Contents

List of Contributors  page vii

Introduction  1
THOMAS DUVE AND TAMAR HERZOG

1. What Is Legal History of Latin American Law in a Global Perspective?  18
1.1 How Was and Is Latin American Legal History Written?  18
CARLOS PETIT
1.2 What Is Legal History and How Does It Relate to Other Histories?  39
TAMAR HERZOG
1.3 How Is Law Produced?  54
THOMAS DUVE
1.4 What Is Global Legal History and How Can It Be Done?  73
MARIANA DIAS PAES

2. How to Approach Indigenous Law?  95
CAROLINE CUNILL

3. How to Approach Colonial Law?  141
3.1 A Civil Law for a Religious Society  141
TAMAR HERZOG
3.2 Religious Normativity for Colonial Empires  182
THOMAS DUVE
3.3 The Domestic Sphere  220
ROMINA ZAMORA

4. Independence(s): What Is a Revolutionary Law?  250
TAMAR HERZOG

v
Contents

5. The Coming of States? The Nineteenth Century 283
   5.1 Constitutions 283
   JOSÉ MARÍA PORTILLO
   5.2 Codifications 321
   AGUSTÍN PARÍSE
   5.3 Contestations and Exclusions 345
   MONICA DANTAS AND ROBERTO SABA

6. The Omnipresence of the State? The Twentieth Century 389
   6.1 Toward the Administrative State 389
   EDUARDO ZIMMERMANN
   6.2 Dictatorships 422
   CRISTIANO PAIXÃO
   6.3 Transitional Justice and Human Rights 460
   RUTI TEITEL AND VALERIA VEGH WEIS

   DANIEL BONILLA MALDONADO

Index 542