

5th Ius Commune MC – The Imperial Aulic Council 2021

The Ius Commune Moot Court – The Imperial Aulic Council

Der Ius Commune Moot Court pursues two goals. First, with the Ius Commune students are, one the one hand, introduced to a legal order, which was characterized both by multinormativity and competing as well as complementary jurisdiction and, on the other by common denominators extending to several European countries. Second, in parallel to the case assignment the students are acquainted with a historical case decided by the Imperial Aulic Council, arguably the most important court of early modern Europe, with an estimated case load of 80.000 cases, probably more..

The 5th Ius Commune Moot Court

The case assignment of the 5th „Ius Commune MC – The Imperial Aulic Council“ is modelled on a decision of the Imperial Aulic Council (Reichshofrat) which was based in part on Jewish Law. The idea is to show to what extent Jewish law was treated as one of the many particular laws in the legal pluriverse of the 17th and 18th century Ius Commune.

Conditions:

There are several conditions for a successful participation in the Ius Commune MC 2019:

- more than average interest in, but no prior knowledge of either Ius Commune or Jewish law
- a letter stating one's motivation and a definite commitment by 15 January 2019
- above average English language skills
- willingness and ability to participate in a team experience
- participation in two pre-moots held in Frankfurt-on-Main, at the Municipal Archive in Fulda, the Gesellschaft for Reichskammergerichtsforschung in October 2021 and in Alsace plus either Karlsruhe or Leipzig in July/August 2022
- participation in a minimum of 10 additional teaching units on offer during the winter term 2021 and the summer term 2022
- optional written seminar paper based on the oral pleading in the moot court (analogous to the requirements of a „Diplomanden-Doktorandenseminar“)

Credits

4 ECTS per semester for active participation and an additional 4 ECTS per semester for a written seminar paper. If students participate for two semesters and write two seminar papers a maximum of 16 ECTS can be gained.

Pre-Moot I: Frankfurt-on-Main, Fulda and Wetzlar, 25-29 October 2021

25 October 2021

Transfer from Vienna to Fulda

Dept Vienna Central Station: 25 October 2021, 5.15 p.m., arr. Fulda: 26 October 2021, 0.49 a.m.

26 October 2021

Fulda, Kanzlerpalais (Chancellor's Palais) – Volkshochschule, Unterm Heilig Kreuz 1

9.00 – 10.30 a.m. (Konferenzzimmer)

Roman-Bohemian Law and Roman-German Law: The Ius Commune as Legal Pluralism

Stephan Wendehorst, Gießen/Vienna

11.00 a.m. – 12.30 p.m. (Kanzlerpalais, Seminar Room)

Rechtsquellenhaushalt im Ius Commune I (Normativity in the Ius Commune I)

Thomas Simon, Vienna

Lunch

2.00 - 5.00 p.m.

Rechtsquellenhaushalt im Ius Commune II (Normativity in the Ius Commune II)

Thomas Simon, Vienna

5.00–6.30 p.m. (Kanzlerpalais, Seminar Room)

Tour of the Historical City Centre of Fulda (Cathedral precinct, Prince-Bishop's palace, Jewish cemetery and site of the former synagogue)

27 October 2021

Fulda, Kanzlerpalais (Chancellor's Palais) – Volkshochschule, Unterm Heilig Kreuz 1

9.15 – 10.45 a.m. (Kanzlerpalais, Seminar Room)

Gerichtsordnung und Verfahren in der Frühen Neuzeit I (Courts and Legal Procedure in the Early Modern Period I)

Lunch

12.30 – 2.00 p.m. (Kanzlerpalais, Seminar Room)

Jews and their Law in the Ius Commune: Between Collaborative and Contested Legal Pluralism

Stephan Wendehorst, Gießen/Vienna

Coffee

2.15 - 3.30 p.m. (Instead of an excursion to the Library of the Justus-Liebig-University Gießen, Kanzlerpalais, Seminar Room)

Das römische Buergerrecht für Juden aus der Sichtweise Johannes Reuchlins

Friedrich Battenberg, Darmstadt

Coffee

4.00–5.30 p.m. (Kanzlerpalais, Seminar Room)

Einführung in das Jüdische Recht unter Berücksichtigung des Gesellschaftsrechts (Introduction to Jewish Law with special emphasis on corporate law)

Abraham de Wolf, Frankfurt

Dinner

28 October 2021

Fulda, Kanzlerpalais (Chancellor's Palais) – Volkshochschule, Unterm Heilig Kreuz 1

9.00 – 10.30 a.m. (Kanzlerpalais, Seminar Room)

Gerichtsordnung und Verfahren in der Frühen Neuzeit II (Courts and Legal Procedure in the Early Modern Period II)

Coffee

10.30 – 12.00 p.m. (Kanzlerpalais, Seminar Room)

Jurisdictional and Administrative Legal Pluralism in the Ius Commune I

Stephan Wendehorst, Gießen/Vienna

Lunch

Rail Transfer from Fulda to Frankfurt-on-Main

dept Fulda: 28 October 2021, a.m. – arr. Frankfurt Central Station: 00.00 a.m. (lunch snacks on board the train)

2.00 - 3.30 p.m.

Tour of the Jewish Museum of Frankfurt-on-Main

Rail Transfer from Frankfurt-on-Main to Wetzlar

dept Frankfurt-on-Main Central Station: 28 October 2021, a.m. – arr. Wetzlar: 00.00 a.m.

Wetzlar, Reichskammergerichtsmuseum

4.30–5.30 p.m. (Week 26)

Hamburg Sephardi Jews before the Imperial Chamber Court

Tamar Menashe, New York (online)

Führung durch das Reichskammergerichtsmuseum (Tour of the Museum of the Imperial Chamber Court)

Anette Baumann, Gießen/Wetzlar

Bürgersaal Büblingshausen

8.00 – 9.00 p.m. Unter dem Ahorn 22, Wetzlar

Richterliches Entscheiden an einem frühneuzeitlichen Justizkollegium. Der kaiserliche Reichshofrat im Spiegel der archivalischen Quellen

Tobias Schenk, Göttingen/Vienna

29 October 2021

Fulda, Kanzlerpalais (Chancellor's Palais) – Volkshochschule, Unterm Heilig Kreuz 1

9.00 – 10.30 a.m. (Kanzlerpalais, Seminar Room)

Jurisdictional and Administrative Legal Pluralism in the Ius Commune II

Stephan Wendehorst, Gießen/Vienna

Coffee

Transfer from Fulda to Vienna

Dept. Fulda: 29. October 2021, a.m., arr. Vienna Central Station: 29. October, 11.05 p.m.

Convening Institution:

Universität Wien, Institut für Rechts- und Verfassungsgeschichte, Forschungscluster „Jüdisches Hl. Röm. Reich“

Lehrveranstaltungsleiter des Ius Commune MC an der rechtswissenschaftlichen Fakultät der Universität Wien (Responsible Heads of the Ius Commune MC at the Law Faculty of the University of Vienna):

Prof. Dr. Thomas Simon
thomas.simon@univie.ac.at

Dr. Stephan Wendehorst
stephan.wendehorst@univie.ac.at

Coaching-Team - Faculty

Prof. Dr. Friedrich Battenberg, TU Darmstadt/Staatsarchiv Darmstadt
Prof. Dr. Anette Baumann, JLU Gießen/Gesellschaft für Reichskammergerichtsforschung
Ulrich Hausmann, M.A., Rechtswissenschaftliche Fakultät Wien
Prof. Dr. Thomas Simon, Rechtswissenschaftliche Fakultät Wien
Dr. Stephan Wendehorst, Rechtswissenschaftliche Fakultät Wien
Abraham de Wolf, Rechtsanwaltskanzlei Abraham de Wolf Frankfurt

Additional Lecturers

Tamar Menashe, M.A., Columbia University New York
Dr. Tobias Schenk, Akademie Göttingen /Haus-, Hof und Staatsarchiv Wien

Organisation:

Mag. jur. Gabriel Paulus
gabriel.paulus@univie.ac.at

Venues:

Büblingshausen, Bürgersaal Büblingshausen, Unter dem Ahorn 22, Wetzlar
Frankfurt-on-Main, Jewish Museum
Fulda, Kanzlerpalais (Chancellor's Palais) – Volkshochschule, Unterm Heilig Kreuz 1
Vienna, Juridicum, Schottenbastei 10-16, Vienna
Wetzlar, Gesellschaft für Reichskammergerichtsforschung e.V., Rosengasse 16, 35578 Wetzlar