

European traditions integration or dis-integration?

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European legal traditions can be characterised as a continuous balancing act of two seemingly contradictory forces: centralisation and de-centralisation. On the one hand, Justinian's *Corpus iuris*, the medieval *ius commune* of Roman and Canon law, the *usus modernus pandectarum*, and the current European harmonisation efforts all have a centralizing or rather an integrative quality about them. While the *ius proprium*, including the English Common law, and particularly the national codifications of the 19th century, as well as the study of these laws, exhibit more diverse, de-centralizing forces within European legal traditions.

This volume shows how comparative legal history can be used as a tool to analyse similarities and differences between legal systems. It aims to provide a deeper understanding of common strands in law shared by European countries, in particular those (i) at a substantive level, through shared legal ideas and principles such as *clausula rebus sic stantibus*, unjustified enrichment, *cessio bonorum*, subsidiarity or popular sovereignty; (ii) at a formal level, through a common legal language; and created (iii) by scholarly networks and (iv) appellate courts. Above all, these contributions – though eclectic in their subject matter, time period and methodology – all reflect from a historical perspective on the fascinating, diverse European legal traditions.



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