



Stiftelsen Institutet för Rätthistorisk Forskning grundat av Gustav och Carin Olin



UPPSALA
UNIVERSITET

PhD Course “*Legal History for PhD Students in Law*” (7,5 ECTS) Uppsala University / Olin Foundation for Legal History

Introduction

Many Doctoral Candidates who are writing a PhD in Law are confronted with legal historical questions and problems. Therefore, in 2019-20, Uppsala University in cooperation with the Olin Foundation for Legal History, decided for the first time to organize a PhD Course “*Legal History for PhD Students in Law*”. The course was a huge success, with 16 participants from different universities in Sweden, Finland and Estonia. In Autumn 2021, we will organize the course again.

The first part of the course consists out of a study day on Thursday 11 November 2021. The purpose is to present and discuss the scientific discipline of legal history in all its shapes and colors, with lectures on national Swedish legal history, comparative legal history, international and interdisciplinary legal history, legal history and methodology, legal iconography and “*law and the humanities*”. The teacher’s choir represents the four biggest centers of Swedish legal history (Helsinki, Lund, Stockholm and Uppsala), illustrating the broad support for this course in the Swedish legal historical world. There will also be two lecturers from Ghent University in Belgium.

The course not only aims at transferring knowledge regarding legal history from specialists to PhD students, but also wants to engage in a critical dialogue. The PhD students will be asked to write a paper on the legal historical aspects of their PhD, which will be discussed in separate seminars in January 2022 by a panel of specialist legal historians and the other PhD students. This way, new perspectives on Swedish legal history could emerge. Depending on the number of participants and the quality of the papers, the publication of a selection of papers will be considered. The first edition of the course actually resulted in an edited volume.

The Olin Foundation for Legal History, founded by Gustav and Carin Olin, has again gracefully accepted to take this PhD course under her wings. The purpose of this foundation is to support Swedish research in legal history.

I hope to welcome you in our second edition of the course of “*Legal History for PhD Students in Law*”.

Bruno Debaenst
Course Director

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Study plan

1) Study Day – 11 November 2021

The purpose of this study day is a) to present a number of aspects of the discipline of legal history and b) to offer the PhD students relevant and practical information regarding legal history, which they can apply in their research.

The (preliminary) program is the following:

- **Introduction:** “Does the Past hold the Key for the Future?” What is Legal History and how can Legal History be useful for PhD Students in Law?– *Bruno Debaenst* (Uppsala University)
- **Legal History and Methodology** – *Marie Sandström* (Stockholm University)
- **National Swedish Legal History** – *Martin Sunnqvist & Elsa Trolle Önnerfors?* (Lund University)
- **Comparative Legal History** – *Heikki Pihlajamäki* (Helsinki University)
- **International and Interdisciplinary Legal History** – *Marianne Dahlén* (Uppsala University)
- **Legal Iconography** – *Stefan Huygebaert* (Ghent University)
- **Law and the Humanities** – *Georges Martyn* (Ghent University)

2) Paper on the legal historical aspects of the PhD research

The PhD students will receive the assignment to write a paper (preferably) on the legal historical aspects of their PhD research. This should be not that difficult, since many PhD researches already have a legal historical component. Even if there is not (yet) a legal historical component, they could look into the legal historical aspects of their topic.

3) Seminars – January 2022

A number of seminars will be organized, to allow the PhD students to present their papers to their fellow students and an ad hoc panel of specialist legal historians, followed by comments and discussions.

4) Finalizing and handing in of the paper

After the seminars, the participants will have some time to finalize and hand in their paper, which will be graded, to see if they passed the course.

5) (Possible) publication of a selection of the papers

It is the purpose to materialize – if possible - the 2021-2022 Uppsala PhD Course into a publication.



Literature list (preliminary):

- Georges Martyn and Stefan Huygebaert, "Twenty New Contributions to the Upcoming Research Field of Historical Legal Iconology." In: Stefan Huygebaert, Georges Martyn, Vanessa Paumen, Eric Bousmar and Xavier Rousseaux (eds.), *The Art of Law: Artistic Representations and Iconography of Law and Justice in Context, from the Middle Ages to the First World War*, Heidelberg: Springer, 2018, p. 3-24.
- Kjell Åke Modéer, "Abandoning the Nationalist Framework: Comparative Legal History", in: Heikki Pihlajamäki, Markus D. Dubber and Mark Godfrey (eds.), *Oxford Handbook of European Legal History*, Oxford: Oxford University Press, 2018, p. 100-114.
- Heikki Pihlajamäki: "Comparative Contexts in Legal History: Are We All Comparatists now?", in: Maurice Adams and Dirk Heirbaut (eds.), *The Method and Culture of Comparative Law. Essays in Honour of Mark Van Hoecke*, Oxford and Portland: Hart Publishing, 2014, p. 121-132.
- Heikki Pihlajamäki: "Merging Comparative Law and Legal History: towards an Integrated Discipline", in *American Journal of Comparative Law* 66:4 (2018), 733-750.
- Marie Sandström, *The Concept of Legal Dogmatics Revisited*, 9 p.
- Kaarlo Tuori: "Towards a Multi-Layered View of Modern Law" in: Aleksander Peczenik and Aulis Aarnio (eds.), *Justice, Morality and Society. A Tribute to Aleksander Peczenik on the Occasion of his 60th Birthday 16 November 1997*, Lund: Juristförlaget, 1997, p. 427-442.