

## The history of justice in Luxembourg from 1815 to the present day



On Monday 29 January 2018, the Luxembourg Centre for Contemporary and Digital History (C<sup>2</sup>DH) and the Luxembourg Ministry of Justice signed an agreement to launch a research project that will explore more than 200 years of the history of justice in Luxembourg.

At a press conference, Minister of Justice Félix Braz, C<sup>2</sup>DH Director Prof. Andreas Fickers and project manager Prof. Denis Scuto, together with the associated partners, presented an overview of this four-year project, which will be carried out in close cooperation with the Luxembourg National Archives.

The National Archives and the archives of the Ministry of Justice – hitherto largely unexplored – will be opened up to researchers from the C<sup>2</sup>DH. The project results will be published in a book and a number of academic articles, and there will also be a strong focus on public history, with the development of a virtual and physical exhibition and the creation of a series of teaching resources.

### **A multifaceted, interdisciplinary project**

The reciprocal influence between justice and politics, the role of women in justice and the various transnational aspects that have influenced the judicial authorities in Luxembourg are just some of the topics that will be explored in this project.

The main stages in the development of Luxembourg's legal system, namely:

- the Dutch period (1815-1839), influenced by the legacy of the French Revolution;
- the period from the establishment of constitutional bases and the separation of powers under the liberal constitution introduced in 1848 to the consolidation of the judiciary in 1885;
- the periods of occupation during the two World Wars and the interwar period (1914-1945); and
- the post-war period, the transition to a liberal legal system and the supremacy of international/EU law over national law;

will be examined from a long-term, interdisciplinary perspective.

Access to sources from the various legal institutions (the Ministry of Justice; the Supreme, Constitutional and Administrative Courts and the Court of Cassation; the magistracy and the Public Prosecutor), as guaranteed under this agreement, will give researchers the opportunity to

explore several areas of legal activity and to investigate the manifold effects of the legal system on Luxembourg society.

The Ministry and the C<sup>2</sup>DH both recognise the importance of adopting a critical and scientific approach as the starting point for this important initiative. As the Minister of Justice confirmed, “no aspect will remain unexplored.” “Scientific freedom is a sine qua non for a project of this type,” emphasised Andreas Fickers.