




PAWEŁ LESIŃSKI

 <https://orcid.org/0000-0001-6522-3625>

Maria Curie-Skłodowska University in Lublin

*Auer, Marietta, Duve, Thomas, Vogenauer, Stefan, eds.,
Michael Stolleis – zum Gedenken. Frankfurt am
Main: Vittorio Klostermann, 2023 (Studien zur europäischen
Rechtsgeschichte Veröffentlichungen des Max-Planck-Instituts
für Rechtsgeschichte und Rechtstheorie, vol. 342) (90 pp.,
ISBN 978-3-465-04625-7)*

Keywords: Michael Stolleis, history of law, commemoration, in memoriam

To claim that almost every German legal history researcher has encountered the works of Professor Michael Stolleis in his or her scientific activity would be no exaggeration. Until 2006 Stolleis worked as Professor of law at the Goethe University in Frankfurt. Moreover, from 1991 to 2009 he held the position of Director of Max-Planck-Institut für Europäische Rechtsgeschichte (Max-Planck-Institut for Legal History). He died on March 18, 2021, at the age of 79. Academic community has thus lost one of the greatest authorities in the field of German and European legal history.

The reviewed publication is an outcome of the *Gedenkfeier* (commemoration event) in honor of Stolleis. It took place at Goethe University and was organized in cooperation with Max-Planck-Institut für Europäische Rechtsgeschichte. The book consists of statements made by the authorities of the institutions where Stolleis pursued his academic career. It also contains essays prepared by his academic friends and scientific collaborators. Perhaps the most interesting part of the publication is the reprint of the interview Stolleis gave on June 7 to Philipp Heß, Annette Weinke and Norbert Frei.¹

As noted above, the publication is opened by greeting addresses made respectively by Enrico Schleiff, rector of Goethe University, Thomas Vesting, dean of the Faculty

¹ Published originally in: Stolleis, Michael. *Nahes Unrecht, fernes Recht. Zur Juristischen Zeitgeschichte im 20. Jahrhundert*, 135–64. Göttingen: Wallstein, 2014 (Jena Center Geschichte des 20. Jahrhunderts: Vorträge und Kolloquien, vol. 16).

of Legal Sciences of Goethe University, and Marietta Auer, managing director of Max-Planck-Institut für Europäische Rechtsgeschichte and Rechtstheorie. The authors of these statements characterized Stolleis as a scholar with significant scientific and organizational achievements both at the Faculty and the Institute itself. They also emphasized his vitality and youthfulness, even during his years in retirement.

At the beginning of the next part, entitled “Vorträge,” Bernhard Schlink presented his essay, “Rechtsgeschichte und Rechtsgeschichten” (“History of Law and Histories of Law”), in which he discusses the role of history in human existence. The essay also refers to Stolleis’ understanding of history and the history of law. The next author, Aurore Gaillet, focuses on Stolleis’ relationship and scientific cooperation with French academics. She also emphasizes that Stolleis was not only a highly esteemed scholar but was a “universal” intellectual who loved poetry and literature. Miloš Vec writes about his personal reflections on the role played by Stolleis in animating the studies on *Deutsches Völkerrecht* – German International Law – in the period of the 17th through to the 19th century. Pascale Cancik proves that to the very end Stolleis was an active and creative scholar. This author refers to the interrupted works on *Colonialrecht* (colonial law), a subject that he discussed with Stolleis just a few days before his death. This part ends with an important summary of Michael Kunze, pointing out that Stolleis was also a “brave” scientist. He undertook an analysis of the *Nazizeit* (Nazi period) during the 1960s, a task that was quite risky at that time. As mentioned above, possibly the most interesting part of the publication is a reprint of the extensive interview with Stolleis. In this interview, Stolleis discusses a handful of issues regarding his life and academic career. His reflections on Nazism are fascinating, and the way he responsibly deals with this difficult past, not only of Germany in general but also of his own family. Stolleis also talks about his studies in Heidelberg and Würzburg and his subsequent assistantship in Munich under Sten Gagnér. He discusses his scientific career, inspirations, and sources of interest in the history of law as well as his later academic activity in Munich, in Frankfurt and in Max-Planck-Institut für Europäische Rechtsgeschichte (founded by Helmut Coing in 1964).

An appropriate way to sum up not only this review but also to describe Stolleis’ perception of the history of law is his statement from the article in *Frankfurter Allgemeine Zeitung*: “Der geschichtsblinde Jurist ist gefährlich” (“A Lawyer That’s Blind to History is Dangerous”). Therefore, according to Stolleis, a lawyer must be able to critically evaluate the legal norms he or she works with. A knowledge of history, especially the history of law, is a skill enabling the lawyer to complete this evaluation. That’s the lesson Professor Stolleis taught us. We must not forget it.