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25th Annual Forum of Young Legal Historians: Introduction

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It was a time of reflection when over 120 speakers and interested visitors slowly filed into the stately Palace of the Academies in Brussels to attend the inaugural session of the 25th Annual Forum of Young Legal Historians in the morning of Wednesday, 5 June 2019. Over the course of the next two days, when the usual grey made way for a cheery summer sky, more than 80 presentations were delivered across 26 panels by young researchers from an array of countries within and without the European Union. Visitors from France, Germany, Belgium, the Netherlands, Ireland, Italy and other Western European countries were joined by many scholars from the continent's eastern half, including Poland, Hungary, Romania, Croatia, Estonia and Serbia, many of whom were more than loyal in their attendance. This gathering was further complemented by colleagues from Turkey and Israel, and even some from as far afield as Mexico and Brazil, along with a familiar face (to AYLH Forum regulars) from Australia. The geographical diversity reflected the long journey taken by the Association of Young Legal Historians since its earliest conception at the Max Planck Institute for Legal History and Legal Theory in Frankfurt.

Among keynote speeches by *inter alia* Lauren Benton (Yale University; president-elect of the American Society for Legal History) and Simona Cerutti (École des Hautes Études en Sciences Sociales), Thomas Duve, one of the directors of the Max Planck Institute, chose to deliver some of his thoughts on 25 years of AYLH Forums, as they are called, and the evolution of legal historical scholarship since the 1990s. From professor Duve's recollections, as well as documents from previous congresses, and some personal anecdotes by older colleagues and professors, it is possible to briefly highlight in these pages some developments that have taken place within the organisation since the first few small meetings in Frankfurt in 1992 and 1993. Only in 1995 did the society and the annual conference obtain their official names, at the foundational Forum in Halle. For the next few years, all Forums continued to take place in Germany or the German-speaking world, like Austria or central

Switzerland. Judging from the programmes, this founding generation of Forums mostly featured neighbouring scholars, with only the occasional speaker from Italy or Hungary. This began to change in the 2000s, when Forums began to be organised in Budapest, Warsaw and Seville. By the 2010s, congresses took place in the Netherlands, France, Italy and England, and even in Israel and Serbia – of which the latter's formal dinner was more than usually worthy of remembrance, according to legend. During this time, membership and diversity fluctuated, although there was a general upward trend.

Perusing old conference proceedings, it is interesting to see how some organisational aspects changed throughout the years. As in any organisation that reaches a certain age, the AYLH has gone through a number of different approaches in its internal structure. Some have remained, such as the rule that the association is run by an executive board that is composed simply of the organisational committees of last year's and next year's Forum, or its principal objective of providing a platform to early career researchers in the broad field of legal history, defined as anyone not holding an academic chair in legal history. Other rules have laxed somewhat, manifest in the recent admittance of professors into panels, though only as moderators. Still others have grown stricter, as evident from the shifting language policy. While the organisers of 2007's Seville Forum still maintained that discussions should be held in different languages, as there was »no de facto lingua franca in legal history«, calls for papers increasingly began to recommend that talks in English were »likely to receive the widest audience«, until they finally plainly stated, as the one for Brussels also did, that everyone had to present in English. Consequently, the trend towards English as the primary international scientific language of the early 21st century now appears to have been adopted by the AYLH. Though this entails some advantages, such a single »trade language« does not come without risk either, as was prominently discussed at the opening session, which warned, among several other things,

of the overshadowing of scholarship composed in other languages.

Themes similarly evolved along with the times. As membership grew and new regions began to include themselves, the Forum cemented its ambition to support doctoral researchers through the statutory obligation that congress subjects need to be as wide as possible to accommodate as many varieties of research into the history of law as possible. In doing so, the AYLH has over the years provided a stage to a broad net of topics, both thematically as well as methodologically. Professor Duve recounted that around the turn of the millennium, attendees marvelled at a fully digitalised *Sachsenspiegel* on CD-ROM. It is likely that in another 20 years, many current methods will be looked at just as endearingly.

Perhaps it was thus only apt that the anniversary congress focused its gaze on the politically sensitive issue of legal »identity«, and its more concretised cousin »citizenship«. As the global events of 2020 have abundantly demonstrated, the rights, privileges and discriminations that have historically been associated with identity, typically in the form of various citizenship statuses, continue to resonate into the present. Whether argued by some to have caused modern inequalities, or resorted to by others to contextualise an often simplified past, notions of identity and citizenship have frequently been implied into a normative framework of law – secular or religious, individual or collective – and have just as many times constituted a hotly contested dividing line. The 25th Forum brought together researchers from over 22 countries, who discussed these issues from antiquity until the 20th century. No less than five panels were dedicated to Eastern Europe alone, along with two on Latin American affairs. It would be impossible to do justice to the range of discussions held in Brussels in the summer of 2019 in just a few lines.

Instead, *Rechtsgeschichte* has opted to include a representative sample of contributions in the pre-

sent *Focus*. The first starts with Roman law. Anna Iacoboni (Sorbonne University) investigates how in the late Republican period Cicero and Sallust invoked *libertas* and the *mos maiorum* to criticise contemporary politics. This is followed by Stephen Hewer's (Trinity College Dublin/Ghent University) detailed look at law in practice by examining the relevance of legal status before the courts in 13th-century English Ireland. Federica Paletti (University of Brescia), meanwhile, turns attention to the problems met by the Venetian Republic to regulate the many paupers, vagrants and bandits roaming its hinterland during the 16th century. Crossing the Alps, the intellectual transformations of German *Staatskirchenrecht* are analysed by Florian Reverchon (Université Lyon III/Université Paris II-Panthéon-Assas). Finally, Dóra Frey's (Andrássy University) paper straddles the 19th and 20th centuries in its discussion of the citizenship laws of Hungary, as the nation sought ways to accommodate ethnic Hungarian peoples left scattered by the travails of the dual monarchy, two World Wars and communism, before finally becoming a member of the European Union.

These contributions, in multiple languages, address two ways history can inform our understanding of modern conditions, or can, inversely, refuse to be instrumentalised for anachronistic purposes. There can be little doubt that inherited German *Staatskirchenrecht* is little adapted to Muslim minorities or modern atheism. Vice versa, the disparate cases of 16th-century Venetian paupers or 13th-century Irish peasants illustrate that the past was very often too complex to be caught into a few simple catchphrases. This remains a wise precept for historical science, and one which the AYLH will no doubt continue to defend for the next 25 years.

