcome publishing invitations to conferences.

We hope that you will enjoy your summer and that you will be able to regain the energy for writing and other scholar and research activities that await us in the second half of this special year.

Board of Directors
The European Society for History of Law

AN OVERVIEW OF MONOGRAPHS PUBLISHED IN THE SECOND HALF OF 2019 AND IN THE FIRST HALF OF 2020

Old Legal History

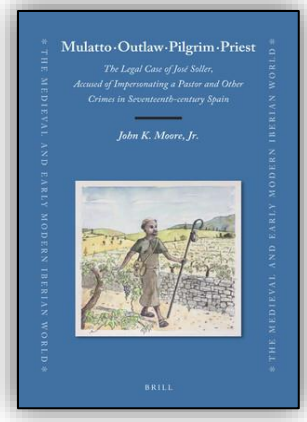


WAR AND PEACE. ALBERICO GENTILI AND THE EARLY MODERN LAW OF NATIONS
Valentina Vadi

ISBN 978-90-04-34524-9

Brill, 2020, 566 pages

More information about the book here:

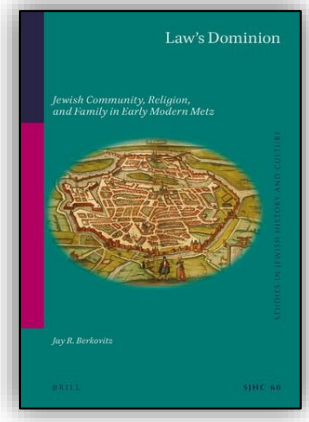


MULATTO · OUTLAW · PILGRIM · PRIEST: THE LEGAL CASE OF JOSÉ SOLLER, ACCUSED OF IMPERSONATING A PASTOR AND OTHER CRIMES IN SEVENTEENTH-CENTURY SPAIN
John K. Moore, Jr.

ISBN 978-90-04-41777-9

Brill, 2020, 359 pages

More information about the book here:

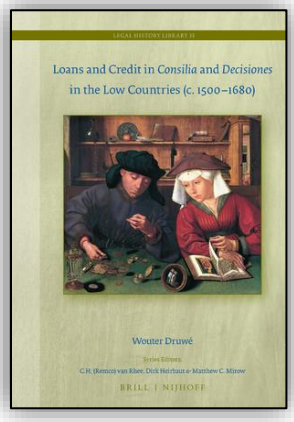


LAW'S DOMINION. JEWISH COMMUNITY, RELIGION, AND FAMILY IN EARLY MODERN METZ
Jay R. Berkovitz

ISBN 978-90-04-41739-7

Brill, 2019, 404 pages

More information about the book here:



LOANS AND CREDIT IN CONSILIA AND DECISIONES IN THE LOW COUNTRIES (C. 1500-1680)

Wouter Druwé

ISBN 978-90-04-41078-7

Brill, 2019, 826 pages

More information about the book here:

THE LAW OF NATIONS AND NATURAL LAW 1625-1800

Simone Zurbuchen

ISBN 978-90-04-38419-4

Brill, 2019, 337 pages

More information about the book here:

MINNE ODER RECHT KONFLIKT UND KONSENS ZUR ZEIT KARLS IV. UND KÖNIG WENZELS

Anna Rad

ISBN 978-3-412-51541-6

Böhlau Verlag, 2020, 192 pages

More information about the book here:

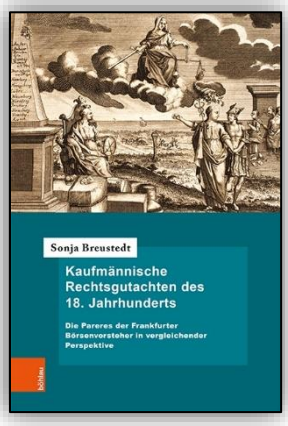
SCHIEDSVERFAHRENSRECHT IN ANTIKE UND MITTELALTER EINE HISTORISCHE GRUNDLEGUNG

Wolfram Buchwitz

ISBN 978-3-412-51933-9

Böhlau Verlag, 2020

More information about the book here:



KAUFMÄNNISCHE RECHTSGUTACHTEN DES 18. JAHRHUNDERTS DIE PARERES DER FRANKFURTER BÖRSENVORSTEHER IN VERGLEICHENDER PERSPEKTIVE

Sonja Breustedt

ISBN 978-3-412-51914-8

Böhlau Verlag, 2020, 300 pages

More information about the book here:

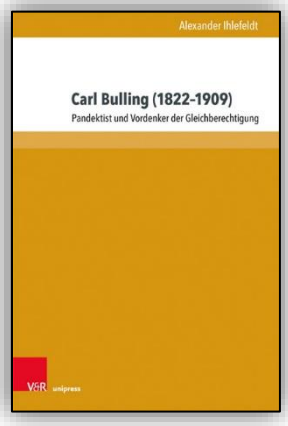
GERICHT UND VERFAHREN IN DER STADT UND IM HOCHSTIFT WÜRZBURG DIE FÜRSTLICHE KANZLEI ALS ZENTRUM DER (APPELLATIONS-)GERICHTSBARKEIT BIS 1618

Josef Bongartz

ISBN 978-3-412-51821-9

Böhlau Verlag, 2020, 452 pages

More information about the book here:



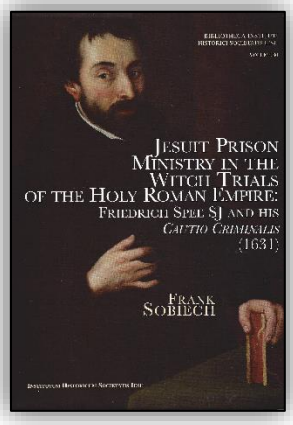
CARL BULLING (1822–1909). PANDEKTIST UND VORDENKER DER GLEICHBERECHTIGUNG

Alexander Ihlefeldt

ISBN 978-3-8471-1100-9

V&R Unipress, 2020, 322 pages

More information about the book here:



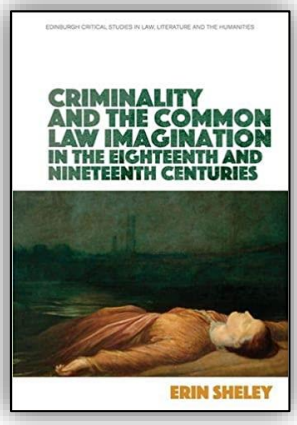
JESUIT PRISON MINISTRY IN THE WITCH TRIALS OF THE HOLY ROMAN EMPIRE: FRIEDRICH SPEE SJ AND HIS CAUTIO CRIMINALIS (1631)

Frank Sobiech

ISBN 9788870413809

Institutum Historicum Societatis Iesu, 2019, 539 pages

More information about the book here:

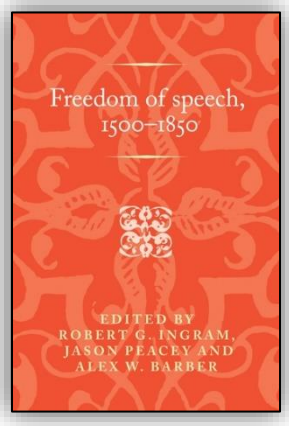


CRIMINALITY AND THE ENGLISH COMMON LAW IMAGINATION IN THE 18TH AND 19TH CENTURIES
Erin Sheley

ISBN 978-1474450102

EDINBURGH UNIV PR, 2020, 264 pages

More information about the book here:

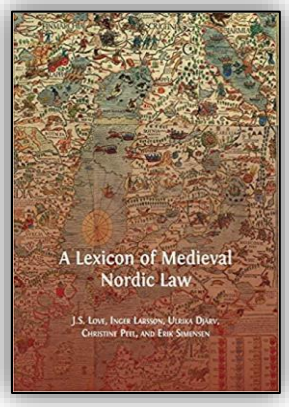


FREEDOM OF SPEECH, 1500–1850
Robert Ingram, Jason Peacey and Alex W. Barber (eds.)

ISBN 978-1-5261-4710-3

Manchester University Press, 2020, 280 pages

More information about the book here:



A LEXICON OF MEDIEVAL NORDIC LAW
Jeffrey Love, Inger Larsson, Djärv Ulrika

ISBN 978-1783748150

Open Book Publishers, 2020, 586 pages

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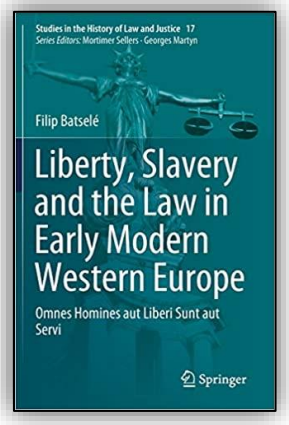


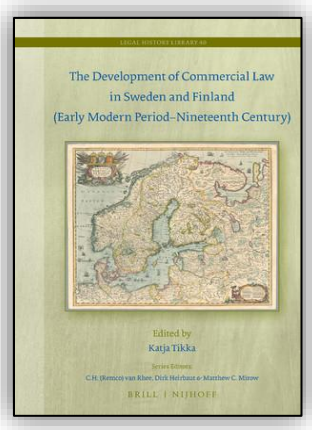
LIBERTY, SLAVERY AND THE LAW IN EARLY MODERN WESTERN EUROPE: OMNES HOMINES AUT LIBERI SUNT AUT SERVI
Filip Batselé

ISBN 978-3030368548

Springer, 2020, 237 pages

More information about the book here:

Modern Legal History

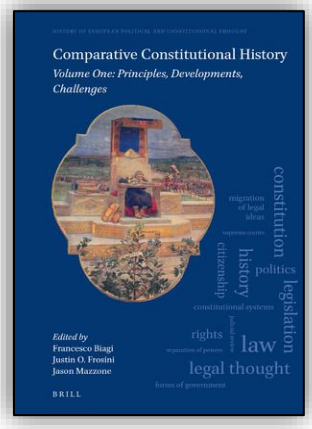


THE DEVELOPMENT OF COMMERCIAL LAW IN SWEDEN AND FINLAND (EARLY MODERN PERIOD - NINETEENTH CENTURY)
Katja Tikka

ISBN 978-90-04-43604-6

Brill, 2020

More information about the book here:



COMPARATIVE CONSTITUTIONAL HISTORY PRINCIPLES, DEVELOPMENTS, CHALLENGES
Francesco Biagi, Justin O. Frosini, Jason Mazzone (eds.)

ISBN 978-90-04-39211-3

Brill, 2020

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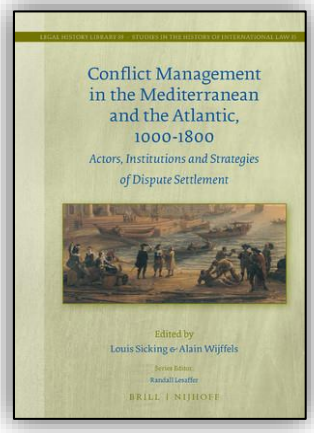
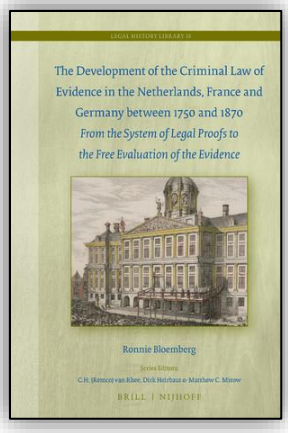


CONFLICT MANAGEMENT IN THE MEDITERRANEAN AND THE ATLANTIC, 1000-1800. ACTORS, INSTITUTIONS AND STRATEGIES OF DISPUTE SETTLEMENT
Louis Sicking, Alain Wijffels

ISBN 978-90-04-38063-9

Brill, 2020, 358 pages

More information about the book here:



THE DEVELOPMENT OF THE CRIMINAL LAW OF EVIDENCE IN THE NETHERLANDS, FRANCE AND GERMANY BETWEEN 1750 AND 1870

Ronnie Bloemberg

ISBN 978-90-04-41501-0

Brill, 2020, 544 pages

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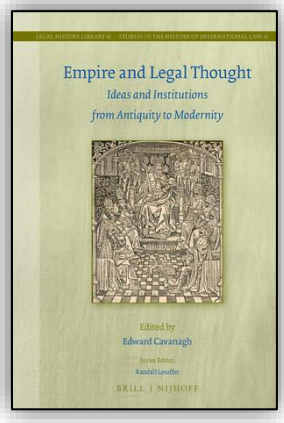

EMPIRE AND LEGAL THOUGHT IDEAS AND INSTITUTIONS FROM ANTIQUITY TO MODERNITY

Edward Cavanagh (ed.)

978-90-04-43098-3

Brill, 2020, 618 pages

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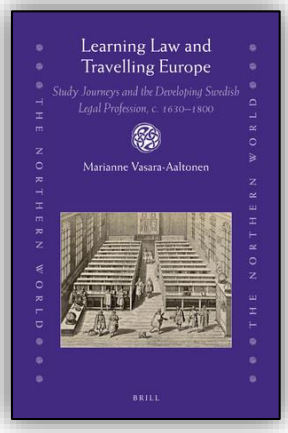


LEARNING LAW AND TRAVELLING EUROPE: STUDY JOURNEYS AND THE DEVELOPING SWEDISH LEGAL PROFESSION, C. 1630–1800

Marianne Vasara-Aaltonen

ISBN 978-90-04-43165-2

Brill, 2020, 428 pages

More information about the book here:

WILL DAS KIND SEIN WOHL? EINE UNTERSUCHUNG ÜBER KINDESWILLE UND KINDESWOHL IM SORGE- UND UMGANGSRECHT NACH SCHEIDUNGEN VON 1946 BIS 2016

Jan-Robert Schmidt

ISBN 978-3-16-159273-7

Mohr Siebeck, 2020, 400 pages

More information about the book here:

DAS 'HOMOSEXUELLEN-URTEIL' DES BUNDESVERFASSUNGSGERICHTS AUS RECHTSHISTORISCHER PERSPEKTIVE
Nadine Drönner

ISBN 978-3-16-157571-6

Mohr Siebeck, 2020, 290 pages

More information about the book here:

DER OBERSTE GERICHTSHOF FÜR DIE BRITISCHE ZONE UND DIE AUFARBEITUNG VON NS-UNRECHT
Juliane Ohlenroth

ISBN 978-3-16-159170-9

Mohr Siebeck, 2020, 398 pages

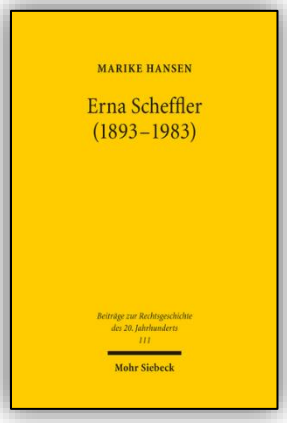
More information about the book here:

DAS REICHSJUSTIZPRÜFUNGSAMT
Martin Würfel

ISBN 978-3-16-159443-4

Mohr Siebeck, 2019, 228 pages

More information about the book here:



ERNA SCHEFFLER (1893–1983). ERSTE RICHTERIN AM BUNDESVERFASSUNGSGERICHT UND WEGBEREITERIN EINER GESCHLECHTERGERECHTEN GESELLSCHAFT
Marike Hansen

ISBN 978-3-16-157602-7

Mohr Siebeck, 2019, 209 pages

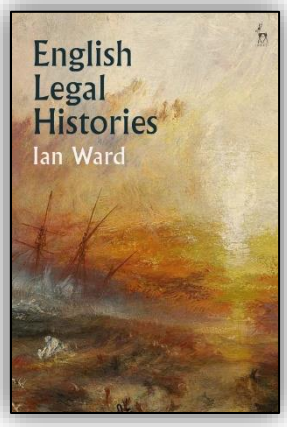
More information about the book here:

VOLUNTARY ASSOCIATIONS IN RUSSIA LEGAL STATUS 1860–1930s
Anastasia Sergeyevna Tumanova

ISBN 978-5-392-29935-5

Prospect, 2019, 480 pages

More information about the book here:

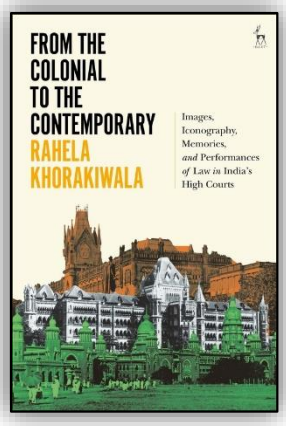


ENGLISH LEGAL HISTORIES
Ian Ward

ISBN 9781509912292

Hart Publishing, 2020, 648 pages

More information about the book here:



FROM THE COLONIAL TO THE CONTEMPORARY IMAGES, ICONOGRAPHY, MEMORIES, AND PERFORMANCES OF LAW IN INDIA'S HIGH COURTS
Rahela Khorakiwala

ISBN 9781509930654

Hart Publishing, 2020, 296 pages

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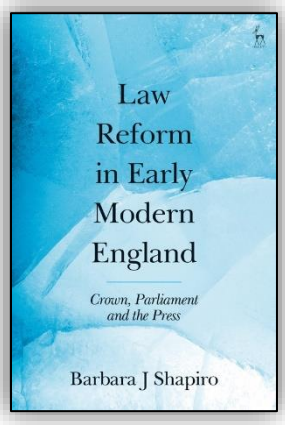
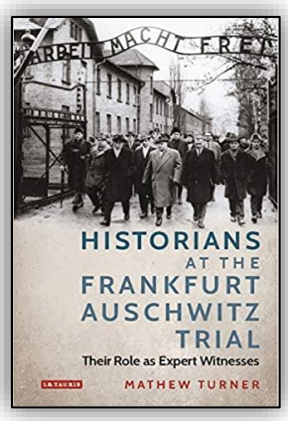


LAW REFORM IN EARLY MODERN ENGLAND CROWN, PARLIAMENT AND THE PRESS
Barbara J Shapiro

ISBN 9781509934218

Hart Publishing, 2020, 280 pages

More information about the book here:



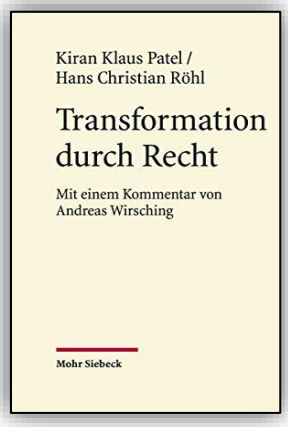
HISTORIANS AT THE FRANKFURT AUSCHWITZ TRIAL: THEIR ROLE AS EXPERT WITNESSES

Mathew Turner

ISBN 978-0755606689

Bloomsbury Academic, 2020, 256 pages

More information about the book here:



TRANSFORMATION DURCH RECHT: GESCHICHTE UND JURISPRUDENZ EUROPÄISCHER INTEGRATION 1985-1992

Kiran Klaus Patel, Hans Christian Röhl

ISBN 978-3-16-159020-7

Mohr Siebeck, 2020, 345 pages

More information about the book here:

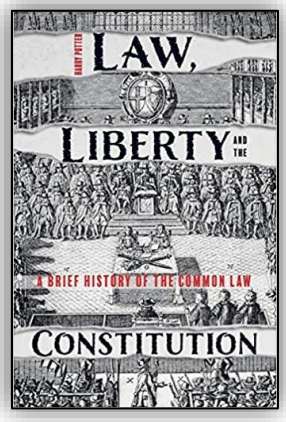
RICHARD WAGNER – RECHT BETRACHTET

Wolfgang Schild

ISBN 978-3-11-068937-2

De Gruyter, 2020, 458 pages

More information about the book here:



LAW, LIBERTY AND THE CONSTITUTION: A BRIEF HISTORY OF THE COMMON LAW

Harry Potter

ISBN 978-1783275038

BOYDELL PR, 2020, 362 pages

More information about the book here:

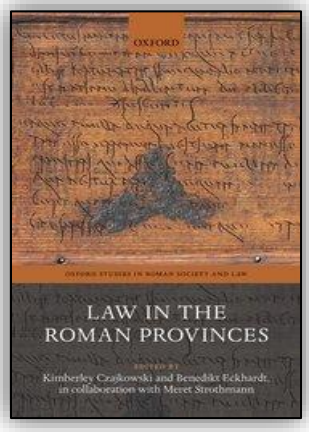
Roman Law

DIE GESETZE DER SPÄTEN RÖMISCHEN REPUBLIK VON DEN GRACCHEN BIS SULLA (133–80 V.CHR.)
Marianne Elster

ISBN 978-3-946317-62-3

Verlag Antike, 2020, 624 pages

More information about the book here:

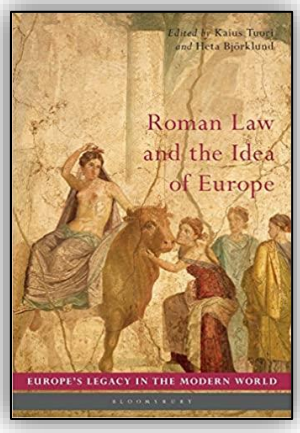


LAW IN THE ROMAN PROVINCES
Kimberley Czajkowski, Benedikt Eckhardt, Meret Strothmann (eds.)

ISBN 9780198844082

Oxford University Press, 2020, 544 pages

More information about the book here:

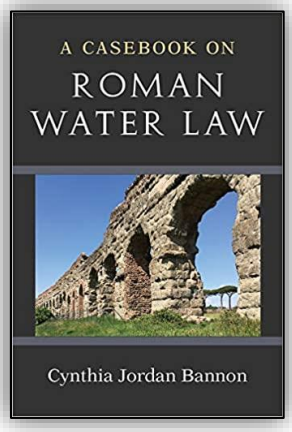


ROMAN LAW AND THE IDEA OF EUROPE (EUROPE'S LEGACY IN THE MODERN WORLD)
Kaius Tuori, Heta Björklund (eds.)

ISBN 978-1350170230

Bloomsbury Academic, 2020, 304 pages

More information about the book here:

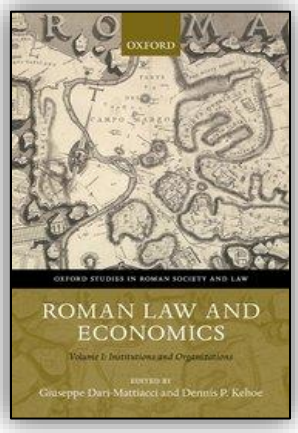


A CASEBOOK ON ROMAN WATER LAW
Cynthia Jordan Bannon

ISBN 978-0472132072

University of Michigan Press, 2020, 280 pages

More information about the book here:

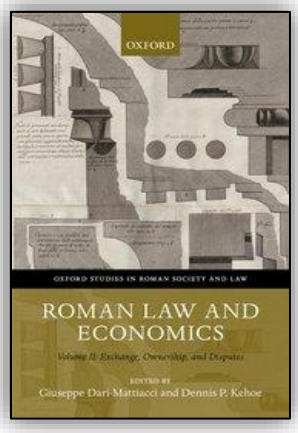


ROMAN LAW AND ECONOMICS - VOLUME I: INSTITUTIONS AND ORGANIZATIONS
Giuseppe Dari-Mattiacci, Dennis P. Kehoe (eds.)

ISBN 9780198787204

Oxford University Press, 2020, 368 pages

More information about the book here:

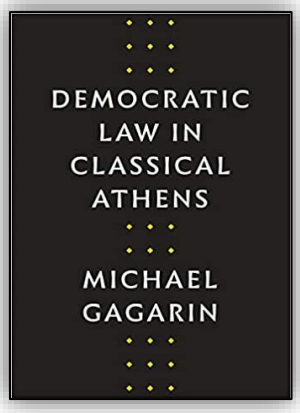


ROMAN LAW AND ECONOMICS - VOLUME II: EXCHANGE, OWNERSHIP, AND DISPUTES
Giuseppe Dari-Mattiacci, Dennis P. Kehoe (eds.)

ISBN 9780198787211

Oxford University Press, 2020, 464 pages

More information about the book here:

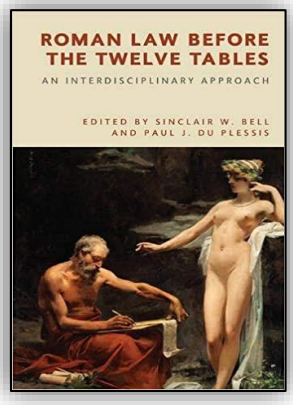


DEMOCRATIC LAW IN CLASSICAL ATHENS
Michael Gagarin

ISBN 978-1477320372

University of Texas Press, 2020, 208 pages

More information about the book here:

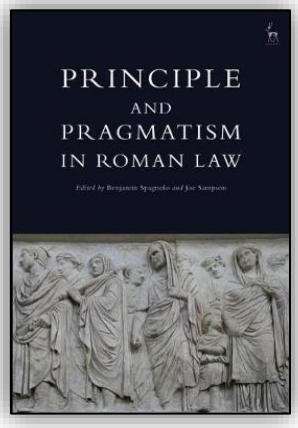


ROMAN LAW BEFORE THE TWELVE TABLES: AN INTERDISCIPLINARY APPROACH
Sinclair W. Bell, Paul J. du Plessis (eds.)

ISBN 978-1474443968

Edinburgh University Press, 2020, 216 pages

More information about the book here:



PRINCIPLE AND PRAGMATISM IN ROMAN LAW
Benjamin Spagnolo, Joe Sampson (eds.)

ISBN 9781509938957

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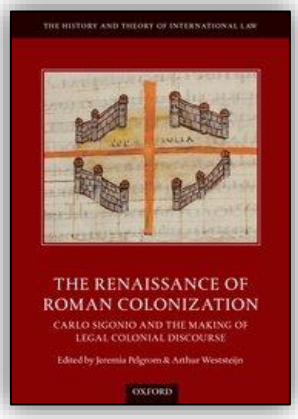

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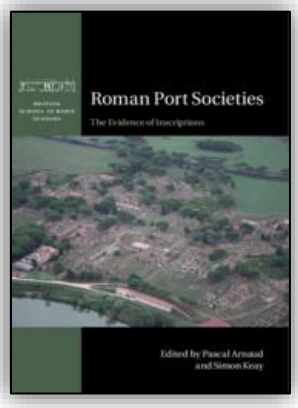

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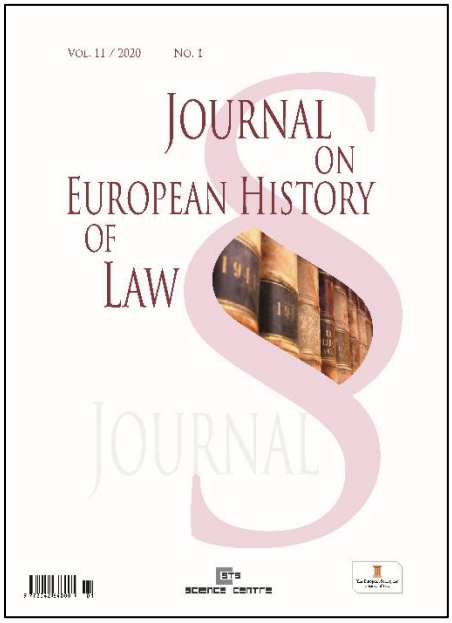

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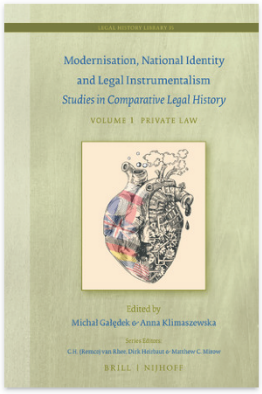

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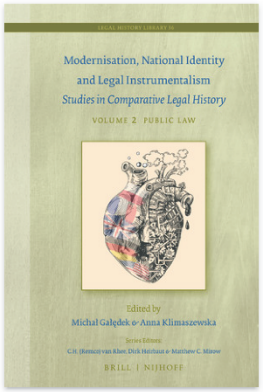

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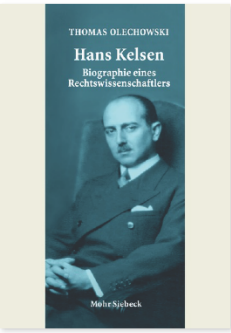
Unter Mitarbeit von Jürgen Busch, Tamara Ehs, Miriam Gassner und Stefan Wedrac



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Die vorliegende Biographie widmet sich dem bewegten Leben Hans Kelsens, des wohl bedeutendsten Rechtsphilosophen des 20. Jahrhunderts. Sein Lebensweg führte ihn von Prag und Wien über Köln, Genf und andere Stationen bis nach Berkeley in Kalifornien. In ihm spiegeln sich die letzten Jahre der Habsburgermonarchie, der Antisemitismus und die Situation des assimilierten Judentums in der ersten Hälfte des 20. Jahrhunderts, der Erste Weltkrieg und der Zerfall der Monarchie wider, aber auch die Entwicklung des Austromarxismus, die Gründung der demokratischen Republik Österreich und ihr Zerbrechen an den antidemokratischen Kräften, die Machtergreifung der Nationalsozialisten in Deutschland, Österreich und der Tschechoslowakei, die schwierige Lage der Schweiz in der Zwischenkriegszeit, die Emigration europäischer Intellektueller nach Amerika, der Eintritt der USA in den Zweiten Weltkrieg, die Nürnberger Kriegsverbrecherprozesse und die Neugestaltung Mitteleuropas nach dem Krieg, schließlich der Aufstieg der Universität Berkeley zu einer der führenden der Welt. Vor diesem Hintergrund entwickelte Kelsen seine *Reine Rechtslehre*, ein rechtstheoretisches Modell, das sich zum Ziel setzte, die Rechtswissenschaft von aller politischen Ideologie und allen naturwissenschaftlichen Elementen zu reinigen und den Idealen der Objektivität und Exaktheit soweit als möglich anzunähern. Für dieses Bemühen erlangte Kelsen Weltruhm. Kelsen war aber auch ein bedeutender Demokratietheoretiker; er war »Architekt« des Bundes-Verfassungsgesetzes von 1920, das bis heute in Österreich in Geltung steht.

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