

1. Record Nr.	UNINA9910483385503321
Autore	Mousourakis George
Titolo	Roman Law and the Origins of the Civil Law Tradition // by George Mousourakis
Pubbl/distr/stampa	Cham : , : Springer International Publishing : , : Imprint : Springer, , 2015
ISBN	3-319-12268-1
Edizione	[1st ed. 2015.]
Descrizione fisica	1 online resource (XVI, 328 p.)
Disciplina	340.1
Soggetti	Law—Philosophy Law Political science History Private international law Conflict of laws Theories of Law, Philosophy of Law, Legal History Philosophy of Law History, general Private International Law, International & Foreign Law, Comparative Law
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Bibliographic Level Mode of Issuance: Monograph
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	1. The Historical and Constitutional Context of Roman Law: A Brief Overview -- 2. The Sources of Roman Law -- 3. The Private Law -- 4. Criminal Law and Criminal Justice -- 5. The Codification of Roman Law -- 6. Roman Law and Byzantine Imperial Legislation -- 7. The Survival and Resurgence of Roman Law in Western Europe -- 8. Codification and the Rise of Modern Civil Law.
Sommario/riassunto	This unique publication offers a complete history of Roman law, from its early beginnings through to its resurgence in Europe where it was widely applied until the eighteenth century. Besides a detailed overview of the sources of Roman law, the book also includes sections on private and criminal law and procedure, with special attention given to those aspects of Roman law that have particular importance to today's lawyer. The last three chapters of the book offer an overview of the history of

Roman law from the early Middle Ages to modern times and illustrate the way in which Roman law furnished the basis of contemporary civil law systems. In this part, special attention is given to the factors that warranted the revival and subsequent reception of Roman law as the 'common law' of Continental Europe. Combining the perspectives of legal history with those of social and political history, the book can be profitably read by students and scholars, as well as by general readers with an interest in ancient and early European legal history. The civil law tradition is the oldest legal tradition in the world today, embracing many legal systems currently in force in Continental Europe, Latin America and other parts of the world. Despite the considerable differences in the substantive laws of civil law countries, a fundamental unity exists between them. The most obvious element of unity is the fact that the civil law systems are all derived from the same sources and their legal institutions are classified in accordance with a commonly accepted scheme existing prior to their own development, which they adopted and adapted at some stage in their history. Roman law is both in point of time and range of influence the first catalyst in the evolution of the civil law tradition.

---