PRACTICES OF RESTITUTION

Since the end of the Second World War, restitution in Germany – *Wiedergutmachung* – has been mainly understood as part of state or private law. This book offers a different approach, arguing that authors and artists have also taken up a responsibility for restitution. Deploying the literal translation 'making-good-again', this book focuses on the 'making' of law, literature and visual art to argue that restitution is a practice which is found in different genres, sites and temporalities. The practices of restitution identified are dynamic, iterative and incomplete: they are practices of failure. Nevertheless, in this book, the question of how to conduct restitution emerges as a material question of responsibility asked through the making of texts and objects in different genres, including law. The resulting text is a unique expansion and re-conceptualisation of the practices of jurisprudence, restitution and responsibility in the context of the aftermath in Germany. This title is also available as Open Access on Cambridge Core.

Laura Petersen is a Postdoctoral Research Fellow at the Institute for Interdisciplinary Legal Studies, University of Lucerne, Switzerland. She is the winner of the Zipporah B. Wiseman Prize for Scholarship on Law, Literature and Justice (2021) and the Harold Luntz Prize (2023).

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 16 Nov 2026 at 19:16:53, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009514880

LAW IN CONTEXT

Series editors
Professor Kenneth Armstrong
University of Cambridge
Professor Maksymilian Del Mar
Queen Mary, University of London
Professor Sally Sheldon
University of Bristol and University of Technology Sydney

Editorial advisory board
Professor Bronwen Morgan
University of New South Wales
Emeritus Professor William Twining
University College London

Since 1970, the Law in Context series has been at the forefront of a movement to broaden the study of law. The series is a vehicle for the publication of innovative monographs and texts that treat law and legal phenomena critically in their cultural, social, political, technological, environmental and economic contexts. A contextual approach involves treating legal subjects broadly, using materials from other humanities and social sciences, and from any other discipline that helps to explain the operation in practice of the particular legal field or legal phenomena under investigation. It is intended that this orientation is at once more stimulating and more revealing than the bare exposition of legal rules. The series includes original research monographs, coursebooks and textbooks that foreground contextual approaches and methods. The series includes and welcomes books on the study of law in all its contexts, including domestic legal systems, European and international law, transnational and global legal processes, and comparative law.

Books in the Series

Acosta: *The National versus the Foreigner in South America: 200 Years of Migration and Citizenship Law*
Alaattinoğlu: *Grievance Formation, Rights and Remedies*
Ali: *Modern Challenges to Islamic Law*
Alyagon Darr: *Plausible Crime Stories: The Legal History of Sexual Offences in Mandate Palestine*
Anderson, Schum & Twining: *Analysis of Evidence, 2nd Edition*

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 16 Nov 2026 at 19:16:53, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009514880

Ashworth: *Sentencing and Criminal Justice, 6th Edition*
Barton & Douglas: *Law and Parenthood*
Baxi, McCrudden & Paliwala: *Law's Ethical, Global and Theoretical Contexts: Essays in Honour of William Twining*
Beecher-Monas: *Evaluating Scientific Evidence: An Interdisciplinary Framework for Intellectual Due Process*
Bell: *French Legal Cultures*
Bercusson: *European Labour Law, 2nd Edition*
Birkinshaw: *European Public Law*
Birkinshaw: *Freedom of Information: The Law, the Practice and the Ideal, 4th Edition*
Blick: *Electrified Democracy: The Internet and the United Kingdom Parliament in History*
Broderick & Ferri: *International and European Disability Law and Policy: Text, Cases and Materials*
Brownsword & Goodwin*: Law and the Technologies of the Twenty-First Century: Text and Materials*
Cane & Goudkamp: *Atiyah's Accidents, Compensation and the Law, 9th Edition*
Clarke: *Principles of Property Law*
Clarke & Kohler: *Property Law: Commentary and Materials*
Collins: *The Law of Contract, 4th Edition*
Collins, Ewing & McColgan: *Labour Law, 2nd Edition*
Cowan: *Housing Law and Policy*
Cranston: *Making Commercial Law Through Practice 1830–1970*
Cranston: *Legal Foundations of the Welfare State*
Darian-Smith: *Laws and Societies in Global Contexts: Contemporary Approaches*
Dauvergne: *Making People Illegal: What Globalisation Means for Immigration and Law*
David: *Kinship, Law and Politics: An Anatomy of Belonging*
Davies: *Perspectives on Labour Law, 2nd Edition*
Dembour: *Who Believes in Human Rights?: Reflections on the European Convention*
de Sousa Santos: *Toward a New Legal Common Sense: Law, Globalization, and Emancipation*
Diduck: *Law's Families*
Dowdle: *Transnational Law: A Framework for Analysis*
Dupret: *Positive Law from the Muslim World: Jurisprudence, History, Practices*
Emon: *Jurisdictional Exceptionalisms: Islamic Law, International Law, and Parental Child Abduction*
Estella: *Legal Foundations of EU Economic Governance*
Fortin: *Children's Rights and the Developing Law, 3rd Edition*
Garnsey: *The Justice of Visual Art: Creative State-Building in Times of Political Transition*
Garton, Probert & Bean: *Moffat's Trusts Law: Text and Materials, 7th Edition*
Ghai & Woodman: *Practising Self-Government: A Comparative Study of Autonomous Regions*
Glover-Thomas: *Reconstructing Mental Health Law and Policy*
Gobert & Punch: *Rethinking Corporate Crime*

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 16 Nov 2026 at 19:16:53, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009514880

Goldman: *Globalisation and the Western Legal Tradition: Recurring Patterns of Law and Authority*
Haack*: Evidence Matters: Science, Proof, and Truth in the Law*
Harlow & Rawlings: *Law and Administration, 4th Edition*
Harris: *An Introduction to Law, 8th Edition*
Harris, Campbell & Halson: *Remedies in Contract and Tort, 2nd Edition*
Harvey: *Seeking Asylum in the UK: Problems and Prospects*
Herring: *Law and the Relational Self*
Hervey & McHale: *European Union Health Law: Themes and Implications*
Hervey & McHale: *Health Law and the European Union*
Holder & Lee: *Environmental Protection, Law and Policy: Text and Materials, 2nd Edition*
Jackson & Summers: *The Internationalisation of Criminal Evidence: Beyond the Common Law and Civil Law Traditions*
Kostakopoulou: *The Future Governance of Citizenship*
Kreiczer-Levy: *Destabilized Property: Property Law in the Sharing Economy*
Kubal: *Immigration and Refugee Law in Russia: Socio-Legal Perspectives*
Lewis: *Choice and the Legal Order: Rising above Politics*
Likosky: *Law, Infrastructure and Human Rights*
Likosky: *Transnational Legal Processes: Globalisation and Power Disparities*
Lixinski*: Legalized Identities: Cultural Heritage Law and the Shaping of Transitional Justice*
Loughnan: *Self, Others and the State: Relations of Criminal Responsibility*
Lunney: *A History of Australian Tort Law 1901-1945: England's Obedient Servant?*
Maughan & Webb: *Lawyering Skills and the Legal Process, 2nd Edition*
McGaughey: *Principles of Enterprise Law*
McGlynn: *Families and the European Union: Law, Politics and Pluralism*
Mertens: *A Philosophical Introduction to Human Rights*
Moffat: *Trusts Law: Text and Materials*
Monti: *EC Competition Law*
Morgan: *Contract Law Minimalism: A Formalist Restatement of Commercial Contract Law*
Morgan & Yeung: *An Introduction to Law and Regulation: Text and Materials*
Nash: *British Islam and English Law: A Classical Pluralist Perspective* Ng, *Political Censorship in British Hong Kong: Freedom of Expression and the Law (1842–1997)*
Nicola & Davies: *EU Law Stories: Contextual and Critical Histories of European Jurisprudence*
Norrie: *Crime, Reason and History: A Critical Introduction to Criminal Law, 3rd Edition*
O'Dair: *Legal Ethics: Text and Materials*
Oliver: *Common Values and the Public–Private Divide*
Oliver & Drewry: *The Law and Parliament*
Palmer & Roberts: *Dispute Processes: ADR and the Primary Forms of Decision-Making, 1st Edition*

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 16 Nov 2026 at 19:16:53, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009514880

Palmer & Roberts: *Dispute Processes: ADR and the Primary Forms of Decision-Making, 3rd Edition*
Picciotto: *International Business Taxation*
Pieraccini: *Regulating the Sea: A Socio-Legal Analysis of English Marine Protected Areas*
Probert*: The Changing Legal Regulation of Cohabitation, 1600-2010: From Fornicators to Family, 1600-2010*
Radi: *Rules and Practices of International Investment Law and Arbitration*
Reed: *Internet Law: Text and Materials*
Richardson: *Law, Process and Custody*
Roberts & Palmer: *Dispute Processes: ADR and the Primary Forms of Decision-Making, 2nd Edition*
Rowbottom: *Democracy Distorted: Wealth, Influence and Democratic Politics*
Sauter: *Public Services in EU Law*
Scott & Black: *Cranston's Consumers and the Law*
Seneviratne: *Ombudsmen: Public Services and Administrative Justice*
Seppänen: *Ideological Conflict and the Rule of Law in Contemporary China: Useful Paradoxes*
Siems: *Comparative Law, 3rd Edition*
Stapleton: *Product Liability*
Stewart: *Gender, Law and Justice in a Global Market*
Tamanaha: *Law as a Means to an End: Threat to the Rule of Law*
Tuori: *Properties of Law: Modern Law and After*
Turpin & Tomkins: *British Government and the Constitution: Text and Materials, 7th Edition*
Twining: *General Jurisprudence: Understanding Law from a Global Perspective*
Twining: *Globalisation and Legal Theory*
Twining: *Human Rights, Southern Voices: Francis Deng, Abdullahi An-Na'im, Yash Ghai and Upendra Baxi*
Twining: *Jurist in Context: A Memoir*
Twining: *Karl Llewellyn and the Realist Movement, 2nd Edition*
Twining: *Rethinking Evidence: Exploratory Essays, 2nd Edition*
Twining & Miers: *How to Do Things with Rules, 5th Edition*
Wan: *Film and Constitutional Controversy: Visualizing Hong Kong Identity in the Age of 'One Country, Two Systems'*
Ward: *A Critical Introduction to European Law, 3rd Edition*
Ward: *Law, Text, Terror*
Ward: *Shakespeare and Legal Imagination*
Wells & Quick: *Lacey, Wells and Quick: Reconstructing Criminal Law: Text and Materials, 4th Edition*
Young: *Turpin and Tomkins' British Government and the Constitution: Text and Materials, 8th Edition*
Zander: *Cases and Materials on the English Legal System, 10th Edition*
Zander: *The Law-Making Process, 6th Edition*

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 16 Nov 2026 at 19:16:53, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009514880

International Journal of Law in Context: A Global Forum for Interdisciplinary Legal Studies

The *International Journal of Law in Context* is the companion journal to the Law in Context book series and provides a forum for interdisciplinary legal studies and offers intellectual space for ground-breaking critical research. It publishes contextual work about law and its relationship with other disciplines including but not limited to science, literature, humanities, philosophy, sociology, psychology, ethics, history and geography. More information about the journal and how to submit an article can be found at http://journals.cambridge.org/ijc

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 16 Nov 2026 at 19:16:53, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009514880

PRACTICES OF RESTITUTION

Law and Aesthetics in Modern Germany

Laura Petersen

University of Lucerne

CAMBRIDGE
UNIVERSITY PRESS

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 16 Nov 2026 at 19:16:53, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009514880

CAMBRIDGE UNIVERSITY PRESS

Shaftesbury Road, Cambridge CB2 8EA, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre,
New Delhi – 110025, India

103 Penang Road, #05–06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of Cambridge University Press & Assessment,
a department of the University of Cambridge.

We share the University's mission to contribute to society through the pursuit of
education, learning and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781009514910

DOI: 10.1017/9781009514880

© Laura Petersen 2026

This publication is in copyright. Subject to statutory exception and to the provisions of
relevant collective licensing agreements, with the exception of the Creative Commons
version the link for which is provided below, no reproduction of any part may take
place without the written permission of Cambridge University Press & Assessment.

An online version of this work is published at doi.org/10.1017/9781009514880
under a Creative Commons Open Access license CC-BY-NC-ND 4.0 which permits
re-use, distribution and reproduction in any medium for non-commercial purposes providing
appropriate credit to the original work is given. You may not distribute derivative works without
permission. To view a copy of this license, visit https://creativecommons.org/licenses/by-nc-nd/4.0

When citing this work, please include a reference to the DOI 10.1017/9781009514880

Published with the support of the Swiss National Science Foundation

First published 2026

Cover image: View over Memorial to the Murdered Jews of Europe, Germany - Getty Images

A catalogue record for this publication is available from the British Library

Library of Congress Cataloging-in-Publication Data
Names: Petersen, Laura, author.
Title: Practices of restitution : law and aesthetics in modern Germany /
Laura Petersen, University of Lucerne.
Description: Cambridge, United Kingdom ; New York, NY : Cambridge University Press, 2026. |
Series: Law in context | Includes bibliographical references and index.
Identifiers: LCCN 2025027862 (print) | LCCN 2025027863 (ebook) |
ISBN 9781009514910 (hardback) | ISBN 9781009514880 (ebook)
Subjects: LCSH: Restitution – Germany. | Compensation (Law) – Germany. |
Government liability – Germany.
Classification: LCC KK7642 .P425 2026 (print) | LCC KK7642 (ebook) |
DDC 940.53/18140943–dc23/eng/20250611
LC record available at https://lccn.loc.gov/2025027862
LC ebook record available at https://lccn.loc.gov/2025027863

ISBN 978-1-009-51491-0 Hardback
ISBN 978-1-009-51489-7 Paperback

Cambridge University Press & Assessment has no responsibility for the persistence or accuracy of
URLs for external or third-party internet websites referred to in this publication and does not
guarantee that any content on such websites is, or will remain, accurate or appropriate.

For EU product safety concerns, contact us at Calle de José Abascal, 56, 1°, 28003
Madrid, Spain, or email eugpsr@cambridge.org

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 16 Nov 2026 at 19:16:53, subject to the
Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009514880