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Thomas Duve

Editorial

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Editorial

Rechtsgeschichte – *Legal History*, this is the new name of our review. The expansion of the title is not merely a concession to the *Zeitgeist*. Rather, it expresses what its predecessor, *Ius Commune*, perhaps better suggested, namely that legal history cannot be confined to one region or to one language area. On the contrary, in this field one can discern an extensive diachronic act of translation, a continual process of appropriation, which scarcely recognises geographical, cultural or linguistic boundaries. The multi-lingual character of the history of law must be reflected in the correspondingly multi-lingual character of legal history. Accordingly, in the future we will continue, as a deliberate policy, to give space – rather more than was previously the case – not to just one or two but to many different languages.

Rechtsgeschichte has changed also in another respect: the page layout is different, there is more room for footnotes, and it has a new internal structure. Moreover, the review will now appear annually, both in book format and in open-access. To continue to offer *Rechtsgeschichte* – *Legal History* in printed format, despite immediate, unlimited electronic availability, was particularly important to us. But it will now be possible to read our work without delay also in locations where the volumes were previously unavailable, not least by our collaborators outside Europe. Both publication formats will, however, run parallel in the future, provided that our readers continue to order the printed version – or indeed decide now to take out a subscription for the first time. Whether a print culture will continue to exist in the world of research depends on all of us!

Picture series will be found only in the printed volumes. This year ten illustrations should reveal the subjectivity of our world views as well as some cosmologies which have in the meantime become foreign to us. At the beginning stands a three-part depiction of the world in a format attributed to Isidore of Seville but which derives from a pre-Christian tradition that subsequently has often been reproduced. There follow world views from various observational perspectives, sacred visions of the cosmos from America and Europe, documents proudly setting out the measurement of the world from the high age of colonialism. The series of

illustrations ends with an example of contemporary political cartography. All these pictures reveal to us that the world does not have a single centre, but many. It ought to be a particularly important objective of historical research to reflect on the relativity of our world views. The introductory contribution, which is devoted to »European legal history« and global perspectives on the legal history of Europe, is in no small measure addressed to this question. It also contains a rather more extensive analysis of the concept of »European legal history« advanced by Helmut Coing, the first director of the Institute and founder of the review *Ius Commune*, who would have celebrated his 100th birthday this year. It is hoped it may be treated as an impulse to a new debate on how we can write a satisfactory contemporary legal history of Europe as a global region.

The contributions to the *Research* section demonstrate in various ways the interconnection of legal histories both within and outside of Europe. Through his assessment of the research project on the legal history of South East Europe, carried out within the parameters of the Centre of Excellence for the Construction of Normative Orders, Michael Stolleis thereby also provides a short administrative history of the region. George Rodrigo Bandeira Galindo develops his thoughts on the relationship between theory and history through the example of the historiography of international law which has been set in motion by the critical impulses emerging from post-colonial studies. Jakob Fortunat Stagl leads us deep into the legal history of the British Empire as colonial power. On the basis of very different subjects – the early modern Catholic missions and their texts, and the translation of German legal literature and its influence on positive criminal law at the beginning of the 20th century – the contributions from Michael Sievernich and Daniel Cesano demonstrate the importance of the process of translation for legal history. Their articles, as also the works published in the *Focus* section, can be read as a demonstration that a clear distinction between European and Latin American legal history is hardly possible, and that in its place there must emerge a different perspective which does not rest on a geographical foundation. The same can be said

about the contribution of Rafael Mrowczynski, whose *Self-regulation of the Legal Professions under State-Socialism* develops a comparative perspective on organisational forms and practices of governance which are not regionally determined. Finally, Christoph H. F. Meyer, applying himself to the *Probati auctores*, has described an early modern practice which is remarkable in its historical context. With the answer of the lawyer-Pope Benedict XIV to the Archbishop of Santo Domingo of 1774 which he discusses, he simultaneously provides a further example, sharing many points in common with the text of Michael Sievernich, of the attempts made by the world Church to keep the claims of universality and processes of local application in balance within a universally conceived legal system.

In this year's *Focus*, which is devoted to »Models of social private law in Latin America and Europe

in the first half of the 20th century«, we are publishing some contributions to a research project which addresses the forms of exchange between Latin America and Europe within the history of private law.

In *Forum*, which should henceforth alternate with real *Debates*, we have opened up the question of the new perspectives which the recently opened Vatican Archives hold out for global research addressed particularly to questions of normativity. The response to the invitation conceived by Benedetta Albani was very great, and we were able to take account of the major part of the contributions offered, thus covering a wide thematic and chronological spectrum.

Finally, in *Critique*, we try, as before, to assemble outspoken reviews on current legal-historical publications.

