

Legal Histories of the Other
International Workshop in Hamburg, 13–14 April 2026

Rationale:

Ideas of the other emerge along relational self-alien boundaries negotiated in social processes of categorisation that are, in turn, embedded in distinct power structures and historical situations. Among the various disciplines to study the complexities and complications of conceptualisations of otherness this workshop focusses on law and history.

On the one hand, legal histories of the other have been bound to the birth of the modern nation-state, its ideas of community membership, its increasing possibilities of participation in the polity and its aspirations. Citizenship and nationality served as the prime legal category to organise inclusion and exclusion both internally and externally. Legally framed, otherness has proven to be a fragile concept, one surrounded by ambiguities and bound up with complex emotions of belonging and alienness. On the other hand, empire put forward its own versions of legalised otherness and used law to affect inclusion and exclusion of the other and structure and maintain political authority and hierarchy. In imperial and colonial settings, ideas on culture and race were enacted to shape, determine, confirm or subvert the place, status, and entitlements of groups and individuals within the imperial legal, constitutional, and socio-political order.

This workshop aims at reflecting on the legal other—and on legal histories of the other, whether in peace or in war, in the nation-state's domestic legal order or the empire's constitutional order, or in the international legal order.

Programme

Monday, 13 April 2026

09:30 Arrival, welcome and introduction into the Workshop

Greta Schlünz (Toepfer Foundation), Kim Wünschmann (IGdJ) and Rotem Giladi

10:00–11:30 First Session chaired by Kim Wünschmann

- Orit Rozin (Tel Aviv), Revenge, Justice, and Capital Punishment for Terrorists
- Sebastian Gehrig (Sheffield), Cold War Othering: The Law, Loyalty, and Treason

11:30–12:00 Coffee/Tea

12:00–13:30 Second Session chaired by Anthony Kauders

- Niels Pohl-Schneeberger (Munich), Between Racial Ideology and Diplomatic Protection: Nazi Persecution Policy Against Jews with Foreign Citizenship in the Holocaust
- Kim Wünschmann (Hamburg), The 'Enemy Alien' Phenomenon as a Legal History of the 'Other': Challenges in Bridging Disciplines

13:30–15:30 Lunch

15:30–17:00 Third Session chaired by Orna Alyagon Darr

- Rotem Giladi (Roehampton/Hamburg), The Laws of War and the Malleable 'Other'
- Jochen von Bernstorff (Tübingen), Justifying War and the Other in Legal History



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Tuesday, 14 April 2026

09:00–09:30 Arrival

09:30–11:00 Fourth Session chaired by Orit Rozin

- Maya Kreiner (Leipzig), The 'X' Mandate: Mandatory Palestine as an Imperial Other
- Orna Alyagon Darr (Sderot/Frankfurt), The 'Other' through the Carceral Looking Glass: Prisoner Classification in Mandate Palestine

11:00–11:30 Coffee/tea

11:30–13:30 Concluding Session chaired by Rotem Giladi

- Michał P. Garapich (London Met), The Legal Other: Anthropological Perspectives

13:30 Lunch