The European Society for History of Law

NEWSLETTER

OF THE EUROPEAN SOCIETY FOR HISTORY OF LAW

Nr. 2 **Vol. 2** **December 31th, 2020** **ISSN 2694-7587**

Dear members
of The European Society for History of Law,

we present the second issue of our international newsletter. As was mentioned in the first issue, it mainly contains information about newly published books from the fields of modern and older history of law, as well as 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.

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

In addition, we would like to invite Facebook users to join our Facebook group at https://www.facebook.com/groups/271287786103/. The group represents an opportunity to receive quick updates about news in our fields of interest.

With this issue, we would like to welcome our newest editor, dr. Norbert Varga from the Department for Hungarian Legal History, Faculty of Law, University of Szeged. He is going to focus on newly published Hungarian books in the fields of legal history and Roman law, as well as other news relating to Hungarian legal history.

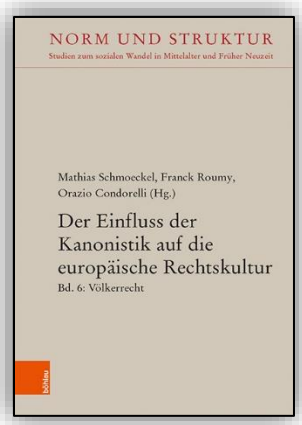
We would also like to encourage all members to participate in the creation of this newsletter. We would mainly appreciate reports from conferences and thesis defences, as well as reviews and annotations of monographs. Invitations to conferences are of course welcome as well.

We are very glad you have stayed with us throughout this trying and difficult year and we would like to wish you all a merry and peaceful Christmas, a successful start of the new year and above all, good health.

Board of Directors
The European Society for History of Law

AN OVERVIEW OF MONOGRAPHS PUBLISHED IN THE SECOND HALF OF 2020

Old Legal History



DER EINFLUSS DER KANONISTIK AUF DIE EUROPÄISCHE RECHTSKULTUR BD. 6: VÖLKERRECHT
Orazio Condorelli, Franck Roumy, Mathias Schmoeckel

ISBN 978-3-412-51890-5

Böhlau Verlag Köln, 2020, 424 pages

More information about the book here:

HERRSCHAFTSPRAXIS UND LEHNSBEZIEHUNGEN DER LANDGRAFEN VON THÜRINGEN 1382–1440
Nadine Hofmann

ISBN 978-3-412-51936-0

Böhlau Verlag Köln, 2020, 736 pages

More information about the book here:

MITTELALTERLICHE RECHTSTEXTE UND MANTISCHE PRAKTIKEN
Klaus Herbers, Hans Christian Lehner

ISBN 978-3-412-52049-6

Böhlau Verlag Köln, 2020, 151 pages

More information about the book here:

DAS ZWEITE KOLBERGER STADTBUCH 1373–1436

Dietrich W. Poeck

ISBN 978-3-412-51762-5

Böhlau Verlag Köln, 2020, 688 pages

More information about the book here:

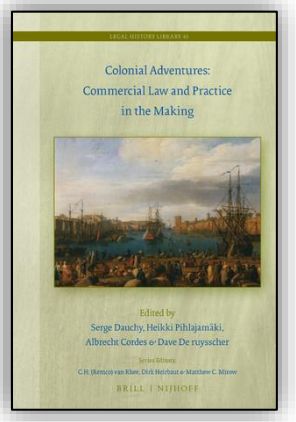
EARLY MODERN SOVEREIGNTIES THEORY AND PRACTICE OF A BURGEONING CONCEPT IN THE NETHERLANDS

Erik De Bom, Randall C.H. Lesaffer, Werner Thomas

ISBN 978-90-04-44604-5

Brill, 2020, 310 pages

More information about the book here:



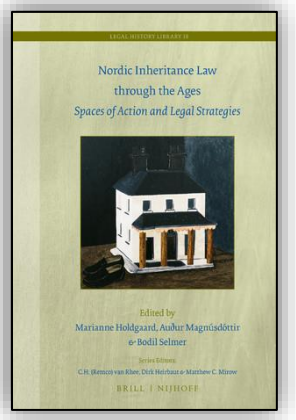
COLONIAL ADVENTURES: COMMERCIAL LAW AND PRACTICE IN THE MAKING

Serge Dauchy, Heikki Pihlajamäki, Albrecht Cordes, Dave De ruysscher

ISBN 978-90-04-44293-1

Brill, 2020, 442 pages

More information about the book here:



NORDIC INHERITANCE LAW THROUGH THE AGES. SPACES OF ACTION AND LEGAL STRATEGIES

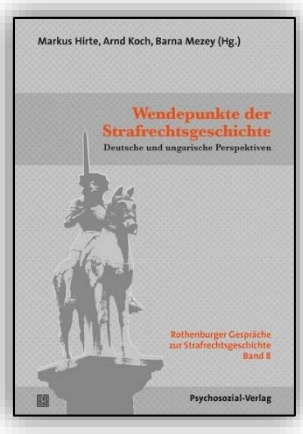
Marianne Holdgaard, Auður Magnúsdóttir, Bodil Selmer

ISBN 978-90-04-42735-8

Brill, 2020, 418 pages

More information about the book here:

Modern Legal History



WENDEPUNKTE DER STRAFRECHTSGESCHICHTE
Markus Hirte – Arnd Koch – Barna Mezey (eds.)

ISBN 9783837929980

Psychosozial-Verlag, 2020, 303 pages

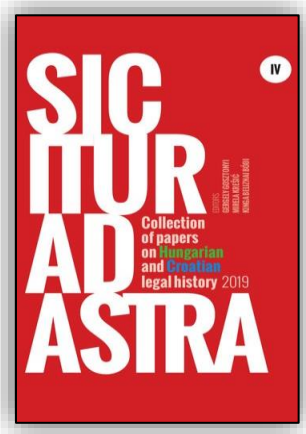
More information about the book here:

UNGARISCHE RECHTSGESCHICHTE – EUROPÄISCHE RECHTSGESCHICHTE. AUSGEWÄHLTE STUDIEN
Barna Mezey

ISBN 978-963-556-084-4

Gondolat-Verlag, 2020, 359 pages

More information about the book here:

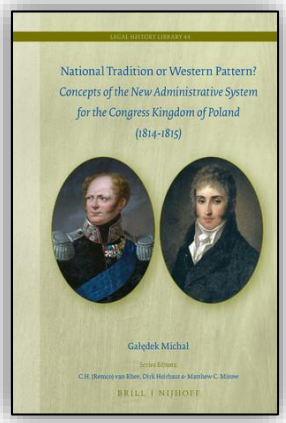


SIC ITUR AD ASTRA IV: COLLECTION OF PAPERS ON HUNGARIAN AND CROATIAN LEGAL HISTORY 2019
Gergely Gosztonyi – Beliznai Kinga Bódiné – Mirela Krešić

ISBN 9789532701333

University of Zagreb, 2020, 135 pages

More information about the book here:



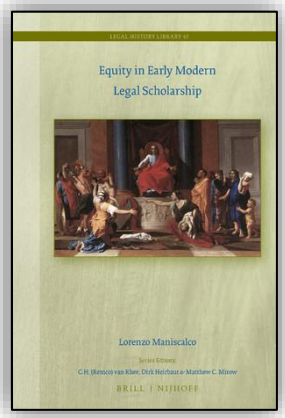
NATIONAL TRADITION OR WESTERN PATTERN? CONCEPTS OF NEW ADMINISTRATIVE SYSTEM FOR THE CONGRESS KINGDOM OF POLAND (1814-1815)

Michał Gałędek

ISBN 978-90-04-43268-0

Brill, 2020, 330 pages

More information about the book here:



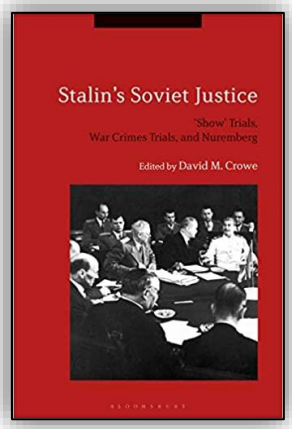
EQUITY IN EARLY MODERN LEGAL SCHOLARSHIP

Lorenzo Maniscalco

ISBN 978-90-04-40480-9

Brill, 2020, 244 pages

More information about the book here:



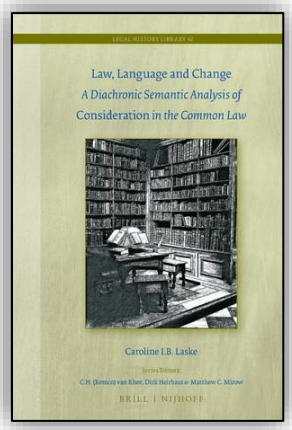
STALIN'S SOVIET JUSTICE. 'SHOW' TRIALS, WAR CRIMES TRIALS, AND NUREMBERG

David M. Crowe

ISBN 978-1350196919

Bloomsbury Academic, 2020, 256 pages

More information about the book here:



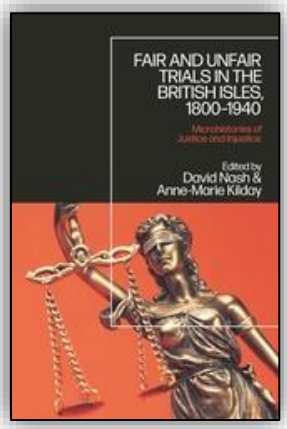
LAW, LANGUAGE AND CHANGE. A DIACHRONIC SEMANTIC ANALYSIS OF CONSIDERATION IN THE COMMON LAW

Caroline Laske

ISBN 978-90-04-42848-5

Brill, 2020, 242 pages

More information about the book here:

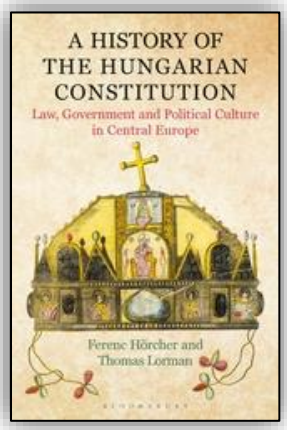


FAIR AND UNFAIR TRIALS IN THE BRITISH ISLES, 1800-1940. MICROHISTORIES OF JUSTICE AND INJUSTICE
David Nash, Anne-Marie Kilday

ISBN 9781350050945

Bloomsbury Academic, 2020, 256 pages

More information about the book here:

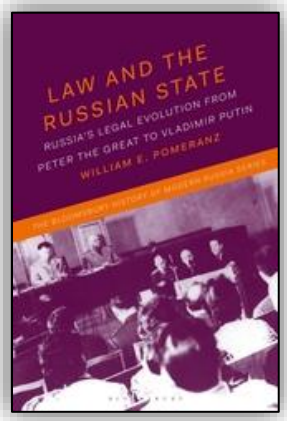


A HISTORY OF THE HUNGARIAN CONSTITUTION. LAW, GOVERNMENT AND POLITICAL CULTURE IN CENTRAL EUROPE
Ferenc Hörcher, Thomas Lorman

ISBN 9781350170186

Bloomsbury Academic, 2020, 384 pages

More information about the book here:

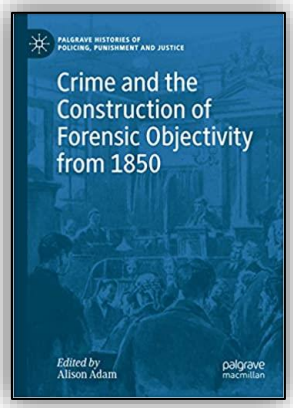


LAW AND THE RUSSIAN STATE RUSSIA'S LEGAL EVOLUTION FROM PETER THE GREAT TO VLADIMIR PUTIN
William E. Pomeranz

ISBN 9781350170537

Bloomsbury Academic, 2020, 240 pages

More information about the book here:



CRIME AND THE CONSTRUCTION OF FORENSIC OBJECTIVITY FROM 1850
Alison Adam

ISBN 978-3030288396

Palgrave Macmillan, 2020, 331 pages

More information about the book here:

DAS UNEHELICHE KIND (UÆGTE BARN) UND SEINE MUTTER IN DER NORWEGISCHEN GESETZGEBUNG ZWISCHEN 1892 UND 1917 UNTER BESONDERER BERÜCKSICHTIGUNG DER CASTBERG´SCHEN KINDERGESETZE
Johanna Röper

ISBN 978-3631809198

Peter Lang, 2020, 502 pages

More information about the book here:

QUELLEN ZUM DEUTSCHEN RICHTERGESETZ VOM 8.9.1961 TEIL I + II
Werner Schubert

ISBN 978-3-631-80689-0

Peter Lang, 2020, 854 + 416 pages

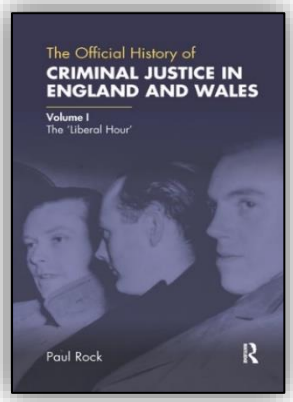
More information about the book here:

CARL WILHELM PAULI (1792–1879). EIN BEMERKENSWERTER LÜBECKER JURIST IM 19. JAHRHUNDERT
Sonja Daniela Kellermann

ISBN 978-3-631-81122-1

Peter Lang, 2020, 232pages

More information about the book here:

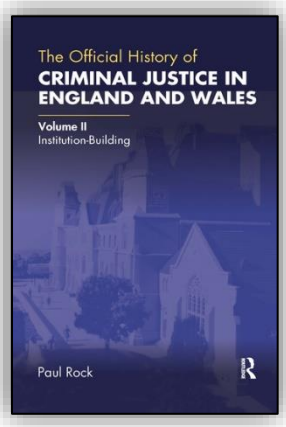


THE OFFICIAL HISTORY OF CRIMINAL JUSTICE IN ENGLAND AND WALES. VOLUME I: THE 'LIBERAL HOUR'
Paul Rock

ISBN 9780367730321

Routledge, 2020, 916 pages

More information about the book here:

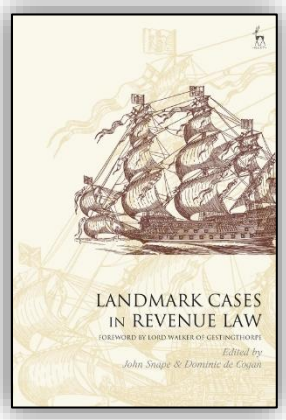


THE OFFICIAL HISTORY OF CRIMINAL JUSTICE IN ENGLAND AND WALES. VOLUME II: INSTITUTION-BUILDING
Paul Rock

ISBN 9780367730116

Routledge, 2020, 564 pages

More information about the book here:

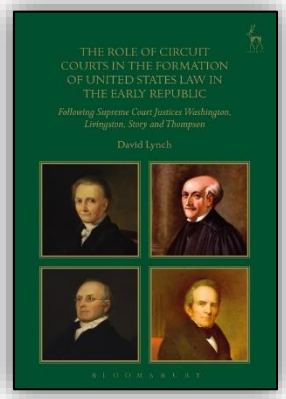


LANDMARK CASES IN REVENUE LAW
John Snape, Dominic de Cogan

ISBN 9781509945221

Hart Publishing, 2020, 576 pages

More information about the book here:

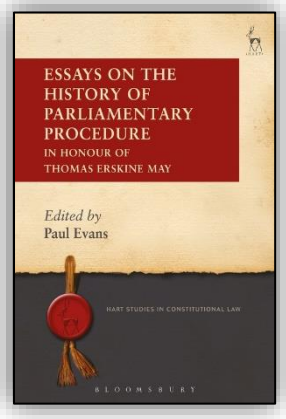


THE ROLE OF CIRCUIT COURTS IN THE FORMATION OF UNITED STATES LAW IN THE EARLY REPUBLIC. FOLLOWING SUPREME COURT JUSTICES WASHINGTON, LIVINGSTON, STORY AND THOMPSON
David Lynch

ISBN 9781509939473

Hart Publishing, 2020, 256 pages

More information about the book here:



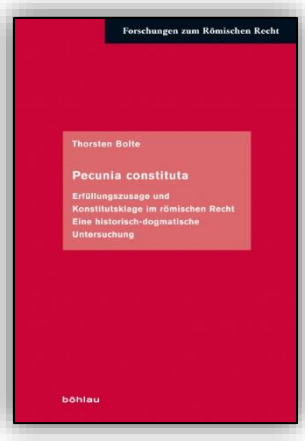
ESSAYS ON THE HISTORY OF PARLIAMENTARY PROCEDURE. IN HONOUR OF THOMAS ERSKINE MAY
Paul Evans

ISBN 9781509937523

Hart Publishing, 2020, 368 pages

More information about the book here:

Roman Law

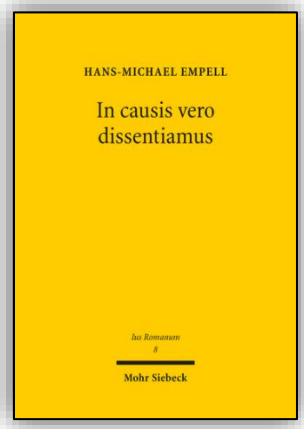


PECUNIA CONSTITUTA. ERFÜLLUNGSZUSAGE UND KONSTITUTSKLAGE IM RÖMISCHEN RECHT
Thorsten Bolte

ISBN 978-3-412-52040-3

Böhlau Verlag, 2020, 512 pages

More information about the book here:



IN CAUSIS VERO DISSENTIAMUS EXEGESE EINES FOLGENREICHEN JULIAN-FRAGMENTS (D. 41,1,36). ZUGLEICH EIN PLÄDOYER GEGEN DIE LEHRE VON DER SOLUTIO ALS CAUSA
Hans-Michael Empell

ISBN 978-3-16-159358-1

Mohr Siebeck, 2020, 346 pages

More information about the book here:

METHODENFRAGEN DER ROMANISTIK IM WANDEL. PAUL KOSCHAKERS VERMÄCHTNIS 80 JAHRE NACH SEINER KRISENSCHRIFT
Tommaso Beggio, Aleksander Grebieniow

ISBN 978-3-16-159275-1

Mohr Siebeck, 2020, 236 pages

More information about the book here:

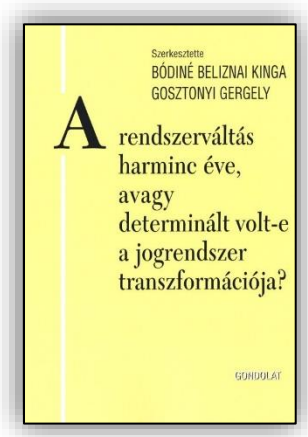
AN OVERVIEW OF MONOGRAPHS PUBLISHED IN HUNGARY (2020)

FORRÁSELEMZÉSEK RÓMAI DOLOGI ÉS KÖTELMI JOGBÓL
(The Source Analysis of Roman Substantive and Contract Laws)
Iván Siklósi

ISBN 9789633123133

ELTE Eötvös Kiadó, 2020, 284 pages

More information about the book here:

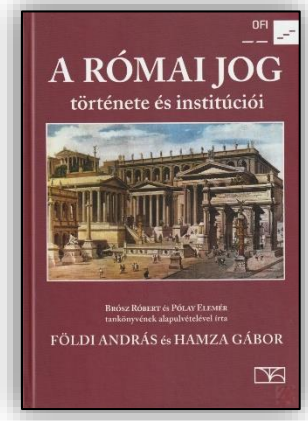


A RENDSZERVÁLTÁS HARMINC ÉVE, AVAGY DETERMINÁLT VOLT-E A JOGRENDSZER TRANSZFORMÁCIÓJA?
(Thirty Years of Regime Change, or was the Transformation of the Legal System Determined?)
Beliznai Kinga Bódiné – Gergely Gosztonyi

ISBN 9789636938420

Gondolat Kiadó, 2020, 157 pages

More information about the book here:

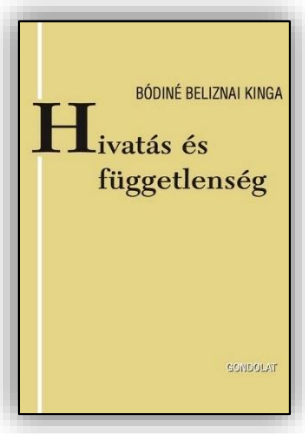


REPRESENTATION AND OSTENSIBLE AUTHORITY IN MEDIEVAL LEARNED LAW
(The History and Institutions of Roman Law)
András Földi – Gábor Hamza

ISBN 9789631984828

Oktatási Hivatal, 2020, 719 pages

More information about the book here:

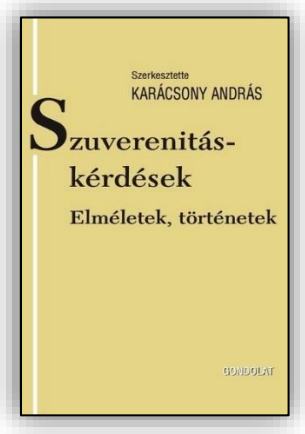


HIVATÁS ÉS FÜGGETLENSÉG
(Profession and Independence)
Beliznai Kinga Bódiné

ISBN 978-963-556-062-2

Gondolat Kiadó, 2020, 384 pages

More information about the book here:



SZUVERENITÁSKÉRDÉSEK. ELMÉLETEK. TÖRTÉNETEK
(Questions of Sovereignty. Theories. Narratives)
András Karácsony

ISBN 9789635560714

Gondolat Kiadó, 2020, 228 pages

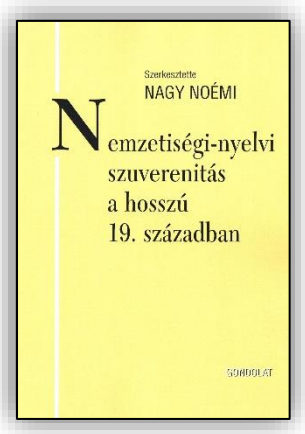
More information about the book here:

SZUVERENITÁSKUTATÁS
(The Research of Sovereignty)
Zoltán Megyeri-Pálffi

ISBN 9789636938277

Gondolat Kiadó, 2020, 228 pages

More information about the book here:

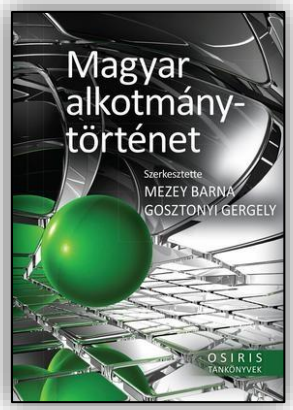


NEMZETISÉGI-NYELVI SZUVERENITÁS A HOSSZÚ 19. SZÁZADBAN
(Gentilic and Linguistic Sovereignty in the Long 19th Century)
Noémi Nagy

ISBN 9789635560271

Gondolat Kiadó, 2020, 217 pages

More information about the book here:



MAGYAR ALKOTMÁNYTÖRTÉNET
(Hungarian Consitutional History)
Barna Mezey – Gergely Goszonyi

ISBN 978-963-276-327-9

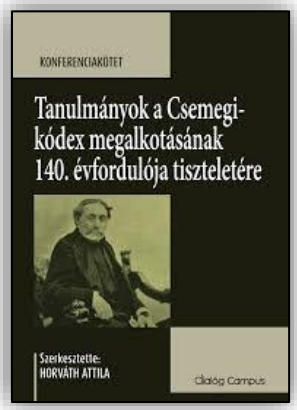
Osiris kiadó, 2020, 560 pages

More information about the book here:

A NÉMET POLITIKATUDOMÁNY HATÁSA A MAGYAR ÁLLAM-TANI GONDOLKODÁSRA A 17. SZÁZADBAN
(The Effects of German Political Sciences on the Hungarian Theory of the State in the 17th Century)
Béla P. Szabó

ISBN 9789634983354
Nemzeti Közszolgálati Egyetem Közigazgatási Továbbképzési Intézet, 2020, 126 pages

More information about the book here:

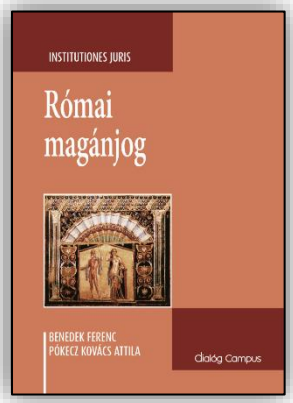


TANULMÁNYOK A CSEMEGI-KÓDEX MEGALKOTÁSÁNAK 140. ÉVFORDULÓJA TISZTELETÉRE
(Essays Honoring the 140th Anniversary of the Creation of the Csemegi-Codex)
Attila Horváth

ISBN 9789635311798

Ludovika Egyetemi Kiadó, 2020, 96 pages

More information about the book here:



RÓMAI MAGÁNJOG
(Roman Private Law)
Kovács Attila Pókecz – Ferenc Benedek

ISBN 9789635313495

Ludovika Egyetemi Kiadó Nonprofit Kft., 2020

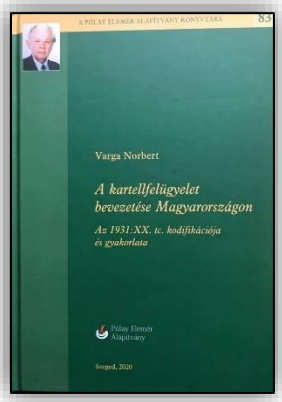
More information about the book here:

A MAGYAR TÖRTÉNELMI ALKOTMÁNY ÉS A HAZAI KÖZJOGI-KÖZIGAZGATÁSI JOGVÉDELEM
(The Historical Constitution of Hungary and the Domestic Legal Protection of Public Law and Public Administration)
István Stipta

ISBN 9789636938338

Gondolat Kiadó, 2020, 282 pages

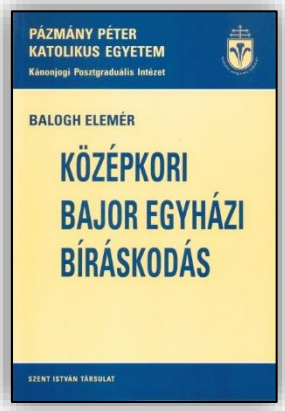
More information about the book here:



A KARTELLFELÜGYELET BEVEZETÉSE MAGYARORSZÁGON. AZ 1931:XX. TC. KODIFIKÁCIÓJA ÉS GYAKORLATA
(The Introduction of Cartel Supervision in Hungary. The Codification and Practice of the 20th Act of 1931)
Norbert Varga

ISBN 9786155411984
Pólay Elemér Alapítvány, 2020, 192 pages

More information about the book here:



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Ádám Farkas – Roland Kelemen

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Magyar Katonai Jogi és Hadijogi Társaság, 2020, 380 pages

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The Latest Issue of
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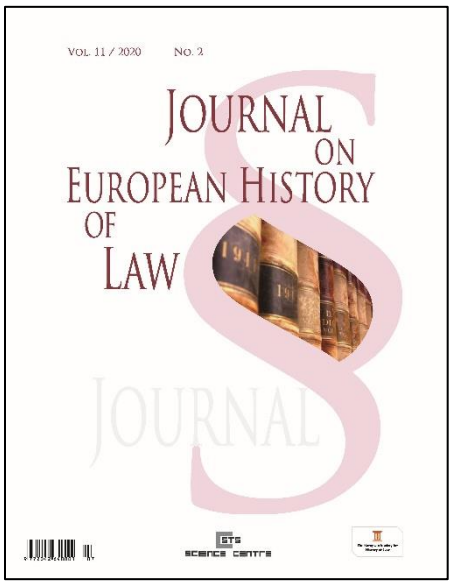

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50 Years of Právněhistorické studie *(Kamila Stloukalová)*

Reflections on the Genesis of the Moravian Vineyard Rules *(Jiří L. Bílý*)

CZECH TRANSLATION OF THE DIGEST RECEIVES BEDŘICH HROZNÝ AWARD

Michal Sckřejpek. Klára Žytková, Radek Černoch
(Foto: Charles University)

On November 17th, the Charles University of Prague held commemoration ceremony of the Struggle for Freedom and Democracy Day and International Students' Day. Part of the ceremony was also presentation of university awards. One of them, Bedřich Hrozný Award for Creative Work, was awarded to group of authors led by prof. Michal Skřejpek, whose members were also Klára Žytková (both from Charles University, Faculty of Law) and Radek Černoch (Faculty of Law, Masaryk University).

The award was presented for the book SKŘEJPEK, Michal – ČERNOCH, Radek – ŽYTKOVÁ, Klára. *Digesta seu Pandectae. Tomus II. Liber XVI–XXXV. Fragmenta selecta. Digesta neboli Pandekty. Svazek II. Kniha XVI–XXXV. Vybrané části*. [Digests or Pandects. Volume II, Books XVI–XXXV] Praha: Karolinum, 2019. 749 s. ISBN 978-80-246-4332-8.

The book contains the text, its translation into Czech, and explaining commentaries of selected parts of the Digests by Justinian. It is another step in the Czech and Slovak tradition of translations of the Digests, which was founded by prof. Peter Blaho. It is also part of the international effort in translation of the Digest (cf. translations finished during the recent years in the Netherlands, Poland, or Russia). Unlike in Germany and Italy (which complete modern translations end both with the book 34), which can build on the previous translations into the respective languages, the Czech translation is the first translation of the respective parts into Czech or Slovak language.

Concerning the contents of the translated books, it deals mainly with the problematics of real and consensual contracts (books 16–22), family law (books 23–27), and law of succession (books 28–35). It worths mentioning that especially the parts dealing with the law of succession can be very useful not only for Roman law scholars, but also for the practicing lawyers in the Czech Republic as the current Czech Civil Code (enacted 2012) draws inspiration from the Roman law (most often indirectly via the Austrian ABGB, but in some cases directly from the Roman law).

Member of the European Society for History of Law Radek Černoch (Masaryk University Brno)

14. JAHRESTREFFEN DER JUNGEN ROMANISTEN

(Photo: http://junge-romanisten.de/mediapool/59/591416/resources/55919279.jpg)

14th session of annual conference of Roman law Ph.D. students and young scholars from German speaking countries (in broader sense, incl. Italy and Visegrad countries) "*14. Jahrestreffen der Jungen Romanisten*" took place 1st-3rd October 2020 in Salzburg. The number of participants was lower than usual due to the corona virus restrictions and shift from the originally scheduled date in spring. On the other hand, this enabled to lengthen the time for respective lectures form the usual 20 minutes+10 minutes discussion on 30 minutes+15 minutes discussion. Still, many interesting lectures were given, both from the area of Ancient Roman law and on the further influence of Roman law.

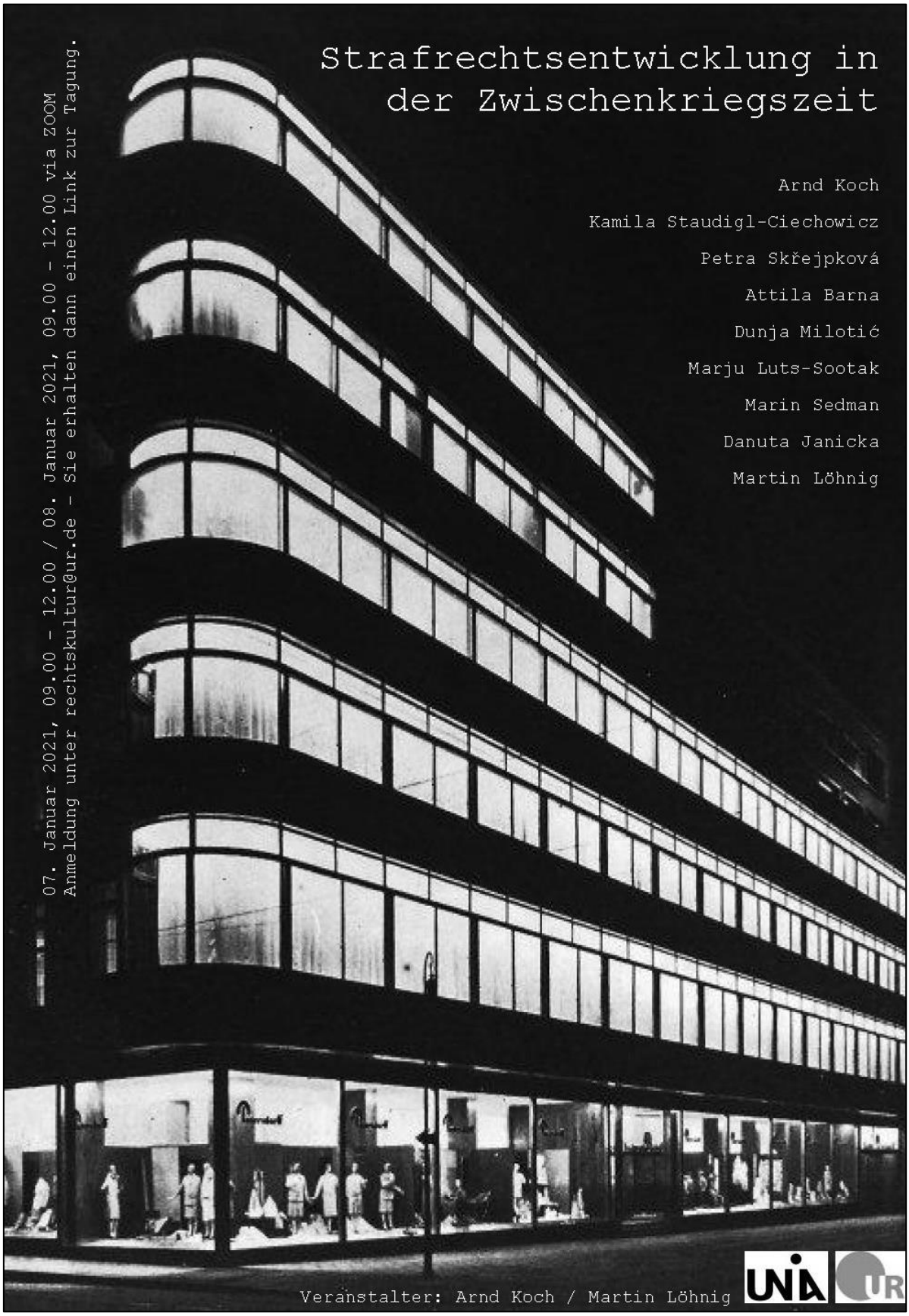
The conference was opened on 1st October; the respective lectures were given on 2nd-3rd October. The opening speech was held by prof. Michael Rainer. Then the presentations followed respectively: Daniele Mattiangeli: *Templer-Bulle-Päpste*, Francesco Verrico: *Exemplum und Staatspraxis in der livianischen Geschichtsschreibung*, Matthias Ehmer: *ars dialectica oder ars extrinsecus adhibita - Juristische Methodik in Ciceros Topica?*, Jörg Domisch: *Der rechtliche Rahmen für gewillkürte Veräußerungsverbote im Recht der Zwölftafeln*, Andreas Hermann: *Die Tilgung von Pekuliarschulden als Bereicherung des Gewalthabers?*, Radek Černoch: *Die Perlenkette der Prinzessin Matidia (D 35, 2, 26 pr. Scaevola 5 resp.)*, Lisa Isola: *Die tabula cerata von Trawsfynydd*, Michael Binder: *Unrichtige Flächenangabe aus dem Bereich der Litiskreszenz*, Benedikt Forschner: *Martinus Gosia als homo spiritualis - zum machtpolitischen Gehalt der aequitas rudis*, Linda DiMaddalena: *Spuren der römischen Redhibi-*

tion- und Minderungsklagen im sogenannten "Codigo Filippino", Anna Novitskaya: *Die Archäologie der Worte – Etymologische Erkundungen zur Frühgeschichte des agere*.

Guided tour through the city and the castle Hellbrunn (the photo was taken in its water gardens) was also part of the conference. The next session will take place in Würzburg, the precise date is due to the uncertainties related to corona virus not finally set, most likely seems to be September 2021.

Radek Černoch[1]

[1] JUDr. Mgr. Radek Černoch, Ph.D., Department of the History of the State and Law, Masaryk University, Brno, Czech Republic.


Strafrechtsentwicklung in der Zwischenkriegszeit
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INVITATION

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BETWEEN TRIANON AND RETRIBUTION - Slovak-Hungarian Relations from a Legal Point of View

Conference will be held on-line on 21 & 22 January 2021

Deadline for registration:

29 December 2020

Registration for the conference is possible through the conference portal of the Trnava Faculty of Law on the website:

http://www.pravnickekonferencie.sk/

or by e-mail to: martin.bulla@truni.sk

or dagmar.lantajova@truni.sk

by sending the title of the paper and stating the language in which the paper will be prepared.

Deadline for submission of papers:

20 January 2021

Conference languages:

Slovak, Hungarian, English, Czech

MINISTRY OF FOREIGN AND EUROPEAN AFFAIRS OF THE SLOVAK REPUBLIC

GOOD IDEA SLOVAKIA

Beside the proximity and common history with contemporary Czech Republic, Slovaks and Slovakia have a common history with Hungary as well. The problem of self-determination of the peoples of Central, Southern and Eastern Europe was only partially solved by the First World War, in a system of international treaties named after the most important of them - the Treaty of Peace with Germany (Treaty of Versailles). The Versailles system laid the relations of Slovaks and Hungarians on a new basis, especially through the Treaty of Trianon in 1920. Up to this day, the parties to the Treaty of Trianon have not agreed on the interpretation of certain of its provisions. The Vienna Arbitration in 1938 was also indispensable in mutual relations. The immutability of the Hungarian - (Czecho)Slovak border was confirmed by the Paris Peace Treaty of 1947, as well as the Treaty between the Slovak Republic and the Republic of Hungary of 1995. After the end of World War II Czechoslovakia and Hungary signed ceasefire (January 20, 1945) and Hungary expressly undertook to return the occupied territories of southern Slovakia to Czechoslovakia. However, new problems arose with the retribution procedure and trials against the Hungarian minority in the territory of (Czecho)Slovakia, either on the basis of decrees of President Beneš or on the basis of similar regulations of the Slovak National Council. After the inclusion of our part of Europe in the Soviet sphere of influence, revisionist and retribution efforts froze temporarily, but even after 1989 they were not considered resolved and closed. Fortunately, their opening appeared only in the level of extremist camps, or people with a personal sense of historical guilt. Over time, however, it seems that the malicious opening of these questions is at least for the time being, which also gives a chance for an objective scientific and societal reassessment of experienced opinions and insights into Slovak-Hungarian relations. Following the dissolution of the Czech and Slovak Federative Republic, Slovak-Hungarian relations were also affected by the dispute concerning the Gabčíkovo-Nagymaros Case and the Treaty on Good Neighborhood and Friendly Cooperation (1995). The ambition of the conference is to create a platform to discuss all indicated aspects of (Czech) Slovak-Hungarian relations, whether from a national or international point of view, specifically from the point of view of legal analysis of period documents and events that were often interpreted biased and abused in historical and political level. The aim of the conference is therefore an objective evaluation, resp. reassessment of international legal documents and events connected with Slovak-Hungarian relations in the 20th century, primarily from the point of view (history) of international law. Attention can therefore be focused on the anniversary of the Trianon Peace Treaty, but also on (Czech) Slovak-Hungarian relations at the end of World War II, and on the culmination of international law anchoring in the interstate Treaty of Good Neighborhood and Friendly Cooperation between the Slovak Republic and the Republic of Hungary. of 1995.

Kulturkampf um die Ehe

Reform des europäischen Eherechts nach dem Großen Krieg
Herausgegeben von Martin Löhnig

2021. VIII, 522 Seiten.

ISBN 978-3-16-159304-8
fadengeheftete Broschur 94,00 €
ISBN 978-3-16-159305-5
eBook PDF 94,00 €

Nach dem Großen Krieg schien das in Europa geltende Eherecht plötzlich als aus einer längst vergangenen Epoche überkommen. Zwar hatten schon vor 1914 nationale und transnationale eherechtliche Reformdiskurse begonnen, nun jedoch nahm die Entwicklung rasant an Fahrt auf. Zahlreiche Gesetzentwürfe entstanden, die eine Reform des Eheschließungs-, Ehescheidungs- oder Ehegüterrechts zum Gegenstand hatten. Einige von ihnen wurden zügig Gesetz, andere erst nach langen Debatten, viele sind gescheitert, denn die Zeit spielte gegen sie. Reformdiskurs und gescheiterte oder geglückte Reformen des Eherechts in den Jahren nach dem Großen Krieg sind für einige europäische Staaten bereits in Einzelstudien untersucht worden. Dieser Band ergänzt das Bild um weitere Untersuchungen und beleuchtet überdies die Eherechtsreform im Europa der Zwischenkriegszeit aus transnationaler Perspektive.

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Ulrike Harmat: Der Streit um die Eherechtsreform in der Ersten Republik – *Eszter Cs. Herger:* Eherecht in Ungarn (1918–1945) – *Jan Kuklík/Petra Skřejpková:* Das Eherecht und seine Veränderungen in der Tschechoslowakei zwischen den Weltkriegen – *Pavel Salák jr./Lucie Mrázková:* Form of Marriage in Czechoslovakia after First World War – *Ingrid Lanczova/Miriam Laclavikova:* Dissolution of Marriage and its Legal Consequences within the Slovak Territory during the Interwar Czechoslovakia – *Piotr Fiedorczyk:* Conflicts on marriage law in interwar Poland – *Szymon Paciorkowski:* Im Osten nichts Neues? Die Anwendung deutschen Eherechts in der Zweiten Polnischen Republik – *Mirela Krešić:* Much Ado about Nothing: Debates on the Type of Marriage in Yugoslavia Between the Two World Wars – *Christian Alunaru:* Das Eherecht in Rumänien nach dem Großen Krieg – *Philipp Schwartz:* Das Eherecht der jungen Republik Lettland 1918–1940 – *Katrin Kiirend-Pruuli/Marju Luts-Sootak/Hesi Siimets-Gross/Reet Bender:* Die Mesalliance des liberalen Eherechts mit dem konservativen Familienrecht im Estlands Recht der Zwischenkriegszeit – *Cordula Scholz Löhnig:* Eherechtsreform in der Weimarer Zeit – *Saskia Lettmaier:* Englisches Eherecht zwischen den Weltkriegen – *David Deroussin:* Marriage in France from WWI to WWII – *Martin Löhnig:* Spanisches Eherecht in der Zwischenkriegszeit: Der Weg von der kanonischen zur säkularen Ehe – und zurück – Attila Barna: Strafrechtlicher Schutz der Institution Ehe in Europa in der Zwischenkriegszeit – *Martin Löhnig:* Synthese

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Thomas Gergen (Hrsg.)

Vom Reichshofrat zur Reichsfilmkammer

Privilegienpraxis und Urheberrechte an Büchern und Filmen (16.-20. Jahrhundert)

Schriften zur Rechtsgeschichte, Band 186
403 Seiten, 2019
Print: <978-3-428-15787-7> € 99,90
E-Book: <978-3-428-55787-5> € 89,90
Print & E-Book: <978-3-428-85787-6> € 119,90

Die Aufsätze ranken sich um die Grundfrage von Autor und Werk durch fünf Jahrhunderte. Reichshofrat und Reichsfilmkammer dienen dabei allein als Verklammerung, um den Untersuchungsgegenstand der Entwicklung der Rechte an herkömmlichen Büchern bis zu den Drehbüchern an Filmen zeitlich einzugrenzen.

Liegt zum einen der Schwerpunkt auf Kölner Fällen vor dem Reichshofrat (Gergen), thematisiert Eichacker die Probleme in Nürnberg vornehmlich für das 17. Jhd. und bringt das Naturrecht mit ins Spiel. Unerlaubten Nachdruck im 18. Jhd. spiegelt die Studie über Linguet und seinen Übersetzer Reich wider (Kühne). Dem folgt die aktenmäßige Darstellung des Streites um den Nachdruck zwischen Schelling und Paulus im 19. Jhd. (Nomine). Der Leser wird schließlich in die Filmwelt des 20. Jhd. zur Reichsfilmkammer geführt und zur Frage, wer als Autor des Filmes bzw. des Drehbuches zu qualifizieren war (Götz von Olenhusen).

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Thomas Gergen: Einleitung. Eine Grundfrage durch die Jahrhunderte (16.–20. Jahrhundert): Was ist und darf ein Buchautor?

Thomas Gergen: Kaiserliche *Privilegia impressoria* vor dem Reichshofrat. Zur Praxis des Nachdruckschutzes im Alten Reich anhand Kölner Fälle (16.–18. Jahrhundert)

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Marie-Ann Kühne: »Le privilège ne donne rien à l'auteur.« Der Beitrag von Simon-Nicolas-Henri Linguet und seinem Übersetzer Philipp Erasmus Reich zur Entwicklung des Urheberrechts in Frankreich und Deutschland

Rainer Nomine: Schelling gegen Paulus, Leske und Complizen: Aktenmäßige Darstellung des Streits um den Nachdruck der in Berlin gehaltenen Vorlesung über die Philosophie der Offenbarung

Albrecht Götz von Olenhusen: Filmkünstler und Filmproduzenten zwischen Urheberrecht und gewerblichem Rechtsschutz. Die Filmurheberrechtsreform in der Zwischenkriegszeit 1929–1939

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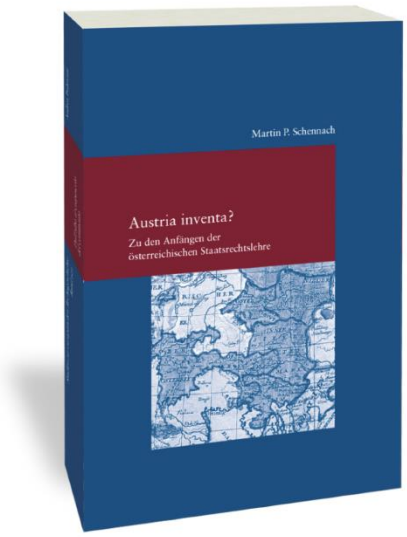

Martin P. Schennach
Austria inventa?
Zu den Anfängen
der österreichischen
Staatsrechtslehre
2020. XIV, 590 Seiten. Kt 98.€*
ISBN 9783465044147
Studien zur europäischen Rechtsgeschichte 324

Auch als E-Book erhältlich.

This is the first work of its kind devoted to Austrian constitutional law, which has so far received little attention in (legal) historical research. It examines its origins, its authors, its connection with the "Reichspublizistik", its sources and methods as well as its contents and, last but not least, its role in university teaching. Of all the particular state rights in the Holy Roman Empire, its subject was probably the one most intensively discussed. In the second half of the 18th century, Austrian constitutional law was a flourishing genre of literature promoted by the Habsburg dynasty. This is accounted for by its main themes: It flanked the process of internal integration of the heterogeneous Habsburg ruling complex and aimed at the discursive and legal construction of an Austrian state as a whole and the legitimation of absolutism.

› **Extract**

Vittorio Klostermann

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