The European Society for History of Law

NEWSLETTER

OF THE EUROPEAN SOCIETY FOR HISTORY OF LAW

Nr. 1 **Vol. 4** **July 15th, 2022** **ISSN 2694-7587**

Dear members
of The European Society for History of Law,

we present to you the first issue of the fourth year of the international newsletter. It contains mainly information about newly published books from the fields of history of 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.

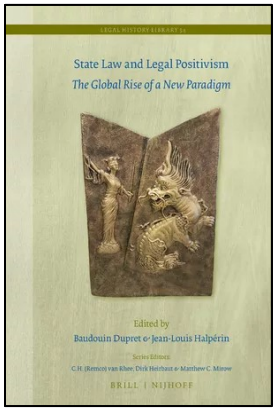
The newsletter has its own ISSN and is published only in an electronic version twice a year. Members of the European Society for History of Law receive it via e-mail and also it is be available for general public at www.historyoflaw.eu, which also contains an archive of previously issued newsletters.

We would also like to invite Facebook users to join our Facebook group at https://www.facebook.com/groups/271287786103/. This represents an opportunity to receive quick updates about news in our fields of interest.

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.

Editors

AN OVERVIEW OF MONOGRAPHS PUBLISHED IN THE SECOND HALF OF 2021 AND IN THE FIRST HALF OF 2022

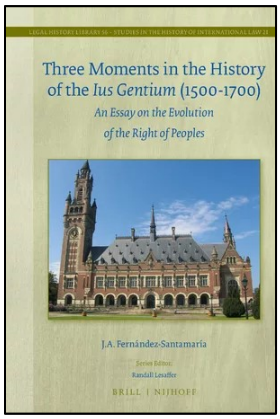


STATE LAW AND LEGAL POSITIVISM THE GLOBAL RISE OF A NEW PARADIGM
Badouin Dupret and Jean-Louis Halpérin (eds.)

ISBN 978-90-04-49865-5

Brill, 2021

More information about the book here:



THREE MOMENTS IN THE HISTORY OF THE IUS GENTIUM (1500-1700). AN ESSAY ON THE EVOLUTION OF THE RIGHT OF PEOPLES
J.A. Fernández-Santamaría

ISBN 978-90-04-50620-6

Brill, 2022

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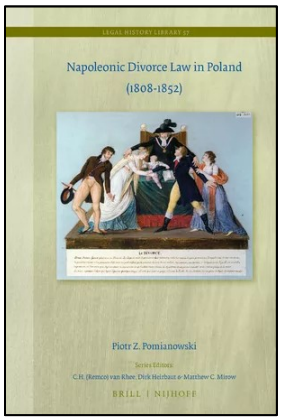

NAPOLEONIC DIVORCE LAW IN POLAND (1808-1852)
Piotr Z. Pomianowski

ISBN 978-90-04-50669-5

Brill, 2022

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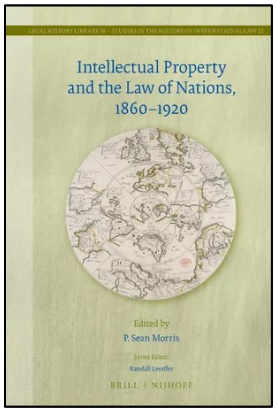

INTELLECTUAL PROPERTY AND THE LAW OF NATIONS, 1860-1920
P. Sean Morris (ed.)

ISBN 978-90-04-43981-8

Brill, 2022

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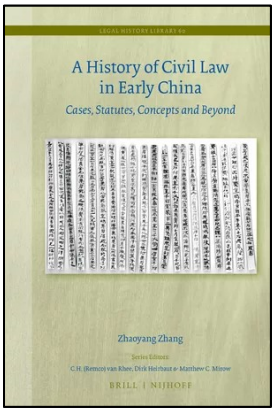

A HISTORY OF CIVIL LAW IN EARLY CHINA: CASES, STATUTES, CONCEPTS AND BEYOND
Zhaoyang Zhang

ISBN 978-90-04-39373-8

Brill, 2022

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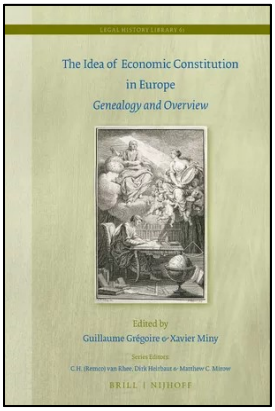

THE IDEA OF ECONOMIC CONSTITUTION IN EUROPE GENEALOGY AND OVERVIEW
Guillaume Grégoire and Xavier Miny (eds.)

ISBN 978-90-04-51933-6

Brill, 202

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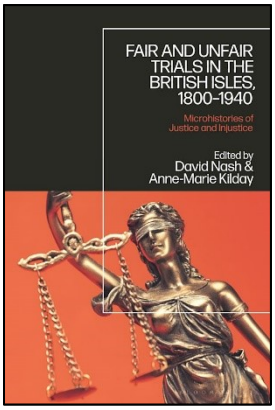

FAIR AND UNFAIR TRIALS IN THE BRITISH ISLES, 1800-1940 MICROHISTORIES OF JUSTICE AND INJUSTICE
David Nash, Anne-Marie Kilday (eds.)

ISBN 9781350192430

Bloomsbury Publishing, 2022

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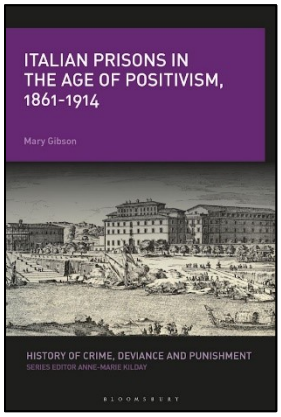

ITALIAN PRISONS IN THE AGE OF POSITIVISM, 1861-1914

Mary Gibson

ISBN 9781350196094

Bloomsbury Publishing, 2022

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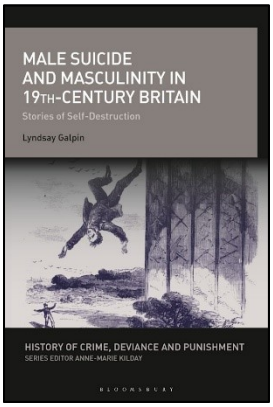

MALE SUICIDE AND MASCULINITY IN 19TH-CENTURY BRITAIN

Lyndsay Galpin

ISBN 9781350264892

Bloomsbury Publishing, 2022

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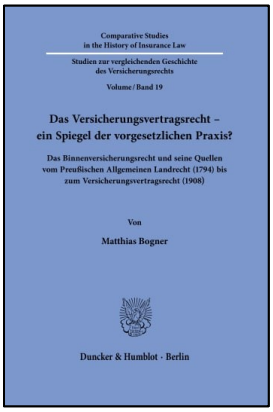

DAS VERSICHERUNGSVERTRAGSRECHT – EIN SPIEGEL DER VORGESETZLICHEN PRAXIS? DAS BINNENVERSICHERUNGSRECHT UND SEINE QUELLEN VOM PREUßISCHEN ALLGEMEINEN LANDRECHT (1794) BIS ZUM VERSICHERUNGSVERTRAGSRECHT (1908)

Matthias Bogner

ISBN 978-3-428-18313-5

Duncker & Humblot, 2022

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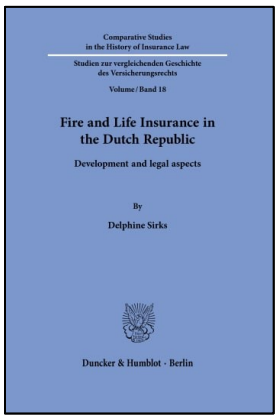

FIRE AND LIFE INSURANCE IN THE DUTCH REPUBLIC. DEVELOPMENT AND LEGAL ASPECTS

Delphine Sirks

ISBN 978-3-428-18350-0

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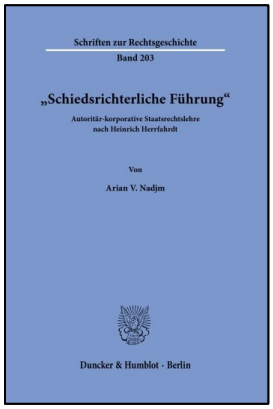

»SCHIEDSRICHTERLICHE FÜHRUNG« AUTORITÄR-KORPORATIVE STAATSRECHTSLEHRE NACH HEINRICH HERRFAHRDT
Arian V. Nadjm

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MODERNITÄT DURCH VERFAHREN. GERICHTSVERFASSUNG IN PREUßISCH- UND ÖSTERREICHISCH-SCHLESIEN UNTER DEM EINDRUCK DER NAPOLEONISCHEN KODIFIKATIONEN
Donata Zehner

ISBN 978-3-428-18346-3

Duncker & Humblot, 2021

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GRUNDHERRSCHAFT UND BAUERNBEFREIUNG. DIE RECHTLICHE LAGE DER LÄNDLICHEN BEVÖLKERUNG IM KÖNIGREICH HANNOVER
Jörn Ipsen

ISBN 978-3-8471-1340-9

V&R unipress, Universitätsverlag Osnabrück, 2021

More information about the book here:

DAS VERTRAGSVERSTÄNDNIS DES HUGO GROTIUS. ZWISCHEN GERECHTIGKEIT, TREUE UND RECHTSÜBERTRAGUNG
Klaus Kowalski

ISBN 978-3-412-52492-0

Böhlau Verlag Köln, 2022

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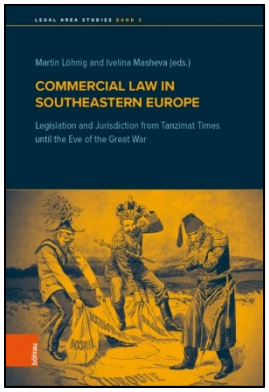

COMMERCIAL LAW IN SOUTHEASTERN EUROPE. LEGISLATION AND JURISDICTION FROM TANZIMAT TIMES UNTIL THE EVE OF THE GREAT WAR
Martin Löhnig, Ivelina Masheva (eds.)

ISBN 978-3-205-21291-1

Böhlau Verlag Köln, 2022

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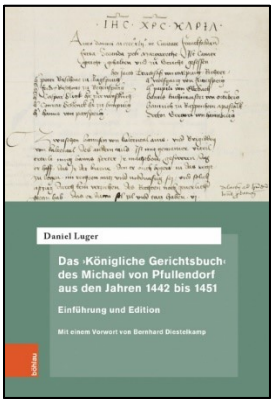

DAS ‚KÖNIGLICHE GERICHTSBUCH' DES MICHAEL VON PFULLENDORF AUS DEN JAHREN 1442 BIS 1451 – ZU DEN ANFÄNGEN DES KAMMERGERICHTS AM RÖMISCH-DEUTSCHEN KÖNIGSHOF
Daniel Luger

ISBN 978-3-412-52414-2

Böhlau Verlag Köln, 2022

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WEGE ZUR RECHTSGESCHICHTE: DAS BGB
Hans-Peter Haferkamp

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Eva Altenhöfer

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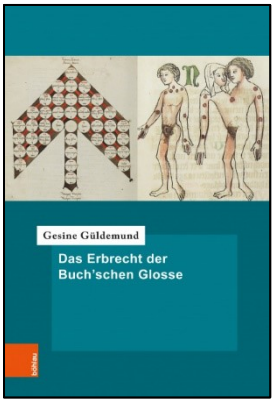

DAS ERBRECHT DER BUCH'SCHEN GLOSSE
Gesine Güldemund

ISBN 978-3-412-52189-9

Böhlau Verlag Köln, 2021

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VIELFALT ORDNEN. DAS FÖDERALE EUROPA DER HABSBURGERMONARCHIE (VORMÄRZ BIS 1918)
Jana Osterkamp

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Vandenhoeck & Ruprecht, 2021

More information about the book here:

DAS RECHT DER DDR ALS GEGENSTAND DER RECHTSGESCHICHTE
Adrian Schmidt-Recla, Achim Seifert (eds.)

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Böhlau Verlag Köln, 2022

More information about the book here:

SCHWEDISCHES HISTORISCHES RECHT VIER EINBLICKE INS MITTELALTER UND IN DIE FRÜHE NEUZEIT
Dieter Strauch

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Böhlau Verlag Köln, 2022

More information about the book here:

WEGE ZUR RECHTSGESCHICHTE: DIE RECHTSHISTORISCHE EXEGESE. QUELLENINTERPRETATION IN HAUSARBEITEN UND KLAUSUREN
Thorsten Keiser, Peter Oestmann, Thomas Pierson (eds.)

ISBN 978-3-8252-5701-9

UTB, 2022

More information about the book here:

GESCHICHTE UND ZUKUNFT DES URHEBERRECHTS III
Stephan Meder

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V&R unipress, 2022

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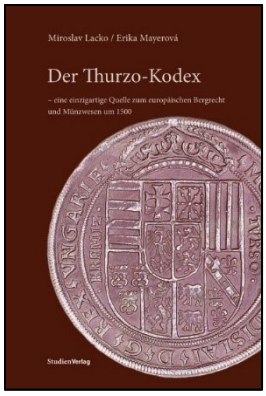

DER THURZO-KODEX – EINE EINZIGARTIGE QUELLE ZUM EUROPÄISCHEN BERGRECHT UND MÜNZWESEN UM 1500
Miroslav Lacko, Erika Mayerová

ISBN 978-3-7065-6224-9

Studien Verlag, 2022

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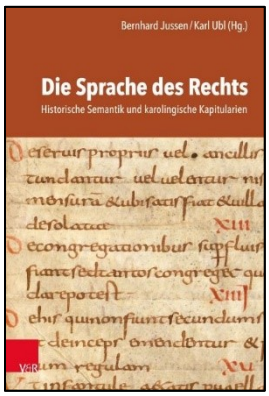


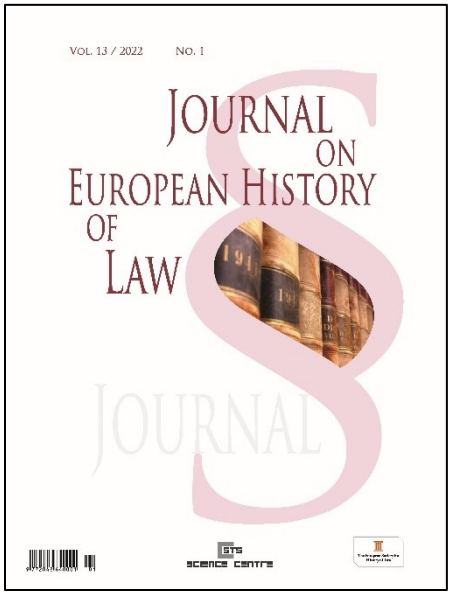
DIE SPRACHE DES RECHTS. HISTORISCHE SEMANTIK UND KAROLINGISCHE KAPITULARIEN
Bernhard Jussen, Karl Ubl

ISBN 978-3-412-52545-3

Vandenhoeck & Ruprecht, 2022

More information about the book here:

The Latest Issue of
JOURNAL ON EUROPEAN HISTORY OF LAW (vol. 13, Nr. 1/2022)



BOOK REVIEWS

Susanne Beck / Stephan Meder (Hg.): Jenseits des Staates? Über das Zusammenwirken von staatlichem und nichtstaatlichem Recht

Julia Paschwitz: Verantwortlichkeit von Online-Archiven bei überholter identifizierender Verdachtsberichterstattung

Christian Augustin / Thomas Gergen: „von Natur im Besitze des Gedankens selbst". Elmar Wadles Auseinandersetzung mit dem gewerblichen Rechtsschutz und dem Urheberrecht im Deutschen Bund

Marek Kuryłowicz: Rzymskie prawo oraz zwyczaje grobowe i pogrzebowe. Studia i szkice.

Paul Bushkovitch: Succession to the Throne in Early Modern Russia. The Transfer of Power 1450–1725

Jiří Bílý: Od Homéra k Alexandru Velikému. Boj o moc a právo v klasickém Řecku

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Lana Bubalo, Šejla Maslo Čerkić: Protection of the Right to Honor and Reputation – A Historical Overview

Carlos Manuel de Morais Seixas Pires Sardinha: Regeneração, Economic Development and Public-Private Partnership in Nineteenth Century Portugal: a Legal Historical Example

Adriana Švecová, Peter Gergel: Materiellrechtliche und linguistische Überlegungen zum Pflichtteil im geltenden Recht der Slowakei an der Wende vom 19. zum 20. Jahrhunderts bis 1950

Adrián Gajarský: Enabling Powers of the Government of the First Slovak Republic from the Perspective of the Constitutional War Practice of 1939–1945

David Kolumber: Disputes over Ownership of the Baťa Empire

Milan Dobeš: Prostitution as a Special Form of the Offence of Social Parasitism in Socialist Czechoslovakia

Marta Baranowska: International Organization as the Foundation of a Peaceful Order after the First World War in the Views of Szymon Rundstein

Thomas Gergen: Volksmission und Politik an der Saar bei der Arbeit des Redemptoristenklosters Bous. Ein Blick in die Quellen von 1949 bis 1956

Mohammad Alipour: Evolution of Peace: from Social Value to Legal Axiom

Lénárd Darázs: Die Entstehung der Teilnichtigkeitsproblematik in dem antiken griechischen und römischen Recht

Adam Boóc: Some Issues of Gift Contracts (Donations) in Hungarian Private Law – from a Historical and Comparative Point of View

Norbert Varga: Lawsuits on Cartel Presentation Omission After the 20th Act of 1931 Came into Effect

Enikő Kovács-Szépvölgyi: Die Jugendgerichtsbarkeit – als Eroberer der Rechtsgeschichte

András Karácsony: Additions to the Idea of Nature in Natural Law Thinking – Transition to Modernity

Gergely Gosztonyi: Aspects of the History of Internet Regulation from Web 1.0 to Web 2.0

Dmitry Poldnikov: Overcoming 'Cultural thesis' in Comparative Legal Studies of Non-Western Societies: the Case of the Nineteenth Century Modernisation in Japan and Russia

Natig Khalilov: Codification of Civil Law in Azerbaijan: History, Current Situation and Development Perspectives

Katalin Siska: Thoughts on the Role of the Mosul Boundary Commision of the League of Nations in the Mosul Question

ANNEX: XV. JAHRESTREFFEN DER JUNGEN ROMANISTEN

Matthias Ehmer und Francesco Verrico: Einleitende Bemerkungen zu den Beiträgen der Referentinnen und Referenten des XV. Jahrestreffens der Jungen Romanisten

István Bajánházy: Urkundenfälschung im römischen Recht, Cicero als Schriftsachverständiger

Michael Binder: Procedural Peculiarities of the Lex Publilia de sponsu

Julia-Katharina Horn: Gaius libro septimo decimo ad edictum provinciale D.29,5,25 – Betrachtungen zum SC Silanianum in Gaius' Kommentar ad edictum provinciale

CALL FOR BLOG PIECES

Cross-jurisdictional dialogues between WWI and WWII and their impact on law development: the less-known stories

The period between World War I and World War II was characterised by vigorous debates and legal innovation in response to extreme social and economic challenges. This was a time of disillusionment with well-established paradigms and legislative models, but also a time of hope in which comparative dialogue and exchange of ideas between jurisdictions thrived. Some of these exchanges have had a long-lasting impact both on doctrinal and legislative development, but not all stories are well-known.

Are there tales of cross-jurisdictional dialogue in the interwar period to which comparative lawyers should pay more attention? From which legal systems did your jurisdiction borrow legal ideas in this period? Were there foreign scholars whose work impacted doctrinal writing or even legislation in your jurisdiction? Or maybe it was legal innovation and scholarly writing from your jurisdiction which sparked important debates and legislative changes elsewhere? To give an example – the 1933 Polish Code of Obligations inspired a conference in Bratislava at which the main topic was whether all Slavic countries should unify their law of obligations based on this model. The idea was rejected for being too ambitious, but it motivated leading Bulgarian scholar Yosif Fadenhecht to write a monograph comparing the provisions of the Polish code with the rules on obligations in Bulgaria, France, Italy, Germany, Austria, and Switzerland. While Fadenhecht's in-depth interest in Polish law remains un-matched in Bulgaria, he managed to put the Polish legal tradition in the spotlight for years to come.

Do you know of other fascinating stories of how cross-jurisdictional dialogues between World War I and World War II have impacted law development? You can focus on one legal principle, the work of a scholar or a group of scholars, or provide a general overview of how cross-jurisdictional dialogue has impacted a legal system that you research.

- The blog piece should be between 1,500 and 1,800 words and in English
- Please use hyperlinks instead of footnotes or include references in the text itself
- Pictures to illustrate the text are welcome
- Authors choose the title and focus of their blog piece
- Deadline: 16 September 2022
- Please send blog piece to r.vassileva@mdx.ac.uk, copying ymarique@essex.ac.uk

INVITATION

to the international scientific conference
of the Department of Legal History, Faculty of Law, Trnava University in Trnava
in cooperation with the Legal History Section of the Slovak Historical Association

Reforms of Private Law in Legal History

30. SEPTEMBER 2022

The Department of Legal History of the Faculty of Law, Trnava University in Trnava,
and the Legal History Section of the Slovak Historical Association
kindly invite you to the international scientific conference
Reforms of Private Law in Legal History.
The conference will be part of the Trnava Days of Law Congress
and will take place on 30 September 2022.
The broad topic creates a space for many legal historians to research various issues,
problems, and challenges of private law and its branches.
Hence, the researchers can dedicate themselves to national and international issues
challenging for individuals and societies, and the findings will surely enrich
both the legal history and effective positive law.
The organisers will be happy to welcome legal historians and Romanists
from Slovakia and abroad, and pose no limits to their creativity
but the scope of private law and the potential of historical law
to contribute to the understanding of the late, current, and future
changes of legal systems.
The conference is an outcome of the VEGA Project No. 1/0018/19 entitled
The Renaissance of the Forgotten and Re-Discovered Institutes
of the Hereditary Law in Slovakia.

REGISTER ONLINE:

HTTP://WWW.PRAVNICKEKONFERENCIE.SK/

Organising Committee:
doc. JUDr. PhDr. Adriana Švecová, PhD.
JUDr. Ingrid Lanczová, PhD.
prof. Mgr. Miroslav Lysý, PhD.
doc. JUDr. Peter Vyšný, PhD. et Ph.D.

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doc. JUDr. Veronika Kleňová, PhD.

CONTACT: inge.lanczova@gmail.com

Polymorphic Commonwealth: Cultural Transfers In Early Modern Poland-Lithuania

Fitzwilliam College | University Of Cambridge
September 26-27, 2022

This conference sets out to examine social infrastructures and transfer mechanisms in the Polish-Lithuanian Commonwealth between 1569 and 1795. A key concept for the conference is Giovanna Brogi Bercoff's 'polymorphism,' or the multilayeredness, variability, and susceptibility of cultures to assimilative influences from the outside. The conference examines Polish-Lithuanian culture from the perspective of fluid communicative networks that linked the Commonwealth to the global world. It considers the adaptivity of external innovations to local needs and the exportation of local innovations beyond the borders of the Commonwealth. We invite submissions that will problematize the means, configurations, parameters, and limitations of cultural transmission that played out within the Polish-Lithuanian Commonwealth.

Scholars of all disciplines with research interests in global history, entangled history, or transfer studies working on the early modern Polish-Lithuanian Commonwealth and wider East-Central Europe are invited to submit paper proposals. Proposals can deal, but are not limited, to the following topics:

SOCIAL INFRASTRUCTURE OF CULTURAL TRANSFERS

- Availability or absence of cross-cultural infrastructure
- Migrations of foreigners to the Commonwealth and migrations of Polish-Lithuanians abroad
- Circulation of knowledge and technologies

AMBIGUITY OF CROSS-CULTURAL TRANSFERS

- Global flow of theological, political, philosophical and scientific concepts
- Rituals of power and networks of global political representation
- Transfers of political, liturgical, legal, and other practices
- Transfers of fashions, diets, aesthetics, and other patterns of behaviour

Lamentation of people of various status over dead credit, unknown artist, ca. 1655. Library of the Polish Academy of Arts and Sciences and of the Polish Academy of Sciences (Kraków).

The deadline for paper proposals is 1 August 2022. Papers should be 20 minutes long. Please submit your proposal (max. 750 words) and short CV (no longer than two pages) to the following e-mail address: polymorphiccommonwealth@gmail.com.

The conference will feature a keynote address by noted scholar of Poland-Lithuania Giovanna Brogi Bercoff.

Conference accommodation, dining, and registration costs are expected to be heavily subsidised for attendees thanks to the generosity of Cambridge Polish Studies, Cambridge Ukrainian Studies, the Cambridge Committee for Russian and East European Studies, and the George Macaulay Trevelyan Fund.

Cambridge Polish Studies

cambridge ukrainian studies

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100 Jahre Fürstlicher Oberster Gerichtshof

Die Geburtsstunde des Fürstlichen Obersten Gerichtshofs jährt sich 2022 zum 100. Mal – **ein Höchstgericht in einem Kleinstaat mit großer Rechtstradition** und einer Gerichtsbarkeit, die aufgrund der engen Verzahnung seiner Wirtschaft mit dem Ausland häufig internationale Streitigkeiten entscheidet.
29 Autoren aus **Liechtenstein, Österreich, Deutschland, Schweiz und Luxemburg** befassen sich mit aktuellen Fragen zum Einfluss der höchstgerichtlichen Rechtsprechung auf Wirtschaft und Finanz. Die Themen umfassen folgende Rechtgebiete:

- Stiftungs- und Trustrecht
- Unternehmensrecht
- Gesellschaftsrecht
- Steuerrecht
- Schiedsverfahrensrecht
- Internationales Privatrecht
- EWR, EMRK

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Dr. Wigbert Zimmermann

bekleidet seit 2011 das Amt des Vizepräsidenten des Oberlandesgerichts Innsbruck und ist Richter des Fürstlichen Obersten Gerichtshofs.

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