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## European Normativity – Global-Historical Perspectives

Introductory remarks

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For centuries, it may have seemed as if standards of normative thinking now valid across the globe had first been instituted in Europe. These normative orders form the foundations of our verdicts that define and distinguish right and wrong, good and bad or even beautiful and ugly. But in order to better understand the global presence of such normative orders that evolved from within the European horizon, the history and implications of European expansion in the early modern era cannot be swept under the rug.

Even if traditionally scholars may have chosen to view Europe's presence on world stage as natural or necessary, and later, in light of the modernization theories, at least as desirable, so that many still might consider the so-called ›Europeanization of the world‹ a great cultural achievement, questions that challenge this view are no less salient. The transfer of normative ideas and practices from a European context to non-Europe appears, indeed, to exemplify an imperialism which began with colonization and is perpetuated today largely in the economic and cultural realms. In fact, we must ask if we legitimately can even speak of a strand of normativity that is distinctly ›European‹ and that ostensibly has ›spread‹ across the globe. Now that we are ever more keenly aware of the differences within Europe and continue to be sensitized to the processes of appropriation and translation and, as such, of transformation of normative ideas and practices in their respective cultural environment, questions persist: Did normative ideas and practices ever exist as distinctly ›European‹? Which ones? When did ascriptions to Europe as a cultural entity begin and where did Europe end? Which role, in relation hereto, did its demarcation vis-a-vis

non-Europe play? What remained of ideas developed from within a European context after their appropriation in local contexts and once they underwent translative and transformational processes?

On the festive occasion of the inauguration of the new premises of the Max-Planck-Institute for European Legal History on 2<sup>nd</sup> September 2013 a cross-disciplinary conference was held to discuss questions regarding the historical role of Europe in the world to which we invited scholars from diverse disciplinary traditions and fields of research. While our discussions mainly centered on the history of law, specifically for the reasons listed above, we were also curious about other forms of normativity and their histories of appropriation and interrelating.<sup>1</sup>

The current *Focus* expands beyond the original conference proceedings to include five articles written especially for this issue and dedicated to fields of research not addressed during the course of the conference. Some papers as well as three comments make strong references to a working paper written in preparation for the conference and available on SSRN.<sup>2</sup> Together with other studies – some of them to be published in a volume of collected essays titled *Entanglements in Legal History: Conceptual Approaches*, the first in a new publication series launched by the Max-Planck-Institute for European Legal History called *Global Perspectives on Legal History* (GPLH) – they offer a fascinating panorama of interconnected legal histories and challenges of this transnational legal history.

1 See the conference report by Otto Danwerth/Nina Keller/Zülâl Muslu *European Normativity – Global Historical Perspectives*. 02.09.2013 – 04.09.2013, Frankfurt am Main, in: H-Soz-u-Kult, 25.01.2014, <http://hsozkult.geschichte.hu-berlin.de/tagungsberichte/id=5202>.

2 DUVE, THOMAS, *European Legal History – Global Perspectives*. Working Paper for the Colloquium European Normativity – Global Historical Perspectives (Max-Planck-Institute for European Legal History, September, 2<sup>nd</sup> – 4<sup>th</sup>, 2013) (August 5, 2013). Max Planck Institute for

European Legal History Research Paper Series No. 2013-06. Available at SSRN: <http://ssrn.com/abstract=2292666> or <http://dx.doi.org/10.2139/ssrn.2292666>.