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THE HISTORICAL
AND INSTITUTIONAL
CONTEXT OF ROMAN LAW

GEORGE MOUSOURAKIS

The Historical And Institutional Context Of Roman Law

Andrew J. Pottenger



The Historical And Institutional Context Of Roman Law:

The Historical and Institutional Context of Roman Law George Mousourakis, 2017-03-02 Roman law forms an important part of the intellectual background of many legal systems currently in force in continental Europe Latin America and other parts of the world This book traces the historical development of Roman law from the earliest period of Roman history up to and including Justinian's codification in the sixth century AD It examines the nature of the sources of law forms of legal procedure the mechanisms by which legal judgments were put into effect the development of legal science and the role of the jurists in shaping the law The final chapter of the book outlines the history of Roman law during the Middle Ages and discusses the way in which Roman law furnished the basis of the civil law systems of continental Europe The book combines the perspectives of legal history with those of social political and economic history Special attention is given to the political development of the Roman society and to the historical events and socio economic factors that influenced the growth and progress of the law Designed to provide a general introduction to the history of Roman law this book will appeal to law students whose course of studies includes Roman law legal history and comparative law It will also prove of value to students and scholars interested in ancient history and classics *Borkowski's Textbook on Roman Law* Paul du Plessis, 2010-05-13 Borkowski's Textbook on Roman Law provides a clear and concise overview of Roman private law and civil procedure supported by numerous extracts in translation from the Digest and Institutes The book has been written with undergraduate students in mind and covers all key areas commonly taught on Roman law courses at undergraduate level **Borkowski's Textbook on Roman Law** Paul J. du Plessis, 2020 Borkowski's Textbook on Roman Law is the leading contemporary textbook on Roman law Providing students with a clear and highly readable account of Roman private law and civil procedure it gives a comprehensive overview of both the historical context and modern relevance of Roman law today Translated extracts from the most important Latin legal sources the Digest and the Institutes of Justinian are included throughout Annotated further reading sections at the end of each chapter support further research Book jacket [Roman Law and Economics](#) Giuseppe Dari-Mattiacci, Dennis P. Kehoe, 2020-05-26 Ancient Rome is the only society in the history of the western world whose legal profession evolved autonomously distinct and separate from institutions of political and religious power Roman legal thought has left behind an enduring legacy and exerted enormous influence on the shaping of modern legal frameworks and systems but its own genesis and context pose their own explanatory problems The economic analysis of Roman law has enormous untapped potential in this regard by exploring the intersecting perspectives of legal history economic history and the economic analysis of law the two volumes of Roman Law and Economics are able to offer a uniquely interdisciplinary examination of the origins of Roman legal institutions their functions and their evolution over a period of more than 1000 years in response to changes in the underlying economic activities that those institutions regulated Volume I explores these legal institutions and organizations in detail from the constitution of the Roman Republic to the management

of business in the Empire while Volume II covers the concepts of exchange ownership and disputes analysing the detailed workings of credit property and slavery among others Throughout each volume contributions from specialists in legal and economic history law and legal theory are underpinned by rigorous analysis drawing on modern empirical and theoretical techniques and methodologies borrowed from economics In demonstrating how these can be fruitfully applied to the study of ancient societies with due deference to the historical context Roman Law and Economics opens up a host of new avenues of research for scholars and students in each of these fields and in the social sciences more broadly offering new ways in which different modes of enquiry can connect with and inform each other

The Unheard Voice of Law in Bartolomé de Las Casas's *Brevísima Relación de la Destrucción de las Indias* David T. Orique, 2021-04-13 The Unheard Voice of Law in Bartolomé de las Casas's *Brevísima relación de la destrucción de las Indias* reinterprets Las Casas's controversial treatise as a legal document whose legal character is linked to civil and ecclesial genres of the Early Modern and late Renaissance juridical tradition Bartolomé de las Casas proclaimed I have labored to inquire about study and discern the law I have plumbed the depths and have reached the headwaters The Unheard Voice also plumbs the depths of Las Casas's voice of law in his widely read and highly controversial *Brevísima relación* a legal document published and debated since the 16th century This original reinterpretation of his *Very Brief Account* uncovers the juridical approach voiced in his defense of the Indigenous peoples of the Americas The Unheard Voice innovatively asserts that the *Brevísima relación*'s legal character is intimately linked to civil and ecclesial genres of the late Renaissance juridical tradition This paradigm shifting book contextualizes the formation of Las Casas's juridical voice in canon law and theology initially as a secular cleric subsequently as a Dominican friar and finally as a diocesan bishop and demonstrates how his experienced juridical voice fought for justice in trans Atlantic debates about Indigenous peoples' level of humanity religious freedom enslavement and conquest Reaching the headwaters of Las Casas's hitherto unheard juridical voice of law in the *Brevísima relación* provides readers with a previously unheard interpretation an appealing voice for readers and students of this powerful Early Modern text that still resonates today The Unheard Voice of Law is a valuable companion text for many in the disciplines of literature history theology law and philosophy who read Bartolomé de las Casas's *Very Brief Account* and study his life labor and legacy

A Legal History of Rome George Mousourakis, 2007-08-07 This book equips both lawyer and historian with a complete history of Roman law from its beginnings c 1000 BC through to its re-discovery in Europe where it was widely applied until the eighteenth century Combining a law specialist's informed perspective of legal history with a socio-political and cultural focus it examines the sources of law the ways in which these laws were applied and enforced and the ways the law was influenced and progressed with an exploration of civil and criminal procedures and special attention paid to legal science The final chapter covers the history of Roman law in late antiquity and appraises the move towards the codification of law that culminated in the final statement of Roman law the *Corpus Iuris Civilis* of Emperor Justinian Throughout the book George

Mousourakis highlights the relationship between Roman law and Roman life by following the lines of the major historical developments. Including bibliographic references and organized accessibly by historical era, this book is an excellent introduction to the history of Roman law for students of both law and ancient history. *European Legal History* Randall Lesaffer, 2009-06-25. The rediscovery of Roman law and the emergence of classical canon law around AD 1100 marked the beginnings of the civil law tradition in Europe. Between the twelfth and eighteenth centuries, a highly sophisticated legal science of a truly European dimension was developed. Since then, the different European States have developed their own national legal systems, but with the exception of England and Ireland, they are all heirs to this tradition of the *ius commune*. This historical introduction to the civil law tradition from its original Roman roots to the present day considers the political and cultural context of Europe's legal history. Political, diplomatic, and constitutional developments are discussed, and the impacts of major cultural movements such as scholasticism, humanism, the Enlightenment, and Romanticism on law and jurisprudence are highlighted. This contextual approach makes for a fascinating story accessible to any reader, regardless of legal or historical background. *The History of Law in Europe* Bart Wauters, Marco de Benito, 2017-04-28. Comprehensive and accessible, this book offers a concise synthesis of the evolution of the law in Western Europe from ancient Rome to the beginning of the twentieth century. It situates law in the wider framework of Europe's political, economic, social, and cultural developments. *The Savage Republic* Eric Michael Wilson, 2008. Intended for the professional, academic, and graduate student, this book is the first to utilize the methodology of a *oeNew Stream* legal scholarship in an extended critical *oeexegesis* of Hugo Grotius's *TM De Indis* c. 1604-6. *De Indis* is predicated upon a two-fold discursive strategy: i) investing a *oeprivatea* Trading Companies with a *oepublica* international legal personality, and ii) collapsing the distinction between a *oeprivatea* and a *oepublica* warfare. Governing the operation of textual interpretation is *De Indis*'s *TM* status as a republican treatise juridically legitimating an early modern Trans-National corporation, the VOC, that served as an agent of a *oeprimitivea* system of global governance, the early Capitalist World Economy. The application of New Stream scholarship reveals that the republican signature of *De Indis* consists of a discursive *oe*micro-oscillation between the *oe*ethica ontology of Late Scholasticism, a *oeUtopiaa*, and the *oe*ethina ontology of Civic Humanism, a *oeApologia*, wholly appropriate to the governance requirements of the embryonic Modern World System. *Power and Rhetoric in the Ecclesiastical Correspondence of Constantine the Great* Andrew J. Pottenger, 2022-11-30. This volume closely examines patterns of rhetoric in surviving correspondence by the Roman emperor Constantine on conflicts among Christians that occurred during his reign, primarily the Donatist schism and Arian controversy. Commonly remembered as the first Christian emperor of the Roman Empire, Constantine's rule sealed a momentous alliance between church and state for more than a millennium. His well-known involvement with Christianity led him to engage with two major disputes that divided his Christian subjects: the Donatist schism, centred from the emperor's perspective on determining the rightful bishop of Carthage, and the so-called Arian

controversy a theological conflict about the proper understanding of the Son's divine nature in relation to that of the Father. This book examines a number of letters associated with Constantine that directly address both of these disagreements, exploring his point of view and motivations to better understand how and why this emperor applied his power to internal church divisions. Based on a close analysis of prominent themes and their functions in the rhetoric of his correspondence, Pottenger argues that three doctrines of power served to inform and direct Constantine's use of power as he engaged with these problems of schism and heresy. *Power and Rhetoric in the Ecclesiastical Correspondence of Constantine the Great* is of interest to students and scholars of early Christianity and the history of the later Roman Empire.

The Enigmatic Realm of **The Historical And Institutional Context Of Roman Law**: Unleashing the Language is Inner Magic

In a fast-paced digital era where connections and knowledge intertwine, the enigmatic realm of language reveals its inherent magic. Its capacity to stir emotions, ignite contemplation, and catalyze profound transformations is nothing lacking extraordinary. Within the captivating pages of **The Historical And Institutional Context Of Roman Law** a literary masterpiece penned by a renowned author, readers attempt a transformative journey, unlocking the secrets and untapped potential embedded within each word. In this evaluation, we shall explore the book's core themes, assess its distinct writing style, and delve into its lasting impact on the hearts and minds of those who partake in its reading experience.

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