

Imaginations and Practices of Law in Pre-modern Times

23.-24.11. 2018, University of Bielefeld

In the age of globalization, the coexistence of multiple national and international legal frameworks has become a normality. But it takes only a superficial glance at pre-modern sources to realize that this observation is not solely a modern phenomenon, especially if we take the perspective of legal anthropology on the history of legal and normative orders. Sources like narrative texts, different kinds of administrative documents (such as letters, writs, or diplomas), or even fictional texts reflect a keen consciousness in dealing with questions of legal strategies on the side of historical actors. This encompasses strategies such as the choice of court, like in the concept of forum shopping, the argumentative use of norms and customs, as well as the development of professional practices related to actions at court.

Following the anthropological definition of legal sources, the methodological consideration at the center of the workshop defines law as ritual or habitual and repetitive actions occurring in disputes. Therefore, evidence can be traced in many different sources, text and image. In this sense, any concept as well as any abstract, narrative, or visual representation of normative systems and their functionalities are being interpreted as fictions in the way that “the law” or “legal action” in general is not conceived as a given category but as something that is constructed through social interaction and practices, through perception and imagination. This opens the theme of the workshop up for questions of genre and media as well as of cultural history. The historicization of norm systems and their emergence is part of the analytical perspective.

As with every workshop of the Brackweder Arbeitskreis, contributions may come from any period from the Early Middle Ages to Early Modern Times. The workshop is open to all disciplines and aims at an exchange between history, art history, philologies, and legal science.

Possible topics encompass the relationship of legal documents and narrative texts, the narrative modelling of legal practices and competing legal customs, visual representations of norm systems and legal action. Further research topics could be legal practices and their interpretation, competing legal claims as well as the negotiation of social status at court. A further area of interest for possible contributions is the applicability of research concepts such as legal pluralism, multinormativity, or forum shopping to pre-modern sources and societies.

The call for papers addresses primarily but not exclusively junior researchers. It is open to any expert audience and visitors do not need an invitation. We do ask, however, for timely registration due to organizational reasons. Presentations should be about 30 minutes. Conference languages are German and English. We try to provide travel reimbursements for contributors.

Please send a short abstract of about 300 words together with a short CV by August, 17th 2018 to silke.schwandt@uni-bielefeld.de.

Organizers

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